



## **REQUEST FOR PROPOSALS (RFP)**

### **REVIEW OF ORGANISATIONAL STRUCTURE – FAIR TRADING COMMISSION - BARBADOS**

#### **Background**

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The Fair Trading Commission “the Commission” was established on January 2, 2001 through the Fair Trading Commission Act, CAP. 326B (FTCA). The Commission is a regulatory body empowered through the FTCA to administer the Utilities Regulation Act, CAP. 282 (URA), the Fair Competition Act, CAP. 326C (FCA) and the Consumer Protection Act, CAP. 326D (CPA). The Commission also administers some aspects of the Telecommunications Act, CAP 282B, The Barbados Water Authority Act, 274A and the Electric Light & Power Act, (ELPA) 2013-21.

In fulfillment of its mission under the URA, the Commission regulates the Barbados Light and Power Company Limited (BL&P), Cable and Wireless (Barbados) Ltd. (C&W) and the Barbados Water Authority (BWA). This regulatory oversight is maintained principally through the periodic review of rates and monitoring of the utilities’ performance under their Standards of Service. The responsibilities of the Commission, in respect of electricity, have expanded under the new Barbados National Energy Policy (BNEP) and recent amendments to the URA. In 2019 the Cabinet of Barbados also approved the expansion of the Commission’s telecommunications oversight to include the establishment and monitoring of quality of service within the mobile and broadband sectors.

Consumer education, as mandated by legislation, has been paramount throughout the Commission’s existence. Therefore, ongoing targeted outreach informs the public of their rights and commensurate responsibilities under the legislation administered, specifically the CPA. The Commission recognizes that there must be a paradigm shift in order to take the strategic focus beyond moral suasion, voluntary redress and public education and is repositioning itself to assert its enforcement powers.

The Consumer Protection Division has responsibility for the following:-

- Education – Public, businesses and schools;
- Investigation – Complaints to attain redress for the populace of Barbados;
- Research – Consumer issues;
- Continued consultation with consumers, industry players and stakeholders; and
- Collaboration with regional and international consumer protection agencies in research and discussion on consumer protection law and policy.

In discharging its responsibilities under the FCA, the Fair Competition Division reviews mergers and investigates allegations of anticompetitive behaviour to ensure that there is no abuse of dominance.

The Fair Competition Division also has the responsibility to:-

- Educate and inform businesses and consumers on the importance of competitive markets and their rights and responsibilities under the FCA;
- Conduct market surveillance/research into specific commercial activities and issues that have the potential to impact competition locally;
- Co-operate with the CARICOM Competition Commission (CCC) and other regional and international competition authorities in the conduct of cross-border investigations;
- Co-operate with the CCC and other regional competition authorities in educating and increasing the awareness of businesses and consumers regionally on competition issues; and
- Collaborate with non-CARICOM competition agencies in on-going international research and discussion on competition law and policy in order to stay abreast of emerging ideas, new initiatives and practices in this area.

The Fair Competition Division follows an integrated or unitary administrative model that incorporates investigation, prosecution and decision making into the same administrative

authority. This administrative authority makes a final decision regarding the matter under review and imposes remedies as appropriate.

## **Need for Review**

The Commission currently has a staff complement of thirty-five (35) and has continued to evolve over its twenty years of existence. The regulatory functions of the Commission are augmented by Legal, Administration, Accounting and Information Technology resources.

The launch of the BNEP, the main objective of which is to achieve 100% renewable energy electrification and carbon neutrality by 2030, has further emphasized the need for the Commission, as a critical facilitator of this national initiative, to re-examine its operations and resources.

Additionally, given the increasing frequency and complexity of the consumer protection and fair competition issues being presented locally, regionally and internationally and in order to respond to the demands created by the changing global environment, as a regulator, the Commission must seek to reposition itself to be more proactive in effectively addressing the associated needs.

To do this the Commission must pause and embark on a critical review of its current organisational structure and operations, with the overall objective of increasing organisational efficiency and effectiveness and ensuring optimal utilisation of its human and technical resources. This approach will allow the Commission to remain relevant in the face of a most dynamic marketplace.

## **FTC - Vision, Mission & Values**

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### **VISION:**

Fair and competitive markets for a sustainable Barbadian economy.

### **MISSION:**

To be a transparent and accountable agency providing professional services to those whom we serve, thereby safeguarding the interests of consumers, promoting and encouraging fair competition and ensuring efficient regulated utility services.

### **CORE VALUES:**

**PROFESSIONAL:** Act with integrity, operate as a team and provide timely and sound responses to our stakeholders, thus fostering the respect and trust of our staff and the public.

**TRANSPARENT:** Demonstrate impartiality by communicating our procedures, investigations and decisions in an unambiguous manner, thus encouraging feedback from the public.

**PROACTIVE:** Anticipate, research and investigate issues that may potentially affect consumers and businesses, and employ dynamic internal procedures to achieve optimal efficiency.

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## Objectives of Assessment

Understanding the Commission's current and expected future roles, the objective of the organisational structure review and diagnostic is to assess its organisational capacity, the management and delivery capability and to make recommendations, that have been tested and proven within a regulatory environment, for improvement. The assignment shall:

- Facilitate the analysis of the current organisational and human resource structure of the organization;
- Identify the strengths and weakness in the current organisational structure and organisational capacities and provide an in-depth analysis of the underlying causes of any capacity weaknesses and propose recommendations for improvement;
- Propose the implementation of management systems aimed at ensuring effectiveness and efficiencies in performance;
- Review the organisational chart, division of authority and responsibility and propose a structure that addresses the Commission's mandate, procedures and requirements of the stated work programme and facilitates succession planning.
- Review job responsibility requirements of all positions and assist in the development of clear criteria for existing job descriptions, where required.

The review will assess the effectiveness of the current structure - the operations within each division; consider the collaboration between the various divisions; and provide comment on the extent to which the current organisational structure facilitates the management and execution of its programmes/projects. Make recommendations for improvement where necessary.

The review will also assess the existing salary structures, with the objective of ascertaining the level of internal equity and external competitiveness, which contribute to the Commission's ability to:

- Acquire and efficiently utilise resources;
- Achieve organisational flexibility and staff retention; and
- Fulfill its functional mandate.

## **Scope of Work**

The assignment will involve, though not limited to:

- Document review;
- Consultations with stakeholders;
- Office visits;
- Group and individual in-depth meetings with management;
- Research of the operations and structures of mature regulatory agencies;
- Research and appropriate application of the theory of organisational structure; and
- Any other activity that is required to accomplish the task

The report shall provide constructive recommendations to address the weaknesses identified during the assessment, i.e.:-

- identify the areas where the organisational structure needs to be strengthened and propose strategies for restructuring;
- Outline an appropriate change management strategy; and
- Identify an appropriate remuneration framework

## **Payment Schedule**

Payment for the provision of the stated deliverables will be in accordance with the following schedule:-

Receipt of Inception Report	20%
Presentation of Draft Report	30%
Delivery and presentation of final report	50%

## **Outputs/ Expected Deliverables**

- Deliverable 1: Inception report detailing: Due four weeks after commencement of the project.
  - the consultant's understanding of the task following an inception meeting;
  - the methodology to be employed to complete the task; and
  - challenges identified.
- Deliverable 2: Draft report to be presented to the Commission's Board detailing: Due three months (twelve weeks) after the commencement of the project.
  - the effectiveness of the current organisational structure and established processes;
  - proposed improvements as per the scope of the work, objective and outcomes of the assignment;
- Deliverable 3: Final report to be delivered following consideration of the Commission's feedback on the draft report. – Due five months (twenty weeks) after the commencement of the project.

## **Time Frame**

The Assignment is expected to commence by January 2, 2022, with the report to be finalized before end of May 2022.

## **Qualifications of the Service Provider:**

Prospective service providers must provide the following:-

- A profile of the organisation describing the nature of the business, field of expertise, accreditations;
- Roles and qualifications of the individuals expected to work on the project;
- A list of clients for whom similar services as those required by the Commission were provided within the last five years;
- A breakdown of the work schedule, outlining roles and man-hours assigned to team members, unit rates and the total cost.

The Commission does not bind itself to accept the lowest or any proposal in this process and reserves the right to withdraw this proposal; to reject any and all proposals and to accept any proposal deemed to be in the best interest of the Commission.

Interested service providers are invited to submit project proposals to:

The Chief Executive Officer  
Fair Trading Commission  
Good Hope  
Green Hill  
St. Michael

Email: [hr@ftc.gov.bb](mailto:hr@ftc.gov.bb)

**Deadline for submissions: Friday, December 3, 2021.**