

TERMS OF REFERENCE FOR CONSULTANTS

A. Indicative Consulting Services

1. Firm and individual consultants will be recruited based on the Framework Agreement (FA) to ensure timely mobilization of technical expertise required for each ensuing project under the technical assistance (TA) by reducing the lead time for the consulting services recruitment per guidance note on FA for consulting services.¹ For each FA-Assignment (FA-A), firm consultants will be selected based on the quality- and cost-based selection method with the 90:10 quality–cost ratio; the individual consultant’s selection method will be used for individual consultants. The form of contracts (i.e. lump-sum, time-based, hybrid, or others) for each FA-A will be determined on a case-by-case basis. For specialized firm or individual experts with country- or area-specific knowledge and experience, who are not applicable for and included in the Framework Agreement, the single-source selection of firms or individuals will be used on a case-by-case basis, subject to the maximum contract amount of \$100,000 for firms and the maximum expert inputs of 66 days for individuals.² Recruitment of all consultants under the TA will be carried out in accordance with the Asian Development Bank’s Procurement Policy (2017, as amended from time to time) and Guidelines on the Use of Consultants (2013, as amended from time to time).

2. A range of consultant inputs will be required for preparation of the ensuing projects by providing specialized technical and administrative inputs to fulfill ADB due diligence requirements and support relevant policies and reforms of the ensuing projects.³ The consulting services presented in Table A3.1 are indicative and will require a combination of project-specific and recurring specialist positions. Consultant services for each ensuing project, especially consulting works in the individual country, will start only after an agreement with the respective government on the scope of works, terms of reference for the consultants, implementation arrangements, and schedule, among other details, has been confirmed. Consulting services will be finalized during the preparation of ensuing projects.

Table A3.1: Summary of Potentially Required Expertise of Consultants

Expertise	Origin	Project Preparation
Financial Sector Specialist	International and National	Projects 1-3
Public Finance Specialist	International and National	Projects 4-5
Economist	International and National	Projects 1-7
Gender Specialist	International and National	Projects 1-7
Tax Specialist	International and National	Projects 4-5
Trade Policy Specialist	International	Projects 6-7
Competition Policy Specialist	International	Projects 6-7
Legal Experts	National	Projects 1-5
Local Government Finance Specialist	National	Projects 4 and 6

Source: Asian Development Bank.

B. Terms of Reference

3. **Financial Sector Specialists.** The experts should have at least 10 years’ experience with the financial sector development and its related policies and reforms in selected Southeast Asian

¹ A closed FA will be used for firm consultants, and an open FA will be used for individual consultants.

² The expertise that is not applicable for and included in the FA, pertains to highly specialized experts in terms of geographical, institutional, and technical aspects. These may include, but not limited to, gender specialists, local government finance specialists, and tax-related specialists.

³ A list of ensuing programs and projects supported by the TA facility is provided in Appendix 2.

developing member countries (DMCs). The experts should have masters or doctorate degrees in economics, finance, public policy, or relevant fields. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 1–3. These include, but not limited to, technical notes, sector assessment, economic analysis of selected financial sector development trends and policies, and capacity building activities with the governments. The Financial Sector Specialists will:

- (i) Conduct economic and sector work such as the identification and analysis of financial sector development trends, economic analysis for regional and DMC specific sector studies, etc;
- (ii) Provide information and analyses towards the development of policy and strategies for the financial sector in DMCs covering areas such as banking systems, capital markets and funds, insurance, pensions and other contractual savings, among others, in the context of sustainable economic development and poverty reduction;
- (iii) Consult and liaise with relevant government agencies and ADB Resident Missions (RMs), as required by the team leaders; and
- (iv) Engage in relevant market research for financial products, identify constraints and provide innovative solutions for fostering policies/operations and regulatory frameworks in DMCs.

4. **Public Finance Specialists.** The Public Finance Specialists should have at least 10 years' specialized experience in public sector management, fiscal planning and budgeting, and other related fields. The experts should have Master's or Doctorate degrees in public administration, human resource management, economics, finance or other closely related decentralization disciplines and be experienced in developing training modules in public finance management (PFM), local finance and functions, fiscal decentralization. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 4–5. Experience of working in the selected DMCs, especially in providing policy advice and supporting capacity development in government reform programs in the relevant areas of public administration, civil service reforms, and public financial management will be given adequate consideration in selection of the expert. The Public Finance Specialists will:

- (i) Provide input to developing functional assignments linked to fiscal needs and capacities for all levels of the government and suggest sectors and areas for consideration by the government;
- (ii) Undertake a quick capacity needs assessment of central oversight agencies and develop capacity building programs and work plans to address skill gaps;
- (iii) Support relevant government agencies in providing training and capacity building for better implementation of PFM in provinces and districts by designing and administering specific trainings directed by the needs and by coordinating with other development partner programs;
- (iv) Assess capacity building needs and priorities based on demand driven principles including budget planning and expenditure management in select provinces/districts; and
- (v) Organize consultative workshop on survey and study recommendations.

5. **Economists.** The Economists should have at least 8 years of relevant professional experience in the identification, design, development, and evaluation of relevant policies and reforms in the Southeast Asian DMCs. The experts should have Master's degree, in Economics, Public Policy, Social Sciences or other related fields. University degree with extensive specialized

experience may be considered in lieu of a Master's degree. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 1–7. The experts will conduct economic analysis and to policy recommendations under the guidance of the team leaders on policy analysis and economic thematic work. The experts will develop and disseminate knowledge products for capacity building on economic analysis principles and methods. The Economists will:

- (i) Provide information and analyses in the development of policies, strategies and innovative, participatory approaches to further development in the relevant sectors in the context of sustainable economic development and poverty reduction;
- (ii) Work closely with government clients, partners, private sector, and support the formulation and implementation of relevant policy and reform agendas;
- (iii) Undertake policy dialogue with counterpart agencies on sectoral and thematic issues for sustainability of ADB's assistance; and
- (iv) Support the team leaders as needed.

6. **Gender Specialists.** The Gender Specialists should have at least 8 years' experience in gender and human resource development and academic background in the field, with proven expertise of advising and working with government agencies. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 1–7. Experience of working in the Southeast Asian DMCs, especially in providing policy advice and supporting capacity development in government reform programs in the relevant areas of financial sector development, public administration, civil service reforms, public financial management, and trade and industry will be given adequate consideration in selection of the expert. The Gender Specialists will:

- (i) Review all policies, decrees, guidelines and processes related human resource development and personnel management and provide analysis for identifying entry points for ADB policy actions, including gender analysis, collection of sex-disaggregated data and other gender inputs during due diligence;
- (ii) Consult and liaise with government agencies, resident missions, and development partners;
- (iii) Consult with management and staff regarding key gender issues for relevant policies and reforms such as gender-responsive budgeting, gendered barriers to trade and markets, and the gender SME financing gap;
- (iv) Provide gender related inputs into relevant policies and reforms and related policy recommendations to ADB;
- (v) Based on above, prepare training materials on key gender issues in human resource development, including, employment, benefits, capacity development, career paths and proactive measures to support women's entry and promotions within the civil service; and
- (vi) Provide any other support required for the smooth delivery of the gender related capacity development tasks.

7. **Tax Specialists.** The experts will have at least 10 years' experience with the tax reform and fiscal policy issues and implementation in the Southeast Asian DMCs. The experts should have masters or doctorate degrees in economics, public policy, or relevant fields. The experts will prepare technical notes on tax and fiscal policy issues, as advised by the team leader. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 4-5. The experts will ensure that the tax, fiscal, and other policy economic policy reforms are gender-sensitive and have no differentiated negative impacts on women and men, and will:

- (i) Liaise with the team leader and the relevant government agencies on the tax and fiscal policy advice needed;
- (ii) Undertake studies and analyze the tax and fiscal policy and reform as guided by the team leaders;
- (iii) Prepare technical notes in consultation with the relevant government agencies; and
- (iv) Discuss the studies with stakeholders, as needed by the team leaders.

8. **Trade Policy Specialists.** The Trade Policy Specialists should have at least 8 years of relevant professional experience in the identification, design, development, and evaluation of relevant trade policies and reforms in the Southeast Asian DMCs. The experts should have Master's degree, in Economics, Public Policy, or other related fields. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 6–7. Trade Policy Specialists will focus on supporting the Southeast Asian DMCs and the main sub-regional and regional integration entities such as GMS, ASEAN, and APEC, to accelerate the pace of trade reforms and regional economic integration, to strengthen the employment effects of those reforms with particular focus on women and youth. The Trade Policy Specialists will:

- (i) Provide assistance to the Southeast Asian DMCs with a view of strengthening its organizational capacity in the pursuit of further facilitation of the regional economic integration agenda as well as promotion of trade liberalization;
- (ii) Assist the DMCs with collaboration with national policy makers in trade and economic fields in efforts of modernization and reform of trade policy in taking into consideration new developments;
- (iii) Support trade and transport facilitation activities, including improved market access and more integration of the value chain;
- (iv) Promote gender equality and women empowerment as well as generation of business and job opportunity for youth.

9. **Competition Policy Specialists.** The Competition Policy Specialists will have at least 5 years of relevant legal practice in competition laws and related fields such as regulation and compliance. The experts should have an advanced degree in law with specialization in competition laws or relevant fields. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 6–7. The Competition Policy Specialists will provide expert advice to the relevant government agencies in the Southeast Asian DMCs on various issues and analytical requirements on competition law and policy. The provision of expert advice from a local, legal perspective will facilitate the development of guidelines on the conduct of sound market studies and assessment of abuse of dominance, operations procedures for enforcement, and the completion of projects on competition law and policy research and advocacy. The Competition Policy Specialists will:

- (i) Provide expert advice and analytical inputs to the relevant government agencies on various issues related to competition laws and policies;
- (ii) Prepare technical notes on policy recommendations;
- (iii) Participate in relevant meetings and consultations with key stakeholders of competition laws and policies as guided by the team leaders; and
- (iv) Provide other support pertinent to competition laws and policies as guided by the team leaders.

10. **Legal Experts.** The Legal Experts should have a relevant master's degree and at least 10 years of experience in the field of law and relevant sectors such as banking, taxes, and audits. Experience in relevant policy and reform areas is an advantage. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 1–5. The Legal Experts are expected to provide technical inputs and expert advice to the governments of the DMCs and team leaders in various reforms and policies such as capital market reforms, tax reform, and other relevant legislative frameworks. The Legal Experts are required to support the team leaders with legal consultations with financial institutions, regulators, industry practitioners and other relevant stakeholders. The Legal Experts will:

- (i) Coordinate with relevant organizations and associations on the legal aspects as relevant to the project and proposed reforms;
- (ii) Support the team leaders for formal consultations and the governments on the relevant reform and policy areas;
- (iii) Provide technical advice to the governments in the dialogue with legislators on the relevant legislation;
- (iv) Provide technical inputs and recommendations to the governments for the relevant laws;
- (v) Lead the conduct of stakeholder consultations or equivalent meetings;
- (vi) Perform other related tasks as assigned by team leaders.

11. **Local Government Finance Specialists.** The Local Government Finance Specialists should have at least 7 years of experience in public finance management at the sub-national or local government levels, including local domestic resource mobilization and investment planning/programming. The experts will provide analytical inputs and support the team leaders for preparation of ensuing projects 4 and 6. The Local Government Finance Specialists should have Master's degree in economics or finance and ability to engage in a dialogue with various levels of stakeholders in relevant Southeast Asian DMCs. The Local Government Finance Specialists will:

- (i) Review and analyze local government codes and laws related to sub-national governments and administration;
- (ii) Review recent reports and studies on local real property taxation, business and other local government taxes;
- (iii) Provide technical inputs and policy recommendations to improve policies and reforms related to sub-national governments and decentralization;
- (iv) Conduct research on the topics relevant to local government reforms as guided by team leaders;
- (v) Formulate recommendations and strategies for the effective roll out of relevant laws;
- (vi) Other related tasks as requested by team leaders.