

## Terms of Reference

### Stichting IDH

### Technical support to CIGCI

#### 1. Introduction

Stichting IDH (hereinafter referred to as “IDH”) accelerates and up-scales sustainable trade by building impact-oriented coalitions of front running companies, civil society, governments, knowledge institutions and other stakeholders in several commodity sectors. We convene the interests, strengths and knowledge of public and private partners in sustainability commodity programs that aim to mainstream international and domestic commodity markets. We jointly formulate strategic intervention plans with public and private partners, and we co-invest with partners in activities that generate public goods.

On basis of these Terms of Reference (the “ToR”), IDH aims to select a party (hereinafter the “Service Provider”) to offer technical support to the Cocoa Initiative Ghana and Cote d'Ivoire (“CIGCI”).

#### 2. Background of the Assignment

IDH<sup>1</sup> is a not-for-profit organisation that convenes, co-creates, and co-finances inclusive and sustainable solutions that enable people in business, investment, and government to create value for people and the planet. The organisation has its headquarters in the Netherlands and various satellite offices, including in Accra and Abidjan.

IDH has supported the Côte d'Ivoire Ghana Cocoa Initiative (CIGCI) since early 2022. In June 2022 a Statement of Intent towards an Economic Pact on Sustainable Cocoa was signed between the two main producing countries (Côte d'Ivoire and Ghana) and 17 leading industry partners. From then on, the IDH-support towards the CIGCI secretariat<sup>2</sup> has focused on the convening of three working groups. Each working group was assigned to develop feasible recommendations on several key elements of the Economic Pact: (a) cocoa pricing and markets, (b) financial traceability of cocoa supply chains and (c) accountability of public sector and industry stakeholders in the cocoa sector towards the objectives and responsibilities covered by the Pact.

The working group (a) completed its assignment and delivered the recommendations earlier this year. The other two are currently implementing their assigned tasks. The outcomes of the three working groups together with a CIGCI workstream on ‘true pricing of cocoa’ will form the core of the Economic Pact. These will be captured in a Framework for Action to be formally endorsed by the main stakeholders.

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<sup>1</sup> <https://www.idhsustainabletrade.com/>

<sup>2</sup> <https://www.cighci.org/the-secretariat/>

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### 3. Assignment information

IDH is seeking technical assistance from a cocoa supply chain expert with wide experience in the private sector to broaden the capacity of its cocoa team involved in the ongoing support towards the CIGCI secretariat. The assignment will require the Service Provider to support the IDH's cocoa team and CIGCI secretariat on average one day per week, for an initial period of minimum 6 months. If needed, the assignment may be extended for further support to the IDH's cocoa team and CIGCI, including additional payments, for an additional period of maximum 6 months.

#### 3.1. Main services required to the Service Provider

- I. Provide advice and technical guidance to the CIGCI ongoing working group related to accountability as part of the IDH support team.
- II. Contribute to the preparation of a draft formulation of a Framework for Action that covers the main outcomes of the four CIGCI work streams (the three working groups and the additional work stream on 'true pricing of cocoa') and will serve as a basis for an Economic Pact on Sustainable Cocoa.
- III. Deliver regular (monthly) updates to the CIGCI secretariat and IDH cocoa team on trends and developments in the global cocoa markets that can have an influence on the wider objectives of CIGCI.
- IV. Support the implementation of the recommendations of the working group "cocoa pricing and markets".
- V. Engage with the other working group "accountability" and support the delivery of their assigned tasks.
- VI. Any other activities as deemed necessary by the CIGCI secretariat and IDH's cocoa team.

#### 3.3. Assignment schedule

Below we suggest the high-level assignment schedule for the planning of the key services that reflect the current needs of IDH so the Applicant (this being any person or company that has requested to participate in this tender procedure by submitting a proposal) has an impression of expected resource planning.

Time	Activity
February 2024	Signing of the contract
February 2024	Start of the assignment Estimated 2-3 weeks of on-boarding
March 2024	Delivery of the assignment and related services at full capacity and speed
September 2024	Expected end of the assignment (possible renewal of the contract for an additional period of maximum 6 months)



#### 4. Selection Procedure

The procedure will be as follows:

1. Publishing the ToR.
2. Option to submit questions regarding the assignment and the ToR.
3. The evaluation committee will evaluate the proposals based on the selection criteria as published in this ToR.
4. Decision on selection of the Service Provider.
5. Inception meeting with the selected Service Provider.

The schedule below indicates the timelines for the tender procedure:

Tender process		Timeline
1	ToR published	7 <sup>th</sup> December 2023
2	Closing date questions *	18 <sup>th</sup> December 2023 (5 p.m. CET)
3	Publication of information notice	21 <sup>st</sup> December 2023
4	Deadline for submission of proposals *	12 <sup>th</sup> January 2024 (5 p.m. CET)
5	Selection of Service Provider	21 <sup>st</sup> January 2024
6	Start of the assignment	1 <sup>st</sup> February 2024

\* The dates specified above at 2 and 4 shall be construed as a **deadline**. Questions that are not submitted before the deadline will not be considered unless this is in the interest of this tender procedure and at the discretion of IDH. **Proposals submitted after the deadline will be returned and will not be considered in this tender procedure.**

After the deadline to submit a proposal has passed, the evaluation committee will evaluate the proposals.

The proposals will first be tested for completeness:

- The absence of the documents referred to in Section 5.1 of this document can lead to exclusion from further participation in the tender procedure. This is also the case when minimum requirements listed in this ToR are not met.
- If the proposal is complete, the evaluation committee will evaluate the proposal based on the criteria described in Section 6.



The assignment will be awarded to the Service Provider with the most economically advantageous tender (MEAT evaluation). This is determined based on the evaluation criteria, price and quality.

IDH will reject the proposal if any illegal or corrupt practices have taken place in connection with the award of the tender procedure.

### Questions

Questions regarding the assignment or the ToR can be submitted until **18<sup>th</sup> December 2023 (5 p.m. CET)**, by e-mail to Frank Joosten, Senior Program Manager for the IDH's cocoa program, at [joosten@idhtrade.org](mailto:joosten@idhtrade.org), copied to Kimberley Fraser-Bell, Operations Manager, at [fraserbell@idhtrade.org](mailto:fraserbell@idhtrade.org), with the express mention: "Questions Tender CIGCI technical support".

Questions must be submitted in the English language and solely using the Template Question Form, attached to this ToR as Annex **1**.

The submitted questions will be grouped, anonymized, and combined in an information notice. This notice will be sent to all consultants in a reply to the e-mail in which the questions were submitted. The responsibility for the timely and accurate submission of the questions lies with the Applicant. When IDH indicates that questions have not been received by IDH before the indicated deadline, the Applicant must demonstrate that the questions were sent timely.

Any inaccuracies, omissions, discrepancies, or objections to the content of any of the tender documents or the tender procedure, must be submitted in this round of questions. In case the above are not addressed before the deadline of the question round, this will result in a forfeiture of the Applicant's right to invoke these matters before or after the contract is awarded.

## **5. Proposal documents and submission**

### **5.1. Documentation to be submitted**

The documents referred to in this section must be submitted. Only complete proposals that include and address all elements will be considered. The absence of any of the documents referred to in this section can lead to exclusion from further participation in this tender procedure.

IDH is requesting all Applicants to hand in a proposal, which must at least include the following documents:

#### Content:

- a. A document of maximum 10 pages that clearly describes the approach addressing the required services as described in Section 3.1 of this document. We request that the proposal structure matches the selection criteria as closely as possible.
- b. An overview of the project team, including the CVs of the project team members.
- c. Budget in Euros (including VAT and all other applicable taxes) is to be presented, **with a breakdown of the daily rate per project team member, and a total budget figure for the initial duration of the assignment, inclusive of all expenses.**

#### Administrative:



- d. Statement of acceptance draft contract (Annex 4).
- e. Statement on Ground for exclusion (see Section 6.2).

## 5.2. Submission of the proposals

The proposal must be submitted to Frank Joosten at [joosten@idhtrade.org](mailto:joosten@idhtrade.org), copied to Kimberley Fraser-Bell at [fraserbell@idhtrade.org](mailto:fraserbell@idhtrade.org), before **the 12<sup>th</sup> of January 2024 (5 p.m. CET)**. **Proposals submitted after the deadline will be returned and will not be considered in this tender procedure.**

The proposal should be drafted and submitted in accordance with all requirements of the ToR. Please refer to the list above for an overview of all documents that must be submitted with the proposal.

## 6. Testing and weighing

The assignment will be awarded to the Service Provider with the most economically advantageous tender (MEAT evaluation). The most economically advantageous tender is determined on the basis of the evaluation criteria of price and quality.

### 6.1. Completeness check

The proposals will first be tested for completeness. The absence of the documents referred to in Section 5.1 (Documents to be submitted) of the ToR can lead to exclusion from further participation in the tender procedure. The absence of compliance with all compulsory requirements can lead to exclusion from further participation in the tender procedure.

If the proposal is complete, the evaluation committee will check the proposal for any reservations made by the Applicant. Proposals that are subject to reservation are not permitted and will be excluded from further participation in the tender procedure.

If the proposal is submitted timely, correctly without reservation, it will be evaluated. During this evaluation, the documents referred to in Section 5.1, sub a., b. and c. of the ToR are assessed against the basis of selection as stipulated in this chapter. IDH may verify any submitted references, documentary evidence, and answers.

### 6.2. Grounds for exclusion

Applicants shall be excluded from participation in this tender procedure if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they or persons having powers of representation, decision-making or control over them have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the IDH can justify;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are



established, or with those of the Netherlands or those of the country where the contract is to be performed;

- e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity.

**Applicants must confirm in writing that they are not in one of the situations as listed above.**

2. Service providers shall not make use of child labor or forced labor and/or practice discrimination and they shall respect the right to freedom of association and the right to organize and engage in collective bargaining, in accordance with the core conventions of the International Labor Organization (ILO).

### 6.3. Scoring and weighing

The proposal will be assessed based on the following selection criteria:

Component	Criteria	Max. Grading
1	<b>Proposal overall</b> The quality of the proposal, responsiveness to requirements, and adequacy of the information provided (see <u>Step 1 - Criterion Quality</u> ).	5
2	<b>Competence and track record</b> The extent to which the Applicant presents the required level of expertise and knowledge (see <u>Step 1 - Criterion Quality</u> ).	10
3	<b>Price</b> Best price for the proposed level of quality as outlined below (see <u>Step 2 - Criterion Price</u> ).	5

#### Step 1 - Criterion Quality

Evaluation scores will be awarded for each of the components. The evaluation committee will score each component unanimously.

The proposal will be assessed based on the following selection criteria:

Component	Criteria	Max. Grading
1	<b>Proposal overall</b> The quality of the proposal, responsiveness to requirements, and adequacy of the information provided: <ul style="list-style-type: none"><li>• Can the Applicant perform the expected services set out in Section 3.1?</li></ul>	5



2	<b>Competence and track record</b>	The extent to which the Applicant presents the required level of expertise and knowledge and the following competencies: <ul style="list-style-type: none"><li>• Graduate in economics, business management, agriculture, international development, or another relevant field</li><li>• At least 10 years' private sector experience in the cocoa sector, preferably at the executive level</li><li>• Specific knowledge of Cote d'Ivoire and Ghana cocoa sector and supply chains</li><li>• Up-to-date knowledge and insight in the current issues related to the global cocoa markets and challenges related to environmental and social sustainability</li><li>• Experience with working with smallholder communities</li><li>• Proven track record in convening private and public sectors parties</li><li>• Excellent communication skills</li></ul>	<b>10</b>
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The evaluation committee will unanimously score each component by assigning scores from 1 to the maximum grading, with the maximum grading representing optimal performance on the component and 1 representing extremely poor performance on the respective component.

The price scoring will be determined in Step 2.

#### Step 2 - Criterion price

A combined price in Euros (including VAT and all other applicable taxes) is to be presented, **with a break-down of the daily rate per project team member, and a total budget figure for the initial duration of the assignment, inclusive of all expenses.**

The criterion price is assessed as follows:

For each budget the lowest price will receive 5 points. All others will receive points relative to the lowest offer (e.g., offer A: 20K, offer B: 25K, offer C: 28K; offer A receives 5 points; offer B receives  $(20/25)*5 = 4$  points; offer C receives  $(20/28)*5 = 3,6$  points). All scores will be rounded to the first decimal point (for example, if an Applicant gets a score of 3,57, the score will be rounded up to 3,6).

#### Step 3 - Weighting

The final score will be weighted 75% on the Criterion Quality and 25% on the Criterion Price.

If scores of Applicants are equal, priority will be based on the total scores that were given for the Criterion Quality (components "Proposal overall" and "Competence and track record" combined). The assignment will be awarded to the Applicant that has received the highest score for the Criterion Quality. If the evaluation of the Criterion Quality does not lead to a distinction, the score for the component "Competence and track record" will be decisive. If this does not lead to a distinction, the ranking will be determined by the drawing of lots.

### 6.4. Award

Once IDH has decided which Applicant it intends to award the contract to, a written notification thereof is sent to all Applicants.



The Service Provider is contracted via a Letter of Assignment, following IDH's template (Annex 2) and its standard General Terms and Conditions (Annex 3).

Submission of a response to this ToR and its presentation do not bind IDH to engage the Applicant to provide the requested services. The Applicant is solely responsible for the costs incurred in responding to this ToR.

## 7. Communication and Confidentiality

The Applicant will ensure that all its contacts with IDH, with regards to the tender, during the tender procedure take place exclusively in writing by e-mail to [joosten@idhtrade.org](mailto:joosten@idhtrade.org), copied to Kimberley Fraser-Bell at [fraserbell@idhtrade.org](mailto:fraserbell@idhtrade.org). The Applicant is thus explicitly prohibited, to prevent discrimination of the other Applicants and to ensure the diligence of the procedure, to have any contact whatsoever regarding the tender with any other persons of IDH than the person stated in the first sentence of this paragraph.

The documents provided by or on behalf of IDH will be handled with confidentiality. The Applicant will also impose a duty of confidentiality on any parties that it engages. Any breach of the duty of confidentiality by the Applicant or its engaged third parties will give IDH grounds for exclusion of the Applicant, without requiring any prior written or verbal warning.

All information, documents and other requested or provided data submitted by the Applicants will be handled with due care and confidentiality by IDH. The provided information will after evaluation by IDH be filed as confidential. The provided information will not be returned to the Applicant.

## 8. Disclaimer

IDH reserves the right to update, change, extend, postpone, withdraw, or suspend the ToR, this tender procedure, or any decision regarding the selection or contract award. IDH is not obliged in this tender procedure to make a contract award decision or to conclude a contract with a participant.

Participants in the tender procedure cannot claim compensation from IDH, any affiliated persons or entities, in any way, in case any of the afore-mentioned situations occur.

By handing in a proposal, **participants accept all terms and reservations made in this ToR, and subsequent information and documentation in this tender procedure.**

## 9. Annexes

Annex 1: Template Question Form

Annex 2: Letter of Assignment template

Annex 3: IDH General Terms and Conditions for Services

Annex 4: Statement of acceptance draft contract