

REQUEST FOR PROPOSAL

RFP-RN00798-2020 SEED POLICY REGULATORY ENVIRONMENT (LGAs)

**Diagnostic Assessment of Implementation Barriers and Identification and Prioritization of Options to Support Implementation of Recently Enacted National Seed Policy and Regulatory Reforms by Local Government Authorities to Improve the Enabling Business Environment for Seed Firms**

CLIENT: ALLIANCE FOR GREEN REVOLUTION IN AFRICA (AGRA)

AGRA reserves the right to determine the structure of the process, number of short-listed participants, the right to withdraw from the proposal process, the right to change this timetable at any time without notice and reserves the right to withdraw this tender at any time, without prior notice and without liability to compensate and/or reimburse any party.

**Synopsis of the Request for Proposal (Consultant Firm)**

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| --- | --- |
| Solicitation Reference No. | **RFP-RN00798-2020 SEED POLICY REGULATORY ENVIRONMENT (LGAs)** |
| Title of Solicitation | Diagnostic Assessment of Implementation Barriers and Identification and Prioritization of Options to Support Implementation of Recently Enacted National Seed Policy and Regulatory Reforms by Local Government Authorities to Improve the Enabling Business Environment for Seed Firms |
| Issuing Office & Address | Alliance for a Green Revolution in Africa (AGRA)Website: [www.agra.org](http://www.agra.org) |
| Point of contact for clarifications, questions and ammendments | AGRA General Procurement,Procurement@agra.org  |
| Email Address for submission of Proposals/ Quotes  | AGRA General Procurement,Procurement@agra.org  |
| Solicitation Issue Date | May 5, 2020 Local, East African Time. |
| Deadline for submission questions and clarifications | May 12, 2020 12:00 PM, East African Time. |
| Deadline for Answering questions and clarifications | May 14, 2020 5:00 PM, East African Time. |
| Deadline for Submission of Proposals | May 20, 2020 5:00 PM, East African Time.**Please include the subject line “RFP-RN00798-2020 SEED POLICY” of the email** |
| Anticipated Award Type | **FIXED PRICE CONSULTANCY AGREEMENT** |
| Submission and Evaluation Criteria | Bidder Must provide the below listed information**Mandatory Eligibility Requirement**1. Certificate of Incorporation/Registration
2. Valid Tax Compliance Certificate

**Evaluation Criteria**1. Firm’s prior work experience (30%)
2. Technical Approach: (40%)
3. Key Personnel (30%)

**Evaluation Weightage** 1. Technical Proposal will be weighted out of 80%
2. Financial Proposal will be weighted out of 20%

**NB. Only bidders who score above 75% on the technical score will be appraised for financial review.** |

**TERMS OF REFERENCE**

**Diagnostic Assessment of Implementation Barriers and Identification and Prioritization of Options to Support Implementation of Recently Enacted National Seed Policy and Regulatory Reforms by Local Government Authorities to Improve the Enabling Business Environment for Seed Firms**

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## Background

Among the agricultural inputs, the seed is the most important catalyst for the improvement of production and productivity. The availability of quality seed is the foundation for food production and productivity. Tanzanian seed industry comprises a wide variety of stakeholders from the public and private sectors, as well as civil society actors. The public and private sectors are strongly involved in all steps of the seed chain, from plant genetic resource management including variety development to seed production and marketing.

The government of Tanzania has shown its commitment to improve the enabling business environment, and has engaged the private sector with a view of working together to remove regulatory bottlenecks that have negative impact on incentives for expanding private sector investments in seed supply. The government has taken reform actions to improve the seed policy and regulatory environment. In 2011, the Minister of Agriculture issued Circular on licensing to private seed firms those public varieties "protected under IPR". Invitations were sent through few newspapers and were not adequate. A few targeted beneficiaries came across this information. At the end, the seed industry was not clear on how to go about the procedures to acquire desirable varieties and remained in confusion. Tanzania became a member of the International Convention for the Protection of New Varieties of Plants (UPOV) Convention on 22 November 2015. Using the Plant Breeders law, the Minister of Agriculture amended Circular 2011 and signed the Government Circular on Authorization of New Varieties of Plants, 2016 on 9 January 2017. The Minister officially gazetted this for the industry to start implementation on 20 January 2017. Seven seed companies entered into contract with Tanzania Agricultural Research Institute using the reviewed Ministerial Circular setting procedures for accessing government-protected varieties from 2013/14, 2015/16 to 2016/17, 2018/19. The seven seed companies have obtained access to germplasm of 33 varieties and hybrids, multiply them into foundation and certified seed and to offer these for sale under the company’s brand names to farmers. An institutional change on the process was made on 21 July 2018 when the Tanzania Agricultural Research Institute (TARI) was officially launched at Selian Agricultural Research Institute in Arusha and assigned to enter into contracts with the seed companies instead of the parent Ministry of Agriculture. This made the process much quick and easier. The Ministry of Agriculture wrote a letter on 17 July 2017 to all regions directing them not to charge "crop cess" on seed on transit. This was a major policy win. The Tanzania Seed Trade Association (TASTA) had advocated for removal of crop cess on seed starting in 2002. The Government of Tanzania waived taxes and levies on seed producing firms in December 2017 as well as a total of 108 taxes and fees in the agriculture sector. The removal of taxes and fees was intended to rectify high taxes imposed on agriculture produces and products including seeds to enable farmers to access seed at affordable prices. ISTA accreditation was achieved in September 2019 as well as accreditation to Organization for Economic Cooperation and Development (OECD) Seed Scheme. There also are unfinished seed policy and regulatory reforms. These include regulations to provide for cost of takeover report (when buying germplasm of improved varieties from another country); authorization of private seed inspectors at the national and LGAs levels to strengthen the core team of inspectors at TOSCI; improving local seed production following access by seed companies to publicly bred protected varieties to resolve the issue of quality (maintenance breeding, purification and quality of varieties); regulations on access by private seed firms to breeder seed of publicly bred, non-protected varieties; need to fast track the Access and Benefit Sharing (ABS) law on plant genetic resources for food and agriculture (PGRFA); policy and legislation on seed reserves; reviewing Plant Breeders Rights Variety Maintenance Fees in order to create incentive for released varieties protection, developing stakeholder inputs for the National Seed Strategy; harmonization of seed regulators who are too many without the proper knowledge of seed companies and producers; and delineating the roles of TARI and the Agricultural Seed Agency (ASA) in the seed industry. There are also emerging policy issues such as the radiation tests requirements for seed imports and exports and certified seed production by TARI.

The Blueprint is a document developed through a collaboration between the government, private sector and the development partners to highlight regulatory challenges. It presents key challenges affecting the business environment in Tanzania along with a set of recommendations for reforms to put in place a more business friendly environment. The Blueprint pitches the regulatory challenges and recommendations for addressing them at the national, at it is silent on the challenges at the local government authorities (LGAs) level.

The responsibility for implementation has shifted to LGAs and local level implementing agencies. The LGAs provide the frontiers that connect the agribusinesses to the farmers. It means there is a gap in knowledge on the ease of doing business at the LGAs, and the policy, regulatory and administrative environment that agro-businesses at the LGAs operate. Therefore, there is a need to conduct a situational analysis of the policy, regulatory and administrative environment for seed agribusinesses operating in LGAs and document the bottlenecks that impede barriers to implementation of recent reforms in order to improve the enabling business environment and increased investments by seed businesses. The analysis will examine the full scope of seed businesses’ policy, regulatory, and administrative environment and document excessive or missing policies and regulations, and any implementation barriers. This is an action research, and AGRA will use the findings and options to support national government and LGAs to act on the design and implementation of policies and regulations and public investments to improve the enabling business environment for seed businesses.

## Objectives of the Assignment

The main objective of this consultancy is to diagnose and assess the magnitude and severity of barriers to implementation of recently enacted national seed policy and regulatory reforms by local government authorities; evaluate unfinished reforms and emerging policy issues; and identify and prioritize options for supporting LGAs and other players to implement technological, institutional, market, policy and infrastructural changes and public investments to significantly improve the seed policy and regulatory environment in the short, medium and long-run terms.

The specific objectives are to:

* Assess barriers to implementation of recently enacted national seed policy and regulatory reforms by LGAs. These include compliance plan and action plan for implementation of compliance schedule; information requirements and communication; delineation of roles and responsibilities; organizational capacities (financial resources, budgets, personnel staff); administrative operating procedures and capacity to carry out responsibilities and capacity building; commitment to implementing the reforms; incentives for public servants who are expected to implement the reform; and incentives for interest groups and stakeholders who may influence implementation and alter incentives in their favor, and dilute enforcement and infrastructure investments( capital costs of vehicles and equipment and operational costs such as maintenance, spare parts, fuel, electricity, and staff training)
* Evaluate the effects of unfinished national seed policy and regulatory reforms and emerging issues on effectiveness of implementation by LAs
* Identify and prioritize options and measures that different LGAs can take to support implementation and resolve unfinished and emerging policy issues, estimate the costs and benefits of applying alternative options and prioritize the initiatives based on their cost-benefit.

The consultant is expected to achieve these objectives using a sound, solid and rigorous analytical framework, methodology, data collection, analyses, and reporting using appropriate visualization charts and tables.

## Scope and approaches of the consultancy

The consultant is expected to carry out the following tasks:

* Attend a kick-off meeting to clarify expectations and agree on the approach
* Provide concise report that identifies the barriers to implementation of recently enacted national seed policy and regulatory reforms by local government authorities and prioritized options for supporting LGAs and other players to implement technological, institutional, market, policy and infrastructural changes and public investments to significantly improve the seed policy and regulatory environment in the short, medium and long-run
* Provide concise actionable recommendations for addressing the bottlenecks
* Present results in clear, concise format (Word document and PPT)
* Prepare a policy brief to present the high-level findings and recommendations from the study to the government decision makers
* By-laws (especially on revenue collection) at the LGA level that discourage investment
* Make a presentation of the findings and recommendation to the designated LGAs to facilitate up-take, stressing the required reforms in the by-laws, regulations and administrative systems for accelerating public and private sector investments in seeds value chain and agribusiness (synergize with SCALGA[[1]](#footnote-2) project)

## Outputs

### Report on barriers to implementation of recently enacted national seed policy and regulatory reforms by local government authorities and to identify and prioritize options for supporting LGAs and other players to implement technological, institutional, market, policy and infrastructural changes and public investments to significantly improve the seed policy and regulatory environment in the short, medium and long-run

### Concrete and granular measures for addressing the bottlenecks (what, who, and how)

### Stakeholder analysis of winners and losers and incentives for implementation of policy and regulatory reforms

### Policy brief summarizing the findings and recommendations into a concise document for presentation to the policy decision makers at the national and the specific LGAs

### A clearly articulated strategy for the likely outcomes of investments for leveraging agribusiness investments at the LGAs

## Outcomes

### Improved national and LGAs level agricultural regulatory environment

### Strengthened capacity of LGAs policy and regulatory focus institutions

### More streamlined institutional and regulatory system for agribusinesses working in the seed sub-sector

### Increased investments in agribusinesses at the LGAs

## Competencies required

**FIRM:**

AGRA wishes to contract a firm with the following skills and qualifications:

* Proven track record of conducting high-quality policy and economic analysis
* Experience in conducting studies on seed subsector, particularly on policy and regulatory environment
* Good Knowledge of Regional and Tanzania Seed System is an added advantage
* Good understanding of the policy and regulatory opportunities and challenges in Tanzania’s seed subsector

## Timelines and Duration of the Assignment

The period of performance is 6 months. The consulting firm shall provide technical assistance to the Tanzania Country Team.

## Selection/ Evaluation Criteria

|  |  |  |
| --- | --- | --- |
| **Evaluation Criteria** | **Sub criteria/Description** | **Evaluation Score** |
| Past Performance of the Firm | Detailed and specific experience of the firm in undertaking similar engagements; * Provide at least three reference letters of similar assignments (e.g., statistical and quantitative economic modeling) conducted in the last three years of similar scope.
* Provide a minimum of two concrete samples of similar work done for other organizations)
* Report writing and presentation skills (at least two sample reports from previous studies will be required)
 | 30% |
| Technical Approach | A description of the approach and plan of execution which the firm proposes to perform the assignment. * Understanding of the issue (how well the company understands the gap the study intends to fill)
* The methodology proposed for the assignment (including tools proposed for the assignment)
* Understanding of Tanzania’s Seed System (e.g. Seed production, distribution and seed trading; variety registration and release; seed Institution and legal framework etc.)
* Proposed assignment plan that includes clear timelines for the assignment, that demonstrates the understanding of the assignment expectation and high-quality proposal

***Maximum 10 pages*** | 40% |
| Key Personnel | The proposed individual/staff team to be deployed for the assignment, the tasks which are proposed to be assigned to each team member, and the allocation of time to each team member;At minimum the proposed required Key Personnel are;1. **TEAM LEADER (14%)**
* Experience in engaging with and presenting policy research to senior government decision makers
* Good understanding of the seed value chain, and strategic planning process…
* Strong command of quantitative and statistical modeling skills,
* Good understanding of policy and regulatory opportunities and challenges in Tanzania’s seed subsector
* Higher degree (MA, MSc, Ph.D.) in agricultural economics, economics, public policy & administration is required
1. **EXPERT 2 (8% each)**
* Experience in evaluation of government policies, strategy, programs and institution
* Good knowledge of the regional seed industry
* Fluency in English and Swahili in both writing and speaking
* Strong report writing skills and presentation (sample reports prepared by candidate will be required)
* Experience in designing research methodology and developing data collection instruments
* Higher degree in agricultural economics, economics, or public policy & administration is required

The consultant may propose additional staff deemed necessary for the successful conclusion of the assignment.***Curriculum vitae and certificates for proposed key staff must be attached.*** | 30% |

## Proposed Payment terms

* 20% upon submission of an approved inception report to AGRA
* 40% upon submission of the draft report
* 40% upon submission of the final report

## FINANCIAL PROPOSAL must be provided in the prescribed format, RFP Annex B, supported with a breakdown analysis and will provide the following information, but is not limited to:

1. Professional fees chargeable
2. Breakdown of the fees and disbursements

**Financial** **Proposal;**

1. Must be submitted using the format provided, **RFP Annex B: Financial Proposal**
2. Price must be quoted in US Dollars (USD)
3. All applicable taxes (VAT and withholding taxes) shall be included
4. If the financial proposal is silent on taxes, AGRA shall assume that these are inclusive;
5. Financial proposal shall be valid for a period of 90 days from the date of bid closure
6. Financial proposal shall be sent as a separate attachment and **MUST password protected**
7. Bidders Must provide complete financial costing for the entire assignment

**Submission**

1. Proposals MUST be submitted via email to AGRA General Procurement: Procurement@agra.org on or before the deadline indicated on the synopsis of the RFP
2. All bidders must use the RFP reference number in the subject line of their email submission.
3. Technical proposal and Financial proposal shall be submitted as separate attachment.
4. Neither technical nor financial proposals should exceed 10MB. The firm’s proposal with any subsequent modifications and counterproposals, if applicable, shall become an integral part of any resulting contract.
5. Proposal must be provided in English Language

## Disclaimer

AGRA reserves the right to determine the structure of the process, number of short-listed participants, the right to withdraw from the proposal process, the right to change this timetable at any time without notice and reserves the right to withdraw this tender at any time, without prior notice and without liability to compensate and/or reimburse any party.

**ANNEX B: FINANCIAL PROPOSAL FORM FPF-2 SUMMARY OF COSTS**

|  |  |
| --- | --- |
| ***Item*** | **Cost** |
|  |
| {*Insert Foreign Currency # 1*} | USD value  | Total cost |
| **Cost of the Financial Proposal, including** |  |  |  |
| (1) **Remuneration**  |  |  |  |
| (2) *[****Reimbursables]*** |  |  |  |
| **Total Cost of the Financial Proposal:** |  |  |  |
| **Indirect Local Tax Estimates – to be discussed and finalized at the negotiations if the Contract is awarded** |
| 1. {insert type of tax. e.g., VAT or sales tax}
 |  |  |  |
| 1. {e.g., income tax on non-resident experts}
 |  |  |  |
| 1. {insert type of tax}
 |  |  |  |
| Total Estimate for Indirect Local Tax: |  |  |  |  |

**Note: Payments will be made in USD ANNEX B: FINANCIAL PROPOSAL FORM FPF-3 BREAKDOWN OF REMUNERATION**

When used for Lump-Sum contract assignment, information to be provided in this Form shall only be used to demonstrate the basis for the calculation of the Contract’s amount; to calculate applicable taxes at contract negotiations; and, if needed, to establish payments to the Consultant for possible additional services requested by the AGRA. This Form shall not be used as a basis for payments under Lump-Sum contracts

|  |
| --- |
| **A. Remuneration**  |
| **No.** | **Name** | **Position** | **Person-month Remuneration Rate** | **Time Input in Man-days** | {*Currency)*  | USD  | *Total USD cost* |
|  | **Key Experts** |  |  |  |  |  |  |  |
| K-1 |  |  | [*Home*] |  |  |  |  |
|  | [*Field*] |  |  |  |  |
| K-2 |  |  |  |  |  |  |  |
|  |  |  |  |  |  |
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|  | **Non-Key Experts**  |  |  |  |  |  |  |  |
| N-1 |  |  | [*Home*] |  |  |  |  |  |
| N-2 | [*Field*] |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  | Total Costs |  |  |  |  |

**ANNEX B: FINANCIAL PROPOSAL FORM FPF-4 BREAKDOWN OF [REIMBURSABLE EXPENSES]**

When used for Lump-Sum contract assignment, information to be provided in this Form shall only be used to demonstrate the basis for calculation of the Contract amount, to calculate applicable taxes at contract negotiations and, if needed, to establish payments to the Consultant for possible additional services

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **N°** | **Type of [*Reimbursable Expenses]*** | **Unit** | **Unit Cost** | **Quantity** | {*Currency*} | Total value in USD |
|  | *{e.g., Per diem allowances\*\*}* | {Day} |  |  |  |  |
|  | *{e.g., International flights}* | {Ticket} |  |  |  |  |
|  | *{e.g., In/out airport transportation}*  | {Trip} |  |  |  |  |
|  | *{e.g., Communication costs between Insert place and Insert place}* |  |  |  |  |  |
|  | *{ e.g., reproduction of reports}* |  |  |  |  |  |
|  | *{e.g consumables* |  |  |  |  |  |
|  | *....................................* |  |  |  |  |  |
|  Total Costs |  |  |

1. SCALGA is the acronym for Strengthening Coordination for ASDPII implementation at the LGAs, a project that PO-RALG is implementing with AGRA’s support. One of the objective of SCALGA is to catalyze investments in agribusinesses at the LGAs through enhancement of investment climate. [↑](#footnote-ref-2)