



TERMS OF REFERENCE

Recruitment of a Consultancy Firm for the Development of the Senegal National Data Strategy_
Extended

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Release date:	10 th August, 2022
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Budget	50,000 USD from GIZ Support Including all Applicable taxes.
Contact:	For any questions or enquiries, please write to: tenderenquiries@smartafrica.org For Proposal Submissions: procurement@smartafrica.org

1. INTRODUCTION AND GENERAL BACKGROUND

1.1 About Smart Africa Alliance

The **Smart Africa Alliance** is a bold and innovative commitment from African Heads of State and Government to accelerate sustainable socio-economic development on the African continent with the vision to transform Africa into a Single Digital Market by 2030. Its 5-point manifesto seeks; to put ICT (Information and Communication Technology) at the centre of national socio-economic development agenda, to improve access to ICT especially Broadband, to improve accountability, efficiency, and openness through ICT, to put the Private Sector First and to leverage ICT to promote sustainable development.

As of January 2022, The Smart Africa Alliance membership included 32 Member States, International partner organizations including the Africa Union Commission (AUC) and International Telecommunications Union (ITU) **among others**, as well as International Private Sector Members. The Smart Africa Secretariat (SAS) is based in Kigali, Rwanda¹.

1.2 Project Background

Across the world, debates on data, its management and governance are fronting major policy forums and discussions. The ability to collect and analyse substantial amounts of data is increasingly seen as a key driver of growth in the digital economy. At the same time, geopolitical tensions around data sovereignty and the fairness of the value chains behind the data economy have intensified and are increasingly attracting the attention of policymakers worldwide.

For example, a major international initiative on data flows, the Osaka Track, was launched in 2019 by government leaders under Japan's G20 leadership to promote "free flow of data with trust". In 2021, the African Union established a taskforce to develop the Continental Data Policy Framework for Africa which has since been adopted. In the same year, the World Bank decided to dedicate the World Development Report 2021 ("Data for Better Lives") to data governance.

With a population of over 1.3 billion people², Africa is channelling huge swathes of data every single day aided by rapid digitalization across the continent through increased access to broadband and smartphones. As a result, data has evolved from being a mere input or output of an activity, to becoming a highly contested "commodity" at all levels - public, private, and civic.

But data frameworks and regulations in Africa are not harmonized which has led to fragmented policies and little visibility on the extent to which data users are exploiting the continent. Yet, data policy harmonization is considered a priority area for the full realization of value from data, for example, through the concrete implementation of the African Continental Free Trade Area (AfCFTA). Both AfCFTA and the African Union's Digital Transformation Strategy, when fully operationalized, will need the support of extensive cross border data flows.

Harmonized frameworks and mechanisms become relevant and play an increasing role in the support of emerging technologies like Artificial Intelligence, Big data IoT (Internet of Things), and more globally in the socio-economic development of the continent. The African Union is facilitating this harmonization of policies through the recently adopted Continental Data Policy framework.

Data governance models and strategies ensure that there is a common understanding of data, enabling better data management and data quality at the intersection of people, process, and technology supported by visionary leadership and harmonized policies.

¹ <https://smartafrica.org>

² <https://www.worldometers.info/world-population/africa-population/>

A good data governance regime enables easier mapping of the data economy ecosystem across domains and sectors and effective compliance (both regulatory and normative) while acknowledging the multidimensionality of data.

Building on the existing efforts towards harmonization of data regulation on the continent (passed international frameworks + AU (African Union) policies), including existing sector specific norms and standards, Smart Africa will assist its Member States to implement the policy principles of those frameworks and participate in the development of practical tools to foster cross-border trade and collaboration on data in Africa.

1.3 Main Strategic Objectives of the Smart Africa Data Governance Project

In this context, various Member States of the Smart Africa have adopted flagship projects in relation to data governance. These member states are working towards data governance models and strategies which enable effective data sharing for a value-laden, secure, and trusted single digital market in Africa by 2030.

To this end, Smart Africa is running several projects around data governance premised on:

- understanding the value of aggregated data in knowledge creation and global value chains of the data economy to mobilize the potential of the data economy for the African socio-economic development
- maximizing the value of data through its circulation between organizations and across borders to build a single digital market.
- Supporting member states in jointly building up their capacities to safeguard their national sovereignty and to protect their citizens and organizations.

For this value to be realized, capacities to make smart use of available data must be enhanced on the African continent, both in the public and private sector. Thus, it is critical to:

- develop both basic and economy specific infrastructure.
- facilitate access to public data.
- enable safe and lawful data sharing and;
- create trust mechanisms for cross border flows of data.

1.4 Request for Proposals (RFP) Objectives

1.4.1 General Objectives

The overall objective of this Request for Proposal is to select a consulting firm to provide technical assistance to the government of Senegal and Smart Africa Secretariat for the development of national data strategy for the Republic of Senegal.

The outcomes of the consultancy will be guided by the Senegal National Committee, chaired by the government of Senegal, to give overall strategic guidance with the support of the Smart Africa Secretariat.

1.4.2 RFP Specific Objectives

The mission of the consulting firm will specifically consist of providing technical support to the Republic of Senegal by drafting, reviewing, and finalizing the government's National Data Governance Strategy (see Section 2 below).

The purpose of this document is to present the details of hiring a consulting firm to help achieve the stated objectives.

2. DEVELOPMENT OF THE SENEGAL NATIONAL DATA STRATEGY

Senegal has been selected by SMART AFRICA as one of two African countries to benefit from the Data Economy Flagship project supported by the German Federal Ministry for Economic Cooperation and Development (BMZ).

The Data Economy Flagship project is designed with the objective of improving the conditions for a value-adding data economy, in collaboration with the local digital ecosystem.

The purpose of this document is to present the details for the recruitment of a consulting firm to help achieve the objective.

2.1 The Scope and Objectives

The consulting firm will assist the Republic of Senegal in developing its national data governance strategy.

The objective of this strategy is to define the guidelines for the establishment of an enabling and secure environment to:

- Stimulate innovation and enable businesses to grow by relying on existing data infrastructures.
- Strengthen digital trust and data sovereignty to support this new human-centric data economy.

The developed data governance strategy will be used to identify pilot projects that can be conducted in Senegal and other Smart Africa member states. The strategy will be as practical and realistic as possible and will enable the establishment of an enabling framework to:

- Ensure the protection of citizens' fundamental rights through adequate privacy regulations, for example around healthcare or public service delivery.
- Ensure value creation for companies and start-ups that will have access to copious amounts of public and private data to innovate and create solutions and services adapted to local needs.
- Valuing the investments made by the state in data infrastructure and data technologies and services.
- Increase the value of data and treat it as a valuable and strategic asset for the state.
- Strengthen the regulatory framework for reliable and robust data governance.
- Define broad standards and guidelines that govern how the state accesses, collects, uses, protects, and shares data.
- Support the implementation of secure data sharing platforms.
- Increase (through training) the number of highly trained data professionals, with a focus on data protection, collection, storage, analysis, interpretation, and visualization.
- Develop sector-specific data hubs (such as Health Data Hub, AgDataHub, Labour Data Hub, Education Data Hub, etc.).
- Support all state departments, agencies, or programs in implementing a data strategy tailored to their business area.
- Align with the overall data governance plan and overall state goals to drive innovation and business growth.
- Promote cross-border and regional harmonization to contribute to the realization of the African Digital Single Market.

2.1.1 Project Specific Objectives

1. Conduct a mapping of the data infrastructure and its management, particularly in government.
2. Conduct a comprehensive audit and mapping of the legislative and regulatory framework, considering the relationship between Senegal's data strategy and other initiatives related to ICT or other areas.
3. Conduct a comprehensive mapping exercise of all stakeholders (producers, intermediaries, and users) and identify their needs and expectations.
4. Conduct a benchmarking exercise in advanced countries on data governance.

5. Clarify the principles of data governance so that the State of Senegal can effectively manage the data value chain and the data warehouses that have value for the public good.
6. Provide a framework for issues such as data protection, data openness, data reuse, data sharing agreements between businesses and governments and between businesses and governments, etc.
7. Establish a clear and adaptable process for developing and refining these standards and guidelines.
8. Develop, with an inclusive approach, a policy strategy on data governance in Senegal by defining general standards and guidelines that govern how the state accesses, collects, uses, protects, and shares data, and establishes a clear process for updating them.
9. Develop, with an inclusive approach, a policy strategy on data governance in Senegal by defining general standards and guidelines that govern how the private sector accesses data to create added value through innovative solutions and services.
10. Provide concrete national projects that will be implemented to improve productivity.
11. Propose a monitoring and evaluation system for the implementation of the proposed strategy.
12. Support the implementation of the priority action plan.

2.2 Main Outcomes and Deliverables

- 2.2.1 An inception report within 2 weeks of the start of the consultation.
- 2.2.2 A report on the audit and mapping exercise of the regulatory frameworks and data infrastructure in Senegal.
- 2.2.3 A report on the analysis of the stakeholder landscape.
- 2.2.4 A comparative analysis report of existing international data governance models.
- 2.2.5 A schematic representation showing the process of developing and refining general data governance guidelines and standards.
- 2.2.6 A framework document on key data governance policy issues.
- 2.2.7 An amended and validated national data governance strategy with clear data governance principles.
- 2.2.8 An implementation plan across all state departments, agencies, or programs, including the implementation budget.
- 2.2.9 Action plan and project fact sheet.
- 2.2.10 Brainstorming and validation workshops.

3. CONSULTANCY ARRANGEMENTS/ METHODOLOGY

The mission shall be carried out according to these terms of reference and according to a contractual framework to be defined between the Smart Africa Secretariat and the consulting Firm.

The mission shall be carried out by the Consulting firm with support from the government of Senegal and Senegal National Committee. The Senegal National Committee (*thereafter referred to as Working Group*) will be composed of senior government officials and other stakeholders.

The Smart Africa Secretariat and the Government of Senegal will assist the Consulting Firm, as far as possible, in seeking contacts and authorizations related to the scope defined in this document. Nonetheless, the Consulting Firm is expected to submit a proposal which includes but is not limited to a detailed project plan and inception report.

It is expected that the Consultancy firm's work will be in line with the following methodology and rules:

1. The Consultancy firm will assume primary responsibility for drafting the expected deliverables, in both French and English. The working language for the Working Group will be French and English to cater for the diverse membership of the secretariat.
2. The Consultancy firm shall engage Smart Africa Secretariat, the government of Senegal, the Working Group, and other selected stakeholders to discuss the roadmap for the consultancy services leading to the creation of an approved Inception Report that clearly explains how the project objectives (2.1.1) will be achieved.

3. The Consultancy firm will work closely with the designated staff of Smart Africa, the government of Senegal and the Working Group to carry out the task. The consulting firm will report to the Smart Africa Secretariat, the government of Senegal and the Working Group members, by participating in regular Working Group meetings (approximately once every two weeks) and by preparing the necessary meeting reports, slideshows, and summaries of documents.
4. The Consultancy firm shall Integrate existing national and international guidelines and recommendations.
5. The Consultancy firm shall review the existing draft concept note with specific emphasis on data governance needs/gaps of the Republic of Senegal.
6. The Consultancy firm will write an interim draft version of each planned deliverable and provide a presentation of these interim deliverables at workshops to be organized by Smart Africa in both English and French. Every deliverable will be submitted to Working Group members and discussed during consultations and validation workshops. The Consultancy firm will collect comments on each interim deliverable and make consequential revisions in the final version.
7. Support and facilitation will be provided from the Smart Africa Secretariat for exchanges with the government of Senegal and the collection of documents for the analysis of the existing situations.
8. The Consultancy firm shall organize and participate in consultation and feedback stakeholder workshops during the duration of the project and incorporate the stakeholders' comments from the workshops as appropriate and prepare the final report.
9. The Consultancy firm will guarantee the confidentiality of information shared by the Smart Africa Secretariat, the government of Senegal and other stakeholders participating in the Working Group and Workshops. Publication of content can only take place after validation by the Working Group and the government of Senegal.
10. The Consultancy firm shall submit each deliverable in five (5) printed copies and all working documents in soft copies, editable files (Word, Excel, PowerPoint, etc.), in both French and English.
11. The Consultancy firm shall be able to communicate with the Smart Africa Secretariat, the government of Senegal and Working Group in both French and English and cover the costs for necessary translations of documents.
12. The Consultancy firm shall prepare an executive summary in PowerPoint format (both English and French) for the draft and final National Data Strategy.
13. The consultancy firm shall ensure the final documents are designed according to the branding guidelines of Smart Africa.

4. DURATION OF THE ASSIGNMENT

The selected Consultancy Firm must carry out the project within three (3) months from the date of signing the contract.

The indicative timetable is as follows:

Indicative Timeline	Deliverables
T0*	<ul style="list-style-type: none"> • Kick- off meeting with project stakeholders - Smart Africa Secretariat, Senegal National Committee (working group), and other selected stakeholders to discuss the roadmap for the consultancy services. Start of the project and adoption of a schedule for the execution of the mission with the dates of the deliverables.
T0* + 2 weeks	<ul style="list-style-type: none"> • An “Inception Report” and Project Workplan submitted to the Working Group and validated by the Smart Africa Secretariat. The inception report shows detailed understanding of the assignment, approach, methodology and activities to be conducted indicating expectations of the consultancy services.
T0 + 6 weeks	<ul style="list-style-type: none"> • Consultative brainstorming workshop conducted to brainstorm the work on the roadmap structure and development.

	<ul style="list-style-type: none"> • Presentation of the mapping of Senegal’s data infrastructure and its management, Senegal’s legislative and regulatory frameworks and data ecosystem stakeholders to the Working Group. <p>Report and minutes from the workshop shared, feedback incorporated.</p>
T0 + 8 Weeks	<p>Deliverables 2.2.4 to 2.2.6</p> <ul style="list-style-type: none"> • Comparative analysis report of existing international data governance models. • Schematic representation showing the process of developing and refining general data governance guidelines and standards. • Framework document on key data governance policy issues.
T0 + 10 weeks	<ul style="list-style-type: none"> • Organize one (1) validation workshop. <p>This workshop will be an opportunity to present the first draft of the national strategy to the members of the national working group.</p>
T0 + 12 weeks	<ul style="list-style-type: none"> • Finalization of documents incorporating the recommendations and remarks of the validation workshop. <p>Submission of final copies of the National Data Strategy and Implementation plan.</p>

T0*: Time when the contract is signed

5. PROFILE OF THE FIRM

Smart Africa is seeking to recruit a consulting firm with previous experience in developing national strategies in Africa on the digital economy in general and preferably in the data governance area. Such prior work experience with members and partners of the Smart Africa Alliance must be supported by evidence of three (3) similar assignments in data governance (technical, institutional, regulatory, capacity development, cooperation) working with or within African organizations and governments. It shall clearly and precisely indicate the composition of the mission team only proven by duly signed and stamped recommendation letters or portfolio of projects to prove their professional experience in the data governance space in planning, management, and operations.

Since the selected firm will be working with the Republic of Senegal to facilitate the development of the National Data Strategy, the firm should be able to meet at least one of the following criteria:

- Be a firm based in Senegal.
- at least one of the key consultants should be Senegalese and based in Senegal or:
- the firm can bid as a consortium and submit relevant documents for the local Senegalese partner.

The Consultancy firm should be able to satisfy the following additional criteria:

- Applicants must be legal entities or any combination thereof with a formal intention to conclude an agreement or have concluded a grouping agreement. In the event of a grouping, all the member parties are jointly and severally liable for the contractual clauses.
- Have a proven track record in consultancy work in Africa. The Consultant must have had experience in conducting similar consultancy work for other inter-governmental or regional organisations, multi-national companies, or non-governmental organisations in the region.
- Applicants must provide any document that the Smart Africa Secretariat may reasonably request, establishing to the satisfaction of Smart Africa being the Contracting Authority that they continue to be eligible to compete.
- Proven experience in internationally recognised best practices and approaches/methodologies of application of digital and data governance; with solid background/understanding of the digital and data economy and data niche sectors.
- Familiarity with various aspects of data economy and regulation, and digital transformation.
- Ability to work in an English and French environment.

The work shall be carried out by a team of at least (4) four highly qualified consultants/experts in the requested specialties, namely:

- **Lead Consultant/Head of Mission (Data Governance Specialist) with the minimum requirements below to be considered for the evaluation:**
 - A minimum of a master's degree in Technology Law, Computer Science, Economics, Digital Transformation, or related fields with a solid background/understanding of the data economy and data governance.
 - A minimum of 7 years of progressive responsibility in strategy development projects in Africa, including extensive experience in national and regional data governance frameworks or models development or implementation.
 - Experienced in leading and coordinating project teams comprising a range of expert profiles, ideally across national boundaries and in remote settings in the development of national digital transformation strategies.
 - Team lead with a good understanding of data governance and regulation, data management standards or practices, implementation of large-scale data projects.
 - Experienced in supporting the development of multi-stakeholder institutional frameworks and mechanisms in Africa.
 - Experience working in Africa, preferably in the Republic of Senegal.
 - Having participated in at least one (1) similar project in the last 5 years.
- **Legal Expert in data governance with the minimum requirements below to be considered for the evaluation:**
 - A University graduate with a minimum of a master's degree in Law.
 - Having at least 5 years of proven experience in the legal aspects of data governance, data protection and privacy.
 - Have work experience in development of sustainable ICT projects in Africa, and in the member countries of the Smart Africa Alliance.
 - Excellent track record of data strategy development in Africa at both national and continental level.
 - Experience working in Africa, preferably in the Republic of Senegal.
 - Having participated in at least one (1) similar project in the last 5 years.
- **Data Expert with a focus on national digital transformation/digital economy strategies (1) with the minimum requirements below to be considered for the evaluation:**
 - A University graduate with a minimum of a master's degree in Data Science, Computer and/or STEM Disciplines, Economics, Business, Project Management, or other relevant related fields.
 - Having at least 5 years of proven experience in the design, development, implementation of data and digital transformation strategies.
 - Experience in data value enhancement.
 - Have work experience in National digital and data policy development in Africa, and in the member countries of the Smart Africa Alliance.
 - Excellent track record of strategy development on data and digital transformation in Africa at both national and continental level.
 - Experience working in Africa.
 - Having participated in at least one (1) similar project in the last 5 years.
- **Socio-Economic Development Expert with a focus on ICT with the minimum requirements below to be considered for the evaluation:**
 - A University graduate with a minimum of a master's degree in Economics, ICT, Social Sciences and Project Management, other relevant related fields.
 - Having at least 5 years of proven experience in the design, development, implementation digital transformation strategies
 - Have work experience in development of sustainable ICT projects in Africa, and in the member countries of the Smart Africa Alliance.
 - Excellent track record of strategy development on ICT Research and Development in Africa at both national and continental level.
 - Experience working in Africa.
 - Having participated in at least one (1) similar project in the last 5 years.

6. EVALUATION METHOD AND CRITERIA

The evaluation method is Quality Cost Based Selection (QCBS). The following model will be used to evaluate all respondents and proposals submitted:

a) Technical Evaluation Criteria

Item	Point Range
Approach, Methodology, and Work Plan	
i. The relevance of the suggested approach and methodology for the African context and alignment with the data governance strategy/model mandate (35).	/50
ii. Feasibility and comprehensiveness of the work plan (15).	
Key Staff Experience	
<ul style="list-style-type: none"> ● Lead Consultant, Head of Mission i. Leading and Coordinating project teams across national strategies. (4) ii. Experience in regional digital and data governance framework development. (2) iii. Development of multi stakeholder frameworks (1) iv. Experience working with more than three African countries. (3) v. Having participated in more than one similar project in the last 5 years. (2) 	/12
<ul style="list-style-type: none"> ● Legal Expert in data governance i. More than 5 years of proven experience in the legal aspects of data governance, data protection and privacy areas. (3) ii. Experience working with more than three African countries. (2) iii. Experience working on data and digital transformation strategy development in Africa at both national and continental level. (2) iv. Having participated in more than one similar project in the last 5 years. (1) 	/8
<ul style="list-style-type: none"> ● Data Expert in Digital transformation/economy strategies i. More than 5 years of proven experience in design and implementation of national digital and related strategies. (3) ii. Experience working with more than three African countries. (1) iii. Experience working on data and digital transformation strategy development in Africa at both national and continental level. (2) iv. Having participated in more than one similar project in the last 5 years (1.5) 	/7.5
<ul style="list-style-type: none"> ● Digital Transformation Expert in ICT i) More than 5 years of proven experience in design and implementation of national ICT related strategies. (3) ii) Experience working with more than three African countries. (1) iii) Experience working on strategy development on ICT Research and Development in Africa at both national and continental level. (2) iv) Having participated in more than one similar project in the last 5 years. (1.5) 	/7.5
Firm Experience	
<ul style="list-style-type: none"> ● Previous Related assignments Recommendation Letters <p>Three (3) signed and stamped recommendation letters or portfolio of projects from previous clients of similar projects including assignments to develop national digital or data related strategies.</p> <ul style="list-style-type: none"> i. 3 recommendations: (15) ii. 2 recommendations: (10) iii. 1 recommendation: (5) iv. 0 recommendations: (0) 	/15

The financial proposal of only those firms which secure a minimum score of 70/100 in the technical evaluation will be opened.

St= Score for the Technical Evaluation

b) Financial Criteria

Once the technical criteria have been evaluated, the costs of all bids will be listed from low to high. Computing the cost criteria score will be accomplished by use of the following formula:

$$\frac{\text{Lowest Cost of All Proposals}}{\text{Cost of Bid for Respective Firm}} \times 100 = \text{Financial Score} = S_f$$

The Applicant getting highest marks on 80-20 weightage (80% for technical and 20% for financial) will be considered for the assignment. The weights given to the Technical (T) and Financial Proposals (F) are T = 0.80 and F = 0.20

The Final Score (S) is calculated as follows: $S = S_t * T + S_f * F$

7. SUBMISSION REQUIREMENTS FOR TECHNICAL AND FINANCIAL PROPOSALS

A specific outline must be followed to facilitate the Smart Africa Secretariat's review and evaluation of the responses received.

A response to this RFP must include the following sections in the order listed:

- i) A cover letter confirming the firm's interest to provide the services required
- ii) Mandatory Administrative documents
 - Company registration certificate
 - Tax registration certificate
 - Tax clearance certificates)
- iii) A technical proposal containing the following content:
 - Executive summary
 - Business experience/Profiles
 - Approach and Methodology
 - Work Plan / Schedule
 - Mission team experience/profiles
 - Updated Curriculum Vitae for the team and academic certificates required
 - Company/Firm Certificates or Recommendation letters of successful completion for similar past assignments, duly signed and stamped
- iv) Financial Proposal containing the following tables.
 - Summary of Costs.
 - Break down of price per user group on daily rate.
 - Break down of remuneration user group on daily rate.
 - Reimbursable expenses user group applicable.
 - Miscellaneous Expenses if any

Notes:

- i. *Indicate your preferred payment terms under financial proposal*
- ii. *A withholding tax of 15% will be deducted from payments for Firms not VAT-registered with Rwanda Tax Administration (RRA) and 18% VAT will be applicable for registered firms in Rwanda.*
- iii. *All Financial Proposals/offers should be password protected and Smart Africa will request for it for bidders who have been qualified in the technical evaluation*
- iv. *All Financial Offers should be quoted and submitted in USD Currency.*

8. SUBMISSION PROCESS

Soft copies of both Technical and financial proposals must be sent to: procurement@smartafrica.org showing each the nature of the offer concerned (technical or financial offer), not later than **25th September 2022** at, 5:00 PM local time (Kigali), addressed to Procurement Office of Smart Africa Secretariat, with subject marked: **072/SA/RFP/08/2022 Senegal National Data Strategy.**

9. RIGHTS RESERVED

- a) This RFP does not obligate the Smart Africa Secretariat (SAS) to complete the RFP process. SAS reserves the right to amend any segment of the RFP prior to the announcement of a selected firm.
- b) SAS also reserves the right to remove one or more of the services from consideration for this contract should the evaluation show that it is in SAS's best interest to do so.
- c) SAS also may, at its discretion, issue a separate contract for any service or groups of services included in this RFP. SAS may negotiate a compensation package and additional provisions to the contract awarded under this RFP.
- d) The Smart Africa reserves the right to debrief the applicants after the completion of the process due to expected high volume of applications and avoiding the compromise of the process.

Late proposals will be rejected.

10. VALIDITY

Proposals and quotes must remain valid for 180 days after the date of closing noted above. After, the closing date and time, all proposals received by the Smart Africa Secretariat become its property.

11. ENQUIRIES

Any inquiries will only be received at least 5 working days before the bid submission deadline. Prospective respondents who may have questions regarding this RFP may submit their inquiries to tenderenquiries@smartafrica.org.

12. ANTI-CORRUPTION

Smart Africa is committed to preventing and not tolerating any act of corruption and other malpractices and expects that all bidders will adhere to the same ethical principles.