



MINISTRY OF FINANCE AND THE PUBLIC SERVICE

TERMS OF REFERENCE

**CONSULTANCY SERVICE
FOR:**

**Consultant to Develop a Strategy for the Establishment of an
Accreditation Based Conformity Assessment System (ABCAS) in
Jamaica**

December 2019

**STRATEGIC PUBLIC-SECTOR TRANSFORMATION PROJECT
IBRD LOAN NO.: 8406-JM**

1.0. Background:

The Bureau of Standards Jamaica (BSJ) serves the dual function of (i) the National Standards Body and (ii) the National Metrology Institute of Jamaica while also being the main player in the provision of conformity assessment in the areas of calibration and testing. The standards, metrology and conformity assessment functions make the BSJ the main organization in the National Quality Infrastructure (NQI). The fourth pillar of the NQI is the National Accreditation Body known as the Jamaican National Agency for Accreditation (JANAAC). The BSJ and JANAAC fall within the portfolio responsibility of the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAFA) which is the Ministry with responsibility for matters to do with national standards and quality. Prior to 2015 the BSJ also functioned as an inspection and enforcement agency and this was seen as the predominant function of the BSJ. Since then the BSJ has restructured its operations to become a trade facilitator and business enabler through the provision of standards and quality services. The restructuring saw the establishment of the NCRA to take on the regulatory functions previously carried out by the BSJ. The NCRA is also within the portfolio responsibility of MICAFA.

With these changes, the BSJ is positioned to facilitate business development, growth and efficiency through the application of standards and quality practices in line with international best practices. The repositioned BSJ is now better able to assist businesses through the development, promotion and use of standards. The value adding services such as training, testing, label assessment, calibration, consulting and client services etc as well as certification through the NCBJ form part of the new direction of the agency and this change is expected to yield significant benefits to the local business community, as the use of standards is vital for improving innovation, quality, consistency and business competitiveness. The separation of the functions was also necessary for the country's compliance with the World Trade Organization (WTO) Technical Barriers to Trade Agreement.

Regulatory activity and its attendant conformity assessment processes and procedures make up an important part of a country's system of ensuring the safety of goods and services consumed within its jurisdiction. In this regard, the Government of Jamaica seeks to ensure adherence to regulations, standards and guidelines for safe goods and services, typically through the use of conformity assessment systems and procedures as well as, acceptable regulatory practices.

When Jamaica's regulatory and conformity assessment processes, practices and competences are internationally recognized and accepted, the local producers of goods and services will find it easier to access foreign markets while quality goods and services

produced overseas will also have easier access to the Jamaican market. This facilitates free trade and leads to faster and more sustained economic growth.

Conformity assessment activities such as sampling, testing, inspection and certification, are closely associated with standards and are often prescribed in regulations. They provide the consumer or end user with a measure of confidence in the products and services being offered for consumption. For this reason, conformity assessment has become a critically important requirement for successfully conducting business in the global marketplace.

Accreditation is the means through which a conformity assessment body is independently declared to be competent in performing their prescribed activities in accordance with a standard. Although accreditation is voluntary, it may be used as a means of demonstrating compliance with a regulation or conformance with a standard, and in either case, accreditation increases trust in conformity assessment. It reinforces the mutual recognition of products, services, systems, and bodies across the country and in the global market place. It is important therefore for the Government of Jamaica, through MICAF to develop and implement a strategy to build an Accreditation Based Conformity Assessment System (ABCAS) for Jamaica.

2.0. Introduction:

The Government of JAMAICA (GOJ) has embarked on a programme of rationalisation and transformation of key areas of the public sector which are critical to enhancing competitiveness and growth. In doing so, the GOJ aims to create an enabling environment for the private sector and also fulfill the critical task of protecting the well-being and health of consumers. The intent of government is to enable certain key agencies to become technical service providers in accordance with international good practices. To that end the GOJ, through the Ministry of Finance & the Public Service, entered into agreement with the World Bank to finance initiatives under the Strategic Public Sector Transformation Project (SPSTP). The Project Development Objective (PDO) is to strengthen public resource management and support selected public sector institutions in facilitating a more enabling environment for private sector growth.

Under component 5 of the project, the Government intends to develop and implement a strategy for building an ABCAS for Jamaica. This will improve free trade in quality Jamaican goods and services and assist regulators in ensuring the safety of goods and services traded locally and internationally. Such a system will also bring Jamaica in line with international best practice as the regulators in target markets will only accept Conformity Assessment results from bodies which are accredited to provide those results, making ABCAS vital to international trade, as well as, informing critical decision-making affecting health and safety.

Currently there are some public Conformity Assessment Bodies in Jamaica that may not be able to sustain their accreditation due to many different factors. As such there is need for considerations to do with restructuring/rationalizing of these entities, to ensure that the conformity assessment functions are carried out with appropriate accreditation.

3.0. Services Required:

The Government through MICAF and with the cooperation of the institutions within the NQI is seeking to engage a consultant to develop the strategy for building out Jamaica's Accreditation Based Conformity Assessment System. The strategy shall include considerations for rationalizing/restructuring of conformity assessment bodies to optimize the use of existing infrastructure/ resources/tools ensuring that the ABCAS is implemented in the most economical and structurally efficient way. The Government also aims through this engagement to encourage the private sector to become more involved in the provision of conformity assessment services in Jamaica

4.0. Objectives of the Assignment:

The objective of this assignment is to prepare a strategy for establishment of an ABCAS in Jamaica. A consultant will therefore be engaged to:

1. Assist the Government to develop the strategy for building Jamaica's ABCAS to include;
 - *devising ways to rationalize conformity assessment bodies and better utilize available infrastructure, equipment and other resources in the public sector;*
 - *Increasing involvement of the private sector in the provision of Conformity Assessment Services*

5.0. Scope of Services:

Specifically, the scope of work in developing the strategy(ies) to establish Jamaica's ABCAS will involve:

- i. Determining the number and scope of responsibilities of the public sector Conformity Assessment Bodies (CABs) operating in Jamaica. This requires a determination of the Legislations, Regulations, Policies, Agreements etc for which the CAB exists and whether they are executing their full scope of responsibility. [Noting any multi-functional CABs i.e. those providing more than one of the following: sampling, testing, inspection, certification (product or system), calibration]

- ii. Determining the extent to which national, regional and international standards form the basis of / are used in Conformity Assessment (CA) activities
- iii. Determining the number and scope of responsibility of the private Conformity Assessment Bodies operating in Jamaica. [Noting any multi-functional CABs]
- iv. Performing an impact assessment of the services provided by the different CABs by considering the risks and the exposure of the population etc. This requires knowledge of the number of assessments carried out by the CAB per year/month/week and the levels of compliance observed.
- v. Assessing the efficiency and effectiveness of the CABs in executing their functions by examining, inter alia:
 - Staff competences
 - Under-utilized personnel
 - Objectivity of assessments
 - Equipment or devices used
 - Under-utilized equipment
 - Equipment maintenance status
 - Equipment calibration status
- vi. Determining overlaps of CA services between public entities and any required CA service not being provided by any CAB
- vii. Assessment of CABs' knowledge of accreditation, its value and importance and the need for sensitization of the CABs
- viii. Determining the structural, technical assistance and human resources needs of CABs to gain and sustain accreditation including any rationalization or consolidation as may be deemed necessary or expedient.
- ix. Developing strategy to communicate to various stakeholders, the relevance, importance and value of conformity assessment, accreditation and the ABCAS in realizing the national development goals
- x. Assisting MICAF, JANAAC and BSJ in determining the adequacy of their structure, capacity and competence to provide the levels of assistance required by CABs in their processes towards accreditation (as may be appropriate)
- xi. Assisting MICAF and other ministries to bring all public conformity assessment bodies in their portfolios in line with ABCAS requirements

- xii. Developing, through appropriate consultations, strategy(ies) to increase private sector involvement in developing Conformity Assessment Bodies
- xiii. Preparing a comprehensive ABCAS strategy document for MICAF to seek approval from Cabinet for its implementation. The strategy document must include considerations and directions based on the results of all activities in the scope of this assignment and must provide details of findings, issues, risks and mitigation strategies, financial considerations, recommendations, plan of action and tracking/monitoring and evaluation systems as well as the stakeholder information, education and consultation approaches required for the implementation of the ABCAS.
- xiv. Providing a comprehensive final report on the assignment.

6.0. Methodology:

The selected Consultant is expected to demonstrate accepted approaches and best practice in developing the strategy for Jamaica’s ABCAS and should employ various appropriate approaches and facilitation methods to build understanding and consensus among CABs, in a spirit of respectful collaboration and support. It is important that the selected Consultant should in reporting, point out any inherent and/or salient risks and appropriate mitigation strategies.

7.0. Deliverables:

The deliverables under this engagement are as specified in the table below. All documents/reports submitted must conform to the following minimum standards:

- a) should use language appropriate for a non-technical audience;
- b) should be comprehensive, properly formatted and well presented;
- c) should be developed through a consultative process, ensuring feedback from key stakeholders.

7.1 The key deliverables under this engagement are as specified in the table below:

Key Deliverables	Performance Standards
1. Inception Report Work plan	Inception report and comprehensive overall work plan detailing, the approach/methodology and timeline for activities under this assignment.
2. Report on audit/ assessment of	Comprehensive report of activities undertaken as detailed in the

CAB activities	scope of works at 5.0. items (i – iii).
3. Report on assessment activities as indicated	Comprehensive report of activities undertaken as detailed in the scope of works at 5.0. items (iv – vi).
4. Assessing and advising, guiding and devising strategies as indicated	Comprehensive report of activities undertaken as detailed in the scope of works at 5.0. items (vii – ix).
5. Providing advice and strategies as indicated	Comprehensive report of activities undertaken as detailed in the scope of works at 5.0. items (x – xii).
6. Preparing and presenting overall ABCAS Strategy Document	Comprehensive document as detailed in the scope of works at 5.0 item (xiii)
6. Prepare and present final report as indicated	Comprehensive report of activities undertaken as detailed in the scope of works at 5.0. item (xiv).

7.2 “Sign-off” Procedure

The Consultant, will collaborate with the Technical Coordinator Component 5 to ensure the deliverables align with the objective of this assignment. The Technical Coordinator Component 5, SPSTP will review and authorise acceptance on all deliverables produced. Sign off on invoices for payment will be done by the Technical Coordinator, Component 5, followed by authorisation by the Project Manager.

7.3 Variations

All proposed changes to the deliverables must be discussed with the Technical Coordinator Component 5 and approved by the Project Manager as advised by the Procurement & Administrative Manager, SPSTP. Revisions to the TOR may be accommodated through mutual discussion and agreement with the parties within the SPSTP as detailed above.

8.0. QUALIFICATIONS AND TECHNICAL EXPERTISE REQUIRED

Qualifications:

- A First Degree in Engineering, or Physical Sciences

General professional experience:

- Minimum 10 years, of relevant professional experience in the area accreditation, standards, metrology or conformity assessment

Specific professional experience:

- Minimum 10 years as a consultant involved in National Quality Infrastructure (NQI) activities
- Minimum 5 years working experience with involvement in the accreditation process in a national accreditation body
or
Minimum 5 years' experience as an assessor for a national accreditation body.
- Minimum 3 years' experience as lead assessor for a national accreditation body
- Experience in team leadership in at least 3 consultancy contracts
- Minimum 5 years' experience working with the appropriate ISO 17000 standards which detail the accreditation requirements for conformity assessment bodies.

9.0. Conditions:

The consultant is expected to provide his/her own tools & resources to undertake this assignment; where necessary the client will provide a venue for meetings and or consultations. Office space may be made available during the conduct of the assignment. All proprietary materials and documents accessed during the conduct of this consultancy shall not be used by the consultant for any other purpose than for the effective conduct of this assignment, unless expressly authorized in writing by the client.

10.0. Commencement Date and Period of Execution:

The Consultant is expected to produce his/her deliverables under this assignment in 80 days over a 6-month period, commencing in early 2019.

11.0. CHARACTERISTICS OF THE CONSULTANCY

Type of Consultancy:	Individual Consultant
Duration of Contract	80 days over 6 months
Type of Contract:	Fixed Price Contract
Payment Responsibility	MOFPS, SPSTP Project Office
NB: The contract amount includes all costs related to undertaking the consultancy.	

12.0. Evaluation Criteria:

- Qualification 30%
- General professional experience 20%
- Specific professional experience 50%