



**ASEAN AUSTRALIA DEVELOPMENT COOPERATION PROGRAM (AADCP)
PHASE II**

**TERMS OF REFERENCE
FOR
Development of Teaching Tools to Apply Good Consumer Protection Practices
in 6 Priority Sectors**

(EXTENDED)

The ASEAN Secretariat and the Australian Government, through AADCP II, invite applications from consultants for the above-referenced project.

I. Background

Under the AEC Blueprint 2025, component B2 of the second characteristic of the Blueprint, **A Competitive, Innovative and Dynamic ASEAN**, a number of strategic measures have been outlined in respect of promoting the competitiveness and productivity in ASEAN; providing a level playing field for all firms through effective competition policy; fostering the creation and protection of knowledge; ensuring comprehensive and well-functioning national and regional consumer protection systems; and strengthening related regulatory frameworks.

Noting that globalisation is leading to wider variety of products and technological revolutions and transforming the traditional ways of conducting business in the market places, governments need to find innovative means to protect and promote the interest of the consumers without erecting unnecessary barriers to the exchange of goods and services. This will require comprehensive and well-functioning regional and national consumer protection mechanisms characterised by the presence of sufficient and implementable legislation, operative complaints and redress systems, strong consumer protection institutions with capable staff and effective consumer awareness programs.

Consumer protection is seen as an integral part of a modern, effective and fair market place under the AEC Blueprint 2025. The strategic measures under the AEC Blueprint 2025 are further detailed under an ASEAN Strategic Action Plan for Consumer Protection (ASAPCP) 2025. The strategy sets out four goals, implemented through an Action Plan and an implementation schedule (2016-2020) which will be implemented by the ASEAN Committee on Consumer Protection (ACCP). The four goals are:

- I. A Common ASEAN Consumer Protection Framework is Established;
- II. A High Common Level of Consumer Empowerment and Protection is Ensured;
- III. High Consumer Confidence in the AEC and Cross-border Commercial Transactions is Instituted; and
- IV. Consumer Concerns in all ASEAN Policies are Integrated.

The ASEAN consumer protection framework provides for a high-level consumer protection regime to meet the evolving consumer landscape in ASEAN. It envisages improved capacity to respond to new and emerging challenges and opportunities facing ASEAN, enabling governments to find innovative ways to protect and promote the interest of consumers amidst growth in cross border trade, e-commerce and other new trading methods resulting from globalisation and technological advancement. The framework is expected to result in common underlying principles towards a coherent regulatory environment, and stronger institutional structures and capacities required to implement and enforce policies and

regulations in each AMS and across the region.

A common consumer protection framework thus requires strengthened institutional capacities to ensure that the goal is met. AMS face challenges of an inadequate number of staff available for proper enforcement of their consumer protection laws and also lack of trained and qualified personnel or ability to provide training to employed personnel. However, the ASEAN Member States may differ in terms of quality of standards of practice, regulatory environment and its institutional capacities. Recognizing this, the project will help narrow the gap through capacity development. This project builds upon an AADCP II funded capacity building initiative, "Strengthening Technical Competency on Consumer Protection in ASEAN" implemented in 2014-2015.

The aforementioned project developed training modules in six key areas: namely i) consumer credit and banking, ii) environment, and iii) professional services, iv) healthcare, v) e-commerce, and vi) product safety and labelling. The ACCP recognises the value and usefulness of the modules in terms of their technical content. However, this was more in academic form and requires to be transformed into more practical instructional materials to increase their usability as training tools. The contents of the instructional materials are to be based on the six modules which are available from the website www.aseanconsumer.org.

II. Needs and Objectives

AADCP II is commissioning a set of instructional materials and tools for use by consumer protection agencies and agencies with consumer protection responsibilities in training and/or enhancing the existing capacities of their staff. The intended learners are personnel with 2-5 years functional experience dealing with consumer protection issues and who want to improve their professional competence. These would include staff rendering front line services involving public relations, consumer assistance and complaints management. For future replication of the training at the national level, there is an intention to tap some participants as potential trainers in their respective agencies. Most of them may not have teaching/training experience, which should be taken into consideration in the development of the materials.

The consultant(s) would be responsible for the :

- Preparation of a training structure and content taking into account the goals and objectives as well as the intended participants. The course content will be delivered through short lectures, group discussions, group presentations, case studies, role-play, simulation and skill practices during the training.
- Review of the draft manual contents to ensure there is consistency and smooth flow of the materials as well as better readability;
- Separation of the contents into logical components or training modules and design of a series of instructional materials;
- Preparation of training session plans with indicative time that needs to be allocated for each concept/sections of the modules; and
- Development of evaluation forms including questions regarding relevance and effectiveness of training materials, whether the material covered the professional needs of the participant.

The teaching/learning tools should include creating teaching/learning materials with coloured and graphical illustrations and illustrative examples, list of activities, exercises and guide questions that can be used by trainers. The consultant must design and format the materials in a manner that is visually appealing, clear and consistent (e.g., with illustrations and

graphical representations). These should be easy to read and understand as English is not the primary language of the AMS participants. It is expected that AMS will subsequently translate these tools into local languages, where appropriate and use them for their national consumer protection advocacy and education programs.

The prototypes for these instructional/learning materials will be reviewed and tested via a validation workshop.

III. Outputs

The outputs of this project include the following:

- i) Streamlined technical manuals for each of the six modules inclusive of study guides with questions;
- ii) Detailed (step-by-step) trainers guides/instructors manuals including
 - o “flight plan” (topics to be delivered with prescribed time allocation), and
 - o teaching notes with suggested exercises/activities and corresponding session/lesson plans
- iii) Set of PPT materials that is website enabled for uploading.

In addition, the other outputs are:

- i) Project Inception Report
- ii) Validation Workshop Report
- iii) Project Completion Report

IV. Tasks/Activities

The following activities will need to be undertaken to achieve the outputs presented above. The bidder should provide details on its approach to each activity in its bid and is free to recommend additional activities.

	Output	Activity	Person working days	Completion Date	Person(s) responsible
1	Inception Report	Preparation of Inception Report including: <ul style="list-style-type: none"> • development of the over-all approach for the delivery of the expected outputs • training structure • outline and format of the teaching modules with specific recommendations for each module when appropriate 	3 days	2 weeks after signing of SSA (Week 3)	Consultants with inputs from ASEC and AADCP II
		Circulation and revision of the Inception Report based on feedback, if any			
<i>Approval of Output 1: Inception Report by ACCP/ASEC (3 working weeks)</i>					
2	Draft Teaching/Learning Materials and Validation Workshop Report	Drafting of the teaching/learning materials (simplified technical manuals with study guides and trainers/instructors manuals with “flight plans”, teaching notes and session plans and exercises) based on the original 6 technical modules	14 days per set of materials (total of 84 days)	Week 20	Consultants
		Circulation of the draft materials to ACCP, ASEC and AADCP II including review of the modules by the original technical writers		Week 23	ACCP, ASEC, AADCP and original module writers
		Revision of the draft materials based on feedback received		Week 25	Consultants
		Preparation and circulation the draft PPTs		Week 26	Consultants
		Testing the teaching modules via a validation workshop or a TOT		Week 27	Consultants with support from

					ACCP, ASEC and AADCP
		Preparation and submission of the Validation Workshop Report	1 day	Week 29	Consultants
	<i>Approval of Output 2 : Workshop Report by ACCP/ASEC(3 working weeks)</i>				
3	Final Teaching/Learning Materials and Project Completion Report	Finalisation of the 6 sets of teaching/learning materials including the PPTs	3 days per set	Week 35	Consultants
		Preparation, circulation and revision (if needed) of the Project Completion Report	1 day	Week 36	Consultants with inputs from ASEC and AADCP II
	<i>Approval of Output 3: Final Teaching/Learning Materials and Project Completion Report by the ACCP/ASEC (3 working weeks)</i>				

V. Reporting

The consultant is expected to produce reports in accordance with Section III and IV above. The timing of delivery is indicative and can be adjusted when the consultant's work plan is developed, subject to mutual agreement.

No.	Reports	Target Delivery Date
1	Inception Report This would detail the consultant's approach to the project and provide a detailed work plan.	2 weeks after contract signing
2	Workshop Report In line with the various outputs, which would be presented in a validation, a corresponding workshop report would be prepared.	2 weeks after the conduct of the workshop
3	Project Completion Report The Project Completion Report will establish a record of the project achievements against the project's original intended purpose and outputs. It is intended to assist in assessing impact, draw out conclusions and lessons learned that may be valuable in designing new related initiatives.	1 week after delivery of all outputs

All reports will be submitted based on AADCP II Guidelines for Contractors in draft format to the ASEAN Secretariat, Competition, Consumer Protection and Intellectual Property Rights Division (CCPID) (with a copy to AADCP II) and, following ASEC approval, in final form. All outputs and reports must be suitable for publication, although the decision on publication lies with the ASEAN.

The contractor will also provide regular (weekly, bi-monthly or as agreed with ASEC) summation of activities undertaken and issues that have arisen. These will be submitted to CCPID and AADCP II via email.

Financial reports will be submitted at invoicing in line with a payment schedule to be specified in the Special Services Agreement (SSA).

VI. Project Management

The project will be funded by the ASEAN-Australia Development Cooperation Program II and managed by the Competition, Consumer Protection and Intellectual Property Rights Division (CCPID) of the ASEAN Secretariat. The consultant should be responsible for organising and conducting the scheduled activities in collaboration with the host countries and the ASEAN Secretariat.

VII. Scope of Services

The consultancy will be undertaken over a **continuous effective period of nine (9) calendar months** with approximately **21 person weeks** of professional services. Work will

commence immediately after contract signing.

VIII. Qualifications

In its proposal the bidder/bidding team should demonstrate :

- *Extensive experience in curriculum development, instructional systems design, knowledge management and capacity building;*
- *Skills and involvement in the development of practical and user-friendly training materials and tools for different target groups;*
- *Proven experience in developing graphical presentations or infographics;*
- *Thorough understanding and good knowledge of IEC approaches, training methods/tools applicable for various consumer groups; and*
- *Preferably, familiar with consumer rights, enforcement of consumer laws, and consumer demands for safe and sustainable consumption practices as well as current and emerging consumer concerns and related issues particularly in the ASEAN context.*

A thorough understanding of ASEAN, ASEC and AADCP II procedures will be considered of added value.

IX. Bidding

Interested consulting firms are invited to submit a proposal in response to these Terms of Reference. This proposal should be in two parts: **Technical** and **Financial components**.

The Technical component should present the following information:

- A brief discussion indicating the bidder's understanding of the needs of the project;
- A brief analysis of key issues;
- A methodological discussion of how the bidder proposes to address those needs including assessment of key issues, analytical strategies that will underlie the project, specific techniques to be utilised, and practical discussion of possible limitations in carrying out the project;
- A detailed work plan that specifies activities to be undertaken, expected outputs and deliverables, resources to be utilised and timing;
- Staffing and management plan;
- A discussion on how measures to ensure the future sustainability of the outcomes of the project will be addressed;
- CVs of all proposed experts;
- Brief discussion of firm's past experience in undertaking similar work and brief summaries of all projects undertaken; and
- Examples of previous work as Annexes to the proposal.

The Financial component should specify professional fees of experts.

Other costs for experts and participants such as reimbursable expenses for airfare, other travel costs and daily subsistence allowance for workshops, meetings, and all other agreed activities will be discussed with the preferred contractor during the finalisation of the scope of services. Costs will be based on prevailing ASEC rates.

X. Submission of Application

Applicants should send via email tender@aadcp2.org and mail/courier 4 (four) printed copies of their application with a cover letter, materials specified in **Section IX** above and other supporting documents to ASEAN Australia Development Cooperation Program II, ASEAN Secretariat 2nd Floor, Jl. Sisingamangaraja 70A, Jakarta 12110, Indonesia, indicating “**Development of Teaching Tools to Apply Good Consumer Protection Practices in 6 Priority Sectors**” as the subject no later than 28 February 2017, 5:00pm (Jakarta time). Please note that only short-listed candidates will be notified.

For Frequently Asked Questions (FAQ), please visit <http://aadcp2.org/aadcp-ii-tender-frequency-asked-questions/>

Any queries on the TOR should be sent to contact@aadcp2.org with the subject line:” **Query ‘Development of Teaching Tools to Apply Good Consumer Protection Practices in 6 Priority Sectors’**.

IX. Additional Notes on Terms and Conditions of the Project

1. Any future studies/reports/analysis in any form of intellectual property rights (including but not limited to patents, copyright and any related rights) submitted by the Contractor to ASEAN arising out of or in connection to the services performed by the Consultant to ASEAN shall belong to ASEC under the name of **ASEAN** only;
2. Successful bidder shall agree to be bound and sign the Special Services Agreement (SSA) with all requirements under the terms and conditions provided therein, including but not limited to the AADCP II Guidelines for the Contractors attached to the SSA.
3. As an intergovernmental organisation, ASEAN shall not be responsible for any tax(es), levy, tax claim or any tax liability which may be imposed by any law in relation to any amount payable by the ASEAN Secretariat.