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REQUEST FOR EXPRESSIONS OF INTEREST (CONSULTING SERVICES – FIRM SELECTION)

Country: Ethiopia

Name of Project: DIGITAL TRANSFORMATION FOR AFRICA/ WESTERN AFRICA REGIONAL DIGITAL INTEGRATION PROGRAM (DTFA/ WARDIP) SOP-1

Grant No: P180117

Assignment Title: Consultancy Services to conduct a regulatory audit and compilation of baseline information towards the establishment of Africa's Digital Single Market

Reference No. ET-AUC-486532-CS-QCBS

The African Union Commission has received financing from the World Bank toward the cost of DIGITAL TRANSFORMATION FOR AFRICA/ WESTERN AFRICA REGIONAL DIGITAL INTEGRATION PROGRAM (DTFA/ WARDIP) SOP-1 and intends to apply part of the proceeds for consulting services.

The consulting services ("the Services") include Selection of Consulting firm to conduct a regulatory audit and compilation of baseline information towards the establishment of Africa's Digital Single Market

The detailed Terms of Reference (TOR) for the assignment are attached to this Request for Expressions of Interest.

The African Union Commission now invites eligible consulting firms ("Consultants") to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.

The shortlisting criteria are:
a) **Organizational Experience:**
   Proven Track Record: Demonstrated in prior assignments on the development development of a comprehensive audit report , a mapping of existing national and regional ICT& digital related policies, legislations and regulations in relation to digital Markets and Trade , an Analysis of Harmonisation Gaps and Recommendations for the Domestication / Alignment by all AU Member States with of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market **Demonstrated** success in managing and delivering at least 3 similar projects or

services with similar scope and activities, preferability at national, regional and/or continental levels.

b) **Technical and Professional Capabilities:**
Qualified Personnel: A team of skilled professionals with relevant expertise, including advanced degrees, certifications, and practical experience in the areas concerned.

Technical Resources: Access to the latest technology, tools, and methodologies required to execute projects effectively.

c) **Financial Stability:**
Financial Health: Strong financial standing with evidence of profitability, financial management practices, and the ability to sustain operations and project delivery over time. **Insurance and Liability Coverage**: Adequate insurance coverage, including professional liability insurance, to protect against potential risks.

d) **Quality Assurance:**
Certifications: Relevant industry certifications such as ISO 9001 for quality management systems or other standards that demonstrate commitment to quality.

Processes and Methodologies: Established processes and methodologies for project management, quality control, and continuous improvement.

e) **Compliance and Risk Management:**
Regulatory Compliance: Adherence to relevant laws, regulations, and standards within the industry.

Risk Management Practices: Well-defined risk management procedures to identify, assess, and mitigate potential risks associated with projects.

f) **Client References and testimonials**:
References: Positive references and testimonials from previous or current clients, demonstrating the firm's reputation and reliability.

Case Studies: Detailed case studies showcasing successful project delivery and outcomes.

8. Organizational Structure:

Effective Management: An effective organizational structure with clear roles and responsibilities, ensuring efficient project management and execution.

Support Systems: Robust support systems for administrative, logistical, and operational functions.

9. **Project Management Expertise:**
    Project Management Certifications: Certifications such as PMP (Project Management Professional) or similar credentials that validate expertise in project management. **Track Record of Delivery**: Proven ability to deliver projects on time, within budget, and to the required quality standards.

10. **Communication and Collaboration:**
    Stakeholder Engagement: Skills in engaging and managing relationships with various stakeholders, including clients, vendors, and team members.

    Reporting and Documentation: Ability to provide clear and comprehensive reports and documentation throughout the project lifecycle.

Key Experts will not be evaluated at the shortlisting stage.

The attention of interested Consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank's "Procurement Regulations for IPF Borrowers" July 2016, revised November 2020 ("Procurement Regulations"), setting forth the World Bank's policy on conflict of interest.

Consultants may associate with other firms to enhance their qualifications but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.

A Consultant will be selected in accordance with the Consultants Quality and Cost-based Selection method set out in the Procurement Regulations.

Further information can be obtained at the address below during office hours *0900 to 1700 hours*.

Expressions of interest must be delivered in a written form to the address below (in person, or by mail, or by e-mail) by **19 September 2025**

African Union Commission,
Attn: Head of Supply Chain Management Division
Building C, 3rd Floor,
P.O Box 3243, Roosevelt Street
Addis Ababa, Ethiopia
Tel: +251 (0) 11 551 7700 – Ext 4305
Fax: +251 (0) 11 551 0442; +251 11-551-0430
E-mail: tender@africanunion.org

Department of Infrastructure and Energy

Information Society Division

CONSULTING SERVICES – FIRM

CONSULTANCY SERVICES TO CONDUCT A REGULATORY AUDIT AND COMPILATION OF BASELINE INFORMATION TOWARDS THE ESTABLISHMENT OF AFRICA'S DIGITAL SINGLE MARKET

Proc. Ref: ET-AUC-486532-CS-QCBS

TERMS OF REFERENCE (ToRs)

WARDIP PROJECT, July 2025

I.   Background:

To enable Africa to harness the huge opportunities being offered by the digital revolution, the AU Executive Council Decision through decision EX.CL/Dec.1074(XXXVI) adopted the Digital Transformation Strategy for Africa (DTS) that aims to serve as the blueprint and master plan that guides digital transformation across the continent. It further aims to build an inclusive digital society and economy by harnessing digital technologies and innovation to transform African societies and economies and promote Africa's integration, generate inclusive economic growth and stimulate job creation for the continent's socio-economic development

One key objective of DTS (2020-2030) is to integrate Africa into a Digital Single Market by 2030 where free movement of people, services and capital is ensured and individuals and businesses can seamlessly access and engage in online activities in line with Africa's Continental Free Trade Area (AfCFTA). To this end there is a need to reduce legal, regulatory and technical barriers to enable cross-border online activities and encourage market access.

The Commission led the development of a comprehensive and forward-looking Continental Strategy on Policy and Regulatory Environment for Africa's Digital Single Market" that was adopted by the AU Executive Council in February 2024 with decision with reference EX.CL/Dec.1234(XLIV).The strategy is complemented with an

Implementation Plan and Monitoring and Evaluating (M&E) Framework and has for objective enhancing the harmonisation of legal & regulatory frameworks and laying the foundations to the gradual transition to a consolidated digital market in Africa as an ecosystem where African operators can do business and consumers enjoy the benefits of digitalization.

One of the elements of the Digital Transformation for Africa/West Africa Regional Digital Integration Project (WARDIP)-AUC Component is to support the implementation of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market.

II.   Objectives

The consultancy services have for objective to conduct a regulatory audit at national and regional levels, compile baseline information on A digital trade and digital market in line with the AU Strategy on creating an Enabling Policy and Regulatory Environment for Africa's Digital Single Market related policy, legal and regulatory frameworks and provide recommendations on how AU Member States can align with the provisions of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market.

III.   Scope of Work or service

The purpose of this consultancy assignment is to support the African Union's Commission's Department of Infrastructure and Energy (Division on Information Society (ISD) with the development of a comprehensive audit report , a mapping of existing national and regional ICT& digital related policies, legislations and regulations in relation to digital Markets   and Trade , an Analysis   of Harmonisation Gaps   and Recommendations for the Domestication / Alignment by all AU Member States with of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market.

IV.   Main tasks

1. <u>Assessment and mapping of existing national and regional ICT and digital trade and market related policies and legislations.</u>
    a. Conduct a comprehensive assessment and mapping of the current landscape of ICT, digital trade, and market-related policies and legislations at both national and regional levels across AU Member States.
    b. Collect, review, and analyze relevant policy documents, legal frameworks, and strategic plans.
    c. Identify the scope, objectives, and implementation status of existing policies and legislations, as well as highlight overlaps, gaps, inconsistencies, and best practices.
    d. Benchmark national and regional frameworks against the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market.
    e. Develop a detailed mapping matrix or database that provides a clear overview of the policy and regulatory environment, serving as a foundation for subsequent analysis and recommendations.

2. <u>Audit report. Based on the findings</u>
    a. Based on the assessment and mapping exercise, prepare a comprehensive audit report that synthesizes the key findings.
    b. Provide an executive summary, a detailed analysis of the current state of ICT and digital trade policies and legislations, and a mapping of how these frameworks align or diverge from the AU Strategy.
    c. Identify critical gaps, challenges, and opportunities for harmonization and integration.
    d. Develop clear, actionable recommendations for AU Member States on how to align their national digital frameworks with the AU Strategy, including suggested policy reforms, capacity-building needs, and mechanisms for regional cooperation.
3. <u>Continental workshop for the review and validation of the assessment and mapping</u>
    a. Support the organization and facilitation of a continental workshop that brings together representatives from AU Member States, regional organizations, and other key stakeholders.
    b. Present the draft audit report and mapping matrix, facilitate discussions, and guide participants through the review and validation process.

c. ensure that all relevant comments are considered for incorporation into the final report.

V. Deliverables

The project deliverables and work products shall be as follows:

Deliverable	Duration after contract signing
Inception report and inception meeting	10 days
Carry out assessment and undertake a mapping exercise of existing national and regional ICT& digital trade & market related policies, legislations.	50 days
Develop a comprehensive audit report that includes key findings of the assessment and recommendations on how AU Member States can align national digital frameworks to AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market.	70 days
Present the draft documents and participate in internal coordination meetings organised by ISD/ AUC and incorporate comments and contributions.	80 days
Service the continental workshop for the review and validation of the report	85 days
Write a final version of the Audit report.	100 days

VI.   Consultant's Qualifications and Experience Requirements

The organization will review and assess the corporate-level qualifications of the consulting firms bidding, based on the criteria and capabilities necessary to be deemed competent and reliable for delivering high-level services or products, particularly for with the development of a comprehensive audit report , a mapping of existing national and regional ICT& digital related policies, legislations and regulations in relation to digital Markets and Trade , an Analysis of Harmonisation Gaps and Recommendations for the Domestication / Alignment by all AU Member States with of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market

1. **Organizational Experience:**
   Proven Track Record: Demonstrated in prior assignments on the development development of a comprehensive audit report , a mapping of existing national and regional ICT& digital related policies, legislations and regulations in relation to digital Markets and Trade , an Analysis of Harmonisation Gaps and Recommendations for the Domestication / Alignment by all AU Member States with of the AU Strategy on Policy and Regulatory Environment for Africa's Digital Single Market **Demonstrated** success in managing and delivering at least 3 similar projects or services with similar scope and activities, preferability at national, regional and/or continental levels.

2. **Technical and Professional Capabilities:**
   Qualified Personnel: A team of skilled professionals with relevant expertise, including advanced degrees, certifications, and practical experience in the concerned areas.

   Technical Resources: Access to the latest technology, tools, and methodologies required to execute projects effectively.

3. **Financial Stability:**
   Financial Health: Strong financial standing with evidence of profitability, financial management practices, and the ability to sustain operations and project delivery over time. **Insurance and Liability Coverage**: Adequate insurance coverage, including professional liability insurance, to protect against potential risks.

4. **Quality Assurance:**
   Certifications: Relevant industry certifications such as ISO 9001 for quality management systems or other standards that demonstrate commitment to quality.

Processes and Methodologies: Established processes and methodologies for project management, quality control, and continuous improvement.

5. **Compliance and Risk Management:**
   Regulatory Compliance: Adherence to relevant laws, regulations, and standards within the industry.

   Risk Management Practices: Well-defined risk management procedures to identify, assess, and mitigate potential risks associated with projects.

6. **Client References and testimonials:**
   References: Positive references and testimonials from previous or current clients, demonstrating the firm's reputation and reliability.

   Case Studies: Detailed case studies showcasing successful project delivery and outcomes.

7. **8. Organizational Structure:**
   Effective Management: An effective organizational structure with clear roles and responsibilities, ensuring efficient project management and execution.

   Support Systems: Robust support systems for administrative, logistical, and operational functions.

8. **Project Management Expertise:**
   Project Management Certifications: Certifications such as PMP (Project Management Professional) or similar credentials that validate expertise in project management. **Track Record of Delivery**: Proven ability to deliver projects on time, within budget, and to the required quality standards.

9. **Communication and Collaboration:**
   Stakeholder Engagement: Skills in engaging and managing relationships with various stakeholders, including clients, vendors, and team members.

   Reporting and Documentation: Ability to provide clear and comprehensive reports and documentation throughout the project lifecycle.

VII.   Consultant's Team Composition

The assignment will be undertaken by one (01) Senior Digital Policy and Regulatory Expert and One (01) Junior Digital Policy and Regulatory Expert.

1. Senior Digital Policy and Regulatory Expert

Educational Background:

- University Master's or higher degree in a relevant field such as Degree in in ICT & Telecommunication, Digital, Laws, public policy or comparable field

Professional Experience:

- Substantial experience (minimum of 10 years) in the field of ICT& digital & policy and regulation and digital markets
- Proven experience in managing projects in the ICT sector.
- Experience working with government agencies, regulatory bodies, or international organizations related to ICT.
- Demonstrated in-depth knowledge of and working experience of strengths and weaknesses of harmonisation of ICT & digital policy, legal and regulatory frameworks in Africa
- Good knowledge of Africa digital landscape and knowledge of the AU context including AfCFTA protocols on digital trade.

Skills:

Digital markets and digital economy Expertise:

- Strong expertise in digital trade & digital markets principles and practices;
- Familiarity with global digital economy and digital trade systems
- Minimum 5 years of relevant experience in the development and implementation of digital market related policies, legislations and regulation

Technical Expertise:

- In-depth knowledge of ICT policies and regulations at both national and international levels.
- Familiarity with regulatory implications of ICT& digital landscape.
- Understanding of legal frameworks related to competition, data privacy, consumer protection, e-transactions, e-payments and intellectual property in the ICT sector.

Leadership and Management Skills:

- Strong leadership skills with a proven ability to lead and manage teams effectively.
- Experience in project management, including planning, execution, and monitoring.
- Ability to make strategic decisions and provide guidance to team members.

Communication and Stakeholder Engagement:

- Excellent communication skills, both written and verbal.
- Experience in engaging with diverse stakeholders, including government officials, industry representatives, and international partners.
- Strong negotiation and diplomatic skills.

Analytical and Research Skills:

- Analytical mindset with the ability to analyse complex regulatory issues;
- Research-oriented approach to staying updated on industry trends and policy developments.
- Ability to provide evidence-based recommendations.

Problem-Solving Skills:

- Proven ability to identify challenges in regulating Digital landscape and propose effective solutions.
- Adaptive and proactive approach to problem-solving.

Team Player:

- Ability to work collaboratively in a team and foster a positive working environment.
- Willingness to share knowledge and mentor team members.

Language Skills:

- Advanced level English and French is required and Proficiency in other official languages of the AU in both spoken and written communication will be considered an asset.

2. Junior Digital Policy and Regulatory Expert

Educational Background:

- University Master's in a relevant field such as Degree in in ICT & Telecommunication, Digital, Laws, public policy or comparable field

Professional Experience:

- Substantial experience (minimum of 5 years) in the field of ICT& digital & policy and regulation and digital markets
- Proven experience in managing projects in the ICT sector.
- Experience working with government agencies, regulatory bodies, or international organizations related to ICT.
- Demonstrated in-depth knowledge of and working experience of strengths and weaknesses of harmonisation of ICT & digital policy, legal and regulatory frameworks in Africa
- Good knowledge of Africa digital landscape and knowledge of the AU context including AfCFTA is preferred.

Skills:

Digital markets and digital economy Expertise:

- Expertise in Digital trade & digital markets principles and practices.
- Familiarity with global digital economy and digital trade systems
- Minimum 2 years of relevant experience in the development and implementation of digital market related policies, legislations and regulation

Technical Expertise:

- knowledge of ICT policies and regulations at both national and international levels.
- Familiarity with regulatory implications of ICT& digital landscape.
- Understanding of legal frameworks related to competition, data privacy, consumer protection, e-transactions, e-payments and intellectual property in the ICT sector.

Communication and Stakeholder Engagement:

- Excellent communication skills, both written and verbal.
- Experience in engaging with diverse stakeholders, including government officials, industry representatives, and international partners.
- Strong negotiation and diplomatic skills.

Analytical and Research Skills:

- Analytical mindset with the ability to analyse complex regulatory issues.
- Research-oriented approach to staying updated on industry trends and policy developments.
- Ability to provide evidence-based recommendations.

Problem-Solving Skills:

- Proven ability to identify challenges in regulating Digital landscape and propose effective solutions.
- Adaptive and proactive approach to problem-solving.

Team Player:

- Ability to work collaboratively in a team and foster a positive working environment.
- Willingness to share knowledge and mentor team members.

Language Skills:

- Advanced level English and French is required and Proficiency in other official languages of the AU in both spoken and written communication will be considered an asset.

VIII. Duration

 After 100 working days from the date of signature of the contracts, the expert shall submit a draft report including working methodology and a timeline for each deliverable, then the experts shall provide the final version of the audit report along with the database on exiting Digital Market related ICT& Digital Policies, Legislations and Regulations.

IX. Data, Services, and facilities to be provided by the Client

The organization will provide all relevant existing documents to facilitate the consulting firm's work and will also facilitate engagement with AU Member States and Regional Organisations.

X. Client's Management Arrangement:

The consultant will report to the Information Society Division (ISD). The consultant firm reviews of progress will be done at each stage of the progress (from Inception, milestones stages to the final reports).