



ASEAN SECRETARIAT

Request for Proposal

**Follow-up Analysis of the ACMW Self-
Assessment of the ASEAN Forum on
Migrant Labour (AFML) Recommendations
–Extension–**

PROPOSAL MUST BE RECEIVED BY
Wednesday, 8 December 2021

DELIVER/MAIL PROPOSAL TO:
ASEAN Secretariat
Jl. Sisingamangaraja 70A
Jakarta 12110
Indonesia

Prepared by: Labour and Civil Service Division
Date: 1 November 2021

1 EXECUTIVE SUMMARY

The ASEAN Forum on Migrant Labour (AFML) is a unique event among ASEAN activities as it brings together key stakeholders in labour migration in ASEAN, notably the governments, employers' organisations, workers' organisations, and civil society organisations. Supported by the ASEAN Secretariat (ASEC), International Labour Organization (ILO), International Organization for Migration (IOM), and UN Women, it gathers annually to share experiences, challenges and good practices and exchange views on various issues of migration committed to under the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu Declaration), and to build consensus on issues arising from the thematic sessions which results in the recommendations. The AFML had been convened for fourteen times since its Inaugural Forum in 2008 and had generated more than 100 recommendations for the ACMW and social partners covering a broad range of policies and intervention areas.

Over the years, there has been evolving practices during and surrounding the AFML which provided platforms for reviewing the AFML recommendations, notably: i) national tripartite preparatory meetings of AFML convened in most ASEAN Member States (AMS) since 2012; ii) voluntary information sharing by AMS on achievements or progress of implementation of the previous AFML recommendations during the AFML; and iii) ILO's biennial assessment on the implementation of the AFML recommendations in a published paper presented at the AFML. The findings of these review mechanisms indicated both areas of good progress and areas where further attention is required to fully implement recommendations of past AFMLs.

While the ILO collects information from AMS to contribute to its biennial progress review report, the proposed study aims to provide at what extent AMS and the region have implemented national and regional initiatives to realise the AFML recommendations vis-à-vis the actionable provisions in the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (ASEAN Consensus). Moreover, ASEC attempted to provide a general overview of the 1st self-assessment results of the AFML recommendations that were received from the 10 AMS as presented during the 14th ACMW Meeting on 27-28 April 2021. However, an in-depth analysis, with technical support of an external consultant, can provide more meaningful and useful feedback to ACMW particularly in reviewing and strengthening its regional measures to implement the ASEAN Consensus. Furthermore, the envisaged analysis could possibly be combined with an analysis of the self-assessment results of the ASEAN Consensus since the two self-assessment results may complement one another.

The Study will be administered by ASEC with the support of the ASEAN-Japan Fund for Building Social Safety Nets (SSN Fund) under the guidance of ACMW. The proposed study will examine coordination mechanisms across AMS to identify and establish what successful coordination across the ASEAN Consensus framework looks like and how to replicate it. Part of the analysis will also analyse ILO's recommendations in their biennial progress review reports, on their feasibility for implementation on the ACMW platform. Lastly, this will also supplement the ACMW review mechanism of AFML recommendations, which regularly takes place at ACMW Meetings.

Data collected and the study produced will be consulted with ACMW for validation and endorsement. Consultations will be done through workshop and ad-referendum consultations facilitated by ASEC. The study report shall incorporate inputs from ACMW and be finalised for endorsement by ACMW.

2 BACKGROUND AND CURRENT STATUS

In light of the AFML's growing number of recommendations, the ACMW Work Plan 2016-2020 called for the development of a review mechanism of the AFML recommendations which will be implemented regularly at the ACMW Meeting. In this regard, a common template was developed as a tool for AMS to self-assess its follow-up actions to and achievements or progress against the AFML. Each AMS decides on whether it would participate in the self-assessment and information sharing with other AMS. The information is to be voluntarily shared during the ACMW Meetings and compiled by ASEC. Subsequently, the updated Action Plan 2018-2025 of the ASEAN Consensus was adopted by the 26th ASEAN Labour Ministers Meeting on 28 October 2020. The updated Action Plan includes the continuity of the self-assessment of the AFML recommendations in parallel with the annual AFML until 2025. The proposed study will build on the results of the self-assessment, as well the ILO progress review.

The proposed study was presented by ASEC and was welcomed at the 14th ACMW Meeting held on 27-28 April 2021. Further consultation with ACMW was made in May 2021, where AMS were agreeable that the proposed conduct of an in-depth analysis will be made by an external consultant with the report remains internal to ACMW, unless AMS would decide otherwise.

The study aims to examine the self-assessment results submitted by AMS in terms of regional and national initiatives to implement the AFML recommendations, identify gaps where initiatives are lacking or absence thereof, and provide practical recommendations for AMS to implement on a voluntary basis into the five areas of concern: (i) education/information; (ii) protection; (iii) enforcement; (iv) recourse; and (v) reintegration. It will provide more meaningful and useful feedback to ACMW particularly in reviewing and strengthening its regional measures to implement the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (ASEAN Consensus). Furthermore, the envisaged analysis could possibly be combined with an analysis of the self-assessment results of the ASEAN Consensus since the two self-assessment results may complement one another.

3 SCOPE OF WORK

The Terms of Reference (TOR) of Consultant is attached (Annex A).

3.1 PROJECT OVERVIEW

Objectives:

This TOR will guide the hiring of a consultant that will support ASEC in developing the aforementioned study which aims to examine the best practices of AMS in terms of regional and national initiatives to implement the AFML recommendations, identify gaps where initiatives are lacking or absence thereof, and provide practical recommendations for AMS to implement on a voluntary basis into the five areas of concern: (i) education/information; (ii) protection; (iii) enforcement; (iv) recourse; and (v) reintegration. The expected findings will facilitate policy dialogues in key labour migration governance issues for the upcoming AFMLs as well as identify follow-up actions that can be part of the Action Plan 2018-2025 to Implement the ASEAN Consensus. Further attention is also needed to make the policies right-based and gender responsive. Further discussions will also be needed addressing the vulnerabilities of migrant workers magnified by the COVID-19 pandemic to build back better and to ensure protection of migrant workers in the post-crisis labour markets.

Outputs:

The expected outputs of this project includes the development of the inception report which outlines literature review, scope, methodology and timeline, and the final study report on the in-depth analysis of the AFML recommendations self-assessment results. Both reports will be submitted to ACMW for endorsement. Any recommendations stemming from the regional report will be implemented on a voluntary basis.

Specifically, the consultant will:

- Develop and finalise the inception report that would incorporate inputs/views of the ACMW and ASEC;
- Collect and analyse information and data obtained from the self-assessments of the AFML Recommendations and ASEAN Consensus as submitted by ASEAN Member States , as well secondary data to supplement information gap in the aforementioned self-assessment results, such as but not limited to: ILO Background Papers and Thematic Papers of AFML, other ILO reports; literature review of surveys, studies, and country data and information of ASEAN Member States from ministries' websites or official documents; information retrieved from the websites of ASEAN stakeholders; and outcome documents and presentations from labour-migration related events, particularly from the AFML preparatory meetings and ASEAN conferences;
- Conduct online interviews and/or surveys with relevant government agencies in AMS as deemed necessary to supplement gap of information in the self-assessment results of ASEAN Member States;
- Develop the draft study report;
- Review and finalise the study report that would incorporate inputs/views of the ACMW and ASEC;
- Participate at the validation workshop as a resource person to present the interim findings, facilitate discussions, and gather inputs from ACMW and other delegates. The summary record of the workshop shall be prepared by the consultant and finalised based on inputs from AMS; and

- Participate at the 15th ACMW Meeting and the 15th ASEAN Forum on Migrant Labour (AFML) in October 2022 as a resource person to disseminate the final findings and facilitate discussions.

The following deliverables are expected from the consultant with the timeline agreed by ACMW:

- Draft and final Inception Report, which outlines literature review, scope, methodology and timeline, among others;
- Information and data gathered from reliable secondary sources and online interviews and/or survey, if deemed necessary;
- Draft and final Study Report on the in-depth analysis of the AFML recommendations self-assessment results;
- Well facilitated validation workshop by the consultant including: preparation of agenda, acting as a resource person during the workshop, and preparation of its summary record; and
- Well facilitated session at the 15th ACMW and 15th AFML by the consultant acting as a resource person.

Management Arrangement:

Technical backstopping for the study is provided by ASEC and ACMW. The project is financially supported by SSN Fund. The project and its deliverables shall be consulted with ACMW for consideration and inputs. The inception report and the final study report shall be endorsed by ACMW. These consultations will be facilitated by ASEC.

All deliverables will be produced in English. The outcome of such analysis is to be made internal to ACMW only, unless AMS would decide otherwise in the future. Key stakeholders can make appropriate use of the study in line with its original purpose and with appropriate acknowledgement.

3.2 PROJECT REQUIREMENTS

Competency Requirements

- Postgraduate Degree in Social Sciences or other appropriate discipline related to the areas of work of the Project;
- At least 15 years of work experience in the field of labour migration and proven in-depth understanding in the field including but not limited to issues pertaining to the social protection and work conditions of migrant workers, return and reintegration of migrant workers, governance of labour mobility, as well as international standards and laws and regulation in the ASEAN region pertaining to the aforementioned issues;
- Strong record of research experience in the aforementioned fields. Samples of written work (publications, etc.) in the fields will be required as basis of consideration;
- Sound knowledge of ASEAN particularly on labour migration issues and preferably with experience working in some AMS;

- Proven ability to conduct research and develop comprehensive and evidence-based analysis and practical policy recommendations;
- Ability to work cooperatively with government officials of AMS and ASEC to deliver results;
- Experience working with workers and employers' organizations and/or migrant workers' associations, especially those of AMS;
- Ability to deliver quality outputs within the timeframe stipulated;
- Excellent English writing skills and communication skills including facilitation of discussions;
- Demonstration of openness to change and ability to manage complexities.

4 RFP REQUIREMENTS PROCESS

4.1 PROPOSAL SUBMISSION INSTRUCTION

- a. All proposals must be submitted in English.
- b. **Vendors should not include any financial/cost data in the Technical Proposal, but only in the separate envelope titled Financial Proposal. Failure to adhere to this will lead to disqualification.**
- c. The proposal should be concisely presented and structured, and should explain in detail the Vendor's availability, experience and resources to provide the requested services.
- d. Proposals must be submitted by the Closing Date and Time, as indicated in the RFP.
- e. Proposals that are incomplete or do not address the required criteria may not be considered in the review process.
- f. All communications with regard to this RFP shall be in writing and send to:

Procurement Unit
Administration and General Affairs Division
ASEAN Secretariat
Email : procurement@asean.org

4.2. CLOSING DATE AND TIME OF SUBMISSION OF PROPOSALS

All proposals must be submitted not later than **Wednesday, 8 December 2021 (extension)** by following options:

4.2.1. HARDCOPY

The Technical and Finance Proposals must be submitted separately in two different envelopes, in two sets i.e. original and a copy, to the following address:

Chairman of Sub-Committee on Tender
Administration and General Affairs Division
The ASEAN Secretariat
Jl Sisingamangaraja No.70A
Kebayoran Baru
Jakarta 12110
Indonesia

Compliance

In conformance to the ASEAN Secretariat's Financial Rules and Procedures (AFRP), the vendor shall submit Tender Bids in **two** sealed envelopes as follows:

1) First Envelope (Technical Proposal):

a. Technical Proposals (original and copy)

First Set, which shall consist, among others, of the technical specifications of the services to be procured; delivery schedule; manpower requirements; printed hardcopies of the duly filled Appendix 1 and 1a - Company General Information and Customer Reference; Appendix 2 – Technical Requirement and completed Compliance Checklist as per Appendix 4;

b. **Second Set**, which shall consist, among others, the company profile; business name registration issued by appropriate government agency; authority of signatory; valid business permit and other appropriate licenses; taxpayer identification number; latest audited financial statements;

2) Second Envelope (Financial Proposal):

Financial Proposal (original and copy) which shall consist of among others the bid amount; payments schedule; etc; duly filled Appendix 3 – **Price**

Any notices with respect to this RFP should also be mailed to the above contact and address.

All documents not submitted in English shall not be considered and quoted price in the hardcopy submission shall be in **US Dollar**

The ASEAN Secretariat may, after the closing date, request additional information or clarification of tenders in writing.

4.2.2 SOFTCOPY

The Technical and Financial proposals shall be sent separately to the following email address:

Chairman of Sub-Committee on Tender
Administration and General Affairs Division
Email: procurement@asean.org

Compliance

The softcopy of Technical and Financial proposals must be sent **separately** protected by a **different password** for each proposal in encrypted format at PDF/ZIP file.

1. Technical Proposals;

a. **First set**; which shall consist, among others, of the technical specifications of the services to be procured; delivery schedule; manpower requirements; printed hardcopies of the duly filled Appendix 1 and 1a - Company General Information and Customer Reference; Appendix 2 – Technical Requirement and completed Compliance Checklist as per Appendix 4;

b. **Second Set**; which shall consist, among others, the company profile; business name registration issued by appropriate government agency; authority of signatory; valid business permit and other appropriate licenses; taxpayer identification number; latest audited financial statements;

2. Financial Proposal:

Financial Proposal which shall consist of among others the bid amount; payments schedule; etc; duly filled Appendix 3 – **Price**

All documents not submitted in English shall not be considered and quoted price in the softcopy submission shall be in **US Dollar**

3. Do not mention the password in body email.

4. Inform the password only when the Procurement staff contact you to request it.

4.3. RFP TERMS & CONDITIONS

4.3.1. Bid Expiration Date

Received tender proposals shall be valid until 31 December 2021

4.3.2. Implementation/Delivery Schedule

December 2021-December 2022

4.3.3 Pre-Bid Meeting

No pre-bid meeting is required

The ASEAN Secretariat may, after the closing date, request additional information or clarification of tenders in writing.

Appendix 1
Company General Information
*To be submitted together in the **Technical Proposal***

Company LEGAL Name:			
Division or Subsidiary (if applicable):			
Company Address:			
City:			
Province / State:			
Country:			
Postal Code:			
Telephone:			
Business Name Registration:			
Tax Registration Number:			
Valid Business Permit:			
Company Contact:		Telephone no.:	
Title / Position:		Fax no.:	
E-Mail:			
Indicate number of years involved in similar business			
Are you a subsidiary of a financial institution? *If Yes, Please indicate your Holding Company			

Appendix 1a.
Customer Reference
*To be submitted together in the **Technical Proposal***

Customer Details	
Company name	
Company address	
Telephone number	
Fax number	
Contact name	
Email address	
Project title	

Customer Details	
Company name	
Company address	
Telephone number	
Fax number	
Contact bame	
Email address	
Project title	

Customer Details	
Company name	
Company address	
Telephone number	
Fax number	
Contact name	
Email address	
Project Title	

APPENDIX 2
Technical Requirements
To be submitted in the Technical Proposal

No	Description	ASEC Requirements	remarks
1	PROJECT APPROACH (ELABORATION OF METHODOLOGY TO OBTAIN THE DATA AND INFORMATION, CONDUCT THE ANALYSIS AND RECOMMENDATION)		Vendor to comply
2	INFORMATION ON HOW CONSULTANT'S EXPERTISE AND EXPERIENCE WOULD BE RELEVANT AND ADD VALUE TO THE PROJECT		Vendor to comply
3	INFORMATION ON CONSULTANT'S UNDERSTANDING OF ISSUES ON MIGRANT WORKERS IN ASEAN		Vendor to comply
4	RESUME	TO PROVIDE INFORMATION ON YEARS OF EXPERIENCE IN THE FIELD, RELEVANT EDUCATIONAL BACKGROUND, YEARS OF EXPERIENCE IN ASEAN REGION, YEARS OF EXPERIENCE WITH GOVERNMENTS (PREFERABLY, TO INCLUDE SOME OF THE ASEAN GOVERNMENTS).	Vendor to comply

APPENDIX 3
Price
To be submitted in the Financial Proposal

No.	Description	Unit	Price
1	Proposed total amount of consultancy fee with breakdown of costs based on the prescribed units	• Delivery of draft and final versions of the inception report • Delivery of draft full-fledged study report • Facilitation of validation workshop • Delivery of final version of the full-fledged study report and dissemination of findings at ACMW and AFML.	

APPENDIX 4

Checklist for the Completeness of Documents Submitted

The checklist must be used to ensure that you have provided all documentations for the tender.
The checklist must be signed and included in both envelopes of your proposals.

I. General Requirements

No.	Description	Checklist
1	Proposals shall be prepared in English	
2	Proposals are submitted in two different envelopes	
3	The envelope must be sealed and labeled accordingly. i. Technical Proposal ii. Financial Proposal	
4	Title of the tender shall be put on each envelopes	

II. Technical Proposal

No.	Description	Checklist
1	Technical Specifications of the service refer to the proposal	
2	All required information have been addressed accordingly	
3	Schedule of delivery	
4	Manpower/consultant requirement	
5	List of vendor's equipment (if any)	
6	Customer Reference Customer testimonials on the similar project	
7	Company profile	
8	Copy Company Legal Documents, i.e. i. Business Name Registration ii. Valid Business Permit iii. Tax Identification Number	
9	One original signed copy	
10	One copy of technical proposal duplicate	
11.	Latest audited financial statement	

III. Financial Proposal

No.	Description	Checklist
1	Offering is formulated in English	
2	Bid amount	
3	Payment schedule	
4	Authority of signatory	
5	One original signed copy	
6	One copy of Financial Proposal Duplicate	

APPENDIX 5
Template for the Proposal Envelope
First Envelope – Technical Proposal

**Company Name &
Address**

Technical Proposal - Title of the Tender

Chairman of Sub-Committee on Tender
Administration and General Affairs Division
The ASEAN Secretariat
Jl. Sisingamangaraja 70A
Jakarta 12110
Indonesia

Second Envelope – Financial Proposal

**Company Name &
Address**

Financial Proposal - Title of the Tender

**Chairman of Sub-Committee on Tender
Administration and General Affairs Division
The ASEAN Secretariat
Jl. Sisingamangaraja 70A
Jakarta 12110
Indonesia**