



# TERMS OF REFERENCE

## DEVELOPMENT OF A NATIONAL QUALITY POLICY (NQP) FOR THE TURKS AND CAICOS ISLANDS

### BACKGROUND

Currently, as a British Overseas Territory and an Associate Member of CARICOM, the Turks and Caicos Islands (TCI) is in the nascent stages of developing an institutionalized Quality Infrastructure (QI) environment as there is a definitive need to develop a more accessible, affordable, and internationally recognized demand-oriented QI. The TCI is also very desirous of aligning itself to the CARICOM Regional Quality Policy.

A National Quality Policy (NQP) is essential for the TCI to focus efforts, establish, effectively resource and then maintain globally recognized quality standards and conformity assessment regimes for goods and services. The NQP will guide a more efficient and directional development of the National Quality Infrastructure (NQI), which refers to a set of autonomous but related institutions that collectively work to guarantee quality and safety of products and services for local and international use. The NQI also aims to safeguard human, animal, and plant health and safety whilst facilitating the smooth and sustainable flow of trade.

In 2017, the European Union Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (EU-COSME) with the assistance of the Ministry of Health, Agriculture, Sports and Human Services formally initiated the development of an NQI plan for the TCI. Officials from the Department of Public Health met with EU-COSME consultants in Providenciales to discuss this and a proposed structure for the NQI.

In March 2018, the Ministry of Finance, Investment and Trade assumed responsibility for the initiative and in July 2018, a national consultation workshop on the development of a NQP and Consumer Protection Framework was held in Providenciales and attended by government and related stakeholders. A report was submitted by the EU-COSME consultants to the Ministry of Finance, Investment and Trade in August 2018. The report outlined the case for the development of a NQP and NQI in the TCI to support business competitiveness, consumer welfare and environmental protection, among other matters.

In April 2019, Cabinet approved the establishment of a NQI Steering Committee. The NQI Steering Committee was tasked with spearheading the formal development of a NQI for the TCI. It is comprised of representatives from Government Ministries with direct responsibility for trade, food safety, human health and the environment. In particular, the Department of Agriculture, the Department of Environmental Health, the Department of Environment and Coastal Resources (DECR), and the Department of Trade, Industry, and Fair Competition.

In September 2022, the Department of Trade, Industry, and Fair Competition as Lead Coordinator of the NQI Steering Committee solicited guidance from the CARICOM Regional Organization for Standards and Quality (CROSQ) on the way forward for standards development and related QI matters in the TCI. CROSQ recommended, and the TCI agreed, that there is need to validate the 2018 EU-COSME's Report against 2023 economic and social requirements, translating it into an official NQP with a short-medium-long term strategic implementation plan for QI development.



An NQP will inter alia, link the policy and implementation measures relating to standards, metrology, conformity assessment and technical regulation contained in all relevant policies, where they exist and establish interlocking modalities where they do not. The development of an NQP will also provide an opportunity to review quality issues mentioned in other policies and related strategies and create a framework of integration. Additionally, there may be need to amend policies and strategies that may not be in compliance with international guidelines and rules, and remedial measures arising will be expected to form part of the structured short-medium-long term strategic implementation plan. In this regard, developing and then executing upon an NQP, will be a key focal point for the systematic inclusion of standards and quality into all aspects of TCI life that are informed by the imperatives of human, animal, plant health and safety; innovation and competitiveness; as well as climate resilience and environmental sustainability to name a few other existential requirements.

The government approved NQP, along with its implementation plan, will therefore also be an integral part of the broader diversification, social enhancement and business strategies of TCI that seek the development of quality products and services to enhance trade and thereby ultimately underpin socio-economic development. Empirical evidence suggests that standardization through standards, metrology, and accreditation and its conformity assessment companions (inspection, testing, and certification), along with quality promotion campaigns, play important roles in national economic, social, technological, physical and environmental resilience, as well as create a societal demand pull for quality in all aspects of life.

## **BENEFITS OF A NATIONAL QUALITY POLICY**

As markets are becoming more globalized, products and services flow freely across borders. The quality of products and services is, therefore, a key determinant of both consumer health and safety, and private sector competitiveness as it encourages companies to innovate, conform to market requirements and connect to the market. Trade across borders has proven to help boost economic development and reduce poverty by generating growth through increased commercial opportunities and investment, as well as broadening the productive base through private sector development and reform.

International standards adopted or adapted at the national and regional levels in alignment with the principles and practices of the WTO - TBT and SPS Agreements, are becoming ever more important in international trade as they are utilized extensively by major businesses operating in all countries. Therefore, local producers and suppliers of goods and services are often required to be demonstratively compliant with such international standards. Developing and promoting the use of international standards and quality assessment services as guided by a robust NQP and that is linked to the CARICOM RQP, will ensure that products and services from the Turks and Caicos Islands meet state-of-the-market requirements, thereby avoiding technical barriers to trade (TBT) and sanitary and phytosanitary (SPS) obstacles and that local business processes are modelled on management system standards recognized worldwide. Small manufacturers/producers and service providers also benefit since this can enhance their chance of transacting businesses with international and regional businesses. Furthermore, by organizing the access of local farmers and agro-processors to product testing and reliable measurement quantities in a systematic way against these international standards, a NQP can also contribute to farm production level and livelihoods enhancement especially for agriculturally based households; thereby also helping the national food security and safety agenda.



## OBJECTIVE

The objective of this assignment is to develop a NQP, including a short-medium-long term implementation plan for the TCI, with the intention of providing strategic and operational direction for the accelerated development of a NQI including, an appropriate technical regulation system. The policy is designed to assist in safeguarding human, animal, and plant health and safety whilst improving the competitiveness of businesses within the TCI as they participate in the international trading system. The Policy will be expected to be presented to the Cabinet of the TCI by the consultant for eventual championing to approval by the Department of Trade, Industry and Fair Competition.

## SCOPE OF CONSULTANCY SERVICES

The Consultant will carry out the activities described hereunder and any other activities necessary to accomplish the stated objectives of the consultancy assignment, whether or not a specific activity is cited in these terms of reference. The main tasks/activities are described below:

- a) Review relevant background documents (including the CARICOM Regional Quality Policy) and interview relevant public and private sector stakeholders to develop a preliminary understanding of the strengths and weaknesses of the current QI and technical regulation regime in the context of best practice and country development objectives. Priority will be given to human, animal and plant health and safety; innovation and competitiveness; export promotion and diversification; as well as climate resilience and environmental sustainability.
- b) Prepare an Inception Report that presents the findings based on the data collected at item (a) above; the proposed framework for the NQP; a data collection plan; and a detailed work plan for completing the assignment.
- c) Conduct a detailed situational analysis of the NQI and related technical regulation regime in the TCI, covering the areas of Standards; Metrology; Inspections, Testing, Certification; and Accreditation and Quality Promotions. The analysis should involve consultations with relevant stakeholders in-country, including private sector associations; a representative sample of businesses including MSMEs and regulatory agencies; and quality bodies/agencies.
- d) Identify and analyze gaps (and overlaps) in the existing QI (including technical regulation regime) by benchmarking against international and regional best practices in NQI and by evaluating against the demands placed on NQI by the regulatory and policy framework/agencies (e.g., related to human safety, health and the environment; trade and industry) and the country's general development objectives.
- e) Liaise with the respective government representatives to assess the resources (financial and human) available for the development of an effective NQI and technical regulation regime; and to determine the priority institutions and services to be provided by NQI in its initial stages of development.
- f) Prepare an Interim Report detailing the findings based on the analysis of items (c) to (e) above.
- g) Prepare a draft NQP for the TCI that inter alia:
  - (i) is based on specific, measurable, achievable, realistic and time-bound QI objectives;



- (ii) details short, medium and longer-term priorities and strategies for achieving the QI objectives;
  - (iii) addresses appropriate arrangements for coordinating the implementation of the NQP;
  - (iv) recommend the legislative requirements required to support the implementation of the NQP;
  - (v) recommends capacity building for public and private sector personnel and enterprises to support the development and adoption of standards and quality assessment instruments;
  - (vi) includes a realistic Implementation Plan and Budget to guide the implementation process.
- h) Present the draft NQP, including the Implementation Plan and Budget to and obtain feedback from stakeholders at a specially convened stakeholders' validation workshop.
- i) Finalize the NQP, including the Implementation Plan and Budget incorporating stakeholder feedback and make a presentation to the Cabinet of TCI.

## **DELIVERABLES AND REPORTING REQUIREMENTS**

The Consultant will report to the Permanent Secretary, Ministry of Finance, Investment and Trade or his/designate and will be required to submit/deliver at least the following:

- (a) Within one month of commencing the assignment, the Inception Report referred to in item (b) of the above Scope of Work.
- (b) Within one month of the Permanent Secretary's acceptance of the Inception Report, the Interim Report referred to in item (f) of the above Scope of Work.
- (c) Within one month of the Permanent Secretary's acceptance of the Interim Report, the draft NQP, including the Implementation Plan and Budget, and facilitation of the stakeholders' validation workshop referred to at items (g) and (h), respectively of the above Scope of Work.
- (d) Within one month of the completion of the stakeholders' workshop, the final NQP and Implementation Plan and Budget and presentation to the TCI Cabinet referred to at item (j) of the above Scope of Work.

## **QUALIFICATIONS AND EXPERIENCE**

The assignment will be carried out by a consultant (or team) who possesses the following:



- (a) At least a Postgraduate degree in Economics, Natural Sciences, Applied Sciences, Engineering or any other QI related field.
- (b) At least five (5) years' work/consulting experience with Standardization, Metrology, Accreditation and Conformity Assessment; and secondly, significant hands-on experience in developing NQPs, especially in a Caribbean/CARICOM context.
- (c) At least five (5) years' experience in conducting quality infrastructure training or coaching.
- (d) Demonstrated ability to present technical findings in succinct reports for a wide public and making oral public presentations.
- (e) Excellent understanding of international trade matters.
- (f) Sound knowledge of the linkages between the various components of an NQI and international best practices of NQIs.
- (g) Good communications, facilitation and change management skills.
- (h) Excellent technical and report-writing skills.
- (i) Fluency in written and spoken English.

## **DURATION**

The consultancy is expected to be completed within four (4) calendar months.

## **SUPERVISION OF THE CONSULTANT**

The Director of Trade, Industry, and Fair Competition will facilitate the work of the consultant to make available all studies, reports, and data relevant to the Project. The Director of Trade will be assigned to be the liaison between the country and the consultant and will be the project's national focal point.

## **SUBMISSION OF PROPOSALS**

A Technical and a Financial proposal are required in English. The deadline for submission of both the technical and financial proposals is **no later than 4:00 pm on 14 July 2023** and sent by email to [tradetci@gov.tc](mailto:tradetci@gov.tc). Any proposals received after this deadline will not be considered.

## **EVALUATION OF TECHNICAL PROPOSALS**

Selection of consultant will be based on demonstrated competence, methodology and workplan. The quality of each proposal will be evaluated in accordance with the award criteria and the associated ratings as detailed below:



## **EVALUATION CRITERIA**

### ***Qualifications and Professional Experience***

- As outlined in the Qualifications and Experience section above.

### ***Quality of Technical Proposal***

- Organization and Methodology
  - Consultant's understanding of assignment
  - Adequacy/appropriateness of proposed methodology and strategy
- Work Plan
  - Reasonableness of completion time estimates and work breakdown structure

All proposals will be reviewed and scored using the above-mentioned criteria. Proposals obtaining a minimum technical score of 75 will be short-listed for further consideration.

The Technical Proposal is weighted at 80% of the overall score.

## **EVALUATION OF FINANCIAL PROPOSALS**

In preparing the Financial Proposal, consultants are expected to list all costs associated with the assignment including professional fees and reimbursable costs. Consultants are required to express the price of their services in United States Dollars (USD). Fees are not subject to taxes. The Ministry of Finance, Investment and Trade will directly pay for any travel expenses that may be required – travel, per diem, accommodation.

The Financial Proposal should be submitted separately, but at the same time, as the Technical Proposal.

The Financial Proposal is weighted at 20% of the overall score.

## **EVALUATION OF TECHNICAL – FINANCIAL PROPOSALS**

The Ministry of Finance, Investment and Trade reserves the right to negotiate methodology and rates with the candidate achieving the highest weighted score on the combined technical and financial proposal and then negotiate with others in rank order, if the preceding negotiation is not fruitful.

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