1. Background

1.1 In 2013, the Government of Lesotho sought financial assistance of USD 12,825,000 to finance a four-year eGovernment Infrastructure project. The objective of the project, which is in its last year of implementation, was to enhance good governance of the country by deploying a modern and secure e-government broadband infrastructure. Specifically, the project was meant to enhance coordination of public service delivery across ministries, key agencies and local governments. The Project is also expected to strengthen the existing Government data centers and portals; and improve access to e-services for state building such as automated administrative services including e-payroll; civil registration; e-health, e-procurement, e-customs and revenue management.

1.2 As the implementation of the eGovernment Infrastructure project progressed, the Government of Lesotho saw the need of further enhancing the work already done on some components of the project including improvement of rural connectivity, expansion of broadband infrastructure to critical parts of the country, and the establishment of a national Payment System. Subsequently, in June 2018, the Government officially requested the Bank for resources to finance the implementation of Lesotho eGovernment Infrastructure Phase II project.

1.3 The objective of the project is to drive digital finance and financial inclusion by improving access to reliable digital Services, particularly among citizens living in rural and unserved areas. The aim is to provide access to a diverse range of financial products and services for individuals as well as small, medium and large businesses through the expansion of digital infrastructure and services, which will lead to creating jobs, and contributing to Lesotho’s economic growth.
Specifically, the project shall:

i. increase data enabled coverage in rural and unserved areas;
ii. improve financial inclusion among unbanked citizens in Lesotho by developing digital payment infrastructure and strengthening digital services ecosystem; and
iii. improve government skills to oversee and implement ICT initiatives.

2. Description of the Project

The project will have three main components described below.

Component 1: Increase broadband coverage in rural and unserved areas- The component will include (a) support the construction of 48 mobile sites to achieve 99.6% population coverage improving 4G coverage in rural and unserved areas of Lesotho, (b) and support the completion of a 96km OPGW fibre network from Roma (Maseru) to Thaba-Tseka thus improving the quality of service experienced by end users in Thaba-Tseka when using mobile data services.

Component 2: Strengthening of Government Digital Services- This sub component will include (a) support the overall design, renovation and equipment of 40 locations identified in collaboration with the Lesotho Post Office. The offices will be provided with Local Area Network (LAN) and internet connectivity; (b) development of a Rural Community Payment Agent Network (RCPAN) in the district of Leribe and Berea on a pilot basis; (c) enhancement of the Electronic Payment Policy and Regulation that will be favourable policy and regulation for e-payments (d) implementation of a National electronic Payment Switch which will support financial interoperability (e) development of a Government Electronic Payment Gateway (GePG) for eServices (f) The implementation of e-Parliament solution in this project will include the digital transformation of the preparation and execution of the legislative procedure from paper to paperless, enabling access to rich, contextual information to everyone involved in parliamentary process.

Component 3: Capacity Building and Project Management- This component will provide staff development skills in areas relating to ICT infrastructure and eServices. The component will also support the operations of the project implementation units. The areas that will be considered for training and technical assistance include: USF models and IRU contract management, e-waste, ePayment agent management; eParliament models and technical skills; financing digital infrastructure, support of organization of annual national forum on eProcurement and the use of digital payment to fight corruption.
In the context of the implementation of the eGovernment Infrastructure Phase II project, the MCST intends to recruit one (1) experienced consultant as a Project Coordinator to support project implementation, and for which these Terms of Reference (TORs) are prepared.

3. Objectives

3.1 The objective of the assignment is to recruit a procurement specialist with international experience to: i) manage and carry out the procurement activities required for implementation of the Project in accordance with the Project's covenant documents such as the Financing Agreement, the African Development Bank Procurement Rules & procedures, among others; and (ii) set up a procurement system; and (iii) build the procurement capacity of the project implementation team in order to ensure long-term sustainability of the project outcomes. This will ensure adequate hand-holding and capacity development/transfer, by supporting and guiding the end-users in the preparation of good quality ToRs, technical specifications, standard bidding documents, etc.

3.2 A key requirement of the Procurement Specialist is familiarity with the African Development Bank and other MDB’s procurement rules, procedures and guidelines.

4. Scope of Services

3.1 The Procurement Specialist will be accountable for ensuring that all procurements under the project are conducted in accordance with the Bank procurement rules and procedures

3.2 The Consultant shall, inter alia, undertake the following:

3.2.1 Review all available project documents to facilitate the establishment of procurement procedures for the management and implementation of the project;

3.2.2 Establish a procurement management system for the PMU based on the African Development Bank Rules & Procedures for the procurement of goods, non-consulting services and consultancy services under the “Procurement Policy for Bank Group Funded Operations”, dated October 2015;

3.2.3 Setup a procurement management tracking system for the PMU that would monitor the implementation of procurement activities;

3.2.4 Using the Banks Standard procurement documents, prepare Bidding Documents and Request for Proposals (RFP), Request for Quotations, Letters of Invitations, clarifications/amendments to procurement documentation, minutes of the Evaluation Committees and negotiation meetings, Evaluation Reports, contract award decisions, etc. These should include standardized forms to be used for International and Local Shopping methods to conform to the Bank Procurement Rules & Procedures;
In consultation with the Project Coordinator, prepare and update the Project’s Annual Procurement Plan and Budget detailing contract packages (including estimated cost) for goods, consultancy services and non-consulting services, the procurement/selection methods and processing times until completion of each procurement activity;

Monitor procurement implementation of and update the Procurement Plan on a at least monthly basis and whenever it becomes necessary to do so;

Prepare the General Procurement Notice (GPN), Specific Procurement Notices (SPNs), Invitation for Bids (IFBs), Request for Expressions of Interest (REIs) and other solicitation documents whenever required;

Establish a register of qualified suppliers and consultants and periodically update this register to facilitate advertisements, solicitations and drawing up of shortlists when so required;

In consultation with the relevant technical staffs of the PMU, coordinate the preparation of (ToRs), technical specifications using standard documentation agreed with the Bank and GoKS, and also participate in evaluation of bids, expressions of interest for preparation of shortlists, pre-qualification of suppliers, etc., where necessary. The Consultant shall review ToRs and specifications for completeness, consistency and fairness, and if necessary suggest amendments;

Initiate the procurement processes, including those for International and National Competitive Bidding procedures, ensuring compliance with agreed procurement methods' threshold, prior review requirements specific to the project and agreed aggregate threshold amounts for less competitive procurement methods;

Preside over bidding procedures and participating in bid/proposal opening sessions, bid and proposal evaluations and ensure that the appropriate Guidelines are followed to arrive at the recommendations for award of contracts;

In case of procurement actions requiring prior review, coordinate the dispatch of procurement document to the Bank, monitor response times on issuing "no objections" at different levels of the procurement process and follow-up accordingly;

Coordinate the response to procurement inquiries and communicate the result of the evaluation processes to the applicants in response to the Guidelines;

Monitor and ensure timely responses to procurement questions raised by the Bank. For services, follow-up with the short listed consultants, to ensure their participation in the selection exercise;

Superintend over procurement clarification meetings (if any) and develop clarifications/amendments to procurement documentations (if needed);

Participate in selection of Evaluation Committees and assume the role of the Committee's secretary in recording the minutes of the meetings;
- Prepare the minutes of the Evaluation Committee meetings and prepare the requests for "no objection" and coordinate and participate in contract negotiation process, where necessary;

- Prepare draft and final contracts, and ensure timely distribution of all relevant procurement and contract documents to relevant stakeholders;

- Ensure timely receipt of the goods and consultant's status reports, confirming acceptability of the goods delivered, and also acceptability of consultants reports as reviewed, and recommend payments to the services providers as they become due;

- Establish a performance monitoring database for all suppliers and consultants, and ensure efficiency and timeliness in the delivery of outputs from the services providers;

- Liaise with all relevant Implementing Units and the PMU with a view to preparing monthly, semi-annual and annual procurement reports (or other periods as may be required) as inputs into the Project Management Reports (PMR) to be submitted to the Executing Agency, Bank and other relevant agencies;

- Regular monitoring of procurement across the Project and problem-solving as needed including regular updates on problems experienced and on changing needs for specific types of advice;

- Establish and maintain a central procurement filing system (both electronically and manually), and ensure all related documents are included in the respective files, to ensure ease of retrieval of information and the ease of following the trail of procurement by independent external auditors or authorized agents;

- Advise EA on processes for disposal of un-required stores and equipment including actual disposal in line with the Laws of Government of South Africa and all the procurement rules & regulations of the Bank and AU;

- Provide training and capacity building needs of procurement staffs of the PMU and other identified stakeholders to ensure long-term sustainability of the project outcomes, with a view of strengthening staff capacities and skills, filling skills gap and also support institutional strengthening;

- Provide advice, mentoring, coaching and providing on-the-job training for relevant procurement staffs in the PMU, and advise them to plan and execute all stages of the procurement cycle in accordance with the Bank and national procurement procedures;

- Assist in supervising contracts in accordance with the respective contract agreements including the processing of payments, physical inspection and testing, receipt and transfer of the goods to the Client, submission of consultants' reports and closing of respective contracts;

- Provide procurement advisory services as and when needed;

- Participate in procurement audits and reviews of the Project;
Supervise all procurement staff within the PMU and assign tasks to them as and when necessary;

Work with relevant managers to identify their procurement needs under the Project and help them manage the procurement planning and execution process in a timely manner;

Assist in dealing with claims, bid challenges and litigations relating to contracts and procurement;

Develop and implement a robust procurement monitoring system and follow up mechanisms to ensure that procurement activities are carried out as planned; identify any deviations and take appropriate actions and submit regular periodic procurement reports to the Project Manager;

Initiate appropriate quality assurance procedures to the procurement function of the Project;

Carryout any other relevant duties that may from time to time be assigned by the Project Coordinator.

4 Reporting, Communication and Time Schedules

4.1 The Consultant shall report directly to the Project Coordinator and will prepare monthly, Quarterly, Semi-Annual and Annual procurement reports (or for any period as necessary) as inputs into the Project Management Reports and, in addition, prepare other procurement reports, as and when needed.

4.2 Emphasis will be placed on highly effective, regular and detailed communication with the PMU Project Coordinator and relevant component managers;

4.3 S/he will be required to assess technical skills transfer to the counterpart staffs;

4.4 S/he is expected to report and analyze all problems experienced with procurement, more specifically on the Project, so that remedial and capacity-building actions can be promptly taken;

4.5 S/he shall make inputs into reports prepared by the counterpart staffs as needed.

5. Deliverables

5.1 The IPS will be expected to produce the following deliverables, among others:

- Procurement Plans
- Budgets and Selection criteria
- Procurement notices and reports
- Various solicitation documents
- Clarifications/amendments to various procurement and solicitation documents;
- Bid/Proposal evaluations
- Minutes of negotiations
- Draft and final contracts
- Capacity building and training plans and reports
- Action plans for trainings and capacity building programs
- Short-listing, evaluation reports, records of public bid/proposal openings
- Minutes of meetings for confirmation of the expressions of interest/ proposals
- Minutes of negotiation (as applicable)
- Notifications of contracts awarded
- Procurement Monitoring Reports
- Other reports and documents as required.

6. Qualifications, Experience and Competencies

a) Minimum Master's degree in Procurement or related field;

b) Minimum of 10 years of experience in public procurement, 5 years of which is in handling procurement activities using Bank (or similar MDBs) procurement guidelines

c) Membership in a recognized procurement-related institute, such as CIPS or ISM;

d) Knowledge of/experience with Bank/other international development organizations' procurement procedures;

e) Good knowledge of the institutional, technical, and commercial aspects of procurement;

f) Experience in delivering trainings and capacity building programs at international level;

g) Demonstrated high experience in contract management at managerial level;

h) Fluency in spoken English and ability to write lucid reports and documents in English is required; knowledge of French will be an added advantage.

i) Strong organization skills and ability to work in a team-oriented, dynamic and diverse environment;

j) Proven track record in working effectively within multidisciplinary teams, recognize the value of sharing ideas, knowledge and information with others and takes personal responsibility for doing so;

k) Excellent interpersonal skills, sound judgment, communication skills, training experience, ability to identify and resolve policy and operational constraints;

l) Demonstrated computer skills, knowledge of Microsoft Office Suite especially, Word, Excel and PowerPoint;
(m) Ability to handle multiple tasks simultaneously, set priorities, and work independently, or under minimum supervision;

(n) Demonstrated capacity for initiative and efficient decision making with competent analytical and problem solving skills;

(o) Demonstrated competence by the level of timeliness and accuracy the individual displays in carrying out his/her role, personal energy and enthusiasm and willingness to exceed expectations in his/her role;

(p) Ability to plan and organize effectively and build alternative actions into plans, deploying resources effectively and reviewing priorities;

(q) A commitment to supporting counterpart staff to achieve the outcomes and objectives of the Project;

(r) Recognition and respect of peers, and a demonstrated ability to interact effectively and collegially with peers at all levels;

(s) Demonstrated ability to make sound judgments on capacity issues that will require management referral and guidance;

(t) Demonstrated ability to work effectively in a mentoring role;

(u) Demonstrated ability to communicate ideas and analyses clearly and tactfully, both orally and in writing;

(v) Demonstrated ability to assist and support the development of useful procurement processes and procedures effectively;

(w) Demonstrated ability to transfer skills and knowledge;

(x) Demonstrated ability to adapt to challenges and changes in the workplace.

7. **Mode of Application**

All applications in writing should be accompanied by up-to-date Curriculum Vitae and supporting documents (Note: do not send originals) with the names and addresses of three referees, one of which should be the last or current employer and addressed to: