

PMAWCA – AGPAOC

Terms of Reference

<STRATEGIC PLAN FOR

PMAWCA’S REFORMS

2009 – 2010>

ORIGINAL

THE SECRETARY GENERAL

1. The PMAWCA

The Port Management Association of West and Central Africa (PMAWCA) is a sub-regional intergovernmental economic organization established during the historic inaugural Assembly of October 1972 in Freetown (Sierra Leone) by the United Nations Economic Commission for Africa (UNECA).

Its first constitution was signed by representatives of nine (Nine) member ports and the Secretary General of ECA.

The PMAWCA is a specialized organ of the Maritime organization for West and Central Africa (MOWCA)

As a date, it is made up to twenty-one (21) member's ports, all located along the west coast of the African Continent, stretching from Mauritania to Angola. It is comprised of English speaking, Portuguese speaking, and Spanish speaking countries as well as nine associate members and two members with observer's status. The activities cover a coastline of about 94,000km on the Atlantic Ocean.

The members of the Association are the following

- Regular Members

PORTO DE LUANDA, Luanda/ANDOLA
PAC, Cotonou / BENIN
ENAPOR, Praia/ CAPE VERDE
PAD, Douala / CAMEROON
APN, Douala / CAMEROON
PAPN, Pointe Noire/ CONGO
PAA, Abidjan / COTE D' IVOIRE
PASP, San Pedro / COTE D' IVOIRE
OPRAG, Libreville / GABON
GPA, Banjul / THE GAMBIA
GPHA, Tema / GHANA
PAC, Conakry / GUINEA
APGB / Guinea Bissau
APGE, Malabo / Equitorial GUINEA
NPA, Monrovia / Liberia
PANPA, Nouakchott / Mauritania
NPA, Lagos / NIGERIA
PAD, Dakar / SENEGAL
SLPA, Freetown / SIERRA LEONE
PAL, Lome / TOGO
ONATRA, Kinshasa / RD CONGO

- Associate Members

SOBEMAP, Cotonou / Benin
APS / Ghana
CNUT / Niger
ECOMARINE International, Lome / Togo
CBC / Burkina Faso
NIMASA, Lagos / Nigeria
CAP DAKAR, Dakar / Senegal
GPM, Gabon Port Management / Gabon

- Observer Members

PAH, Le Havre / France
LAS PALMAS Foundation, Las Palmas / Spain

Objectives:

The objectives of the PMAWCA are the following:

- Contribute towards the improvement, coordination and harmonization of port and harbour activities, services and infrastructure in the West and Central African sub region so as to increase the effectiveness of their services to ships and other means of transportation;
- Help, in relation with similar port organizations or concerned governments, to strengthen cooperation among member ports, in a manner that will encourage the development of their activities;
- Establish and maintain relationship with transport enterprises, institutions, associations, governmental or international organizations in order to have a closer look at problems facing the members;
- Establish a forum for meeting and exchange of ideas among member ports to freely discuss their common problems.

The Organs:

In order to guarantee its operational effectiveness, the Association has created the following organs:

The Council
The Board of Directors
The Secretariat
The Technical Committees

The Council

The council is the most supreme Organ of the Association. It is made up of representatives chosen by the member countries according to the alphabetical order.

The Board of Directors

The Board of Directors is made up of the following:

A chairman
A 1st Vice Chairman
A 2nd Vice Chairman
A treasurer
Two Members

The Secretariat

The headquarters of the Association is in Lagos (Nigeria). Its finances are made up of annual contributions from member ports. The Secretariat of PMAWCA, established in 1976 on a permanent basis enjoys a diplomatic status in line with the Headquarters Agreement signed in 1978 between the Association and the federal Government of Nigeria.

The Technical Committees

The Association has four technical committees with distinct technical functions with a view to enhance efficiency. The four recently reconstituted committees in 2000 (Resolution no 001 – 00/24/COS of the Council) are the following:

- Committee on Administrative and legal Affairs (**ALA**)
- Committee on Finance and Economic Studies (**FES**)
- Committee on Maritime Safety, Environmental Protection and Operations (**MSEPO**)
- Committee on Technical Studies, Infrastructures and Development (**TSID**)

1. BACKGROUND AND JUSTIFICATIONS FOR REFORMS

As at today, 36 years after its establishment, profound changes have occurred in shipping and port environment, and new development challenges in sea ports are the order of the day. Hence, there is need to have an objective evaluation of PMAWCA, its role, orientations as well as its organization and operation in the international maritime and port arena.

International Trade, Maritime and Port Industry

Over the last decade, the global maritime industry experienced an in-depth transformation. Maritime industries have relentlessly pursued their adaptation to developments in international trade, which have increasingly become globalised and have reached a level of internationalization, awareness and growth which have never been experienced before. This decade of growth in maritime industries corresponds visibly with the transition from one age to another, characterized by series of changes and emergence of new development challenges and areas.

The transport industry for so long has witnessed great progress in international trade, especially under the motivation of South East Asian countries.

World seaborne trade reached 7.4 billion tons in 2006 with leading products such as gold, iron, bauxite, coal and phosphates alone representing about 1.8 billion tons. As for world container traffic, it increased by 12.6% to attain 336 million TEUs (Containers of 20 feet). Ports in developing countries on their part handled 137million TEUs i.e 40.7% of the World trade volume in 200. Of this total volume of trade, Africa's share is tiny part (less than 4%) in spite of its potentials in the major trade exchanges.

Maritime security remains a very important challenge in the international transportation of goods. In a survey published in 2007, UNCTAD was expecting that the implementation of the international Ship and Ports Facilities Safety Code (ISPS Code) which has been in operation since 1st July 2004 and was adopted under the auspices of the international Maritime Organisation (IMO), would lead to an annual increase in port charges.

Today, the war against piracy and terrorist acts considerably affects international maritime transportation. Environment and climate changes are now seen as a priority and a challenge to all maritime and port sectors.

In general, African ports are particularly affected by trade globalization and liberalization.

Ports Institutional and Organisational Reforms

The implications are quite numerous, including the introduction of public-private partnership in our respective ports, which more than ever before are confronted with changes generated by this globalization of the economy. Our Ports have for many years been engaged in extensive programmes of institutional, organizational and infrastructural strategies and adaptation.

Is PMAWCA now adapted to this environment?

The African ports symposium, one of the old traditions of the Association has since the Annual Council in Lome, in 2001 been replaced by the Pan – African port conference and the annual round-table organized during the council meeting. Though some of the foundational ideas of our Association remain relevant, the port Management Association of West and central Africa is duty bound to reconsider the mode of operation, particularly:

- the areas of interest and the new policy directions of PMAWCA
- the statutory organs, their style and principles
- the activity programmes and the benefits accruing to each member
- the implementing organ which is the secretariat, its organizational style and outline, operation, functional material and human resources as well as its management
- the financial resources of the Association, their sources and uses.

These issues should not only lead to theoretical changes of ideas but should also take into consideration their reality and practical mode of implementation.

These are the major issues on which the Ports Management Association of West and Central Africa has decided to engage the services of international consultants, with the aim of drawing up a STRATEGIC REFORM PLAN for the 2009-2010 periods.

2. OBJECTIVES OF THIS MISSION

Conduct a general organization and operational survey of the Port Management Association of West and Central Africa in order to objectively discern the needs for its refocusing in line with its new environment and expectation of its members.

3. NATURE OF SERVICES

The Consultant is expected to foster support and coordinate a concerted and participatory process of drafting new principles and organizational as well as working outline for all the organs of the Port Management Association of West and Central Africa.

The consultant, aside from bringing to fore the experiences acquired in this domain, will base his analysis on the documents relating to the Association, the fundamental principles, its statutory organs and their respective functions. The reports of these issues raised in the past by the internal actors would be equally available.

Moreover, with regards similar International Organizations, the United Nations Economic Commission for Africa (UNECA) would be contacted in line with the principles and guidelines in order to fit into the fundamental objectives.

3.1 Areas of Intervention

The following are the areas of Intervention

1. Institutional Setting

To review the Constitution and Rules of Procedure, the statutory organs of the Association and their functions in order to make them clear and unambiguous in the three official languages of the Association which are English, French and Portuguese languages, and also to make them conform to the laws and institutional level of international Organisations.

2. Functioning and Interrelationships of the Organs

Prepare the general operational outline for statutory organs and process for making decisions and disseminating information among them.
(Detailed principles of the Rules and Procedure.)

3. Technical Committees and their Functions

Review their background, competence and relevance; define appropriate profiles for their respective members, their meeting schedules and rational principles of organizing them as well as the modus operandi of these meetings for optimum efficiency and relevance.

4. Outline of a Strategic Vision and a Medium Term Action Plan

This entails proposing terms of reference, Strategic axes on which the project would stand as well as on which future discussions would be based, and which would fit perfectly with the fundamental ideas of the Association.

5. Organisation and Functioning of the Secretariat

The Secretariat, life wire of the Association will be the focal point for the total reorganization and adaptation to the new situation with regard to the new situation with regards to the new challenges which it will be expected to face. Its Organizational model, human resources (profiles, positions, system or remuneration as well as social benefits), material and financial resources needed for its operation, adequate procedures both

administratively and financially as well as in the operational mode of implementing projects of the Association.

4.2 Monitoring, Coordination and Validation of Services

The Monitoring and coordination of the job would be carried out by a Monitoring Committee under the coordination of the Secretary General who will be responsible for Monitoring the Consultant's job of collating the evaluating information and to oversee the smooth running of the operations, consisting of :

- The Secretary General of the Association
- A technical Committee of Experts from Member Ports chosen by the Board of Directors
- Any other external organ adjudged useful by the Board of Director

The Pilot committee, on its part, made up of members of the board would be responsible for validation of the draft and final document.

4.3 Scheduling and production of periodic Reports

From a methodological point of view, 4 successive phases are anticipated:

1. The initialization of the project would be made at a meeting with the Secretary General and members of the Monitoring Committee to enable drafting the programme and time schedule for the study.
2. Exploratory Phase and Documentary Analysis (Analyse. Interviews and meetings with the Organisations and Referenced Experts)
3. Synthesis phase with presentation and evaluation of results: (Provisional Report) submitted for validation of the Monitoring Committee under the supervision of the Secretary General.
4. Workshop to adopt the Provisional Report and submit to the pilot Committee (Board of Director) for validation of the Monitoring Committee under the supervision of the Secretary General
5. At the end of the study, the Consultant will submit a document titled < Strategic Plan of Reform for the Port Management Association of West and Central Africa>. This document will contain:
 - A synthesis of the situation and documentary evidence of changes in the targeted areas
 - Anticipated reforms and their objectives
 - Changes to be made in each of the targeted area and the practical modalities for implementing them

- Change plan and the essential means for their implementation, actions to be taken, schedule for actualizing them, follow up and monitoring system for effective performance
- Communication Plan associated with this reform, for the members and partners attention.
- Evaluation indicators for obtained results

The produced document titled “Strategic Plan of Reform” for Port Management Association of West and Central Africa” will be validated by the pilot Committee.

5. DEADLINE AND PLAN OF EXECUTION

- The programme and schedule of meetings would be proposed by the Consultant. The aim is to validate each stage of the task before proceeding to the next
- The total number of days is estimated to be 40 working days/person (14 at the PMAWCA Secretariat in Lagos, 5 in the referred organizations, and 21 home-based for final report writing and submission).

6. QUALIFICATIONS AND REQUIRED EXPERTISE

A (group of) consultant (s) with proven experience in this field as well as a desired knowledge of international Organisations terrain particularly of the maritime world will be selected.

To accomplish this, the consultant must have:

- Basic training in organization and enterprise strategy at masters of doctoral level
- A high leveled lawyer well versed in regulatory reforms of this type
- Must have proven competence in organizational procedures and business functioning and must have successfully conducted a similar assignment
- A perfect mastery of functioning of International Organizations
- Documentary evidence in a maritime or port environment (Evidence to be produced)
- Knowledge of PMAWCA will be an added advantage

7. DOCUMENTS TO BE MADE AVAILABLE TO THE CONSULTANT

All the statutory texts (rules of procedure and constitution) Annual activity reports, Audit reports and all other documents capable of giving pertinent information to this job would be made available to the Consultant.

8. FINANCIAL DISPOSITION

The financial bid covers all the expenses on honorarium relating to the tasks described in item 4, all expenses and proposals relating to this task.

The Payment modality would be agreed upon but the proposer payment schedules would be settled in chronological order and upon submission of the periodic reports.

8. PRESENTATION AND EVALUATION OF OFFERS

Each application must be presented in hard copies (two copies) and in soft copies (Copied into a CD), put in a big envelope and addressed to the following:

**Port Management Association of West and Central Africa (PMAWCA)
20, Park Lane P.O.Box 113 Apapa Lagos (NIGERIA)**

Tel: (234) 1 773 76 09 – (234) 1 77 555 71 E-fax (33) 1 70 4 71 61 – (33) 1 77 72 49 40

E-mail: pmawca_agpaoc@yahoo.com

Liaison office/ Bureau de liaison: Tel: (229) 21 31 02 41, Fax (229) 21 31 02 91

Ref: Strategic Plan of Reforms 2009 – 2010

The submitted documents must be presented in three sections:

- a detailed presentation of the applicant (CV and experiences in the field)
- A technical presentation describing the methodological approach and detailed plan of the applicant,
- A financial proposal comprising the total cost of the assignment.

Section 1: Presentation of the consultants involved in this task and the designated head who will be spokesman for the Association.

- A certificate of competency or an official evidence of competence in this domain.
- A detailed CV of each of the consultants,
- Reference of similar service implemented along with certificates of proof given by the Project supervisor/manager, the projects implemented in the last five years would be best for ratings.

Section 2: Technical Tenders must contain:

- A detailed methodology on the projects implemented,
- The detailed planning indicating the chronogram of participation and the implementation period.

Section 3: Financial Bid including all bills payable by the Association for the current project will be made up of:

- Detailed Honorarium for each consultant
- All charges relating to the present project
- All amounts must be quoted in US Dollars, and if not applicable, a fixed rate must be indicated between the US dollar and the other currency in which payment would be made.

- **Deadline for the submission of application**

All applications/bids must reach the PMAWCA Secretariat situated in Lagos at the address indicated above **latest by 30th September 2009.**

Evaluation of applications:

It should be made on the basis of information contained in the tender submitted and relatively on the criteria defined below. All grading must be made in comparison with offers received.

a/ Acceptance of Tender, level of qualification, general experience of the Consultancy Firm or of Consultants in the service domain of the task to be implemented.

(15 Points)

A Professional experience of five years (in similar tasks) is desirable, for the consultants of firm

All Submission adjudged not in conformity with the required qualifications would be rejected at this stage.

b/ Grading of the quality of methodology and schedule

(30 Points).

A detailed description of the methodological and chronological approach is necessary and must take into consideration all the details of paragraph 4 (Terms of Service)

The assessment of this criterion must be tuned towards being qualitative and would be based on the following axes:

- The description of task to be accomplished would take into consideration all or part of the issues raised in paragraph 4,

- Efforts of the consultant to properly implement his assignment
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- Coherence in planning, the time to be spent on each task, as well as the pertinence in the choice of consultants

d/ Qualifications and competence of the Personnel whose services are being proposed **(55 marks)**.

The qualification and competence requested of each proposed consultant for this job are the:

The experts would be scored according to their respective experiences in the domain and their posts in similar tasks performed.

All tenders scoring less than 70 technical points would be eliminated at this stage.

e/ Evaluation of financial proposal

Relates only to the offers adjudged technically acceptable

Errors of multiplication, additions or carrying forward which may be noted in the financial proposal would be recited for the analysis of the tender, only the corrected sum would be considered.

The price would include all costs such as honorariums and other reimbursable expenses making up the overall cost of service

The Financial offer (HT) would be rated 100. Other tenders would be prorated thus $(nf = (\text{total of offer} / \text{total of offer being considered}) \times 100)$.

i. Final Classification of Tenders

The total (Ni) is obtainable by addition of the Technical Points (NTI) to the financial points (NF_i), each respectively summing up to 70% and 30% thus illustrated:

$$\mathbf{Ni = (0.70 \times Nti) + (0.30 \times Nfi).$$

The contract would be awarded to the tender with the highest scores.

Ports Management Association of west and Central Africa reserves the right to choose the survey terrain of the consultant and is not tenable to neither give any reason for its decision nor consider the complaints of any bidder.

