



## **EASTERN CARIBBEAN TELECOMMUNICATIONS AUTHORITY**

### **REQUEST FOR PROPOSALS**

#### **COMPETITION LAW AND ANALYSIS TRAINING WORKSHOP FOR THE REGULATORY STAFF OF THE EASTERN CARIBBEAN TELECOMMUNICATIONS AUTHORITY AND THE NATIONAL TELECOMMUNICATION REGULATORY COMMISSIONS**

### **INTRODUCTION**

The Eastern Caribbean Telecommunications Authority (ECTEL) is a body corporate established by Treaty in 2000 to inter alia promote open entry, market liberalization and competition in the Contracting States (Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, the Commonwealth of Dominica and Grenada) as well as discourage anti-competitive practices by telecommunications providers. The National Telecommunications Regulatory Commissions (NTRCs) which partner with ECTEL in the regulation of the telecommunications sector in the Contracting States are obligated under the Telecommunications Act to monitor anti-competitive practices in the telecommunications markets. In order to bolster the competence of the personnel involved in the regulation of the telecommunications markets ECTEL is desirous of obtaining further training in competition law and analysis for key regulatory personnel in ECTEL and the NTRCs.

### **SCOPE OF WORK**

The Eastern Caribbean Telecommunications Authority hereby requests proposals for the following service:

Design and conduct a competition law and analysis training workshop specifically for the regulatory staff of ECTEL and the NTRCs. The training program, which is aimed at providing an average thirty two (32) persons from ECTEL and the NTRCs with an understanding of competition law and the underlying analysis, will be held in Saint Lucia and conducted over a four day period in April of 2014. The successful candidate is expected to conduct the sessions from 9am to 5pm on each and every day and through a mixture of lectures, manuals, case studies specific to the telecommunications sector and group sessions thoroughly explain the following:-

1. The purpose of competition law and the interaction between competition law and sector specific regulation.
2. The process of market definition and how determinations of dominance in a relevant market are made.

3. The meaning of abuse of a dominant position and the kind of conduct that amounts to an abuse of a dominant position.
4. Agreements, decisions and concerted practices that have the object or effect of restricting competition in the market
5. The defence of objective justification; and
6. The meaning of “merger”, reason for the regulation of mergers and the process by which mergers are analyzed.

**The successful candidate is also expected to:**

1. In conjunction with the ECTEL Directorate design an agenda for the four day workshop
2. Conduct all training sessions
3. Prepare comprehensive lecture notes and manuals (in both electronic and hard copy) which will be given to all participants
4. Provide technical advice and support to participants during the workshop; and
5. Carry out a post training evaluation in close collaboration with the ECTEL Directorate.

**PROCEDURE AND DEADLINE FOR SUBMITTING PROPOSALS**

(a) Responses to this Request for Proposals must be submitted in a sealed envelope marked “**CONFIDENTIAL Bid for Conduct of a Competition Law and Analysis Training Workshop**” and addressed to the Managing Director, ECTEL, and P.O. Box 1886, Castries, St. Lucia.

(b) Submissions must contain:-

- (i) A letter of interest
- (ii) A draft outline of the workshop inclusive of the content of each session as well as a clear outline on the methodology to be utilized.
- (iii) The resume(s) of individual (s) who will be conducting all the sessions. Such resume (s) must list all qualifications including but not limited to qualifications in competition law, economics and telecommunications regulation as well as specific qualifications and expertise that relate to the provision of this service.
- (iv) A statement indicating whether the individual or firm has conducted similar training workshops in the Caribbean region.
- (v) A list of three institutions that the individual or firm has conducted sessions in competition law for and the contact information for the said institutions; and

- (vi) A budget that details all costs including the training fee, the travel and hotel expenses for the person (s) conducting the training workshop;

(c) All submissions must be received by **ECTEL by 4:30 PM on FRIDAY 29<sup>TH</sup> NOVEMBER 2013.** No substantive or material changes or corrections to material will be allowed after the submission deadline.

**REQUEST FOR PROPOSALS EVALUATION CRITERIA**

Only bids that conform to the RFP requirements will be evaluated for selection.

Those bids will be scored against the following criterion using the weights indicated:

<b>CRITERIA</b>	<b>WEIGHT</b>
Past experience in conducting workshops of a similar nature in the Caribbean.	35%
Qualification and reputation of the person (s) conducting the workshop. The individual (s) conducting the workshop must demonstrate in depth knowledge of competition law, economics and telecommunications regulation. Ideally the individual (s) must have experience dealing with competition cases in the telecommunications sector.	35%
Viability of the proposed workshop agenda and methodology utilized to deliver the same.	30%
<b>TOTAL</b>	<b>100%</b>

**REQUEST FOR PROPOSALS RELATED QUESTIONS/CLARIFICATION OF SUBMISSIONS.**

Please direct any inquiries on this Request for Proposals to Ms. Ro Ann Wright at [rwright@ectel.int](mailto:rwright@ectel.int).

No enquiries will be accepted after **4:30 PM on Friday 22<sup>ND</sup> November 2013.**

Pertinent responses will be posted on ECTEL’s website <http://www.ectel.int/>.

## REQUEST FOR PROPOSALS TIMELINE

Dates	Action
8 <sup>th</sup> November 2013	RFP made available to bidders
22 <sup>nd</sup> November 2013	Deadline for submitting questions
27 <sup>th</sup> November 2013	Deadline for response to all questions
29 <sup>th</sup> November 2013	Deadline for receiving all bid submissions
6 <sup>th</sup> December 2013	Completion of bid evaluation
12 <sup>th</sup> December 2013	Deadline for negotiation of contract
16 <sup>th</sup> December 2013	Award of contract

### LIABILITIES OF ECTEL

This Request for Proposals is only an invitation for proposals and no contractual obligations on behalf of ECTEL whatsoever may arise from the RFP process until and unless a formal contract is signed between ECTEL and the successful bidder.

ECTEL shall not be liable for any cost incurred by the respondents in the preparation or submission of any proposal to procure or contract for any services.

### PROPOSAL PROCESS MANAGEMENT

ECTEL reserves the right to accept or reject any and all proposals, to revise the Request for Proposals, to request one or more resubmissions or clarification from one or more proposers or to cancel the process in whole or in part.

ECTEL will at its discretion award the contract to the bidder submitting the best proposal that complies with the Request for Proposals. ECTEL may at its sole discretion reject any or all proposals received or waive minor defects, irregularities or informalities therein.

### CONTRACT NEGOTIATIONS

At the completion of the selection process ECTEL will enter into negotiations with the selected bidder.

