

ANNEX A

TERMS OF REFERENCE

RFQ 2021-24 /MS

INTRODUCTION OF WTO-RELATED MODULES INTO THE ACADEMIC PROGRAMMES OF A SELECTED LOCAL UNIVERSITY IN UZBEKISTAN

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1 List of Acronyms

GATS	General Agreement on Trade in Services
ITC	International Trade Centre
SPS	Sanitary and phytosanitary measures
TBT	Technical barriers to trade
ToR	Terms of Reference
TRIPS	Trade-related aspects of intellectual property rights
UN	United Nations
UWED	University of World Economy and Diplomacy, Tashkent, Uzbekistan
WTO	World Trade Organization

2 Background

ITC is implementing an EU-funded project – ‘Facilitating the process of Uzbekistan’s accession to the WTO’, which was officially launched in February 2020 – in close partnership with the Ministry of Investments and Foreign Trade of the Republic of Uzbekistan. The project aims at contributing to the economic development of Uzbekistan (the overall objective) along with creating a trade and policy environment that is in conformity with the WTO rules (the specific objective). It envisions the following expected outputs to support Uzbekistan’s WTO accession process:

- Output 1. Supporting the government of Uzbekistan to develop its negotiating positions and draft the mandatory documents as required by the WTO accession process;
- Output 2. Assisting the legislative and executive branches of the government in developing specific sectoral laws and regulations as needed to comply with the country’s new international commitments;
- Output 3. Reinforcing the policy makers’ understanding of the WTO accession process and its legal framework;
- Output 4. Increasing Uzbekistan’s capacity to comply with WTO rules, particularly, with the rules related to sanitary and phytosanitary measures, technical barriers to trade and trade facilitation;
- Output 5. Enhancing the business sector’s awareness of the WTO accession process and benefits – including women’s associations.

In order to strengthen national policy makers’ understanding of the WTO accession process and its legal framework, the project will support, among other things and in particular, the development of the training modules on WTO Law and Practice within the selected higher educational institution (the UWED) of Uzbekistan, as well as enhance the capacity of the academic personnel of that educational establishment. These activities aim at educating government officials and students on the WTO disciplines and thus ensuring the sustainability of the project.

3 Purpose

The International Trade Centre (ITC) seeks a service provider to provide technical and capacity-building assistance for a selected local higher educational establishment of Uzbekistan – the University of World Economy and Diplomacy (UWED) – to embody a WTO-related module in its undergraduate academic programmes. In particular, the service provider is expected to:

- Design a WTO-related module (course) to be built into UWED undergraduate curricula;
- Develop and carry out capacity-building activities for the academic personnel of UWED engaged in teaching the WTO-related module (course);
- Support UWED in implementing and introducing the WTO-related module (course) into its academic programmes.

ITC seeks the services from an academic institution offering programmes in international economic law and economics, with at least 5 years of international experience in delivering training and capacity building programmes for students, government officials and private sector professionals.

4 Scope of Services

The service provider will deliver the following list of services in close collaboration with UWED and ITC.

4.1 Designing a WTO-related module (course)

- Develop a customised academic module (course) on WTO Law and Practice– including its syllabus, teaching/learning (e.g., hand-outs, presentations, and lecture summaries) and assessment materials (e.g., case studies, mid-term and final exam tasks), and other academic resources relevant for carrying out WTO Law and Practice module (course) (e.g., reference/background reading materials. All reference/background materials will be provided in an editable electronic format – to build into the undergraduate programme of UWED starting from the academic year 2021/22 academic year, provided that:
 - The undergraduate academic programme (Jurisprudence “International Legal Activities”), where the WTO Law and Practice module (course) is going to be embedded, has been identified by UWED (Ref. 5. Tentative Course Structure (UWED’s Proposal).
 - The structure (study hours allocated for each of the teaching/learning activities) of the academic module (course) on WTO Law and Practice and the mode of assessment of academic performance are defined by UWED in accordance with the national educational standards of Uzbekistan and the internal regulations of UWED.
- The design (structure) of the course syllabus is determined by UWED (Ref. 6 Syllabus Structure).
- Provide access to the academic (teaching) resources of the service provider (library, electronic and/or hard copies of the mandatory and optional literature) related to the module (course) on WTO Law and Practice.
- Upon request, advise UWED on integrating the module (course) on WTO Law and Practice into its relevant academic curricula.
- Implementation period: July – October 2021.

4.2 Developing and carrying out capacity-building activities (training of trainers)

- Design and organize a series of tailored, short-term training sessions for the academic personnel of UWED involved in teaching the proposed module (course) on WTO Law and Practice as well as related academic disciplines to enhance their understanding and teaching of particular aspects of the WTO regulatory system (such as trade remedies, TBT and SPS measures under the WTO agreements, the GATS, the TRIPs, and the WTO dispute settlement system).
- The service provider is required to develop and carry out **in total eight weekly training sessions (6 days a week, 8 hours a day)** within the implementation period, provided that:
 - Four training sessions to be organized at the premises of service provider with the participation of up to four academic personnel of UWED. Training sessions will be carried out in English, handout materials will be provided in English as well.
 - Four training sessions to be organized in Tashkent (Uzbekistan) or online. During these training sessions, UWED and the service provider may agree to a larger number of participants (not exceeding 20 people). Training sessions will be carried out in English, handout materials – printed out by the service provider – will be provided in English as well.
- The subject matters (topics) of the capacity-building training sessions and related time-frames are determined by the service provider in agreement with UWED by October 2021, based on the relevant professional development needs of its academic personnel. Thereafter, during the implementation period, the service provider and UWED may amend the agreed topics and timeline, as appropriate to the circumstances.
- In lieu of some sessions of the tailored capacity building trainings, UWED, the service provider, and ITC may agree to use regular, short-term educational courses offered by the service provider for the purpose of building the capacity of UWED’s academic personnel involved in teaching the proposed module (course) on WTO Law and Practice. In this case, the overall duration of the tailored training and regular courses should be not less than eight weekly training sessions indicated above.
- Implementation period: October 2021 – January 2023.

4.3 Supporting UWED in implementing and introducing the WTO-related modules

- Organize a minimum of eight virtual guest lectures (each 90-120 minutes long) at UWED for the students of UWED (about 50-60 students) within the framework of the proposed WTO-related module (course) delivered by the leading academic staff of the service provider. The topics and related time-frames of the guest lectures are mutually agreed by the service provider and UWED by January 2022. Thereafter, during the implementation period, the service provider and UWED may amend the agreed topics and timeline, as appropriate to the circumstances. The guest lectures will be carried out in English.
- Upon request, advise and guide the academic personnel of UWED on designing the teaching and learning activities, as well as on delivering classes concerning certain aspects of WTO Law and Practice (up to eight virtual meetings, each 60 minutes long).
- Implementation period: January 2022 – January 2023.

5 Tentative Course Structure (UWED's Proposal)

Bachelor's Degree Program in Law (International Legal Activity)

Credits/ Study Hours:	8 credits/ 240 study hours	Lectures 40 hours	Seminars 80 hours	Self-study 120 hours
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Duration:	1 year (2 semesters) - Year 3 Second semester and Year 4 First semester.
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		# hrs lectures	# hrs seminar	# hrs self-study
WTO Law and Practice (Part I) Semester 6 (Spring Term)	Module A: Introduction to the WTO System			
	Introduction to the Regulatory Frameworks of International Trade (Positive and Negative Economic Integrations)	2	4	6
	Origins of the WTO System, Organizational Structure, Functions, Decision-Making, and Membership	2	4	6
	Sources and Basic Rules of WTO Law and Practice (Non-Discrimination, Market Access, Exceptions, etc.)	6	10	16
	WTO Dispute Settlement System	2	4	6
	Class participation and assessments (20 %), mid-term exam (20 %)			
	Module B: Tariffs and Non-Tariff Measures on Imports and Exports of Goods			
	GATT Disciplines on Tariffs, Other Border Charges, Quantitative Restrictions	2	6	8
	Agreement on Agriculture	2	4	6
	Disciplines on Custom Valuation, Pre shipment Inspection, Rules of Origin, and Import Licensing	2	4	6
	Trade Facilitation Agreement	2	4	6
	Class participation and assessments (20 %), final exam (40 %)			
WTO Law and Practice (Part II) Semester 7 (Fall Term)	Module C: Other Non-Tariff Measures, Subsidies, Trade Remedies, GATS and TRIPs			
	Technical Barriers to Trade	4	8	12
	Sanitary and Phytosanitary Measures	4	8	12
	WTO Disciplines on Anti-Dumping and Safeguards	4	8	12
	WTO Disciplines on Subsidies and Countervailing Measures	4	8	12
	GATS	2	4	6
	TRIPs	2	4	6
	Class participation and assessments (20 %), mid-term exam (20 %), final exam (40 %)			

6 Syllabus Structure

I.	INTRODUCTION
1.1.	Course aims
1.2.	Teaching methods, strategies and techniques
1.3.	Learning objectives
1.4.	Course assessment: <i>Types of assessment</i> <i>Grade distribution</i>
1.5.	Course structure and load
II.	LECTURE NOTES
2.1.	Notes of every lecture (class)
III.	ASSESSMENT TASKS
3.1.	Classroom assessment tasks
3.2.	Mid-term exam tasks
3.3.	Final exam tasks
IV.	LITERATURE AND RESOURCES
4.1.	Compulsory reading
4.2.	Legal acts (treaties)
4.3.	Cases
4.4.	Online resources

7 Tentative Implementation Plan

Deliverables	Owner	Duration	Implementation
Deliverable A: Designing the WTO-related module (course)			
Develop syllabus, relevant teaching/learning (e.g., hand-outs, presentations, and lecture summaries) and assessment materials (e.g., case studies, mid-term and final exam tasks) on WTO Law and Practice based on the course and syllabus design (structure) provided by UWED. Documents should be provided in an editable electronic format (.doc, .ppt, .pdf).	The service provider	25-30 days	July – October 2021
Provide access to the relevant academic (teaching) resources and literature (<i>library, electronic and hard copies of the mandatory literature on the module</i>).		2-3 days	
Advise UWED on integrating the module (course) on WTO Law and Practice into its relevant academic curricula.		2 days	
Prepare and submit a progress report to ITC.	UWED	1 day	October 2021
Upon request, provide necessary information and clarification on the design of the academic module (course) on WTO Law and Practice.		-	July – October 2021

Deliverable B. Developing and carrying out capacity- building activities			
Design and prepare eight weekly tailored training sessions for the academic personnel of UWED involved in teaching the proposed (module) course on WTO Law and Practice.	The service provider	10-15 days	October 2021 – January 2023
Conduct and administer eight weekly tailored training sessions, or regular short-term educational courses offered by the service provider.		50-55 days	
Prepare and submit progress reports to ITC.	UWED	1-2 days	After each series of the training sessions
Take part in determining the subject matters (topics) of the capacity-building training sessions and related time-frames.		-	October 2021 – January 2023
Propose the participation of other government representatives of Uzbekistan in the organized training sessions.		ITC	
Deliverable C. Supporting the implementation and introduction of the WTO-related modules			
Design and conduct guest lectures for the students of UWED within the framework of the proposed WTO-related module (course).	The service provider	8-12 days	January 2022 – January 2023
Advise and guide the academic personnel of UWED on designing teaching and learning activities, as well as on delivering classes concerning certain aspects of WTO Law and Practice.		10-15 days	
Prepare and submit progress reports and a final report to ITC.		1-2 days	
Assist the service provider in planning and organizing the guest lectures.	UWED	-	
Deliverable D. Others activities			
Establish a formal partnership between the Service provider and UWED.	The service provider and UWED	-	July – October 2021
Engage endowed students of UWED in the service provider's short-term academic activities/training.	The service provider and UWED	-	January 2022 – January 2023

8 Required Qualifications, experience and documents

8.1 Structure and size of the team:

- Requirements: (i) at least two core members of the team (in-house lecturers) should have an extensive academic and practical experience in the area of international trade law (WTO law); (ii) a separate team member has to be assigned to coordinate the work with ITC and UWED during the delivery of the required services.
- Indicate the size of the team and roles of members who will deliver the required services. Submit the CVs establishing the competencies of core staff members (at least two in-house lectures and a coordinator).

8.2 Balance in gender of the Team

- Provide organigram of the team by indicating the gender.

8.3 Experience in developing WTO-related trainings and capacity building activities:

- Minimum Requirements: The vendor should have at least 10 years of expertise and experience in delivering academic trainings and courses in the area of international trade and economic governance. The existence of regular short-term capacity building programmes (both face-to-face and online) for public and private sector professionals is an asset.
- Provide a description of the academic trainings and courses along with capacity building programmes available.

8.4 Experience in implementing WTO law-related courses with national partner institutions:

- Minimum Requirements: the vendor shows experience in successfully carrying out at least three assignments (projects) on designing and implementing tailored WTO-related curriculum and/or training programmes for public and private sector professionals.
- Provide a brief description of as many relevant assignments (projects) with at least two contact persons for reference. The evaluation will take into account the number of relevant assignments submitted ranging from the minimum of 3 to more than 6 assignments.

8.5 Quality and feasibility of a proposal (plan) on the implementation:

- Submit a clear work plan, an implementation timeline, including information about the networks, tools and facilities to be used during the assignment implementation. Explain how the access to the academic (teaching) resources of the service provider related to the module (course) on WTO Law and Practice will be provided to UWED. Compliance of the timeline of the submitted proposal with the timeline (implementation periods) as set under Article 7 Tentative Implementation Plan.

9 Evaluation of Proposals

9.1 Technical mandatory pre-requisites

- 9.1.1 Firstly the proposals must meet all the mandatory prerequisites. If the technical proposal does not meet all the prerequisites, it will not be considered further.

MANDATORY EVALUATION CRITERIA (PASS/FAIL)	
The service provider accepts ITC's General Terms and Conditions (UN Conditions of contract).	
The service provider is an academic institution offering programmes in international economic law and economics.	
The service provider has at least 5 years of international experience in delivering training and capacity building programmes for students, government officials and private sector professionals.	

9.2 Technical scoring

- 9.2.1 The technical evaluation will be made based on the criteria given below. The maximum technical score is 700 points. This evaluation defines if the proposal is technically qualified or not. The compliance with the evaluation criteria related to the company will be assessed and graded according to a 4 levels grading scorecard ranging from not acceptable to excellent for each of the criteria. Only those tenders that have obtained at least 450 out of the 700 points in the technical evaluation will be qualified for the financial evaluation.

Item	Evaluation criteria	Max Points
1	Organisational structure of the proposed team	125
2	Gender balance of the proposed team	25
3	Vendor's experience in developing and carrying out WTO-related trainings and capacity building activities	150
4	Vendor's experience in implementing WTO law-related courses in cooperation with partner institutions	150
5	The quality and feasibility of a proposal (plan) for the implementation	250

9.3 Financial evaluation

- 9.3.1 Vendors are requested to submit a financial offer that includes the overall total cost of the project, indicating the currency, as per the deliverables highlighted above. ITC accepts payment after services have been satisfactorily rendered. The financial offer should detail costs of tasks and deliverables proposed in the technical proposal and a schedule and conditions of payments linked to tasks and deliverables.
- 9.3.2 The financial score will be determined by giving the lowest cost proposal the higher score, 300 points. The cost taken into consideration shall be the overall total cost of the proposal. The formula used to determine the financial score for the proposal P is as follows:

$$\text{Financial Score of proposal P} = \frac{300 \text{ points} * \text{lowest cost proposal}}{\text{cost of proposal P}}$$

- 9.3.3 The contract will be awarded to the most economically advantageous tender, according to the 'best value for money' award method (70% technical score plus 30% financial score). ITC reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for this project.

10 Payment Terms and Schedule

10.1 Schedule

The deliverables should be completed within 18 months of the signature of the contract. The execution of the tasks may not start before the contract has been signed. The contract might be extended as per ITC's procurement regulations, project continuation and overall budget availability.

The payment will be done in accordance with the following schedule, subject to satisfactory performance

No.	Deliverable Description	Payment
A.	Designing the WTO-related module (course)	40 %
B.	Developing and carrying out capacity- building activities	40 %
C. and D.	Supporting the implementation and introduction of the WTO-related modules and other activities	20 %

10.2 Payment

ITC will only make payment based on satisfactory achievement of specific deliverables. ITC does not make advance payment and ITC is exempted from paying VAT and any other form of taxes. As per ITC/UN standard terms of payment, payment is at 30 days following satisfactory delivery of the services and invoice receipt.

11 Tentative Procurement timeline

Publication of the Tender documents	3 June 2021
Clarification on TOR (Questions)	9 June 2021
Submission of proposals deadline	21 June 2021
ITC evaluation	28 June 2021
Notification of award	End of June 2021
Signing of contract	Early July 2021
Expected Contract start	Mid July 2021