Terms of Reference

Capacity Building Directorate

Assignment Reference:
Sida-WCO Trade Facilitation and Customs Modernization Programme

Call for Proposals:
Readiness Assessment of Botswana Cross Border Trade Stakeholders to implement electronic National Single Window

Deadline for applying: 7th September 2022
To submit by email to: program.Sida-WCOTFCM@wcoomd.org
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1. BACKGROUND

i. Beneficiaries
The Botswana Unified Revenue Service (BURS), Other Government Agencies (OGAs) of Botswana, and Traders involved in implementing the Botswana National Single Window (NSW).

ii. Contracting Authority
The World Customs Organization (WCO) through the Sida WCO Trade Facilitation and Customs Modernisation Programme for Sustainable Development in Sub-Saharan Africa (Sida-WCO TFCM Programme) will provide programme support, with funding by the Government of Sweden.

iii. Relevant Background
Botswana ratified the World Trade Organization (WTO) Agreement on Trade Facilitation (TFA) in June 2015 and made a commitment to implement a National Single Window in line with Article 10.4 of the WTO TFA by December 2027, classifying it as a category “C” commitment. The Single Window would allow traders conducting international trade transactions to submit information or documents required for clearance of goods via one regulatory body or channel to fulfil all regulatory requirements.

The Government of Botswana prioritized the establishment of an electronic National Single Window (eNSW) as a strategy for improving Botswana’s trade competitiveness and compliance with the national health and safety requirements to protect and secure the society. The Botswana eNSW environment is a trade facilitation tool that would utilize electronic border clearance processes in tandem with modernized Information and Communications Technology (ICT) systems to permit a single electronic submission of documents and a single release decision, resulting in the reduction of time and cost involved in processing and release of goods, persons and conveyances at the border.

As lead agency designated by Government for the operation of the eNSW, BURS will implement measures to expeditiously achieve specific milestones for the preparatory phase including, a comprehensive assessment on the state of readiness of OGAs and stakeholders earmarked for the eNSW environment. The BURS has planned under the Customs Services Strategic Plan 2021-2024 to undertake this preparatory work for establishing the eNSW environment within the current Financial Year.

Botswana has already undertaken some initiatives towards the establishment of the eNSW, including a legal framework assessment conducted in 2015, and a WCO Coordinated Border Management (CBM) diagnostics in 2015. The CBM diagnosis made recommendations on effective border cooperation arrangement. One of recommendations is implementation of single window model as facilitation tool between different border agencies. Furthermore, in 2017 BURS developed a web-based Customs Management System (CMS) with single window module which was earmarked to be basis of eNSW environment. CMS has thus facilitated issuance of permit from OGAs as part of customs clearance.

As part of the measures to move forward, a National Single Window (NSW) Steering Committee, chaired by the Permanent Secretary in the Ministry of Finance and Economic Development, with membership from key government agencies and representatives of the private sector, has been established to oversee implementation of the eNSW project in Botswana. The Steering Committee has further established a Project Management Team (PMT) with mandate to manage implementation of the eNSW project activities.

iv. National Single Window Stakeholders
Stakeholder agencies currently serving on the NSW Steering Committee include:

- Ministry of Nationality Immigration and Gender Affairs;
v. National Single Window Criteria (Annex A)

The criteria for assessing each stakeholders’ readiness for the National Single Window, as set out in document Annex A include, inter alia:

- Legal Readiness;
- Technical Readiness;
- Process and procedures harmonization;
- Human Resource Readiness;
- Organizational Readiness to administer different Single Window Environment Operating Models;
- Private Sector Readiness.

2. DESCRIPTION OF THE ASSIGNMENT

i. Overall Objective

The overall objective of this assignment is to deliver a readiness assessment report on the stakeholders that are earmarked to implement the Botswana eNSW, taking into account the scope of work that has already been done.

ii. Specific Objective

The readiness assessment report to guide BURS Management and the NSW Steering Committee on the state of preparedness of government agencies to implement the eNSW, including BURS and relevant private sector stakeholders. This will include:

1. an assessment of the government agencies including BURS, and relevant private sector stakeholders, against a readiness criteria outlined in Section V above to determine the state of preparedness of each stakeholder involved in implementation of Botswana eNSW;
2. consider in the assessment, the existing works done towards implementing the Botswana eNSW project inter alia, the legal readiness assessment of government agencies conducted in 2012, the 2015 WCO CBM diagnostic report and recommendations, and the developed BURS Customs Management System;

3. a report of findings which outlines the status of implementing agencies against the readiness criteria, highlighting gaps in the Single Window environment, and the recommendations for successful establishment of eNSW in Botswana;

4. guidance on the appropriate implementation approaches, taking into account the context of CBM;

5. high-level roadmap for implementation of the relevant recommendations made and the expected outcomes; and

6. development of a Change Management framework to guide the management of the change process embedded in the implementation of the eNSW project.

iii. Required Output

A comprehensive Report on the readiness of relevant Botswana government agencies and other stakeholders, to implement the eNSW in line with the WCO Single Window tools and international Single Window best practices.

Output 1: Readiness Assessment Report with recommendations.

Output 2: High-level implementation plan with specific action items by each stakeholders to guide the development of specific short-term, medium-term and long-term work plans for the successful implementation of Botswana eNSW by 2027.

Output 3: Change Management Framework, including stakeholder identification and mapping with communication strategy

Output 4: The Contractor will undertake advisory session(s) with the WCO, BURS Management, and the Botswana NSW Steering Committee to guide on the findings of the assessment, best practices and recommendations.

All outputs will be delivered in English language.

iv. Requested Services

The selected Contractor will work in close cooperation with the WCO through the Programme Manager, Sida-WCO TFCM Programme, within the Capacity Building Directorate.

Under this assignment, the Contractor is requested to:

- Assess the preparedness of relevant government agencies, including BURS, as well as the private sector stakeholders involved in the implementation of the Botswana eNSW. This will be based on, among other things, the review of the agencies’ objective and vision, legal framework\(^1\), organizational arrangements, business processes, ICT infrastructure capacity, and human resources, in accordance with the WCO Single Window guidelines and international standards;

\(^1\) Botswana had a legal readiness assessment conducted in 2015.
Submit a draft report of the assessment to the BURS Management for joint review with the WCO, and validation thereof, on the findings and recommendations;

Present the validated Readiness Assessment report to BURS Management and the National Single Window Steering Committee, highlighting findings on the state of readiness of the stakeholder agencies in implementing the Botswana eNSW, challenges and gaps identified, and recommendations for the successful establishment of eNSW in Botswana by 2027;

Develop a high-level roadmap with clear outcomes for the short-term, medium-term and long-term, to guide the implementation initiatives for the Botswana eNSW by 2027;

Develop a Change Management framework (including stakeholder identification, mapping and communication strategy) to guide the successful management of the change process embedded in the eNSW implementation;

Furthermore, provide expert guidance to BURS Management and the NSW Steering Committee on best practices for successful implementation establishment of eNSW in Botswana by 2027, taking into account the context of CBM framework.

The Contractor shall ensure that each documented output is:

- Reviewed by the staff of BURS and / or stakeholder agencies appointed to work with the Contractor;
- Accepted by the appointed official(s) of the BURS’ and / or stakeholder agencies’ senior management team; and
- Concurred by WCO.

3. PROFILE, EVALUATION AND SELECTION

The WCO is seeking services of a suitably qualified and experienced Contractor to deliver the above services. The applicant should have the requisite expertise and must demonstrate the professional experience to undertake responsibility for the overall assessment of the Botswana Single Window environment as prescribed above, working in cooperation with the BURS Management and relevant stakeholders, and the WCO to deliver the requested outputs.

i. Professional Profile

The relevant professional profile below will be of advantage:

- At least 10 years of work experience in the area of Single Window design, implementation;
- Proven track record in offering expert or consultancy service delivering Single Window assessment and diagnostics reports;
- Proven track record of implementing a Single Window System in a diverse multi-stakeholder country preferably in a developing country context;
- Knowledge and understanding of the WCO Single Window model;
- Work experience in the area of Customs modernization, preferably in Single Window project;
- Working knowledge in the application of WCO instruments and tools;
- Working knowledge of the WTO Trade Facilitation Agreement; and
- Experience in the area of international cooperation will be an advantage.

ii. Evaluation and Selection

Selection will be made based on evaluation of the proposal submitted by the applicant to the WCO, on how to deliver this assignment. In no particular format, the proposal may include:
 Professional or business profile, showing capacity of expertise with proven track record of the experience;
 Appropriate definition on the scope of work and the approach for undertaking the assignment;
 Adequate project management and proposed milestones; and
 Proposed Cost of engagement, including payment schedule.

4. LOCATION AND DURATION

Part of the assignment is expected to be undertaken in-country, at Botswana, by the Contractor in collaboration with the BURS and other stakeholders, as well as working remotely.

The commencement date of the assignment is 1 October 2022 and the period of execution of assignment is expected to end on 31 December 2022.

DEADLINE FOR SUBMISSION OF PROPOSALS IS 7TH September 2022.

Please, use the assignment reference: “Sida-WCO TFCM Programme: Botswana eNSW” and submit your proposal by Email to: program.Sida-WCOTFCM@wcoomd.org
5. APPENDIX

i. Annex A: Scope of Readiness Investigation

The Contractor shall report to the WCO through the Programme Manager, Sida-WCO TFCM Programme, within the Capacity Building Directorate, and work closely with the BURS and stakeholder agencies to investigate, analyze and make recommendations on the following areas. The Contractor may propose additional areas that it considered value-adding and relevant for the BURS and stakeholder agencies’ consideration. The list of areas to be studied shall be formalized at the beginning of the project (“as is”) and outlined in the work program. The Contractor is required to also document gaps in these areas against best practices and to recommend mechanisms to addressing identified gaps.

- **Legal Readiness**: legal readiness include an assessment of the current state of the legal instruments (policies, laws and regulations) relating to electronic submissions, electronic records retention, and admissibility of electronic records/document as evidence in the court of law. This include identification of possible legal impediments to the exchange of data, information, documents and processes with other government agencies in an electronic manner. The Contractor is required to consider the updated progress report of Botswana National Single Window Legal Framework Assessment of 2015, with respect to required actions to be implemented from the assessment recommendations. Where issues surfaced concerns points of law, such issues shall be referred to the Attorney General’s Chambers so that an official legal position can be determined.

- **Technical Readiness**: The Contractor shall undertake, an assessment of their existing IT systems, and related infrastructure of each agency that are involved in key regulatory processes related to cross border trade. The Contractor shall work with BURS and stakeholder agencies to compile a listing of such systems, including their hardware and software components, their purpose, as well as their relative importance and relevance to the cross-border trade regulatory process. The Contractor shall also support the BURS and stakeholder agencies to assess the suitability of such existing IT systems to be included into the Single Window Environment (SWE), or whether enhancements or re-development would be necessary to provide the necessary functionalities for the BURS and stakeholder agencies. This assessment shall include detailed business and technical specifications necessary to support the procurement of new hardware and software services to integrate or interface existing systems into the SWE, or support the development of new or replacement systems needed for the SWE;

- **Process and procedures harmonization**: The Contractor shall undertake, a study to identify key regulatory processes related to cross border trade that is necessary to support the establishment of the SWE and assess the current state of Coordinated Border Management (CBM) being exercised on the ground for the specific regulatory processes. The Contractor shall support the BURS and stakeholder agencies to document the key regulatory processes related to cross-border trade and identify possible process gaps that needed to be rectified so that greater levels of convergence can be achieved through a SWE. This will lead to documentation of proposed inter-agency regulatory processes for clearance and release of goods in the SWE. The Contractor shall assist the BURS and stakeholder agencies to study both “frontline” functions like clearance and inspections, as well as “backend” functions like processing of applications, revenue collection, statistics, licensing, certificates, etc. The Contractor shall consider how the different processes and procedures impact the overall objective of one-time submission by traders;
**HR Readiness:** The Contractor shall undertake, a study of the staffing composition of each agency, particularly the staff profiles involved in key regulatory processes related to cross-border trade. The Contractor shall work with the BURS and stakeholder agencies to identify competency and skills gap in each agency, so as to identify criteria for future recruitment, and training programs to improve the abilities of existing staff to support them in adapting to the new ways of working under the SWE.

- **Organizational Readiness to Administer Different SWE Operating Models:** The Contractor shall undertake, research on the different operating models for SWEs being implemented regionally and internationally, and share such findings with the BURS and stakeholder agencies. The Contractor shall facilitate discussions between BURS and stakeholder agencies to allow them to have an appreciation of the different SW operating models (e.g. Government owned system, private sector operated system, public private partnership), their relative pros and cons, and guide the BURS and stakeholder agencies towards an eventual decision on the Single Window operating model, based on the consensus between the various stakeholders, as well as the relative suitability, based on local conditions.

- **Private Sector Readiness:** The Contractor shall undertake, a study on the state of the local logistics and trading industry and ascertain the industries’ readiness and receptiveness to adapt to the changes that will be brought about through the introduction of a SWE. The study shall look into the industries’ current state, the presence of private sector IT systems that may play a role in the future SWE. The study may also consider broader issues such as internet penetration and computer literacy rates, as well as the ability and willingness of the private sector to invest in hardware, software, and training. The study shall also look into the industries’ appetite for payment of fees and charges related to using the single window services. Given the diversity of the private sector, it will be important to segment the private sector groups through their respective industry specific bodies. This may be done through Business Associations such as Business Botswana which is one of main private sector body in the country.