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1. Introduction

1.1 Background:

The Telecommunications Regulatory Commission (TRC) was established by means of the Telecommunications **Law No. (13) Of 1995** and its amendment as an independent jurisdictional body tasked with Regulating the Telecommunications and information Technology Sectors.

According to the Telecommunications Law, the TRC has the responsibility (To **regulate** telecommunications and information technology services in the kingdom in accordance with the established general policy so as to ensure the provision of high quality telecommunication and information technology sectors);

The TRC is also responsible for the regulation of postal sector in the Kingdom and monitoring all postal services providers and their compliance with the provision of the postal services **Law No. (34) of 2007.**

1.2 TRC's vision: Excellence in making the ICT and postal sector pillars for growth at the national level and the highly distinguished regulatory environment on regional level.

1.3 TRC's Mission:

An independent governmental commission to regulate the performance of the ICT and postal sector, stimulate competition, protect the interests of the beneficiaries, monitor the implementation of quality of service indicators (KPIS) and providing services at affordable prices in order to achieve sustainable growth in all relevant sectors through working within an institutional framework with the stakeholders, relying on highly enthusiastic intellectual capital.

2. Current Organization Structure

Apart from the board and the **CEO**, the current structure embraces the following directorates and units (the organizational structure chart is published on TRC's website):

1. Internal Control Unit (3 sections).
2. Board of Commissioners Affairs Unit (2 sections).
3. International Affairs Unit (no sections).
4. Postal Sector Regulatory Unit (no sections).
5. Planning and Corporate Development Directorate (5 sections).
6. Communications and Media Directorate (3 sections).
7. Resources Management Directorate (5 sections).
8. Licensees and Consumers Affairs Directorate (3 sections).
9. Radio Spectrum Management Directorate. (3 sections).
10. Radio Frequency Inspection and Monitoring Directorate (3 sections).
11. Telecommunications Networks and Services Directorate (4 sections).
12. Standards and Type Approvals Directorate (3 sections).
13. Economic Affairs Directorate (3 sections).
14. Legal Affairs Directorate (3 sections).
15. Financial Affairs Directorate. (3 sections).

Currently, TRC has a standard format for all job descriptions and it is not the intention of this initiative to change such format at this time. The Bidder will work with TRC's Directorates to identify and define standardized Job descriptions for common roles found across different Directorates and units. All Job descriptions should be customized to the specific role requirements at TRC.

Building upon the information presented in the assessment of current organizational structure, key functions, job titles as well as job descriptions, it is essential to construct a more comprehensive understanding of TRC legislations, mission and vision.

3. Project Scope and Objectives:

In order to review and develop TRC's organizational structure, Job Titles and Job Descriptions the bidder will work in close liaison with TRC and establish a detailed implementation plan for each of the tasks and conduct all work in high professional standards within the following scope of work that includes but not limited to:

- ❖ Develop a framed action plan for TRC review and approval.
- ❖ Conduct meetings and collect necessary data.
- ❖ comprehensive analysis of TRC internal system through the study of strengths and weaknesses, Legislations governing the work of TRC, the regulatory controls, goals, and future aspirations and plans.
- ❖ Conduct a benchmarking study with organizations with similar tasks and objectives to compare their organizational structures.
- ❖ Identify the best practices to rely on during the process of revision and modification of the organizational structure of TRC.
- ❖ Setting the general framework for the organizational structure, proposing new recommended organizational structure(s), taking in to consideration the legislative and institutional controls, and then designing the organizational structure in the final detailed format.
- ❖ Revise and develop TRC's detailed structure (**institutional mapping**).
- ❖ Revise and develop the existing key functions as required and as per the best practices.
- ❖ Revise and develop the existing job descriptions as required and as per the best practices.
- ❖ Develop descriptions for all newly defined jobs.
- ❖ Ensure job description validity that reflects essential requirements of positions including the required qualifications and technical skill sin addition competencies
- ❖ Ensure job descriptions are written within, consistent and covering areas of skill, responsibility, competencies and other related issues of TRC's concern and aspiration concise with best practices.

- ❖ Ensure that the style and diction used in each job description are conforming to unified JD format used by TRC.
- ❖ Work in full cooperation with the project manager assigned by TRC to utilize and smoothly run all needed changes in a high level of transparency, friendly atmosphere, and constant approval.
- ❖ Present the findings with recommendations to the TRC through preparing a report and presentation regarding the work performed during the project and the outputs of the project. This report will be presented to the TRC by the end of the project.
- ❖ Propose a change plan for the implementation of the new structure.

4. Deliverables:

- Final draft of TRC new Organizational Structure including organizational chart and key functions document in both English and Arabic language.
- TRC Job Titles in both English and Arabic language.
- Final draft of TRC job descriptions in Arabic language.
- Final draft of TRC Directorates/Units key functions in Arabic language.
- Proposed plan of how TRC shall implement the new Organizational Structure with time estimation and any recommended action should be taken by TRC through the transmission and implementing the new Organizational Structure.
- The bidder is expected to deliver the findings in writing both soft and hard copies including recommendations in relation to the Organizational Structure, Key Functions, Job Titles as well as Job Descriptions development within sufficient justifications and clear options.
- Approval of Deliverables

Following the proper receipt of each deliverable, TRC will have 30 calendar days in which TRC may:

- Approve the deliverable in writing, with or without comments or reservations; or

- Reject the deliverable and provide the Bidder with a written notification that TRC rejects the deliverable. The grounds for such rejection will be set out in TRC's notification.

Where TRC requests a replacement deliverable because the one previously submitted has been rejected, the replacement deliverable shall be submitted within 14 calendar days. The replacement deliverable will likewise be subject to the above approval provisions. Due dates of following deliverables will not be affected by the delivery of the replacement deliverable and all following deliverables have to be submitted as planned.

5. Instructions to Bidder:

5.1 Executive Summary:

The purpose of this Terms of Reference (TOR) is review and develop the current organizational structure, key functions, job titles and job descriptions achieving specified and comprehensive tasks that optimize the utilization of human and financial resources this will allow for the simplification of procedures, elimination of overlap and duplication in the tasks of the directorates and units and control the expansion and inflation in the organizational directorates and units within TRC.

5.2 Preparation of the Proposal:

- The bidder's proposal must contain the following two (2) components in an outer sealed envelope:
 - A. The Technical Proposal, which must be sealed in a separate envelope clearly marked "Technical Proposal", must contain an electronic copy and two hard copies (original and photocopy).
 - B. Financial Offer, which must be sealed in a separate envelope clearly marked "Financial Offer", each envelope

must include an electronic copy and two hard copies (original and copy).

- The bidders are expected to examine in detail the documents constituting this Terms of Reference (TOR). Material deficiencies in providing the information requested may result in rejection of a proposal.
- All Proposals must be delivered by hand to TRC (Procurement & Supplies Management Section) at the following address and during office hours (8:30 AM to 3:30 PM) from Sunday to Thursday:

Bayader Wadi Al Seer District, Deir ghbar Area, Extension of Alshaheed Mohamad Al Zoghoul Street. Building No (13), Telephone: (962 6) 5501120 ext. (2750).

5.3 Technical Proposal:

The Technical Proposal must include a table of contents. The table of contents must reflect the organization of the Bid and major subject areas and must be paginated. It may include references to additional topics, exhibits, and attachments beyond those listed below. However, it must include each topic and subtopic, in the order listed, below:

- 1 Understanding of the Project
 - 1.1 Executive Summary
 - 1.2 Project Organization and Overall Approach
- 2 Project Management
 - 2.1 Project Management Approach
 - 2.2 Project Work Plan
 - 2.3 Project Activities and Deliverables
- 3 Experience and Qualifications
 - 3.1 Bidder Profile

3.2 Proof of Bidder's Experience and Qualifications With governmental sector and privet sector

3.3 Project Team organization Chart and Narrative

4 Project Team CVs

5. compliance sheet.

1 Understanding of the Project

The Bid must demonstrate the Bidder's understanding of the project including in particular, the objectives, scope and deliverables.

1.1 Executive Summary

The executive summary should provide a concise overview of the Bid, its organization and contents. It should include a succinct narrative demonstrating that the Bidder:

- Understands the purpose and requirements of the project.
- Has carefully read the Tender Documents, including all attachments, documentation and due diligence materials as well as any questions, answers, additions, or amendments that have been published pertaining to the Tender Documents.
- Has analyzed pertinent issues and is offering a Bid that responds to the requirements stated in the Tender Documents and addresses potential problems and risks.
- Has the ability to provide the necessary services.

1.2 Project Organization and Overall Approach

The Bidder should describe how it has organized the project and its overall approach and methodology.

2 Project Management

2.1 Project Management Approach

This section of the Bid should focus on how the project will be managed and completed and should describe the methodology, tools and techniques to be employed and applied to delivering the Services.

2.2 Project Work Plan

This section of the Bid should focus on the project work plan. It should provide a preliminary but detailed and credible project work plan. The project work plan may be refined during the implementation of the project Tasks, and will be subject to acceptance by and approval of TRC. The purpose of the work plan is to establish a detailed schedule of tasks, identify resource requirements, identify and describe deliverables and activities and establish mutual expectations and understanding in order to complete the project successfully.

The work plan should demonstrate a practical application of the proposed tools and methods and show how they are applied to deliver project deliverables and results. At a minimum, this section should include:

- A definition of the project management tools(s) that will be used to manage and maintain the project work plan and resources throughout the life of the project.
- An identification of the tasks and sub-tasks required to complete the project and deliver the Services.
- The sequencing of those tasks.
- A definition of dependencies between tasks within the work plan.
- A definition of the deliverables to be provided under the project, the due dates for such deliverables and a description of the formal process to be used by TRC to review and approve the deliverables.
- A Gantt chart showing tasks, activities, phases, dependencies and milestones.

In addition to the narrative, this section should include a preliminary project work plan developed using Microsoft Project Software¹; the narrative should facilitate an understanding of the work plan. Bidders

¹ Microsoft is a registered trademark of Microsoft Corporation. All rights respected.

should include an electronic copy of the project plan on CD-ROM and in Microsoft Project format.

2.3 Project Activities and Deliverables

This section should describe in detail the Bidder's proposed solution to achieve the expected outcomes for all tasks listed in these Tender Documents.

3 Experience and Qualifications

This part of the Bid must demonstrate the Bidder's experience and qualifications.

3.1 Bidder Profile

In addition to related information concerning the Bidder's overall experience and qualifications that may be elaborated upon in other sections, the Bid must include the following information in order to demonstrate that the Bidder meets the minimum qualifications and experience:

- Provide a brief company background indicating company history, primary business location, business/market focus for the company, and the division or organizational entity responsible for the products and services in this Bid.
- Detail specific experience in providing services of a similar nature to the Services requested in this Tender Document.
- Indicate the number of years of experience the Bidder and any subcontracting organizations have in providing the types of services requested in this Tender Documents.
- Provide an explanation of any litigation or government or regulatory action pending or in progress against the Bidder's organization within the last three (3) years that might have a bearing on your ability to provide services to TRC.

3.2 Proof of Bidder's Experience and Qualifications

To demonstrate that the Bidder meets the minimum qualifications and experience, in addition to related information concerning the Bidder's

overall experience and qualifications, the Bid must include the following information:

- A statement certifying that the Bidder has successfully delivered services of a similar nature to at least three clients.
- For each previous project of a similar nature, the Bidder shall identify any subcontractor that completed the project. A subcontractor may be engaged by the Bidder to carry out portions of the Services that are complementary to the normal area of expertise of the Bidder.
- For each qualifying project, the following should be included:
 - The name of the project
 - The entity that requested the project including the titles, names, addresses, and contact details for the principal project manager for each project
 - Project start and end dates
 - Project Value

3.3 Project Team Organization Chart and Narrative

The Bid must provide a complete description of the proposed project team including an explanation as to how each of the key individuals fits within the Bidder's organization.

TRC requires that the bidder must assign an organizational structure, key functions and job descriptions development expert with a minimum of 15 years of professional experience, and a very good knowledge and understanding of the public sector work environment.

Provide a project team organization chart. The chart must specifically identify the personnel who will be assigned to this project to accomplish the work as identified in these Tender Documents and should illustrate the lines of authority. Furthermore, this section should include the following information for each team member:

- The individual's name

- The individual's title, role and responsibilities on this project
- A discussion of each person's skills and qualifications to perform the assigned role
- A disclosure of specific projects that demonstrate the skills and qualifications

A table or matrix should be included in this sub-section indicating the experience of the project team members with the require Tasks.

4 Project Team CVs

This section should be as Annex which contains CVs describing the relevant background and experience for each of the proposed key team members. The CVs must include current references of customers for whom the team member has provided similar types of services in the past.

5.4 Financial Proposal:

- The Financial Proposal shall be sealed in a separate envelope that is clearly marked "Financial Proposal". The Financial Proposal shall be unconditional and must be signed by a duly authorized representative of the Bidder. Any Financial Proposal, which is incomplete or unsigned by a duly authorized person(s), shall be rejected.
- The financial proposal shall include all costs associated with the assignment. If appropriate, these costs should be broken down by activity. Activities and items in the technical proposal but not priced shall be assumed to be included in the prices of other activities or items.
- Bidder shall express the price of their services in Jordanian Dinars (JD) and shall be inclusive for all fees and taxes.
- The Financial Proposal shall be valid for 90 days. During this period, the Bidder is expected to keep available the professional staff for the assignment.
- Any hidden costs in the bidder Proposal are not acceptable.

5.5 Location and Timing of the assignment:

- Location of the assignment: Telecommunications Regulatory Commission (TRC) Amman. Jordan.
- The entire project should be completed with TRC within a period of (4) months from the date of signing the purchase order.

6. Reporting:

- All deliverables relating to this project shall be prepared in both English and Arabic language except job descriptions in Arabic language
- At the end of the project, the Bidder must prepare and deliver a presentation, explaining the adopted approach, findings, and recommendation to all relevant personnel within TRC.

7. Technical Evaluation

- The bidder should possess the requisite experience, resources and capabilities in providing the services necessary to meet the requirements, as described in this TOR. The Bid must be complete in all respects and should cover the entire scope of work as stipulated in this document. Parties who do not meet the Eligibility Criteria will not be considered for further evaluation.
- A proposal shall be rejected at this stage if it does not respond to important aspects of the TOR or if it fails to achieve the minimum technical qualifying score which is 80 points.
- The technical proposals of Bidders shall be evaluated based on the following criteria:

	Technical Evaluation	Description	Points
1	Understanding of the project requirements	The Bidder demonstrates a thorough understanding of the project based on the quality and viability of the submitted Bid. Other criteria considered in this area will be whether or not the Bidder has grasped pertinent issues, identified potential problem areas, understands the deliverables, and understands and accepts TRC's terms and conditions and schedule requirements.	10%
2	Clarity in the description of the services and deliverables to be provided	An evaluation will be undertaken of the extent to which the Bidder has clearly and succinctly described the services to be provided, the methodology to be adopted in order to deliver the services and the deliverables to be provided to TRC.	10%
3	Proposed Project Plan and Timescale	<p>The Bids will be scored by evaluating the credibility of the proposed project plan and timescale. The Bid must outline how the Bidder will fulfil the Contract by providing details of:</p> <ul style="list-style-type: none"> • The formal project management methodologies that will be used by the Bidder. • A realistic project plan with identified milestones and deliverables • A comprehensive project organisation structure • Procedures and methods used for project communications, risk management. 	30%
4	Experience and track record in delivering projects of a similar nature	<p>The Bidder must set out full details of its experience and track record in this regard. The Bid must demonstrate and document the relevant expertise, education, availability and experience of the proposed personnel to be assigned and available to work on this project. Specifically, the Bid must demonstrate how the Bidder's past performance can contribute to the success of this project by including:</p> <ul style="list-style-type: none"> ▪ Personnel with a demonstrated understanding of the regulatory challenges facing TRC ▪ Written references from previous clients. <p>Any bid that doesn't include a track record of at least Three previous similar assignments will be disqualified.</p>	50%
	Total		100

- The technical scores of qualified proposals are multiplied by (80%) to be used in the final evaluation and awarding of proposals.

8. Financial Evaluation

- The Financial Proposal of Bidder who passed the qualifying score shall be opened and evaluated.
- TRC will evaluate the financial score of the technically qualified bidders in accordance with the following process:
The Bidder who proposes the lowest Financial Offer will be given the maximum number of points (100%), and the remaining bidders will be given points depending in the following equation:

$$(\text{The lowest financial offer} \div \text{another financial offer}) \times 20\%$$

- Price shall remain fixed during the contract period. There shall be no increase in price for any reason whatsoever. Therefore, no request for any escalation of the price shall be entertained.

9. Total Evaluation and Awarding

The Tenders Committee will give weight of (80%) to the technical offer and (20%) to the financial offer. The total score of each qualified bidder will be the sum of his weighted technical and financial scores. The contract will be granted to the bidder who has the highest total score.

In cases of tie, the Tenders Committee will act as following:

- A. In circumstances where two or more Bidders have the same Total Score the Contract will be awarded to the Bidder, which has the highest Technical Score of that class.
- B. In circumstances of a further tie, that is to say that two or more Bidders have identical Total Score and identical Technical Scores, the successful Bidder will be determined at the discretion of the Purchasing Committee

10. General Conditions:

- **Negotiations:**

The aim of the negotiations is to reach agreement on all points and sign a contract. Further, The Purchasing Committee has the right to negotiate fully or partially the Awarded Bidder technical and financial proposal.
- **Award of Contract:**
 - a. The contract shall be awarded, through a notice of award, following negotiations and subsequent post-qualification to the Bidder with the Highest Rated Responsive Proposal.
 - b. Amman Court has the jurisdiction to resolve any disagreement or dispute arising between parties under or in connection with the winning Contract.
- **Confidentiality**
 - Information relating to the evaluation of proposals and recommendations concerning awards shall not be disclosed in details to the Bidder who submitted Proposals or to other persons not officially concerned with the process. The undue use by any Bidder of confidential information related to the process may result in the rejection of its Proposal and may be subject to the provisions of TRC's anti-fraud and corruption policy.
 - The Bidder shall sign and NDA (Non-Disclosure Agreement) with the TRC not to unveil any data regarding the project.
- **Conflict of Interest**

All bidders found to have conflicting interests shall be disqualified.
- **Clarifications and Amendments to Tender document:**
 - At any time before the submission of the proposals, TRC may, for any reason, whether at its own initiative or in response to a clarification amend the TOR and the updated call for bids will be announced through the same channels that were used for the original bid
 - Bidder may request for clarification(s) on any part of the TOR. The request must be sent in writing or by standard electronic

means and submitted to TRC Before the due date of the Bid at the address and time frame indicated in the invitation. TRC will respond in writing or by standard electronic means.

الشروط الخاصة بدعوة العطاء رقم (٥ / ٢٠٢٣)

تعتبر هذه الشروط مكملة لتعليمات الدخول في العطاء والشروط العامة للتعاقد وتكون لها في التطبيق قوة العقد لشراء اللوازم والخدمات وتكون ملزمة للمناقصين واللجنة حق استبعاد أي عرض غير ملتزم بكل أو بأحد هذه الشروط :-

١. يرفق بالعروض تأمين للدخول في العطاء على شكل كفالة بنكية أو شيك مصدق صادرة / صادر عن بنك محلي بنسبة لا تقل عن (٣%) من قيمة العرض الإجمالية أو القيمة المحددة بدعوة العطاء وحسب النموذج المرفق وسوف لن ينظر في أي عرض غير معزز بالتأمين المطلوب .
٢. يلتزم المناقص بأن يبقى العرض المقدم من قبله ساري المفعول لمدة (٩٠) تسعون يوماً من تاريخ الإغلاق.
٣. تقدم العروض على نسختين متطابقتين أصل وصور .
٤. يجب ذكر الرقم الوطني الضريبي (الدخل والمبيعات) والاسم بشكل واضح ورقم صندوق البريد ورقم الفاكس والهاتف وتحديد المنطقة والرمز البريدي.
٥. يعتبر تقديم عرض المناقص التزاماً منه بأنه مطلع ومتفهم لجميع مواد تعليمات تنظيم إجراءات المشتريات الحكومية ووثائق دعوة العطاء ونظام المشتريات الحكومية لسنة ٢٠٢٢.
٦. تقدم الأسعار بالدينار الأردني شاملة كافة الرسوم والضرائب الأخرى بما فيها الضريبة العامة على المبيعات.
٧. يلتزم المتعهد بدفع رسوم طوابع الواردات وتقديم كفالة حسن التنفيذ قبل توقيع أمر الشراء (الاتفاقية).
٨. يلتزم المتعهد بتقديم كفالة حسن تنفيذ بنسبة (١٠%) من القيمة الإجمالية للإحالة وحسب النموذج المرفق.
٩. على المناقص اعتماد دعوة العطاء ومرفقاتها لتعبئة عرضه عليها.
١٠. مع مراعاة ما ورد في المادة (٨٩) من النظام اذا لم تنص وثائق الشراء على خلاف ذلك فعلى الجهة المسؤولة عن إدارة العقد فرض غرامات على التأخير اذا تأخر المتعهد عن تنفيذ ما التزم به في الموعد المحدد في العقد وكما يلي:
أ- ما نسبته (٠٠١,٠) واحد بالألف من قيمة اللوازم عن كل يوم تاخير في التسليم عن الموعد المحدد للتسليم عن الفترة (٤٥-١) يوما .
ب- ما نسبته (٠٠٢,٠) اثنان بالألف من قيمة اللوازم عن كل يوم تأخير في التسليم عن الموعد المحدد للتسليم عن الفترة من (٤٦-٦٠) يوما .
ج- ما نسبته (٠٠٣,٠) ثلاثة بالألف من قيمة اللوازم عن كل يوم تاخير في التسليم عن الموعد المحدد للتسليم عن كل يوم تأخير يزيد على (٦٠) ستين يوما ، وبما لايزيد عن (١٥)% من قيمة العقد.
١١. يتم الدفع مقدماً بنسبة (١٠٠%) مقابل كفالة بنكية بكامل قيمة الدفعة غير مشروطة تبقى سارية المفعول لحين تقديم الخدمات والاستلام النهائي، وبخلاف ذلك سيتم الدفع بناء على النحو التالي:

- ❖ الدفعة الأولى بنسبة ٥٠% مقدماً عند التوقيع على أمر الشراء مقابل كفالة بالدفعة المقدمة غير مشروطة تبقى سارية المفعول لحين تقديم الخدمات والاستلام النهائي.
- ❖ الدفعة الثانية بنسبة ٥٠% بعد الاستلام النهائي.