

**International Labour Organization (ILO)  
Better Work Bangladesh (BWB)**

## **TERMS OF REFERENCE**

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<b>Assignment:</b>	National consultant to conduct Social Compliance Assessment of RMG/Footwear factories
<b>Contract Type:</b>	External Collaboration Contract (Individual)
<b>Number of Collaborators:</b>	10 persons
<b>Location:</b>	Dhaka, Bangladesh
<b>Required languages:</b>	English and Bangla
<b>Duration of Contract:</b>	Fifty (50) working days over the period of September 2022 to June 2023 (The specific dates will be finalized after completion of recruitment and selection process). Each consultant will conduct and finalize 15 assessments (onsite/ virtual/Hybrid).

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### **1. Background**

The Improving Working Conditions in the Ready-Made Garment Sector– RMGP (BGD/13/09/MUL) funded by the Governments of Canada, the Netherlands and the United Kingdom and jointly implemented by Government of Bangladesh and the International Labour Organization (ILO). The programme has been addressing the challenges facing the ready-made garment industry and to secure lasting improvements to working conditions in Bangladesh. As a part of this programme, Better Work programme in Bangladesh (BWB) has been making a positive impact on the rights and the lives of workers, the business of enterprises and the socio-economic development of the countries. Better Work launched in Bangladesh in 2014, bringing the knowledge and expertise from other countries where it was already operating. BW programme's work relies on a comprehensive package of core services delivered to factories to create sustainable changes in their approach to compliance. These core service includes onsite/ hybrid factory assessment or virtual compliance check, advisory visits to promote social dialogue towards competitiveness, training and industry seminars.

Due to COVID-19 pandemic situation BWB has adjusted its factory facing service model in considering the health risk of its staff and enterprise workers and management. Where national health guidelines and factory conditions allow, BWB will continue to offer assessments through hybrid model meaning virtually and in person factory assessment, and virtual when required.

### **2. Objective of the assignment**

The external collaborator is expected to conduct the in person, hybrid and virtual assessment/ SLCP (Social and Labour Convergence Programme) and finalize the subsequent reports based on the given assessment tools, format, Compliance Assessment Tool (CAT)/ For SLCP - Converged Assessment Framework (CAF) quality criteria.

### 3. Scope of works

- Following BW assessment guidelines, conduct enterprise social compliance assessment/SLCP on the basis of BLA (Bangladesh Labour Act), BLR (Bangladesh Labour Rules), International Labour Standards and management systems at the enterprise level in teams with BWB existing Enterprise Advisors (EA);
- Maintain BWB Quality Assurance and Quality Check (QA & QC) standard of assessment and data confidentiality.
- Independently produce higher standard reports in English on assessments findings in congruence with BLA, BLR and core International Labour standards (Freedom of Association and Collective Bargaining -FoA & CB, Child Labour, Discrimination, Forced Labour) following given format and standard text.
- Follow BWB report writing process, guidelines, alignments, and instruction.
- Peer review the reports with assigned team members as part of the Better Work quality assurance system;
- Go through BWB report reviewing process and no report should have three (03) or more drafts on an average.
- All evidence (e.g. documents, photos, interview sheet etc.) supporting the findings should be archived following the BW, ILO procedures, and should be producible when required by the programme.
- Conduct onsite factory assessment, hybrid approach (mix of onsite and virtual) and virtual modality namely Virtual Compliance Check.
- Review reports as per assessment guidelines, quality standards, standard text set by Better Work Bangladesh.

### 4. Projected Deliverables

SL no	Deliverables	Expert days
A.1.	a. Attending in BW process orientation & in factory trial assessment /Hybrid/VCC; sample report writing, sample report review	05 days
A.2.	Conducting 15 VCC/Hybrid/onsite Assessment of the assigned factories.	30 days (15*2) (Subject to number of factories assigned for VCC/Hybrid and in person onsite assessment)
A.3.	Finalization of 15 VCC/Hybrid/Assessment reports (Report writing, submission, respond to the assessed factory's feedback and finalizations)	15 days (15*1) (Subject to number of factories assigned for VCC/Hybrid and in person onsite assessment)
	Total for conducting assessment and produce final report: Note: For a two-day assessment and final report production time allocation: a total of maximum 3 days	45 days
	<b>Grand total: A.1 +A.2+A.3</b>	<b>50 days</b>

### 5. Possible Locations of the Assessment :

- a. Savar, Gazipur, Mymensing, Chattogram, Naraynganj, Narsingdi, Cumilla, Magura, Tangail, Sirajganj etc.

The consultant may require staying in the nearby location of a factory at night during the assessment (approximately for 14 nights) as per the BWB location requirements.

### 6. Timeframe

September 2022 – June 2023. (Tentative)

## **7. Qualification criteria**

### **Educational qualification:**

University degree in Human Resource management/Business administration/Development Studies/ Social Science/Industrial Relations/law or other relevant fields, and or equivalent in experience.

### **Experience:**

At least five years of professional experience in social compliance assessment/auditing/verification/factory compliance inspection, social dialogue, directly involvement in worker & management interview process, producing assessment/audit reports and review reports.

**Certification:** Updated SLCP verification certificate is an added advantage.

### **Language:**

Excellent command of English spoken and written competence. Fluent in Bengali and/or the local language spoken by the workers in the export apparel industry in Bangladesh.

## **8. Competencies:**

- Good communications skills, both oral and written.
- Good analytical skills.
- Good knowledge of the Bangladeshi labour-related law and regulations.
- Good understanding of international labour standard (ILS).
- Good knowledge of industrial relation (IR).
- Well conversant and practical experiences in OSH particularly experiences in RMG Industry.
- Understanding of enterprise level human resource, production, and quality systems.
- Good understanding of corporate social responsibility and labour compliance issues in global supply chain.
- Self-motivated and ability to work as a team with existing BWB team members in an outcomes-based work culture as well as contributing to the work of a team.
- Experiences of virtual audit/assessment would be added advantage.
- Familiar with Social and Labour Convergence programme (SLCP).
- Ability to work on own initiatives as well as a member of a team. Ability to work under pressure and with minimal supervision.
- Strong understanding of principles of gender equality and principles of gender mainstreaming.
- Demonstrated ability to work and communicate with people in a courteous and cooperative manner, with high standards of ethical conduct.

## **9. Proposal Submission and Selection Process**

The ILO invites technical and financial proposals from qualified consultant having relevant experience in delivering similar services as mentioned in this Terms of Reference (TOR). The consultant will be chosen following ILO procurement rules/ procedure on evaluation by an ILO team of professionals and sign the Contract for the expected deliverables and outputs as per the TOR.

Cumulative Evaluation Method will be used for this procurement exercise and Contract will be awarded to highest scorer(s) in Cumulative analysis considering Technical and Financial Evaluation. The Technical proposal will contain 70% and financial proposal will contain 30% weight whereas Technical Evaluation passing score is 70%. Any candidate that score less than 60% in Technical Evaluation shall not be considered for financial evaluation.

**(a) Financial weighted score, out of 30:**

The maximum number of points assigned to the financial proposal is allocated to the lowest price proposal. All other financial proposals receive points in inverse proportion. The suggested formula is as follows:

$$p = y (\mu/z),$$

p = points for the financial proposal being evaluated,

y = maximum number of points for the financial proposal (here it is 30),

$\mu$  = price of the lowest financial proposal,

z = price of the financial proposal being evaluated

**10. Recommended presentation of proposal**

Interested consultant must submit the following proposal made up of documentation to demonstrate his/ her qualifications and to enable appraisal of competing bids. This should include technical and financial proposals, details of which are listed below.

**a. Technical Proposal:**

Technical proposal needs to present the following information and supporting documents.

1. Cover letter.
2. Competency Statement.
3. CV: Curriculum Vitae of an Individual Consultant and at least two (02) professional references.
4. Relevant Experience – Description of experience in government/Audit firm/brands/projects/fields of a comparable nature, with specific description of past assignments in related work.
5. Process - The Technical Proposal needs to contain a brief background, detail description of methodology and a detailed work plan and time schedule for completion/ delivery of the final product that, after selection of the consultant, will be agreed upon by the Project.
6. A sample of previous social compliance assessment/audit conducted and prepared by the applicants (unanimous report also acceptable when applicant have any reservation to share the soft copy)

**b. Financial Proposal:**

1. Financial Proposal shall specify a total lump sum amount that includes professional fees for total 50 days (All-inclusive per day consultancy fee) in alignment with proposed work plan and outputs.
2. Requirement for travel and visit factory site to do such activity in **Savar, Gazipur, Mymensing, Chattogram, Narayanganj, Narsingdi, Cumilla, Magura, Tangail, Sirajganj etc.**(approximately for 14 nights). ILO will provide required DSA for 14 nights per ILO policy **BDT 7,390** per night (July 2022 DSA rate) and 01 air fare for Chattogram travel (both way). No other cost will be borne by the ILO. Transportation Financial Proposal must be submitted through a standard template attached herewith (ANNEX-01).

Travel expenses Rent a Car for Outside Dhaka (ILO will provide the car)

3. In order to assist ILO in the comparison of financial proposals, the financial proposals will include a breakdown of this amount
4. disclosing the key assumption employed in costing the tasks. The cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.

## 11. Evaluation Criteria and Score

- a. The technical evaluation will be made by below criteria (for application screening purpose):

<b>Technical Evaluation criteria</b>	
1. Experience in conducting assessment/auditing/factory compliance inspection, social dialogue, directly involvement in worker & management interview process, producing reports and review reports	
1.1. 5 to 07 years' experience of conducting similar assignment	
1.2. More than 10 years' experience of conducting similar assignment	
2. Required Academic Qualification	
3. Experience in working with 05 thematic areas Industrial Relation (IR), Occupational Health and Safety OSH), Human resource (HR), Bangladesh Labour Law (BLL), International Labor Standard (ILS)	
i. Industrial Relation (IR)	Yes/No
ii. Occupational Health and Safety OSH)	Yes/No
iii. Human resource (HR)	Yes/No
iv. Bangladesh Labour Law (BLL)	Yes/No
v. International Labour Standard (ILS)	Yes/No
4. Any audit/assessment related certification (i.g. ISO, BSCI, WRAP, SA 8000) will add value.	
5. Gender, diversity and inclusion	
6. Familiar with Social Labour Convergence Program (SLCP)	
7. Experiences of virtual audit/assessment	
8. Attached competency statement (Mandatory)	
9. Interview (Virtual/In person) after primary screening	

## 12. Client and users of the report

BW, ILO and its relevant stakeholders.

## 13. Special terms and conditions

- a. Confidentiality Statement and Intellectual Property of Data:** The documents translated under this contract are the property of ILO. Therefore, the consultant cannot use these without permission of the ILO.
- b. Unsatisfactory or incomplete work:** For the assignment, the ILO's Standard Rules and Procedure for external collaboration contract shall be applicable. In event that the service delivered is unsatisfactory or fails to conform to the conditions set out above, the ILO reserves the right, as appropriate to interrupt it, to request that it be corrected or modified, or to refuse to accept the service.
- c. Insurances:** The ILO accepts no liability in the event of death, injury or illness of the External Collaborator. The External Collaborator attests that he/she is adequately covered by insurance for these risks. In no circumstances shall the External Collaborator be covered by any ILO insurance, and it is his/her responsibility to take out, at his/her own expense, any personal insurance policies he/she may consider necessary, including a civil liability insurance policy.

**d. Confidentiality:**

The consultant is expected to maintain full confidentiality of Better Work, ILO assignment details, general BW procedure and guidelines, and ensure that the BWB anti-bribery policy is strictly followed. The consultant is also expected to maintain transparency with BW, ILO

**e. Reporting**

Programme Manager, BWB and Team Leader, BWB

**14. Payment Terms and Conditions:**

The National Consultants will pay as per the below payment schedule.

**1st Payment:** 25% payment will be made after completion of 04 Assessments, report finalization and submission to ILO along with five (05) days process orientation fees with satisfaction and excepted by the ILO and sub sequent submission of invoice.

**2nd Payment:** 25% payment will be made after completion of 04 Assessments, report finalization and submission to the concern unit with satisfaction and excepted by the ILO and sub sequent submission of invoice.

**3rd Payment:** 25% payment will be made after completion of 04 Assessments, report finalization and submission to the concern unit with satisfaction and excepted by the ILO and sub sequent submission of invoice.

**Final Payment:** 25% payment will be made after completion of 03 Assessments, report finalization and submission to the concern unit with satisfaction and excepted by the ILO and sub sequent submission of invoice.

- a. The consultant needs to submit a summary of deliverables when requested for bill payment.
- b. In addition, DSA onsite factory visit will be provided as per BWB, ILO Policy when required night stay.
- c. Vehicle support for the factory visit will be provided by ILO during visit as per BWB, ILO Policy

**15. Other logistic support and condition:**

The ILO shall NOT provide office space in Dhaka/other places and necessary logistics (like Laptop, Cell Phone, Printer, internet service, lunch allowance, Paper, local travel for home to ILO office to home, etc.) to carry out day-to-day jobs of the consultant.

**16. ILO's responsibilities**

The responsibility of the ILO will be to

- a. Provide all the documents and other related literature of ILO available as relevant to the task.
- b. Assist in coordination with relevant stakeholders when required.
- c. Review progress of the work and provide feedback as necessary.
- d. Organize the required review discussion meeting.
- e. Ensure payment of agreed amounts, based on performance.
- f. Any other tasks/supports as required and agreed by the ILO.

### **17. Proposal submission:**

Interested applicants are requested to share at least two conducted sample assessment/audit reports & describe uses methodology of assessment (unanimous format) and the electronic copy of the documents complement the evaluation criteria/TOR along with your technical proposal. Candidate must submit the Technical and Financial Proposals in **two separate sealed envelopes** mentioning "Technical Proposal" and "Financial Proposal" on the top of the envelopes.

The proposals in hard copy with a cover letter to be submitted by **24 August 2022 within 4:30 pm** (Bangladesh Standard Time) to:

#### **ILO Country Office for Bangladesh**

PPD Secretariat Office Complex,  
2<sup>nd</sup> floor, Block-F, Plot-17/B&C,  
Agargaon Administrative Zone, Sher-e-Bangla Nagar,  
Dhaka-1207, Bangladesh

**Or,**

you can send your quotation in two separate files ("Technical Proposal along with required supporting documents" and "Financial Proposal") at: [BW\\_BID\\_DHAKA@ilo.org](mailto:BW_BID_DHAKA@ilo.org) by **24 August 2022 within 4:30 pm** (Bangladesh Standard Time).

**Clarifications/Questions:** If any potential individual has any query about the TOR, that has to be forwarded to the ILO through email ID: [BW\\_BID\\_DHAKA@ilo.org](mailto:BW_BID_DHAKA@ilo.org) by 10 August 2022, 4:30 pm (Bangladesh Standard Time). We will response your query by 14 August 2022, 4:30 pm (Bangladesh Standard Time).

*Proposers who shall not submit these documents shall not be considered for further evaluation.*

*The ILO promotes equal opportunities for women and men to obtain decent and productive employment in conditions of freedom, equity, security, and human dignity.*

**ANNEX-01**

**BREAKDOWN OF COSTS  
SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL**

**A. Breakdown of Cost by Components:**

<b>Cost Components</b>	<b>Quantity</b>	<b>Unit Cost in BDT</b>	<b>Total Cost in BDT</b>
<b>I. Personnel Costs</b>			
Professional Fees	50 working days		
DSA	14 nights		
Airfare (both way)	1 visit		
<b>II. Other expenses (if any)</b>			
<b>Grand Total in BDT</b>			