



**REQUEST FOR PROPOSALS
CONSULTANT FOR THE ROLE OF ADVISOR
FOR THE NUMBER PORTABILITY WORKING
GROUP**

ISSUE DATE: 16 DECEMBER 2011
RESPONSE DEADLINE: 30 DECEMBER 2011

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1. INTRODUCTION

- 1.1 On 8 December 2011, the Utilities Regulation and Competition Authority (URCA) appointed a joint Industry/Regulator working group to deliberate on and make recommendations to URCA on several matters relating to Number Portability (NP) in The Bahamas and to work together with URCA in achieving the implementation of Number Portability in The Bahamas consequent to URCA's proposals set out in the Statement of Results on Number Portability – ECS 20/2011, published on 16 November 2011.
- 1.2 URCA now wishes to engage the services of a suitably qualified consultant to provide expert advice and assistance to the Number Portability Working Group (NPWG) to enable the NPWG to meet its deliverables within timeframes set by URCA in consultation with the NPWG.
- 1.3 The Consultant will function as an Advisor to the NPWG, reporting to the Chair of the NPWG and the URCA project lead designated by URCA.
- 1.4 The Consultant, which may be an individual or a firm, must have expert knowledge of the issues involved in the implementation of Fixed and Mobile Service Provider Number Portability, and experience in the implementation of Number Portability in other jurisdictions, preferably with similar characteristics to The Bahamas.
- 1.5 This Request for Proposals defines the objectives and deliverables along with the parameters within which these objectives and deliverables are to be achieved.
- 1.6 **INTERESTED CONSULTANTS ARE ADVISED TO NOTE CAREFULLY THE TIMEFRAME FOR RESPONSES TO THIS REQUEST FOR PROPOSALS WHICH MUST BE STRICTLY ADHERED TO. URCA ADVISES THAT BASED ON THE NPWG DELIVERABLES, THE SELECTED CONSULTANT MUST BE AVAILABLE TO BEGIN PROVIDING SERVICES BY 12 JANUARY 2012.**

2. SUBMISSION OF PROPOSALS

- 2.1 Consultants are required to submit their proposals in electronic (adobe pdf) format via email to:

Kathleen Smith
Director of Policy and Regulation
Utilities Regulation and Competition Authority
Nassau, Bahamas

Email: info@urcabahamas.bs

- 2.2 **The subject of all email submissions should be “RFP for Number Portability Consultant” and emails must be received by URCA by no later than 5:00 pm on 30 December 2011.**

3. BACKGROUND

- 3.1 The Bahamas is an archipelago nation consisting of some 700 islands and cays. The population of The Bahamas is approximately 353,658 with the islands of New Providence and Grand Bahama accounting for 70.39% (248,948) and 14.63% (51,756) of total population (353,658), respectively. The island of Abaco represents 4.72% (16,692) whilst the remaining 10.26% is largely scattered across 10 to 20 smaller islands and cays.
- 3.2 The legal architecture for regulation and competition in the Electronic Communications Sector (“ECS”) has undergone significant reforms with the enactment of¹:
- the Communications Act, 2009 (“the Comms Act”);
 - the Utilities Regulation and Competition Authority Act, 2009 (“the URCA Act”); and
 - the Utilities Appeals Tribunal Act, 2009 (“the UAT Act”).

All segments of the ECS have been liberalized with the exception of mobile voice and mobile data services².

- 3.3 The URCA Act established URCA as the converged sector regulator and competition authority for electronic communications networks and carriage services.³ The Comms Act grants URCA wide ranging powers to regulate licensees operating in the sector. Section 80(1) of the Comms Act requires URCA to issue a consultation and make a determination on number portability, while section 80(2) requires licensees to provide to the extent technically feasible operator to operator number portability when required to do so in accordance with the requirements prescribed by URCA.
- 3.4 Consistent with s.80(1) of the Comms Act, on 15 April, 2011 URCA issued a Consultation Document entitled Number Portability for The Bahamas (ECS 8/2011) in which URCA invited comments on the key issues which need to be determined in respect of Number Portability.
- 3.5 URCA received and considered the comments received and issued its Statement of Results on Number Portability (ECS 20/2011) on November 16, 2011. The Statement of Results expressed definitive positions on several issues, including the decision that

¹ These documents are available at www.urbahamas.bs.

² The Communications Act was amended in April 2011 to provide for an extended mobile exclusivity period for BTC. See the Communications (Amendment) Act 2011.

³ Telecommunications, broadcasting (including pay TV), and radio frequency spectrum.

Service Provider Number Portability should be implemented in The Bahamas for fixed networks as soon as feasible, and for mobile networks in time for the introduction of competition (which is currently anticipated no earlier than 2014). Many of the issues, however, were deferred pending further deliberations and recommendations by the NPWG.

- 3.6 The aforementioned URCA documents are available at the “Publications” tab of URCA’s website (www.urbahamas.bs).
- 3.7 Pursuant to the positions taken in the Statement of Results, URCA appointed the NPWG to deliberate on the deferred issues, and held the initial meeting of the NPWG on 8 December, 2011. The NPWG is comprised of four representatives from URCA (one of whom is its Chair) as well as two representatives from each of the Bahamas Telecommunications Company Limited (BTC), Cable Bahamas Limited (CBL) and IP Solutions International Limited (IPSI) which are the three operators in The Bahamas who have been issued telephone numbers under The Bahamas National Numbering Plan (ECS 17/2011). Only BTC and CBL currently provide fixed services in The Bahamas.
- 3.8 URCA has indicated to the NPWG that it intends to engage the services of a Consultant as an Advisor for the work of the NPWG, with the intention that the Advisor will:
 - i. Provide the NPWG technical and other experience and expertise in the regulatory and industry matters relating to the implementation of NP;
 - ii. Assist the Chairman and Project Lead in monitoring progress and ensuring completion of deliverables by the NPWG;
 - iii. Assist URCA and the NPWG in monitoring progress by Licensees in NP implementation; and
 - iv. Assist in ensuring that the NPWG has the technical and other expertise to achieve its mandate.

4. PRINCIPAL TASKS

- 4.1 As mentioned above, the assignment as defined in this Request for Proposals is intended to secure the services of a suitably qualified consultant to facilitate the work of the NPWG in its tasks, which are:
 - i. Making recommendations to URCA on aspects relating to Number Portability;
 - ii. Acting as a forum for ensuring the effective implementation of NP within deadlines set by URCA in consultation with the NPWG;
 - iii. Providing a forum for discussion, cooperation and interworking between operators in the implementation of NP.
- 4.2 Accordingly, the consultant is required to:

- i.* Attend all meetings of the NPWG, either in person or via videoconference, as well as attend meetings of sub-groups that may be appointed by the NPWG on particular matters relating to NP from time to time as may be required.
- ii.* Provide feedback on written proposals, notes and minutes as required by the Chair or project lead.
- iii.* Provide the NPWG technical and other experience and expertise in the regulatory and industry matters relating to the implementation of NP. Such expertise should include, but is not limited to:
 - a.* Providing precedents of relevant documentation,
 - b.* Making recommendations of technical and other solutions based on identified needs; and,
 - c.* Identification and recommendation of international best practices relating to NP where appropriate.
- iv.* Upon request, provide technical and other expert assistance to URCA on any regulatory measures which URCA is required to make in relation to Number Portability.
- v.* Assist the Chairman and Project Lead in monitoring progress and ensuring completion of deliverables by the NPWG, including:
 - a.* Assessment of proposals by operators, vendors and URCA in relation to NP activities to advise on technical and economic feasibility, recommended timeframes, and to identify possible challenges.
 - b.* Assistance in preparing relevant tender documents, contracts and other documentation relating to acquisition of NP services and solutions.
- vi.* Assist URCA and the NPWG in monitoring progress by Licensees and NP Vendors in NP implementation, including but not limited to:
 - a.* Identification, recommendations and assistance with proactive methods of monitoring progress by operators and vendors with deliverables.
- vii.* Assist in ensuring that the NPWG has the technical and other expertise to achieve NP implementation within the timeframes established.

4.3 It is envisaged that the consultant’s engagement will continue until the implementation of Fixed Service Provider Number Portability, though URCA reserves the right to terminate the engagement at any time, subject to payment of outstanding fees and expenses.

5. PROPOSALS AND QUALIFICATIONS

5.1 Proposals must contain at a minimum:

- (i) Based on the nature of the engagement, it is envisaged that proposals would identify a single expert as the Principal Consultant who would act as an Advisor

to the NPWG. That person must have adequate personal knowledge and expertise of NP implementations, though the Advisor would have access as necessary to additional expertise as required to provide technical or other support.

- (ii) Proposals must provide details of all individual consultants expected to contribute, with their CVs attached and the particular skills each would be expected to contribute to the process.
 - (iii) A description of similar assignments undertaken by the consultant including jurisdiction, client name, scope of work done, and contract value. The consultant should also provide the name and contact details of persons in each jurisdiction mentioned who could be contacted by URCA in relation to the assignment undertaken.
 - (iv) Details of the relevant skills, knowledge, and experience of experts to be committed to the process (both on a firm, and per individual basis). URCA requires that the principal consultant who is engaged as the Advisor has specific knowledge and experience of NP implementation in other jurisdictions with similar characteristics to The Bahamas.
 - (v) A sample work-plan based on the NPWG's activities as outlined in the Statement of Results (ECS 20/2011), outlining work-plan dates for completion of tasks to meet URCA's deadlines should be submitted for review.
 - (vi) A proposal including daily and hourly rates of all consultants, based on seniority and expertise, as well as an estimated total fee for the engagement (based on the work-plan proposed under iv above). This should be transparent so that it is possible to work through each individual's rates, number of man-days to be spent on the work, and fee estimate per person.
 - (vii) Estimate of expenses, where applicable, including airfares and hotels depending on the need for time on the ground, industry engagement and training.
 - (viii) Proposed payment terms. URCA prefers that professional fees be payable in arrears within thirty (30) days of invoice. Invoices should be issued based on specific deliverables of the NPWG. Travel related expenses should, where possible, be met directly by URCA or should be invoiced on a recovery basis once already incurred.
- 5.2 Consultants shall disclose to URCA any potential or perceived conflict of interest issues together with their proposals. In addition, any potential or perceived conflict of interest which arises at any time following submission of proposals should be disclosed to URCA as soon as it arises. In particular, URCA must be aware of any connections with any URCA licensee in The Bahamas or its affiliates, and any interest in any vendor of NP solutions or equipment.
- 5.3 All proposals should remain valid for at least 45 days, though as noted above URCA expects to complete its evaluation in early January 2012. URCA reserves the right to

accept or reject any proposal. In the event that URCA may not be able to successfully negotiate a contract with the best evaluated bidder, it may proceed to the second ranked bidder.

- 5.4 All fees and expenses must be denominated in United States Dollars or Bahamian Dollars.
- 5.5 All requests for clarification and/or additional information should be in writing. URCA may issue addenda to this RFP to address any questions or requests for clarification.

6. PROJECT TIMESCALES AND DELIVERABLES

- 6.1 It is envisaged that the consultant's engagement will continue until the implementation of Fixed Service Provider Number Portability, which URCA has proposed should be achieved by no later than 64 weeks from the 8 December 2011. URCA reserves the right to terminate the engagement at any time, subject to payment of outstanding fees and expenses.

7. EVALUATION CRITERIA

- 7.1 Proposals will be evaluated by a committee made up of URCA professional staff.
- 7.2 The Evaluation committee will make recommendation to URCA's Board which will make the final decision.
- 7.3 Proposals will be evaluated based on price (40%) and technical expertise (60%).
- 7.4 Technical criteria consist of, *inter alia*:
 - 7.4.1 The Principal Consultant and the Firm's relevant knowledge and expertise in the required area.
 - 7.4.2 The Principal Consultant and the Firm's experience of the implementation of Number Portability (specify fixed and mobile) in other jurisdictions with similar characteristics to The Bahamas.
 - 7.4.3 The proposed project plan and adherence to timeframe specified for completion.
- 7.5 The technical criteria will be assessed both on a firm, and per individual basis with a focus on the Principal Consultant.

- 7.6 Financial criteria consist of the level of fee estimates and the consultants' hourly rates, based on level of effort and seniority of consultants.
- 7.7 URCA shall not be bound to accept the lowest or any proposal. In the event that URCA, in its sole discretion, decides to reject all proposals or cancel this process (with or without reissuance of the RFP) it may do so without any liability to any bidder.

8. FORM OF AGREEMENT

- 8.1 It is expected that services shall be performed on the basis of a contract to be agreed between URCA and the successful consultant. In the event that agreement cannot be reached URCA reserves the right to end negotiations and select an alternative applicant.