



EASTERN CARIBBEAN TELECOMMUNICATIONS AUTHORITY

REQUESTS FOR PROPOSALS

Title of the RFP: The Development of an Accounts Receivable Policy and Strategy for the Eastern Caribbean Telecommunications Authority ('ECTEL') Headquartered in Saint Lucia

Date of the RFP: 10th July, 2024

Closing Date for RFP: 9th August, 2024

RFP Number: 2024/RF/002

Address RFP response for the attention of: Managing Director

Address: Eastern Caribbean Telecommunications Authority, Level 5, Baywalk, P.O. Box BW395, Gros Islet, LC01 601, Saint Lucia Telephone: 1 (758) 458-1701

Email Address: procurement@ectel.int

Requests for Proposals for the Development of an Accounts Receivable Policy and Strategy for the Eastern Caribbean Telecommunications Authority ('ECTEL') Headquartered in Saint Lucia

1. BACKGROUND

The Eastern Caribbean Telecommunications Authority ('ECTEL') is an international organization, established by Treaty ('Treaty') signed in St. George's, Grenada on 4th May, 2000 and amended by Protocol Amendment on 5th December, 2019, by the Governments of five (5) Eastern Caribbean Contracting States, namely; the Commonwealth of Dominica, Grenada, St. Kitts and Nevis, Saint Lucia, and St. Vincent and the Grenadines. It serves as an independent regulatory body for the purpose of regulating electronic communications in the Contracting States. The Treaty has been incorporated into domestic law in each of the Contracting States, either being embedded in the Telecommunications Act or as a stand-alone Eastern Caribbean Telecommunications Authority Act (in the case of Grenada, St. Kitts and Nevis and Saint Lucia). There are several pieces of accompanying Regulations and legislative instruments, for the regulation of the electronic communications sector in each Contracting State.

Article 18(5) of the Treaty states that, "*The privileges and immunities granted to ECTEL at the headquarters of ECTEL shall be the same as granted to diplomatic missions at the headquarters of ECTEL and in the Contracting States under the Vienna Convention on Diplomatic Relations of 18th April 1961...*" and accordingly, ECTEL as an organisation, together with its staff, enjoy the same status, including the same privileges and immunities in Saint Lucia, as are normally accorded to embassies or diplomatic missions of foreign jurisdictions in Saint Lucia and the Contracting States.

The primary purposes of ECTEL as outlined in Article 5 of the Treaty, are, inter alia, to promote market liberalisation, a universal service, fair pricing, fair competition practices, the introduction of advanced electronic communications technologies, and an increased range of services in the Contracting States.

In accordance with its mandate under the Treaty, ECTEL works to harmonise electronic communications regulations across the Contracting States, through the promotion of the adoption of rules, processes, standards and policies that have the object of enhancing the quality, accessibility and diversity of electronic communications services, available throughout the Eastern Caribbean region.

As a consequence, ECTEL is charged with the responsibility to collaborate with and provide strategic advice to a National Telecommunications Regulatory Commission ('NTRC') based in each Contracting State, in accordance with Article 4 of the Treaty. Each NTRC is established by a Telecommunications Act enacted in each Contracting State, and working together with ECTEL, is charged with the responsibility to regulate all aspects of telecommunications sector of each Contracting State.

ECTEL is made up of three (3) components - A Council of Ministers, Board of Directors and a regional Directorate:

a. COUNCIL OF MINISTERS

The Council of Ministers ('Council') consists of the Minister with responsibility for electronic communications in each Contracting State. The Director General of the Organisation of Eastern Caribbean States ('OECS') Commission is an ex officio member.

The functions of the Council as outlined in Article 7 of the Treaty are to, inter alia, promote the effective implementation of ECTEL's Treaty; approve forms and procedures for the application for an individual licence; and give directives to the Board on matters arising out of the Treaty, including the generation and disbursement of revenue.

b. BOARD OF DIRECTORS

The Board of Directors ('Board') consists of one (1) member or an alternate from each Contracting State and are appointed for a term of one (1) year. ECTEL's Managing Director serves as an ex officio member of the Board.

The functions of the Board as outlined in Article 8 of the Treaty are, inter alia, to ensure the effective implementation of ECTEL's policies in accordance with the directives from the Council; and to establish rules and procedures, consistent with the Treaty, for the management and operation of ECTEL.

c. THE DIRECTORATE

In accordance with Article 9 of the Treaty the Directorate is established as the secretariat of ECTEL. ECTEL's operations are guided by six (6) departments including; the Office of the Managing Director, the Department of Economics and Finance, the Legal Affairs Department, the Technical Services Department, the Accounts Department and the Human Resources Department.

2. BUDGETING AND FINANCE

ECTEL's operations are funded by revenues collected (ECTEL Fund) in accordance with the Treaty, including spectrum funds paid by frequency authorisation holders, pursuant to frequency authorisations, based on fees prescribed in the Telecommunications Acts and Telecommunications (Fees) Regulations of the Contracting States, and any other revenues as Council may provide.

The Managing Director is responsible for the preparation of ECTEL's budget and work-plan on an annual basis, which must be approved by the Council and Board. The Managing Director is responsible for the efficient use and management of ECTEL's funds, once approved.

Funding for each NTRC is provided for out of the spectrum funds allocated to ECTEL under the Treaty. On a quarterly basis, ECTEL distributes funds out of the spectrum fund to each NTRC, up to the total of its approved budget.

Spectrum fees, which constitute the vast majority of ECTEL's revenues, are collected by each

NTRC pursuant to invoices issued by ECTEL, in four (4) Contracting States. In one (1) Contracting State, invoices are issued by the NTRC. All spectrum fees are paid directly into accounts maintained by each NTRC for that purpose, and are remitted to ECTEL, or intended to be remitted to ECTEL, on a quarterly basis.

3. ACCOUNTS RECEIVABLE ('AR')

ECTEL and the NTRCs are intended to work closely together to reconcile all payments received from licensees. Such service providers are required by the Telecommunications Acts and Regulations to obtain a licence to make lawful use of spectrum, and failure to pay fees prescribed for use of spectrum, constitutes a breach of the Telecommunications Acts and related Regulations, as well as a breach of the licences issued for the purpose of delivering electronic communications services to the public. Each NTRC has its own process for monitoring payments by licensees and for enforcing the terms of the frequency authorisation granting use of the spectrum. Over several years, differences in monitoring, enforcement, and reporting of spectrum fees received by NTRCs, have led to significant AR balances in each of the Contracting States.

ECTEL is now seeking specific expertise to assist it with development of a policy to ensure that AR balances in the Contracting States are routinely and actively managed to ensure that such balances are minimized on an annual basis; and also, to develop a comprehensive and effective Strategy to reduce existing AR balances in each of the Contracting States.

4. SCOPE OF WORK

The objective of the consultancy is to develop a clear and actionable AR Policy and Strategy, that enables ECTEL and the NTRCs to avoid the accumulation of large AR balances going forward, and also facilitate the confirmation, reconciliation, and diminution of existing AR balances in each Contracting State. In this regard the consultant will:

1. Review the current processes in each NTRC as well as in ECTEL for managing AR.
2. Undertake an analysis of the treatment of expired frequency authorizations by NTRCs and of delinquent licensees in cases where frequency authorizations remain valid.
3. Undertake a situational analysis of ECTEL's approach to collections and invoicing.
4. Through a consultative process and application of appropriate tools, identify the process for the payment of invoices for spectrum fees into each NTRC's local account and for remitting of funds paid pursuant to such invoices, to ECTEL.
5. Identify and analyse the factors impacting ECTEL's ability to adequately assess and determine the exact amounts owed with respect to spectrum fees owed by each NTRC.
6. Identify and propose strategies for the payment of outstanding invoices/spectrum fees, though, inter alia, the recommendation of appropriate payment plans and the adoption of appropriate collection strategies.
7. Adequately assess the roles of ECTEL, NTRCs and Ministers of electronic communications in the process of enforcing frequency authorisations and identify what changes if any, to

such roles are required to support an effective AR reduction strategy.

8. Identify and develop a comprehensive Policy on AR that can be successfully implemented by ECTEL, in collaboration with the NTRCs which adequately and specifically addresses what changes if any are required to the current accounting processes of each institution to successfully maintain AR balances at an acceptable level.
9. Develop a Strategic Plan, together with a framework for that plan, containing timelines, resources required and projected costs of implementation, for reducing AR for ECTEL, having regard to the role of the NTRCs for remittances of spectrum funds.
10. Determine and recommend what an acceptable level of AR balances should be for ECTEL, having regard to its functions, overall budget and revenues, as well as the need to promote good governance and robust and transparent accounting standards for both ECTEL and the NTRCs
11. Determine whether the current arrangements for funding of ECTEL and the NTRCs are adequate and provide recommendations to address and strengthen ECTEL's management and accountability for spectrum funds collected in the Contracting States.
12. Recommend changes to existing Telecommunications (Fees) Regulations, to strengthen or promote ECTEL's ability to secure payment of spectrum funds and to increase oversight and transparency of spectrum funds in each Contracting State.
13. In consultation with NTRCs, develop and recommend a uniform, standard accounting process for all NTRCs with respect to the treatment of AR, such that AR balances are kept low.
14. Overall, develop and submit a series of practical recommendations which, if implemented by ECTEL and the NTRCs, will lead to a significant reduction in AR balances within a reasonable, specified time-frame.
15. Consider, develop and recommend, a training plan, if necessary, for ECTEL and NTRC staff on the execution of the AR strategy, AR policy, and the uniform standard processes for adoption by all NTRCs.

5. METHODOLOGY

The consultant will be required to: -

1. Undertake an analysis of available policies, legislation, documents and processes of both ECTEL and the NTRCs, with a view to identifying current weaknesses in the collection of spectrum fees, leading to significant AR balances in each Contracting State, as well as to factors impacting and affecting ECTEL's capacity to effectively monitor spectrum funds actually collected by the NTRCs.
2. Conduct interviews and or consultations with key stakeholders, including NTRC and ECTEL staff. This may require country visits.
3. Use available documentation, information gathered during visits to Contracting States, virtual meetings, and engagement with accounts departments of each set of institution, to

prepare and submit a policy document for managing AR and a strategic plan for reducing current balances to acceptable levels.

6. DELIVERABLES

1. An inception report thirty (30) days after commencement.
2. Report on the process, including initial findings from stakeholder consultations, analyses, and country visits.
3. A draft AR Policy and Strategy, inclusive of the standard accounting process for AR, for review and comment prior to finalization. This should include any recommendations for the amendment of the Telecommunications (Fees) Regulations and any other recommendations as outlined in section 4 above.
4. A final AR Policy and Strategy which clearly outlines timelines, targets, and expected results, together with required resources for successful execution.

7. THE AR POLICY AND STRATEGY SHOULD INCLUDE THE FOLLOWING:

1. A clear statement of risks associated with high AR balances for ECTEL.
2. A clear description of the steps that should be taken to address AR balances, together with the roles of each institution and the timelines in which each is required to act.
3. A standard set of operating procedures to be adopted by each NTRC in respect of the treatment of collections of spectrum fees and the remittance of the same to ECTEL.
4. A clear description of the process ECTEL should be required to follow to identify, reconcile and reduce AR with each NTRC.
5. A detailed description of any changes required, if necessary, of existing legislation and associated regulations to support the recommended policy and strategy on AR going forward.
6. Resources required at the NTRC and ECTEL levels to actively monitor AR balances and to ensure they remain minimal in the future.
7. Guidelines for the CFO and Accounts Department to follow in cases where recommended systems are not implemented by the NTRCs; and or where compliance with recommended policies is low.
8. Key targets for achieving success at lowering AR balances, by Contracting State and in total, together with specific deadlines for achieving the same.
9. Recommendations to ECTEL's Board and Council to ensure successful implementation of the strategy and compliance by the NTRCs.

8. INSTITUTIONAL ARRANGEMENTS

The Consultant will report directly to the Managing Director, or anyone approved by the Managing Director for the purpose of this consultancy. ECTEL shall provide all relevant background information, including such accounting and financial reports, manuals and procedures as may be necessary to ensure successful completion of the consultancy and effective reduction of the AR balances in all Contracting States.

9. DURATION

The duration of this consultancy shall be for **six (6) months** with a start date in early **September 2024**.

10. QUALIFICATIONS AND EXPERIENCE

The ideal candidate for this assignment is a consultant with at least:

1. 5 years' experience as a Chief Financial Officer or in a senior accounting role or experience with accounts receivables; or
2. 5 years' experience conducting audits; or
3. 10 years' experience as a qualified accountant.

Knowledge of the electronic communications or technology sector and or regulation would be an asset, but is not essential.

Firms having teams with the requisite or relevant expertise are also welcome to apply.

11. NON-DISCLOSURE/CONFIDENTIALITY

The consultant shall be required to sign a confidentiality/non-disclosure agreement, setting out the rights of the parties with respect to the treatment of Proprietary or Confidential information acquired in the course of the consultancy. The Consultant, its employees and subcontractors will be required to agree that, except as directed by ECTEL, it will not at any time during or after the term of this project, disclose any confidential information obtained or provided as part of the consultancy.

12. SUBMISSION of RFP GUIDELINES

In no case shall verbal communication supersede written communications.

Requests for Proposals ('RFP') must be in written form and clearly marked "**The Development of an Accounts Receivable Policy and Strategy for the Eastern Caribbean Telecommunications Authority ('ECTEL') Headquartered in Saint Lucia**". Submissions can be delivered in person, by mail or by email and addressed to the Managing Director, ECTEL, Level 5, Baywalk, P.O. Box BW395, Gros Islet, LC01 601, Saint Lucia email: procurement@ectel.int.

Applicants must submit three (3) unbound copies of the proposal. Each Applicant is responsible for labelling the exterior of the sealed envelope containing the RFP with the proposal name, due date, time, and your firm's name. All email submissions must be submitted in PDF format and locked by a password in adobe acrobat. Applicants are required to email the password at the time the tenders are to be opened.

Submissions must contain a completed vendor response form and the curriculum vitae(s) of the consultant providing the service.

Submissions of RFPs must be received by **ECTEL by 4:30 p.m. on Friday 9th August, 2024**. No substantive or material changes or corrections to material will be allowed after the submission deadline.

Please direct any inquiries on this RFP to Mr. David Cox – Managing Director of ECTEL at procurement@ectel.int.

13. EVALUATION CRITERIA

All proposals will be evaluated systematically, based on the following key criteria:

1. Professional Quality;
2. Three (3) client references and description of services provided;
3. Timeline and ability to complete project within a reasonable timeframe;
4. Competitive Price – Please note that ECTEL is not obligated to accept the lowest price offered;
5. Competencies of project staff; and
6. Compliance with all specifications outlines in the RFP.

14. SHORT-LIST SELECTION

Contractors who have demonstrated their capacity to meet our needs will be contacted via email to be notified of their selection to move forward in the RFP process. Contractors who have not been selected, will not be contacted.

15. ESTIMATED BUDGET AND RESOURCES REQUIRED

All Contractors must provide a breakdown of costs related to their Consulting Services.

Contractors must agree to keep the quoted pricing in their proposals for a minimum of ninety (90) days after proposal submission.



VENDOR RESPONSE FORM

TO: Managing Director

RFP

Number:

FROM:

SUBJECT: Requests for Proposals for the Development of an Accounts Receivable Policy and Strategy for the Eastern Caribbean Telecommunications Authority (ECTEL) Headquartered in Saint Lucia

COMPANY INFORMATION

| | |
|---------------------------------------|--|
| Name of Individual or Company: | |
| Company Contact: | |
| Address: | |
| Telephone Number: | |
| Fax Number: | |
| E-Mail Address: | |
| Website: | |

I/We declare that I/We meet the qualifications for eligibility to receive the Requests for Proposals relating to the provision of the service outlined in this RFP.

Signature.....

Date:.....

Name and Title:.....