

Request for Proposals

Implementation of an Industry Review of the BVI Telecommunications Market



Telecommunications Regulatory Commission

ECONOMICS DEPARTMENT

Confidentiality Statement

All information in this document is provided in confidence for the sole purpose of enabling your firm to provide a proposal to the Telecommunications Regulatory Commission of the Virgin Islands (**Commission**) in relation to the work outlined in this Request for Proposal (**RFP**) and shall not be used for any other purpose. This information shall not be published or disclosed wholly or in part to any other party (including sub-contractors) without the Commission's prior written permission and shall be held in safe custody.

These obligations shall not apply to information which is published or becomes publicly known and available.

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Introduction

The Commission is seeking a consultant's services to assess the Virgin Islands telecommunications industry after liberalization occurred in 2006 and determine how the new telecommunications policy should change for the 21st century. Accordingly, the Commission is now accepting submissions in response to this Request for Proposals.

The remainder of this RFP outlines the scope of services which is being sought by the Commission, respective deliverables, and the requirements for a proposal in response to this RFP, as well as outlining the evaluation criteria that the Commission will use as the basis for selecting the successful consultant.

Background

The Government of the Virgin Islands introduced the Telecommunications Liberalisation in the British Virgin Islands policy on 10 January 2007. The objective was to create the circumstances for a fully effective and successful telecommunications sector, delivering excellent value for money to users and maximizing the contribution of the sector to the economy. The Commission is looking to recommend a new telecommunications policy for the 21st century, considering how the industry has developed since liberalization occurred in 2006.

In addition, the Commission is a statutory body with responsibility for the development and regulation of the telecommunications services industry in the Virgin Islands. To fulfill this mandate, the Commission is tasked with, amongst others, (i) advising the Minister on positions and policies relating to telecommunications issues at international, regional and national levels, (ii) being responsible for the regulation of licensees and authorisation holders and for ensuring fair competition among licensees and all other operators of telecommunications networks or providers of telecommunications services and (iii) promoting the systematic development of telecommunications throughout the Virgin Islands, pursuant to sections 6(a), (d) and (r) of the Telecommunication Act, 2006 (**Act**).

Therefore, the Commission has deemed it appropriate to carry out an investigation of this kind. It is the Commission's aim, at the end of this project, to have a clear and informed understanding of the evolution of the telecommunications market in the Virgin Islands that will contribute to developing a new telecommunications policy for the 21st century.

Scope of Services

The Commission is undertaking an Industry Review of the Virgin Islands to determine how the telecommunications sector has evolved since it was liberalized in 2006 and to make recommendations that will shape the new telecommunications policy in order to promote systematic development in the Territory.

In this regard, the Commission is requesting proposals from a consultant for the purpose of drafting an Industry Review report (**Project**). Specifically, the selected consultant will gather information and write an industry review report on the performance of the sector post liberalization against key sector objectives, the comparisons with other countries, the industry's socio-economic contribution to the country's economy, the evolution and state of competition, the current challenges and any presence

of barriers to sustainable competition and the policy recommendations to promote a sustainable future development for the Territory. The findings will inform the Minister and contribute to developing a new telecommunications policy for the 21st century.

The Project will include review, analysis and consultation with the Commission and its project team at various phases to be agreed between the Commission and the selected consultant.

The scope of work for this Project includes the following:

- Data collection - Gathering relevant data on the telecoms market in the VI and making comparisons with benchmark countries.
- Market assessment report - An assessment of the telecommunications sector based on the four main areas: landline, mobile, internet and television. The report will indicate their findings of the assessment and its preliminary policy recommendations.
- Consultation – Stakeholders will have the opportunity to express their views and comments on the findings and their responses will be reviewed
- Industry Review report of the Virgin Islands – The report will take into account, where necessary, the views and comments received from stakeholders, make conclusions, recommendations and publish a final report.

The Project seeks to tackle five main areas:

- Performance and development of the telecommunications sector since liberalization based on key objectives in the current telecommunications policy
- Contributions of the telecommunications sector to the VI's Economy
- Evolution of competition on market segments in the sector
- Current state of competition and Barriers to Sustainable Competition
- Regulatory recommendations and remedies to promote sustainable future development

Deliverables

The Deliverable as applicable to this RFP are as follows:

- Proposal - Outline the work to be carried out on the Project and the proposed timeline/schedule. This is to be reviewed by and agreed with the Commission before the commencement of work.
- Progress reports - Covering such areas and at intervals to be agreed with the Commission.
- Data gathering – Gather information through data requests, questionnaires, and in-depth interviews, validate and analysis.
- Market Assessment report (Industry Review document) - Prepare a first draft of the Industry Review document that includes a comprehensive holistic analysis of the telecommunications sector.
- Consultation document – Write a document to invite comments from stakeholders on the draft Industry Review document based on the objectives of the Commission.
- Market Assessment report - Produce a second draft of the Industry Review document, after having received comments from the Commission, and the industry, as necessary.
- Final Statement document - Produce a Final Statement on the Consultation, summarising responses received for the consultations referred to above and the Commission's position in relation to those responses and attached industry review document.

The consultant will be required to submit, for approval, the schedule for completion of the deliverables

indicated above and a corresponding payment schedule, as may be applicable.

Consultancy Bid

Consultants submitting proposals to undertake the Project are expected to demonstrate general and specific competency in the execution of projects of a similar nature. The consultant shall be a qualified economic expert or industry professional, who has experience in implementing a holistic market analysis in order to understand how the competitive situation in the telecommunications market has evolved since liberalization and to identify the possible inhibitors that may hinder the development of competition currently and in the future. The consultant must submit CVs indicating relevant experiences and qualifications.

The Consultant, in his/her offer, shall provide a description of the methodologies and resources that will be drawn on to conduct the exercise including man days, timeframes and travel details (if applicable) to meet intended consultancy objectives.

RFP Submission Guidelines & Requirements

The following submission guidelines and requirements apply to this RFP:

- All consultants must comply with these RFP Submission Guidelines & Requirements when submitting a response. Failure to comply with these guidelines & requirements may result in disqualification.
- Only qualified consultants with prior experience on projects such as this should submit proposals.
- Proposals must be signed by a representative that is authorised to commit the consultant.
- If the consultant has a standard set of terms and conditions, it must be submitted with the proposal. All terms and conditions will be subject to negotiation.
- Proposals must be received by the deadline specified below to be considered.
- The Commission may ask the consultant, at the consultant's expense, to answer queries, make presentations or attend formal meetings in relation to the proposal.
- The Commission is not responsible for any costs or expenses the consultant may incur in the preparation of the consultant's response or in anticipation of a formal written contract.
- The Commission may not award a contract to the consultant for the whole or any part of its requirement.
- The Commission reserves the right to reject any response to the RFP which is not submitted in accordance with the instructions set out in the RFP or delivered after the return date.

RFP & Project Timelines

The following represents the projected schedule for the RFP. These dates are subject to change by the Commission at any time and consultants will be notified as soon as is reasonably practicable if any such changes occur.

Activity	Due Date
Request for Proposal Issuance	15 August 2022

Deadline for Submission of Final Proposal to the Commission [REVISED]	19 September 2022
Contract Award/Notification to Unsuccessful Bidders [REVISED]	17 October 2022

The requisite date for completion of the Project is to be agreed upon with the Commission. Nonetheless, we encourage consultants to include in their submissions the time within which they propose to complete the Project, recognising that this is a priority item for the Commission.

Evaluation Criteria

The Commission will rate proposals in accordance with the following criteria:

- Responsiveness to the guidelines and requirements set out in this RFP;
- Qualifications and competency;
- Relevant past performance/experience;
- Cost of the consultancy;
- Time required to complete the scope of work;
- Methodology;
- Resources;
- Proposed Contract Terms and Conditions; and
- Any additional information (requested as a part of this RFP).

Submission of Documents

Consultants are invited to submit their proposal by email to: Mr. Guy L. Malone, Chief Executive Officer, gmalone@trc.vg copied to Ms. George Lewis, Chief Operations Officer, glewis@trc.vg.

Additionally, all queries regarding this RFP must be made in writing to the Telecommunications Regulatory Commission, to: Ms. Melissa Farara, mfarara@trc.vg. Answers to questions will be made available on a confidential basis to all other parties who may be responding to this RFP.