



**Common Market for Eastern
and Southern Africa**

COMESA COMPETITION COMMISSION

REQUEST FOR TECHNICAL AND FINANCIAL PROPOSALS

**CONSULTANCY SERVICES TO FACILITATE RECRUITMENT OF
FOUR PROFESSIONAL POSITIONS**

RFP : CCC/RFP/04/02/2025

APRIL 2025

A. BACKGROUND

1. The COMESA Competition Commission ("the Commission") is a regional body corporate established under Article 6 of the COMESA Competition Regulations 2004 ("the Regulations") promulgated under Article 55 of the Treaty Establishing the Common Market for Eastern and Southern Africa ("COMESA"). The Commission has the legal capacity required for the performance of its functions under the Regulations in the territory of each COMESA Member State.
2. The Commission's core mandate is to promote and encourage competition by preventing restrictive business practices and other restrictions that deter the efficient operation of markets, thereby enhancing the welfare of the consumers in the Common Market, and to protect consumers against offensive conduct by market actors. The Regulations apply to all economic activities whether conducted by private or public persons within or having an effect within the Common Market. Such conduct includes anti-competitive business practices, agreements, mergers & acquisitions, and consumer protection violations which have an appreciable effect on trade between Member States and which restrict competition in the Common Market. The Regulations also specifically prohibit all agreements between undertakings, decisions by associations of undertakings and concerted practices as incompatible with the Common Market in so far as they may affect trade between Member States and have as their object or effect the prevention, restriction and distortion of competition within the Common Market.
3. The Commission wishes to recruit the following four professional posts tenable at its office in Lilongwe, Malawi.

	Post	Number
1.	Human Resource and Administration Manager (P3)	1
2.	Manager Mergers (P3)	1
3.	Principal Merger Analyst (P2)	1
4.	Principal Economist, Research, Policy and Advocacy (P2)	1

4. In this regard, the Commission is looking for a qualified professional consultant to assist with the recruitment process.

B. SPECIFIC TERMS OF REFERENCE

5. The Consultant shall perform as per the following Specific Terms of Reference:
- a. Review all the applications received;
 - b. Prepare a Summary of Applications in the format to be provided by the Commission;
 - c. Screen applications in a transparent and efficient manner;
 - d. Evaluate each candidate's application as per the desired profile in the job advert/call for applications highlighting but not limited to the following:
 - i. Qualifications
 - ii. Relevant experience
 - iii. Stipulated years of experience
 - iv. Understanding of Job description
 - v. Knowledge of any one or more of the COMESA languages
 - vi. Computer literacy
 - vii. Eligibility to apply for the position
 - viii. Language proficiency
 - e. Score each candidate and rank all applications;
 - f. Short list a minimum of three (3) or a maximum of five (5) candidates for each post;
 - g. Ensure that only one (1) candidate from one (1) country is shortlisted for the post;
 - h. Ensure that the shortlisting process is done in line with the Staff Rules of the Commission;
 - i. Prepare a short-listing report and make recommendations with comprehensive justifications and rankings for all candidates (shortlisted or not shortlisted); and
 - j. Submit the final short-listing report within three (3) weeks after signing the contract;
 - k. For the position of Human Resource and Administration Manager, prepare interview questions and assist with marking;
 - l. Provide advise to the Interview panel;
 - m. Act as Secretary to the interview/selection panel and prepare the interview report; and
 - n. Present the interview report and recommendations to the Chief Executive Officer (the CEO).

C. DELIVERABLES

6. By the end of the assignment, the Consultant is expected to have delivered:
- a. A final Shortlisting Report, containing a shortlist of a minimum of three (3) and not more than five (5) highly qualified candidates for each posts who will be invited for interviews.
 - b. A final Interview Report, containing the recommendations of the Interview Panel on suitable candidate/s for the post.

D. ACCOUNTABILITY AND RESPONSIBILITIES

7. The Commission will provide the following documents to the successful Consultant:
- a. Copies of all applications received;
 - b. COMESA Competition Regulations and COMESA Competition Rules;
 - c. The COMESA Competition Commission Staff Rules;

- d. Call for applications/Adverts for the position;
- e. Score sheet template; and
- f. Any other document that may be relevant to the assignment.

8. The reporting requirements and time schedule for the deliverables are projected to follow the ensuing timeline:

Deliverables	Time of submission to The Commission	Review Period by The Commission
Collection of information from the Commission Consultation with the Commission Submit/present an initial report containing the Criteria of shortlisting and approach.	No later than 10 working days from the date of signing the Contract.	Not more than 10 working days from date of receipt from the Consultant.
Shortlisting report	No later than 10 working days after the adoption of the initial report by the Commission	Adoption of the report by the Commission, no later than 10 working days
Organise/advise the interview process including the preparation of interview questions and marking for Manager HR and Administration Final Interview Report	5 working days from the date of Interview	Commission provides input on the interview report 5 working days from the date of receipt

NB: The total project time is estimated to be finalised within 2 months.

E. SUPERVISION

9. The Consultant shall report to the CEO of the Commission or to any staff members that the CEO may so delegate to.

F. EXPERIENCE AND QUALIFICATIONS

10. The Commission wishes to obtain the services of a Consultancy firm or individual Consultant with the requisite experience in recruitment. The Consultant or Consultancy firm must demonstrate a proven track record of developing work of this nature at national or regional level. Further, the Consultancy Firm or its personnel or for individual Consultants the following must be demonstrated:

- 10.1. Hold at least a master's degree in the relevant field from a recognized University;
- 10.2. Have at least ten (10) years' relevant experience.

- 10.3. Clearly demonstrate proof of similar work done at national or regional or international level.
- 10.4. Clearly demonstrate capacity to meet the specified deadlines and ability to screen voluminous number of applications efficiently, effectively and in a transparent manner.
- 10.5. Recruitment experience for a competition and/or consumer protection authority will be an added advantage.

G. APPLICATIONS

11. Responses to this request for technical and financial proposal shall include copies of the following:
 - 11.1. A proposal for the consultancy services;
 - 11.2. A brief cover letter indicating relevant experience and suitability for assignment;
 - 11.3. For Consultancy firms, copy of the firm's profile / for individual Consultants, the C.V suffices;
 - 11.4. Valid and current tax compliance certificate for firms; and
 - 11.5. Costs (in USD): The service providers should identify their rates which should be valid for the entire length of the assignment.

H. PAYMENT PERIOD

12. The Commission shall consider and approve the services and certify invoices not later than 15 calendar days after satisfactory submission. Please note that payment shall only be effected not later than 30 calendar days after the Commission has approved the services and certified the invoices.

I. PRICING

13. All prices MUST be indicated in United States Dollars.
14. There will be a no price variation contract after signing of contract except upon a mutual written agreement between the Commission and the successful bidder.
15. The price quoted shall be considered to be for all the services required by the Commission as contained in this Request for Proposal.
16. Prices must be exclusive of all taxes within the Common Market.

J. CRITERIA FOR EVALUTION OF BIDS

17. Bidders must provide both Technical and Financial proposals. The evaluation shall be based on the following attributes:

- 17.1. The overall responsiveness (including completion of bid submission requirements outlined in Paragraph 25 and 26 below);
- 17.2. Technical ability of the bidder to perform the required services;
- 17.3. The experience and reputation of the bidder as represented in the response and the quality of references; and
- 17.4. Cost of services. Fees and expenses will be particularly important factors when all other evaluation criteria are relatively equal.

18. The technical proposal will be assigned a weight of 80% and the financial proposal will be weighted at 20%.

Evaluation Attribute	Percentage Points
Consultant's understanding of the Commission's requirements	15
Approach and methodology	30
Specific Experience in carrying out similar assignments. Evidence in the form of for example reference letters, offer letters, orders or copies of contracts, or any other evidence of working in competition and consumer law matters in a very influential position should be presented	35
Qualifications of proposed Consultant(s) :	20
Total	100

19. The proposal shall be considered unsuitable and shall be rejected at the technical stage if it does not respond to important aspects of the objectives, scope of services and expected results and fails to achieve a minimum technical score of 70%.

K. FINANCIAL PROPOSAL- STANDARD BIDDING FORM

- 20. Bidders are advised to use the standard tender Form below as a sample format and modify it to cover all relevant costs or charges.
- 21. There will be no price variation tender.
- 22. Bidders are advised to disclose any other relevant information on a separate sheet of paper.

L. VALIDITY OF THE BID

23. The Bid shall be valid for a period of six months after the closing date of this tender.

M. AMENDMENTS OF PROPOSAL DOCUMENTS

24. At any time prior to the deadline for submission of Bids, the Commission may, for any reason, modify the Proposal Documents by issuing an addendum.

N. BID SUBMISSION

25. Bidders are advised to include in their bids the following standard tender Forms attached to this tender document and marked Annexes 1-6:

25.1. Bid Submission Sheet;

25.2. Bidder's references;

25.3. Comments and suggestions on the Scope of Work;

25.4. Description of the methodology for performing the assignment;

25.5. Team Composition and Tasks assignment. (This does not apply to individual consultants); and

25.6. Proposed fees;

26. The proposals must be submitted with a covering letter containing a confirmation and a description of how you have understood the objectives, scope of services and expected results for the assignment. Consultants should not be bankrupt, insolvent, in receivership or being wound up as the case maybe and should not be subject to any criminal or legal proceedings. Bidders should provide copies of documentation, evidence and confirmation, as applicable that:

26.1. They have the legal capacity to enter into the contract; (for firms, provide a copy of certificate of incorporation or registration of the company as per the applicable laws of their country)

26.2. They are not insolvent, in receivership, bankrupt or being wound up. Their business activities have not been suspended, and they are not the subject of legal proceedings for any of the foregoing; (provide copies of the last three (3) preceding years financial audited accounts);

26.3. For firms, that they have fulfilled their obligations to pay taxes and social security contributions, and for that purpose, documentary evidence to be provided by the relevant authorities to demonstrate that the bidders have met their obligations (provide copy of valid and current tax compliance certificate);

26.4. They have not offered any inducement to any employees of the Commission (complete confirmation form in line with Annex 1).

27. Bidders who do not submit their proposal using the Annexes 1-6 and respond to the required documents under paragraph 25 and 26, shall be disqualified.

O. COST OF TENDER

28. The Bidder shall bear all costs associated with the preparation and submission of the bid. The Commission will in no case be responsible or liable for those costs, regardless of the conduct and outcome of the tender.

P. CANCELLATION OF THE TENDER

29. In the event of cancellation of the tender, bidders will be notified in writing of the cancellation by the Commission.

Q. OWNERSHIP OF TENDERS

30. The Commission retains ownership of all tenders received under this Request for Proposals. Consequently, bidders have no right to have their tenders returned to them.

R. COMMUNICATION OF THE OUTCOME OF THE BID

31. The Commission shall communicate to all the bidders the outcome of their submitted bid. However, the Commission is not obliged to provide and justify grounds for rejection.

S. NEGOTIATION AND FINALISATION

32. After the selection of the best bid and notification to the selected party, the Commission will commence negotiations with that party for purposes of concluding an agreement.

T. AWARD OF CONTRACT

33. Prior to expiration of the period of bid validity, the Commission will award the contract to the qualified Bidder whose Bid after being evaluated is considered to be the most responsive to the needs of the organization and activity concerned.
34. The Commission reserves the right to wholly or partially reject or award the contract to any bidder and has no obligation to award this tender to the highest ranked bidder.
35. The Commission also reserves the right to annul the Bid process and reject all Bids at any time prior to award of contract, without thereby incurring any liability to the affected Bidder(s).

U. SIGNING OF CONTRACT

36. Within 14 days of receipt of the contract the successful Bidder shall sign and date the contract and return it to the Commission.

V. PERIOD OF EXECUTION

37. The period of execution of the contract starts from the date of the signing of the contract and is dependent on accomplishment of the deliverables provided under Section V, Paragraph 11.

W. CONFIDENTIALITY

38. Information relating to evaluation of bids and recommendations concerning awards, shall NOT be disclosed to the Bidders who submitted the bids or to other persons not officially concerned with the process, until the winning consultant has been notified that it has been awarded the contract.

X. CORRUPT AND FRAUDULENT PRACTICES

39. The Commission requires that Bidders observe the highest standard of ethics during the procurement and executions of contracts. For the purposes of this provision, COMESA defines the terms set forth below as follows:

39.1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution: and

39.2. "fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the COMESA and includes collusive practice among Bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels and to deprive COMESA of the benefits of free and open competition.

Y. DEADLINE AND SUBMISSION OF BIDS

40. The proposal shall be submitted on or before the Deadline either by (i) e-mail and/or (ii) hand delivery, registered mail or courier service.

41. The Deadline for the submission of the Request for proposals at the address and email address indicated below is 23 April 2025 at 13:00 hours Malawi Local Time. Consultants are invited to attend the opening of the bids scheduled to be held on 23 April 2025 at 15:00 hours Malawi Local Time. Attendance to the bid opening may be physical or virtual.

COMESA Competition Commission
Procurement Unit
Kang'ombe House, Floor 5
P O Box 30742
Lilongwe
Malawi
E-mail: procurement@comesacompetition.org

42. This deadline applies to both electronic submission (e-mail) and/or hand delivered, registered mail or courier service. Any of the two modes of submission i.e. hand delivered or electronic submission that is made first shall be considered to be the submission date. Proposals received after the deadline shall automatically be rejected, and there shall be no exception to this.

43. Electronic submission of proposals shall be submitted by the closing date, in a PDF password protected format to which you will have to provide the password during the tender opening scheduled for 23 April 2025 at 15:00 hours Malawi Local Time to the following email address: procurement@comesacompetition.org.

44. Bidders shall submit one original technical proposal and one original financial proposal. Each proposal shall be in a separate envelope indicating original or copy, as appropriate. The envelopes shall be clearly marked "Technical Proposal," and "Financial Proposal." The envelope containing the financial proposal shall also bear a warning "**DO NOT OPEN WITH THE TECHNICAL PROPOSAL**". These two envelopes, in turn, shall be sealed in an outer envelope bearing the address and information indicated in paragraph 43 above. The envelope shall be

clearly marked: **“DO NOT OPEN, EXCEPT IN PRESENCE OF THE EVALUATION COMMITTEE.”**

45. The Commission does not bind itself to accept any bid and reserves the right to accept or reject the whole or part of any of the submitted bids.
46. Any proposal received by the Commission after the deadline for submission of proposals shall be rejected. There shall be no exception to this requirement.

Z. TECHNICAL QUERIES

47. Additional requests for information and clarifications can be made in writing until 7 working days prior to deadline to the address indicated in paragraph 43 above that is on 15 April 2025 at 15:00 Hours Malawi Local Time.
48. **Contacting any staff member of the Commission in any manner whatsoever on the subject of this tender other than through the stated channel shall be considered inappropriate and may result in the disqualification of the bidder.**

ANNEX 1: BID SUBMISSION SHEET

[This Bid Submission Sheet should be on the letterhead of the Bidder and should be signed by a person with the proper authority to sign documents that are binding on the Bidder.]

Date: [insert date (as day, month and year) of bid submission]

Reference No: [insert Reference number]

To: The Chairperson of the Procurement Committee

- a) I/We, the undersigned, declare that:
- b) I/We have examined and have no reservations to the Bidding Document;
- c) I/We offer to provide the services in conformity with the Bidding Document for the [insert a brief description of the Services];
- d) I/We hereby submit our bid which includes the following (to state the documents included);
- e) The bid shall be valid for a period of six months from the date fixed for the bid submission deadline in accordance with the Bidding Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- f) I/We are not participating, as Bidders, in more than one bid in this bidding process;
- g) I/We did not offer any inducement to any employees of the Commission;
- h) I/We do not have any conflict of interest and have not participated in the preparation of the project document for the COMESA Competition Commission;
- i) My/Our Proposal is binding upon us, subject to modifications agreed during any contract negotiations, and we undertake to negotiate on the basis of the staff proposed in our Bid;
- j) I/We understand that this Bid, together with your written acceptance thereof included in your Letter of Bid Acceptance, shall NOT constitute a binding contract between us, until a formal letter of engagement is prepared and executed; and

- k) I/We understand that you are not bound to accept the lowest bid or any other bid that you may receive.

Name: [insert complete name of person signing the Bid]

In the capacity of [insert legal capacity of person signing the bid]

Signed: [signature of person whose name and capacity are shown above]

Duly authorized to sign the bid for and on behalf of: [insert complete name of Bidder]

Dated on _____ day of _____, _____ [insert date of signing]

ANNEX 2: BIDDER'S REFERENCES

Relevant Services Carried Out that Best Illustrate Experience

Using the format below, provide information on each assignment for which the Bidder, either individually or as a corporate entity or as one of the major firms within an association, was legally contracted.

Bidder's Name:

Assignment Name:		Country:
Location within Country:		Professional Staff Provided by Bidder (profiles):
Name of Client:		Nº of Staff:
Address:		Nº of Staff-Months; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (in Current US\$):
Name of Associated Consultants, If Any:		Nº of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		
Description of Actual Services Provided by the Staff:		

ANNEX 3: COMMENTS AND SUGGESTIONS ON THE SCOPE OF WORK

The bidder is required to give his comments and suggestions on the scope of work as follows:

Scope of work	Comments and Suggestions

ANNEX 4: DESCRIPTION OF THE METHODOLOGY FOR PERFORMING THE ASSIGNMENT

Scope of work	Methodology for performing the Assignment

ANNEX 5: TEAM COMPOSITION AND TASK ASSIGNMENTS (Applicable only where the worked will be undertaken by a group of people and not an individual)

1. Technical/Managerial Staff		
Name	Position	Task(s)

ANNEX 6: PROPOSED FEES (TO BE SUBMITTED SEPARATELY FROM THE TECHNICAL PROPOSAL).

The bidder is required to state his proposed fees for the various financial statements to be audited as follows:

Level of Service	Rate Per hour	Estimated Hours	Amount
Expert 1			
Expert 2			
Expert 3 etc			