

**REQUEST FOR EXPRESSIONS OF INTEREST  
(INDIVIDUAL CONSULTING SERVICES)**

**Republic of the Marshall Islands (RMI)  
Project to Strengthen Budget Execution and Financial Reporting Systems  
Grant No.: IDA-D3220**

**Assignment Title: Procurement Reform Consultant  
Reference No.: MH-DIDA-72479-CS-INDV**

The Government of the Republic of Marshall Islands *has received* financing from the World Bank toward the cost of the Project to Strengthen Budget Execution and Financial Reporting Systems and intends to apply part of the proceeds for consulting services.

The consulting services (“the Services”) will assist the Project Manager and the RMI The Ministry of Finance, Banking & Postal Services to effectively implement the World Bank-funded project for the modernization of public financial management and the implementation of a new FMIS and also includes institutional strengthening and capacity building to ensure the sustainability of the change process. The assignment will focus on improving the overall public procurement system to achieve value for money by updating the legislation and regulations, strengthening procurement management, and monitoring system, and ensuring timeliness as well as standardization of processes and documents/templates. This consulting assignment is a short term position (approximately 180 person days spread over 12 months) to be located in Majuro, RMI. Subject to negotiation there may be the possibility to undertake some of the work from the successful applicant’s home country whilst the current travel ban is in place.

The detailed Terms of Reference (TOR) for the assignment can be found at the following website:  
<http://rmi-mof.com/pfm-reform/opportunities/>

The *Ministry of Finance, Banking & Postal Services of the Republic of the Marshall Islands* now invites eligible individuals (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services (attach Cover Letter of no more than four (4) pages addressing individually the mandatory experience and qualification requirements and a curriculum vitae with description of experience in similar assignments, similar conditions, etc.). Firms’ staff may express interest through the employing firm for the assignment and, under such situation, only the experience and qualifications of individuals shall be considered in the selection process. The criteria for selecting the Consultant are:

**Mandatory Qualifications and Experience:**

- (i) Bachelor’s degree in Social Sciences, Law or Public Administration or other relevant field
- (ii) At least 10 years relevant experience in developing public policy, Government regulations, in particular procurement-related laws and regulation
- (iii) At least 2 years experience in delivering capacity development, advisory and advocacy services to Government in the field of public procurement
- (iv) Demonstrated understanding of processes required to enact Government legislation

- (v) Experience with public service/civil service administrative structures and systems in developing countries,

**Desirable Qualifications and Experience:**

- (i) Post Graduate degree would be an advantage
- (ii) Knowledge of procurement reform tools
- (iii) Strong analytical, oral and written communication skills, report writing, and the ability to write for and present to a variety of stakeholders
- (iv) Demonstrated ability to work effectively within teams with diverse cultural and multi-disciplinary background
- (v) Good computer skills in all Microsoft platforms, MS Office
  - (i) Experience in the Oceania Region

The attention of interested Consultants (including firms) is drawn to paragraph 3.14, 3.16 and 3.17 of the World Bank's "*Procurement Regulations for IPF Borrowers*" July 2016 revised November 2017 "*Procurement Regulations*", setting forth the World Bank's policy on conflict of interest.

Further information can be obtained at the address below during office hours; *0900 to 1700 hours local time.*

Expressions of interest must be delivered by e-mail by 5:00 pm Majuro Time, Wednesday August 19, 2020 to:

**Greg Robins**

PFM Project Manager

[grobins@inet.net.au](mailto:grobins@inet.net.au)

Phone number: +692 458 0756

Cc to:

**Filipe Sefeti**

Procurement Officer, CIU-DIDA

[filipesefti@gmail.com](mailto:filipesefti@gmail.com)

**Republic of the Marshall Islands**  
**Ministry of Finance, Banking & Postal Services**  
**Terms of Reference**  
**Individual Consultant**

Title:	Individual Consultant – Procurement Reform Consultant
Location:	Ministry of Finance, Banking & Postal Services, Republic of the Marshall Islands
Duration:	Twelve (12) months with possible extension
Tentative State Date:	August 2020

**I. BACKGROUND**

In 1978 the Marshall Islands in a referendum broke away from the rest of Micronesia and opted for a separate Constitution. In 1979 its Constitution was ratified. The country gained independence and signed a compact of free association with the United States in 1986.<sup>1</sup>

The 1979 constitution provides for a unicameral parliamentary system. However, the President is elected by members of the Nitijela (parliament), and serves as the head of government as well as the head of state. A consultative upper house for traditional leaders known as the Council of Irooj Advises on customary issues.<sup>2</sup>

The Office of the Legislative Counsel is established by the Legislative Counsel Act, 1981. The Legislative Counsel is responsible to the Nitijela through the Office of the Speaker. The Legislative Counsel is tasked with providing legislative drafting services and legal advice to the Speaker and Members of the Parliament.<sup>3</sup>

The Office of the Auditor General (OAG) conducted a compliance audit for procurement in 2017 which highlighted several issues affecting the procurement processes. These include an outdated regulatory framework and serious deficiencies in the implementation of procurement policies. The Procurement Code 1988, which provides the legal framework for procurement processes was formulated nearly three decades ago. It does not include modern instruments for public procurement, that is, the use of information and communication technology (ICT)-related tools such as online shopping, electronic portal for bid opportunity/result notification. Implementing rules and regulations (IRR) are yet to be prepared and issued. In the absence of established procedures to guide practitioners, public procurement is inefficient and time-consuming as there are several practices and rules which fill the gap of formal IRR.

**i. Sectoral and Institutional Context**

The RMI Procurement Code Act 1988 (“Code”) governs procurement for the Government of the Republic of the Marshall Islands. The Code grants to the Government Administration, through its Policy Office, broad authority and responsibility to promulgate and implement regulations to make Government procurement efficient, effective, consistent, transparent, fair and manageable.

---

<sup>1</sup> <https://rmiparliament.org/cms/about/history-of-the-nitijela.html>

<sup>2</sup> Ibid

<sup>3</sup> Ibid

According to the Code, the Policy Office must be established in the Office of the Chief Secretary. Presently, no procurement regulations have been formally developed and promulgated. In addition, the Auditor General and the Government's independent auditor, Deloitte and Touche, have issued findings critical of the Government procurement practices.

## **ii. Project Description**

The Government of RMI has partnered with the World Bank (WB) to prepare a project for the modernization of public financial management and procurement management. Institutional strengthening and capacity building will be a critical project component to ensure the sustainability of the change process.

## **II. OBJECTIVES**

The overarching objective of the assignment is to assist the RMI to improve overall public procurement system to achieve value for money by strengthening procurement management, and monitoring system, and ensuring timeliness as well as standardization of processes through:

- Establishing a legal and regulatory framework that enables the modernization of procurement processes that can be monitored and evaluated
- Issuance of regulations required to enable the implementation of the Code
- Standardizing procurement processes based on the Code and regulations including standardized documents, forms and templates

## **III. SCOPE OF SERVICES**

The Consultant will provide advice and technical support in the following activities:

1. Review and evaluate the existing Code and pertinent laws, and previous findings and recommendations submitted to, or generated by, MoF and compare these against international best practices and make recommendations to bring the Code in line with best practices, applicable to RMI environment through extensive consultation with all stakeholders including but not limited to: the government, private sector, Civil Society Organizations (CSOs)/Non-Governmental Organizations (NGOs), academe, development partners;
2. Develop procurement regulations based on the updated Code to ensure transparency, consistency and efficiency;
3. Socialize Code changes and the draft regulations for review, input and comment from key stakeholders inclusive of the Attorney General's Office, Auditor General's Office, Chief Procurement Officer, representatives of the purchasing agencies, Local Governments and the State-Owned Enterprise. The provisions of the draft would be refined and edited as input is received. Ensure the Chief Secretary, with advice from the Attorney General's Office, determines that a final draft is ready for promulgation pursuant to the Administrative Procedures Act;

4. Work closely with the Parliament Legal Counsel and Office of the Attorney General to review and provide inputs, as requested, to the draft legal instruments and ensure availability to present the instruments to parliament, act as a resource person, to facilitate enactment of the proposed legislation;
5. In conjunction with the drafting of regulations develop standard processes, process workflows with certification and approval requirements and standardized documents and templates;
6. During the drafting of processes, workflows, documents and templates work closely with the FMIS Specialist to ensure processes and workflows required to be configured with the FMIS are attended to;
7. Carry out capacity building activities related to procurement reform efforts targeting all branches of the government, civil society and business organizations.
8. Develop procurement processes inclusive of required approval and certification workflows, document and form templates
9. Develop plan for ensuring the legal and regulatory documents are presented to Parliament for enactment
10. Prepare implementation plans for respective Laws and development of necessary indicators
11. Develop and carry out capacity building plans
12. Assist Project Manager in updating the project plan to reflect legal/regulatory dependencies for FMIS implementation and sustainment

#### **IV. INSTITUTIONAL AND ORGANIZATIONAL ARRANGEMENTS**

The Ministry of Finance, Banking & Postal Services (MoF) is responsible for overall Project implementation. A PFM Project Implementation Unit (PIU) has been established within MoF, reporting to the Secretary of Finance, and includes a Project Manager. The Project Manager will be responsible for overall project coordination and workplan guidance. The Procurement Reform Consultant will report on a daily basis to the Project Manager, under the overall supervision of the Project Manager.

The institutional arrangements include a National Steering Committee chaired by the Chief Secretary to govern the project and provides the oversight and strategic guidance for the project implementation.

There is also a PFM Working Group chaired by the Secretary of Finance. The Working Group is responsible for:

- Reviewing consultant deliverables for the project
- Conducting detailed deliberations and validation of findings/recommendations
- Preparing the recommendations to be taken up by the National Steering Committee for decision.

The Consultant will work closely with the Project Manager and working group as well as working closely with oversight agencies (MoF, OAG, PSC, etc) and all spending agencies.

In particular the Consultant will be required to liaise closely with the Chief Secretary, Attorney General, Auditor General and the Parliament Legal Counsel

## **V. DURATION AND LOCATION OF ASSIGNMENT**

**VI.** The Consultant will provide approximately 180 person days spread over 12 months. As this assignment requires substantial research, the Consultant may work in and out of RMI.

## **VII. OUTPUTS/DELIVERABLES**

1. Implementation and engagement plan (on or before end of week 2 of contract)
2. Draft Code (on or before end of week 8 of contract)
3. Draft and Final Regulations (on or before end of week 18 of contract)
4. Procurement Manual consisting of the processes, documentation and templates (on or before end of week 23 of contract)
5. Capacity Building Plan (on or before end of week 10 of contract)
6. Deliver training/workshops

## **VIII. QUALIFICATION AND EXPERIENCE REQUIREMENTS**

### **Mandatory Qualifications and Experience:**

- (vi) Bachelor's degree in Social Sciences, Law or Public Administration or other relevant field
- (vii) At least 10 years relevant experience in developing public policy, Government regulations, in particular procurement-related laws and regulation
- (viii) At least 2 years experience in delivering capacity development, advisory and advocacy services to Government in the field of public procurement
- (ix) Demonstrated understanding of processes required to enact Government legislation
- (x) Experience with public service/civil service administrative structures and systems in developing countries,

### **Desirable Qualifications and Experience:**

- (vi) Post Graduate degree would be an advantage
- (vii) Knowledge of procurement reform tools
- (viii) Strong analytical, oral and written communication skills, report writing, and the ability to write for and present to a variety of stakeholders
- (ix) Demonstrated ability to work effectively within teams with diverse cultural and multi-disciplinary background
- (x) Good computer skills in all Microsoft platforms, MS Office
- (xi) Experience in the Oceania Region