

Terms of Reference

Technical Assistance for the Preparation of the Blueprint for the Bhutan National Single Window (Reference Number: BT-GOVTECH-436981-CS-CQS)

Purpose

The Royal Government of Bhutan (RGOB) is seeking to engage a **firm** (the “Consultant”) to support the development of a **Blueprint** covering the preparatory aspects of the implementation of the National Single Window for the Kingdom of Bhutan (“Bhutan”).

The purpose of these Terms of Reference (TOR) is to define the scope of work and tasks of the Consultant.

The overall objective of this assignment is to undertake selected preparatory work for the establishment and operation of the **Bhutan National Single Windows** (BNSW) in line with the decisions and policies of the RGOB and by following international standards, recommendations and best practices. The outputs of the Blueprint will be consolidated into an actionable **Implementation Plan** according to the specifications provided.

Background

The Royal Government of Bhutan plans to implement the Bhutan National Single Window (BNSW) with financing support from the World Bank Group (WBG) under the Accelerating Transport and Trade Connectivity for Trade (ACCESS) project for Bhutan. The implementation of the BNSW is seen as a key objective by the RGOB in pursuit of its trade facilitation policies.

The project that will finance the design, development and implementation of the BNSW solution and the associated streamlining of procedures of all regulatory border agencies. The BNSW solution will improve transparency and integrity, lower trade transaction costs, improve inter-agency coordination and reduce the time taken to clear goods.

The implementation of the BNSW will take place in two phases: *Phase 1 – Preparation and Program Design*; and *Phase 2 – Implementation*. These TORs concern Phase 1 which involves the preparation of a “Blueprint”. The Blueprint is the program design document and it will result, as the final deliverable, in an actionable **Implementation Plan** for the BNSW.

The RGOB has appointed the **Government Technology Agency (GovTech)** to be the **Implementing Agency** for the Blueprint project, as part of its mandate to promote transformation through digitization of all public sector services. GovTech has formed the **BNSW working group reporting to the BNSW Steering committee**.

GovTech will also be recruiting two **International Consultants** to be included in the BNSW Project Team, with specific expertise and international experience of developing a Blueprint for National Single Window. The two international Consultants are: (a) Lead Consultant; and (b) IT Consultant. While the

BNSW Project Team Leader is responsible for matters related to contract execution, on a day to day basis, the international Lead Consultant, from time to time deputized by the IT Consultant, will guide and direct the work of the BNSW Project Team.

A Visioning Workshop, facilitated by the WBG, was held in Thimphu on 6 and 7 February 2024, during which the stakeholders laid down the foundations of the BNSW program by elaborating suggestions for an overall **Vision Statement** and options for the key strategic decisions, to be adopted by the RGOB.

Based on the Vision and strategic options, once the mandate has been obtained by RGOB, the program is moving to Phase 1 with the development of the Blueprint.

Concept

The Blueprint preparatory phase will seek to design and develop the necessary enabling environment for the establishment and operation of the BNSW. This will include finalizing the key strategic decisions and developing the Terms of Reference for implementing the following core elements of the BNSW:

- a) Functional Model
- b) Governance Model
- c) Operational Model

In order to implement the above models, underpinning these key elements of the BNSW, will be the design and plans for the implementation of:

- d) Legal and Regulatory framework
- e) Revenue model and Fee Structure for the operation of the BNSW
- f) Technical and Functional Architecture and specification for the BNSW System
- g) Service Level Agreements between the Operator and the BNSW users
- h) Change Management and Communications strategy and plan
- i) Design of a Risk Management Strategy and model for Agencies participating in the BNSW
- j) Design of an Implementation and Capacity Building strategy and plan for the BNSW, the BNSW Operating entity, participating Agencies and Traders

The duration of this preparatory phase is expected to be **six (6) months** from the date of award of contract. The BNSW implementation project itself (being financed separately from this preparation assignment) will focus on the actual implementation of the BNSW including the establishment of the operational entity, the development, implementation and rollout of the BNSW system, training and capacity building in the affected Government Agencies (GAs) as well as Traders.

Objectives

The objective of this assignment is to work as part and under the direction of the GovTech BNSW Project Team and its two International Consultants, by:

- a) Facilitating, as directed, fact finding from, and discussions amongst, the relevant GAs with a view to finalizing the key decisions concerning technical, functional, BPR, business, financial, operational, legal and service delivery models for the BNSW;
- b) Contributing, as directed, to the development of the functional, technical and operational requirements for the BNSW such that the implementation and operational services may be established, implemented and procured expeditiously;
- c) Conducting a review of the legislation in Bhutan pertinent to the implementation of the BNSW
- d) Contributing to the formulation of Change Management and Communications plan
- e) Supporting the development of an Implementation Plan for the development and roll-out of the BNSW nationally, including a plan for Capacity Building.

Working Arrangement

GovTech is seeking to appoint a national consultancy firm which is expected to provide, as a minimum, the following resources, who during periods of engagement will be expected to work onsite:

- Business Analyst and Team Lead/Focal Point
- Business Analyst
- Legal Expert

The firm will report to the GovTech BNSW lead, and will be guided technically by the two International Consultants, namely the Lead Consultant and the IT consultant. The international consultants will provide basic training in the task skills specific to NSW (e.g. business process analysis for NSW), and oversee the firm's work to assure quality outputs. The key experts of the National Consultant shall work onsite for the duration of the assignment (GovTech Premise).

Scope of Work

The scope of work of the consultants are as follows:

- ***Analytical support.***

Under the guidance of the International Consultants, the firm will support the analytical work undertaken for the Blueprint. Selected tasks include:

- o As instructed, conducting of interviews, distributing and analysing responses to questionnaires with a range of stakeholders; summarising key points; and analysing the findings as input to stakeholder engagement as part of the Blueprint development process
- o Supporting the two International Consultants by undertaking information system investigation and review at key agencies involved in the BNSW. This work will include gathering related documentation and describing to the fullest extent possible the current IT systems and networks including their physical and logical architecture, analysing those systems and working with the expert in determining an optimal future architecture and specifications for NSW operation.

- o Supporting the International Consultants by undertaking Business Process Analysis (BPA) at the key agencies involved in the NSW. This work will include undertaking an exercise of investigation and business process mapping to the standards established by the International Consultants, assist with analysing those processes and working with the International Consultants in determining an optimal future model for the BNSW operation.
 - o Supporting the International Consultants as part of the BPA exercise, in gathering all related agency application forms/letters and building a catalogue of all data elements to contribute towards a later exercise of data harmonisation.
 - o Analysis of legislation and regulation in participating government agencies for compatibility with B2G and G2G operation, plus specific enabling legislation for BNSW governance, BNSW operation and for e-transactions for BNSW and recommending modernization where necessary
 - o Analysis of existing pertinent national ICT infrastructure and ICT infrastructure in participating GAs as input to the formulation of Enterprise Architecture (EA) for BNSW and implementation plans for the ICT components of the EA. This work will involve undertaking an exercise of investigation and documenting findings and observations to the standards established by the International Consultants. The BAs are expected to work closely with the GovTech EA team and will carry out the EA work in collaboration with the GovTech EA team.
- ***Contacts and liaison.*** The firm will draw on existing contacts on trade-related issues in Bhutan, the private sector, development community, and other sectors, to identify key contacts and facilitate meetings for themselves and the BNSW Project Team.
 - ***Formulation of Change Management, Communications, Capacity Building:*** The firm will contribute a national context for change management and communications methods based on previous experience in formulating and delivery programs. The Consultancy firm shall also assist with gathering and presenting information for Skills Capacity Analysis and Training Needs Analysis for public and private sector users for BNSW participants.
 - ***Participation in workshops and events.*** The Consultancy firm will be expected to work closely with the BNSW Project Team to assist in the organization and participate in workshops and other outreach events relating to the BNSW Blueprint. This will include, but not be limited to, the development of proposed invitation lists and issuing of invitations; and supporting the delivery of presentations.
 - ***Translation support.*** The official language of the project and for all deliverables will be English. However, the key personnel of the firm may be required, from time to time, to provide an unofficial translation into Dzongkha of some materials. For the purpose of bidding, assume that this would amount to 100 pages and can be charged on pro-rate for additional pages requiring translation.

Deliverables

The firm will be required to deliver inputs for the following reports, as directed and agreed with the International Lead Consultant, aligned with the overall BNSW Blueprint work plan that will be determined during the inception phase of the project.

- a. “As-Is”/BPR Report for the 15 in-scope Government Agencies and their international trade-related business processes incorporating business process maps and descriptions
- b. “As-Is” Infrastructure Report for 15 in-scope Government Agencies (including their regional offices) incorporating diagrams and descriptions
- c. Data element catalog and library of all input and output forms for international trade LPCOs (licenses, permits, certificates, and other documents)
- d. Legal Analysis report
- e. Skills Capacity Analysis and TNA Survey and Report

Selection Criteria and Requirements

The firm shall have substantive experience working on public sector reform projects in Bhutan involving information technology change, ideally in the area of trade. The firm will have experience working on international development projects, including with international consultants. Nominated key experts will require a good standard of written and spoken English and also be proficient in communicating (read, write and speak) in the national language of Bhutan “Dzongkha”. The firm shall propose a team of three key experts that consist of two business analysts and one legal expert. One of the business analysts shall be nominated as a team lead/focal person to coordinate the work and liaise with international consultants and GovTech BNSW team to ensure timely delivery of outputs.

Key experts and qualifications:

1. Business Analyst & Team Lead/Focal Point:

The BA will serve as a team lead/focal point and will carry out the following tasks: (i) information/data collection and analysis tasks, including preparation of draft documents and presentations before finalizing the functional model from which Functional & Technical (F&T) Architecture, specifications as well as drafting bidding documents together with Harmonized Data Model (HDM) and the international consultants; (ii) Undertake business process investigations; preparing findings and workflow maps of all “as-is” processes, gathering all related forms and issued LCPOs and extracting data elements, and participating in validation workshops; and (iii) Conduct surveys as related to business processes for international trade on the 1) skills capacity and training needs; and 2) ICT architecture and infrastructure.

Qualifications & Experience:

- o Bachelor’s Degree or Diploma in Business Analysis or a relevant discipline
- o 4 years of professional experience in business process analysis/re-engineering, with emphasis on the introduction of automated electronic systems
- o Good knowledge of business process mapping, including drafting business process maps using MS-Visio and similar software products
- o Experience and knowledge of automated web-based workflow processing systems, their introduction and configuration to real-life processes would be an advantage.

- o Experience of undertaking similar assignments that include business process analysis and reform through structured methodologies at Government Agencies.
- o Familiar with the BPA methodology, preferably obtained in the trade-related sector would be a plus.
- o Knowledge of business processes in operation at respective Customs organizations, Sanitary and Phytosanitary (SPS) and related trade agencies would be a strong plus.
- o Good written and verbal communication skills in English.
- o Good verbal communication skills in Dzongkha
- o Having some experience with Application and Solution Architecture, and design of Information Exchanges and interfaces applying Design Thinking principle and Service Design knowledge will be a plus.

2. Business Analyst

The BA will carry out similar tasks as defined above.

Qualifications & Experience:

The qualification and experience required will be same as defined above.

3. Legal Expert

One (1) consultant with a background in trade-related law gained preferably by working in or with the public sector. The legal expert will: (i) Scan legislation and regulation, prioritized for phase 1 Government Agencies, and outline work needed subsequently for legal drafting/legal enactment for any legislative/regulatory impediments to BNSW; and (ii) Carry out regulatory review, conduct gap analysis, investigation, and report drafting and finalization in consultation with International consultants, BNSW working group.

Qualifications & Experience:

- a. Degree in Law, preferably, majoring in international trade Law, administrative law or regulatory compliance would be beneficial.
- b. 6+ years of practicing law in Bhutan, preferably in the trade related sector or in public administration.
- c. Familiarity with the Bhutanese legal systems with a proven track record in review and analysis of governing frameworks.
- d. Demonstrated experience and knowledge on the legal frameworks (policies, laws, regulations, and rules) and its implications, especially in the trade and custom related sector, public service delivery, and governance will be a strong plus;

- e. Demonstrated knowledge of international conventions in relation to cross-border trade (e.g. WCO/RKC¹, WTO/ GATT and TFA², CITES³, etc.) is highly desirable.
- f. Demonstrated knowledge of international good practice standards and issues in legislation concerning electronic exchange of data, for example, UNCITRAL's⁴ model electronic transaction law, data protection and privacy law, data sharing, is highly desirable
- g. Proficiency in drafting legal documents, regulations and policy frameworks to ensure compliance and facilitate efficient trade operations.
- h. Fluency in written and spoken English
- i. Ability and willingness to work under the technical direction of the International Consultants

Duration and Estimate of Services

The expected duration of the services is **six (6) months**.

The Consultant is expected to be engaged over the duration of the project, with the following estimated breakdown of effort for each team member.

Team Member	Man-months over 6 months
Business Analyst & Team Lead	4.5
Business Analyst	4.5
Legal Expert	2.0

TIMELINE

The anticipated target dates for the finalization (after reviews) of the main BNSW Blueprint cluster reports, relative to the actual start date of the assignment are:

- a. Inception Report by end of Week 3
- b. Governance and Operational Model by end of Week 14
- c. Functional and Technical Architecture by end of Week 11
- d. Functional and Technical Specifications by end of Week 16
- e. Harmonized Data model by end of Week 16
- f. Bidding documents for BNSW ICT product by end of Week 21
- g. Revenue Model and Fee Structure by end of week 15
- h. Legal and Regulatory Framework by end of Week 20

¹ WTO/RKS: World Customs Organization's Revised Kyoto Convention

² WTO/GATT and TFA: World Trade Organization's General Agreement on Tariffs and Trade, Trade Facilitation Agreement

³ CITES: Convention on International Trade of Endangered Species

⁴ UNCITRAL: United Nations Commission for International Trade Law

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| i. Change Management and Communications Strategy | by end of Week 21 |
| j. Risk Management Strategy and Model | by end of Week 21 |
| k. Implementation Plan | by end of Week 24 |
| l. Blueprint Finalization | by end of week 24 |

Facilities and Support Services

The majority of the firm's services are expected to be performed in Thimphu. However, some travel to other parts of Bhutan, especially to the regional cross-border areas (Phuntsholing, Gelephu, Samdrup-Jongkhar) may be required.

The firm is expected to budget for the following:

- a. A travel and per diem allowance, on a reimbursable basis, in respect of personnel of the Consultant for every day in which they shall be performing their duties at a location outside Thimphu, travelling to and from the above list of cross-border areas – allow for 2 working days per site plus two travel days to and from each site;
- b. Cost of in-country transportation of the personnel by the most appropriate means of transport and the most direct practicable route travelling to and from the above list of cross-border areas; [the consultant will absorb costs for shorter journeys to sites within Thimphu and to sites within one hour of Thimphu];
- c. Applicable international or local communications such as the use of telephone, teleconferencing and internet required for the purpose of the assignment;
- d. Printing and dispatching of the reports to be produced;
- e. Laptops, PCs, etc. as appropriate for Consultant's personnel;
- f. Tax responsibilities;
- g. Insurance Responsibilities; and,
- h. Any other inputs necessary to complete the assignment.

RGOB will provide the following inputs and facilities:

- a. Relevant Reports, studies and information pertaining to Trade Facilitation in Bhutan;
 - b. Existing laws and Regulations related to import/export activities; and
 - c. Initial coordination and liaison with all appropriate GAs, the community, and other stakeholder of the BNSW
- a. Furnished in-country office space;
 - b. Administrative support;
 - c. Workshops and other Participatory fora including refreshments as appropriate.

Reporting

The firm will report to GovTech's BNSW's Project Team Leader for all contractual matters. For technical roles, the firm will be directed, and take guidance from and report progress and output to the international Lead Consultant, or the IT Consultant when deputizing on behalf of the Lead Consultant. The firm will also liaise closely with the members of the WBG Task Team, the country's government Counterparts and other stakeholders. There will be at a minimum scheduled bi-weekly progress status meetings and monthly progress rep

