

REQUEST FOR PROPOSAL (RFP) FOR

Human Resources Review

Specification No. 001/2020

Required for use by:

BVI TELECOMMUNICATIONS REGULATORY COMMISSION

All Qualifications and other communications must be addressed and returned to:

Mr. Vance Lewis, Chairman

Email: vlewis@trc.vg

Telecommunications Regulatory Commission ("TRC")

27 Fish Lock Road, 3rd Floor

Road Town

Tortola, VG1110

BVI

PROPOSALS MUST BE RECEIVED NO LATER THAN 4:00 PM, ATLANTIC STANDARD TIME,

ON 28th AUGUST, 2020

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1. GENERAL INVITATION

The Telecommunications Regulatory Commission (TRC) is a statutory body responsible for regulating the telecommunications sector of the British Virgin Islands. The Commission is also responsible for promoting the development of telecommunications throughout the Virgin Islands (UK). The Commission is governed by the Telecommunications Act, 2006 which was adopted June 2006 and published October 2006 and advises the Minister of Communications and Works on telecommunications policies internationally and regionally and protects the interests of users of telecommunications services. The Telecommunications Regulatory Commission (TRC) also establishes and monitors the implementation of national telecommunications standards and ensures compliance, and is responsible for the regulation of licensees and authorization holders and for ensuring fair competition among licensees and all other operators of telecommunications networks or providers of telecommunications services. The TRC where appropriate, investigates within a reasonable period, complaints by users of their failure to obtain compensation from public suppliers or other licensees in respect of rates, billings and services provided, and to facilitate relief where necessary.

1.1. Purpose of the Request for Proposal

Areas to review consist of the TRC's current human resources policies, procedures, documentation and systems to identify needs for improvement and enhancement of the HR function as well as to assess compliance with H.R rules and regulations.

Sections of review include:

- Human Resource Planning
- Recruitment and Selection
- Compensation and Benefits
- Training and Development
- Performance Management and Evaluation
- Staff Safety and Security
- Staff Sanctions
- Record Keeping and Documentation
- Employee Relations

- Customer Service – Internal and External
- Succession Planning
- Confidentiality
- Termination process and exit interviews
- Job Descriptions
- Personnel Files review

Consulting Firms or Individuals with demonstrated experience in these areas, and with an interest in making their services available to the TRC, are invited to respond to this RFP. There is no expressed or implied obligation for the TRC to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. The selected Respondent(s) (hereinafter “Contractor”) awarded a Professional Services Contract shall perform all tasks and functions associated with the Services as required in this RFP. It is the intent of the TRC to award a contract based on their qualifications and specialized experience in HR as a result of this RFP.

The work contemplated is professional in nature. It is understood that the Respondent acting as an individual, partnership, corporation or other legal entity, is of professional status, and will be governed by professional ethics in its relationship to the TRC. It is also understood that all reports, information, or data prepared or assembled by the Respondent under a contract awarded pursuant to this RFP are confidential in nature and will not be made available to any individual or organization, except the TRC, without prior written approval from the TRC. Any contract resulting from this document will require the Respondent to execute a statement of confidentiality.

The Contractor shall be financially solvent and each of its members, if a joint venture, its employees, agents or subcontractors of any tier shall be competent to perform the services required under this RFP document.

1.2 Access to this RFP

All materials related to the RFP will be available via media outlets in the British Virgin Islands. Respondents will be responsible for checking media outlets for Clarifications and/or Addenda, if any. Failure to obtain Clarifications and/or Addenda shall not relieve Respondent from being bound by any additional terms and conditions in the Clarifications and/or Addenda, or from considering additional information contained therein in preparing your response. Note, there may be multiple Clarifications and/or Addenda. Any harm to the Respondent resulting from such failure shall not be valid grounds for a protest against award(s) made under the solicitation.

The TRC accepts no responsibility for the timely delivery of materials or for alerting Respondents on additional posting of information related to this RFP.

II DEFINITIONS

“TRC” means Telecommunications Regulatory Commission.

“Contract” or “Agreement” means a binding written agreement for the solicited Work and/or Services required by the TRC, including purchase orders, containing terms and obligations governing the relationship between the TRC and the Contractor.

“Addendum” means a revision of the RFP Documents issued by the TRC prior to the due date for submitting Proposals.

“Contractor” means the Proposer or Respondent that receives an award of Contract or Agreement from the TRC as a result of this Solicitation.

“Proposal” means the documents timely remitted by Proposer or Respondent, in response to this Solicitation.

“Proposer” or “Respondent” means all Contractors, Consultants, Organizations, or other entities submitting a response to this RFP.

“Scope of Services” or “Scope of Work” means section 3 of this Solicitation, which details the work to be performed by the Contractor or Consultant.

“Solicitation” means this Request for Proposal (RFP) document, and all associated addenda and attachments.

“Work” or “Professional Services” means the provision of professional human resource services provided or to be provided by the Contractor in fulfilling its obligations to the TRC, as more specifically detailed in the Scope of Services.

III. SCOPE OF SERVICES

The firm or individual will conduct an in-depth review of the TRC’s Human Resource planning, recruitment, and management process, and identify key challenges, lessons learned, and recommendations to strengthen the management, practices, and processes and prepare an inception report defining the scope of review, data collection and approach. The following are some of the components the TRC expect the contractor to review and provide recommendations where necessary. The List is only indicative and not exhaustive.

Human Resource Planning

Verify Human Resource Planning, forecasting, estimation and proper deployment of staff in various departments to ensure the TRC’s activities and operations are conducted in an efficient and economic manner;

Verify the job roles issued to Heads of departments to ensure proper and clear allocation of job responsibilities without ambiguity and over lapping;

Recruitment and Selection

Reviewing of the recruitment and selection processes and procedures to measure the effectiveness of these processes, actions and to confirm compliance with the BVI Labor Code and the TRC's policies. The review will consist of, but not limited to, the following:

- Job Postings (Internal and External)
- Time to fill and the time between the recruitment stages
- Number of competent candidates, including their previous experience working within the telecommunications sector;
- Screening;
- Job Descriptions/Position Descriptions/Duty Lists;
- Hiring and Orientation;
- Documentation and adequate checks (background, medical, KYE etc.) with regards to new recruitment;
- Organizational Chart and provide observations/recommendations;

Compensation and Benefits

- Verify the compensation and benefits to employees is as per TRC's Policy;
- Verify the compensation and benefits are in accordance with Labour Code.

Training and Development, Reviewing of:

- Training and Development to ensure these are being conducted as per the TRC's existing training plan or training objectives;
- Process for assessing the organization's immediate and future training needs and individual development needs;
- Procedures for identification and nomination of staff for the training and development programmes;
- Training Schedules/Training Logs
- Process of evaluation of the effectiveness of the training and development programmes;

- Orientation programmes and trainings for new recruits;
- Employee Handbook, the Code of Conduct and Business Ethics Policies for employees and its implementation;
- The Code of Conduct Handbook, if applicable, for Internet, Email and other TRC Electronic devices used by employees.

Performance Management and Evaluation

- The Code of Conduct Handbook, if applicable, for Internet, Email and other TRC Electronic devices used by employees.
- Verification of procedure and format of performance appraisal reviews/reports. Comment on its adequacy, job functionality etc.;
- Verify if the performance appraisal includes a written plan for less than satisfactory employees to improve their knowledge and skills;
- Verify the policy adopted for promotions and its implementation.

Staff Safety & Security

- Review Safety and Security procedures and policy which may include discussion with selective staff to ensure their understanding and adherence;
- Review what controls are in place to track violations and security breaches
- Verify the policy adopted for promotions and its implementation;
- Verify how staff access and key identification cards are recorded;
- Verify that there is a policy for security and password protection;
- Confirm that there are no occupational hazards that could harm staff;

Staff Sanctions

- Staff Leave Policy and Leave Sanctions
- Re-imbusement procedures (e.g. bills and expenses)

Record Keeping and other Documentation Review

- Documents regarding employees are kept for their required duration;

- All appropriate labour notices and circulars are displayed in an easily visible location;
- Team Building Activities;
- Termination/Exit Interview Policies, Processes and implementation;
- Back-up System

Employee Relations Review

- Process for identifying and mitigating personnel issues in a timely basis;
- Conflict management policy;
- Disciplinary processes;
- Grievances and complaints disputes & resolution;
- Adherence to applicable labour laws and policies.

Health and Safety

- Coronavirus protection and prevention according to the CDC recommendations for office and business spaces:
- Workplace accidents, injuries and illness reporting guidelines and reporting procedures;
- Security Procedures.

Customer Service (Internal & External)

- Deployment of staff in various departments to ensure the TRC's activities and operations are conducted in an efficient and economic manner;
- Conflict Management (Consumers)
- Review Customer Complaints File and responses, timeframe e.g. how are customer complaints to be recorded/logged, investigated, and resolved?
- Review any existing internal or external complaints, documentation regarding their investigation, and action that was ultimately taken.

Succession Planning

- Process for assessing the TRC's immediate and future training needs and individual development needs;
- Procedures for identification and nomination of staff for the training and development programs;

Confidentiality

- Review Confidentiality Agreement for compliance;
- Review Guidelines for Business Conduct, if applicable;
- Review any other Codes of Conduct to ensure compliance;
- Sensitive materials, customers files, employees' files and confidential information securely stored?

Termination Process and Exit Interviews

- Review documentation relating to employees' termination and exit;
- Review Resignation/Termination letters;
- Review post termination correspondence to ensure they are in accordance with the BVI Labour Code.

Job Descriptions/Duty Lists

- Review all employees' job descriptions and/or duty lists to ensure no overlapping;
- Other verification and review pertaining to job descriptions and duty lists
- Review roles and responsibilities of departmental heads to ensure proper and clear allocation of job responsibilities without ambiguity and over lapping.

Personnel Files Review to Ensure:

- All employees' files contain proper documentation e.g. application form, KYE process, References etc.;
- Appraisal Reports are being conducted in a timely basis and concise
- Personnel files confirm that information is updated and filed in an organized manner;
- Disciplinary actions and resolution

- Types of training provided, training certificates if applicable
- Employees' files are kept in a locked compartment and are only accessible to authorized officers;

Kindly note the above scope is only indicative and not exhaustive.

DELIVERABLES

The Firm or Individual should submit a report at the end of the review, as per the Scope stipulated above.

The key deliverables for the assignment include:

- Inception report;
- Review trail containing paper, electronic files, and other such records/documentation that show how each recruitment cases were processed from beginning to end;
- Stakeholders meeting/exit meeting to discuss and confirm the analytical and review findings;
- Final report which includes the analyses of the recruitment processes, analysis, review findings, observations, lessons learned, and recommendations.

IV. GENERAL INFORMATION AND GUIDELINES

IV.1 Communication and Correspondence Between the TRC and Respondents

All communication and correspondence must be submitted no later than **4:00 pm, Atlantic Standard Time, on the 28th August, 2020**, or no response will be provided. A Respondent that deviates from any of these requirements is subject to immediate disqualification from this RFP process.

Deadline and Procedures for Submitting Proposals

To be assured of consideration, Proposal responses must be received by the TRC **no later than 4:00 pm Atlantic Standard Time on 28th August, 2020**

The TRC will not accept responses delivered after the established deadline, stated above. If the response is delivered after the established deadline, a Respondent shall be deemed non-responsive to the Solicitation requirements.

No paper submissions will be accepted as we try to adhere to environmental practices.

Please submit an electronic copy in PDF format sent to the point of contact on this email: Vlewis@trc.vg and the email subject line should be marked:

Request for Proposal (RFP) for Human Resource Review Services

Specification No. 001/2020

The TRC is within its rights to consider a proposal non-responsive and disqualify a prospective Respondent if it does not follow this format or if the proposal fails to include all of the requirements of this RFP.

V. PREPARING PROPOSALS: REQUIRED INFORMATION

Each Proposal response must contain all of the following documents and must conform to the following requirements.

V.1 Format of Proposals

Proposal response must be prepared on 8 ½" X 11" letter size paper.

Each page of the Proposal must be numbered in a manner so as to be uniquely identified. Proposal response must be clear, concise and well organized.

V.2 Proposal Document Instructions

The submitted written proposal must utilize the following format and content detail. Proposals shall be prepared so that responses are specifically identified in the same order as the requested information identified below. Failure to comply with the instructions of this RFP may be cause for rejection of the non-compliant proposal.

A. Cover Letter – (Mandatory)

Respondent must submit a cover letter signed by an authorized representative of the entity committing Respondent to provide the Services as described in this RFP in accordance with the terms and conditions of any contract awarded pursuant to the RFP process. The cover letter must:

1. Indicate the number of years the company and/or Individual has been in the HR business and provide an overview of the experience and background of the company and/or Individual and its key personnel committed to providing Services. For Individuals, an up to date Resume will suffice.
2. Identify the legal name of the company/Individual, address, its principal place of business, and the names of its principal(s).
3. Indicate the name, telephone number(s) and e-mail address of the principal contact for this submittal, oral presentation or negotiations.

B. Executive Summary

Respondent must provide an executive summary which explains its understanding of the TRC's intent and objectives and how their Proposal would achieve those objectives. The summary must discuss Respondent's strategy and methodology for successfully conducting the **Human Resource Audit** for the TRC; capacity to perform satisfying the scope of services in the RFP and any additional factors for the Tourist Board's consideration.

C. Company Profile Information

Respondent must provide a brief history and description of their firm's business organization and its performance experience in Human Resource Review.

Professional Qualifications & Experience

Respondent must provide a summary of individuals who will be dedicated to the Services. For each key person identified, Respondent must provide the following information:

- Summary of the key personnel who will be dedicated to the Services as proposed for the master agreement.
- Key personnel areas of expertise and areas for prime responsibility for various aspects of the Services.
- Resumes or corporate personnel profiles with past experience for each of the key personnel, including a description of their roles and responsibilities on recent projects of similar type, scope, and magnitude relating to the Scope of Services as described in this RFP.

D. Human Resource Audit Approach

Respondent must describe the methodology for providing the services solicited by this Request for Proposals. Respondent should set forth a work plan, including an explanation course outline, suggested audience, timeframe and outcome.

E. Cost Proposal/ Pricing

Respondent must provide a cost proposal and/or pricing for the scope of services described in this RFP.

VI. EVALUATING PROPOSALS

An Evaluation Committee, which will be the Chairman of TRC and Commissioners will review and evaluate the Proposal.

VII. ADDITIONAL DETAILS OF THE RFP PROCESS

VII.1 Addenda

If it becomes necessary to revise or expand upon any part of this RFP, an addendum will be sent to media in the British Virgin Islands. Each addendum is incorporated as part of the RFP documents, and the prospective Respondent should acknowledge receipt.

VII.2 TRC's Rights to Reject Proposals

The TRC reserves the right to reject any and all Proposals that do not conform to the requirements set forth in this RFP; or that do not contain at least the information required by this RFP.

VII.3 No Liability for Costs

The TRC is not responsible for costs or damages incurred by Respondents in connection with the RFP process, including but not limited to costs associated with preparing the Proposal and/or participating in any conferences, oral presentations or negotiations.

VII.4 False Statements

(a) False Statements

Any person who knowingly makes a false statement of a material fact to the TRC in violation of any statute, ordinance or regulation, or who knowingly falsified any statement of a material fact made in connection with an application, report, affidavit, oath, or attestation, including a statement of a material fact made in connection with a bid, or proposal, is liable to the TRC for a civil penalty of not less than \$500.00 and not more than \$1,000.00, plus up to three times the amount of damages which the TRC sustains because of the person's violation of this section.

(b) Aiding and Abetting.

Any person who aids, abets, incites, compels or coerces the doing of any act prohibited shall be liable to the TRC for the same penalties for the violation.

VII.5 DISCLAIMER

This RFP is a request for proposals only and not an offer document. Answers to this RFP must not be construed as an acceptance of an offer or imply the existence of a contract between the parties. By submission of its proposal, Respondents shall be deemed to have satisfied themselves with and to have accepted all Terms & Conditions of this RFP. The TRC makes no representation, warranty, assurance, guarantee or endorsements to Respondent concerning the RFP, whether with regard to its accuracy, completeness or otherwise, and the TRC shall have no liability towards the Respondent or any other party in connection therewith.

The Firm or Individual should submit a report at the end of the assessment, as per the Scope stipulated above.

Before releasing their review findings, the selected Firm or Individual should validate the findings of the review as well as the recommendations with the Chairman of the TRC or his delegate.