



**Government of the Republic of Trinidad and Tobago**  
**Ministry of Trade and Industry**

## **Request for Proposals**

# **Review of the Regulatory and Legislative Environment for the Yachting Sub-Sector in Trinidad and Tobago and the Development of a Legislative Brief for Yachting Sub-sector Legislation**

TENDER DOCUMENT



# Contents

1.0 Notice of Request for Proposals.....	4
2.0 Terms of Reference.....	6
2.1 Background.....	6
2.2 Objectives of the Consultancy .....	8
2.3 Scope of Work .....	8
2.4 Changes to Scope of Work.....	10
2.5 Deliverables .....	10
3.0 Guidelines for Proposal Preparation .....	11
3.1 Technical Proposal.....	11
3.2 Financial Proposal.....	12
4.0 Instructions to Bidders .....	13
4.1 Type of Consultancy .....	13
4.2 Required Expertise.....	13
4.3 Reporting and Reporting Relationships .....	13
4.4 Place of Work .....	14
4.5 Starting Date/Duration .....	14
4.6 Language.....	14
5.0 Payment Schedule.....	14
6.0 Budget.....	15
7.0 Evaluation Criteria .....	15
8.0 Personnel.....	16
9.0 Confidentiality .....	16
10.0 Ownership.....	16

## Definitions

- (a) “**Bidder**” also referred to as the “**Consultant**” means any individuals, firm and limited liability companies that will provide Services to the Client under a Contract;
- (b) “**Client**” means the Ministry of Trade and Industry;
- (c) “**Consultant Personnel**” means the permanent or temporary employees of the Consultant who shall perform the Services;
- (d) “**Contract**” means the Contract signed between the Client and the Consultant and all the attached documents listed in said contract;
- (e) “**Day**” means calendar day;
- (f) “**Firm**” means an unincorporated body of two or more individuals, or one or more individuals and one or more corporations, or two or more corporations, who have entered into partnership with one another with a view to carrying on business for profit;
- (g) “**GoRTT**” means the Government of the Republic of Trinidad and Tobago;
- (h) “**GRT**” means Gross Register Tonnage.
- (i) “**Maritime Sector**” means all organizations engaged in activities that have some direct or indirect relationship with the sea. In the broadest of terms, it includes all organizations engaged in the business of designing, constructing, manufacturing, acquiring, operating, supplying, repairing and/or maintaining vessels (or component parts thereof), managing and/or operating shipping lines, stevedoring and customs brokerage services
- (j) “**Proposal**” or “**Proposals**” means the Technical Proposal and the Price/Financial Proposal;
- (k) “**Services**” means (a) the review of the regulatory and legislative environment for the Yachting sub-sector in Trinidad and Tobago, and (b) the development of a legislative brief for Yachting sub-sector legislation;
- (l) “**SOLAS**” means Safety of Life at Sea
- (m) “**Terms of Reference**” (TOR) means the document which explains the objectives, scope of work, activities, tasks to be performed, respective responsibilities of the Client and the Consultant, and expected results and deliverables of the assignment;
- (n) “**TTD**” means Trinidad and Tobago Dollars;
- (o) “**United Kingdom MCA**” means the United Kingdom Maritime and Coastguard Agency; and
- (p) “**VAT**” means Value Added Tax.

# **Review of the Regulatory and Legislative Environment for the Yachting Sub-Sector in Trinidad and Tobago and the Development of a Legislative Brief for Yachting Sub-sector Legislation**

## **1.0 Notice of Request for Proposals**

- 1.1 The Client hereby invites sealed Proposals for (a) the review of the regulatory and legislative environment for the Yachting sub-sector in Trinidad and Tobago and (b) the development of a legislative brief for Yachting sub-sector legislation. The Terms of Reference document enclosed provides specific details regarding the Services to be performed.
- 1.2 This invitation is open to individuals, firms and limited liability companies registered in Trinidad and Tobago only.
- 1.3 Any questions and queries concerning the Scope of Work requirements must be directed to the Permanent Secretary, Ministry of Trade and Industry using the contact information provided below, no later than 2:00 p.m. on August 30, 2017:

The Permanent Secretary  
Ministry of Trade and Industry  
Email: tendermti@gov.tt

Bidders should include “Yachting sub-sector legislation” in the subject of the email regarding their questions and queries. Responses to all questions and queries will be communicated to Bidders.

- 1.4 The Technical and Financial Proposals are to be submitted separately in two (2) sealed envelopes, each containing one (1) original and five (5) copies. Additionally, soft copies of the Technical and Financial Proposals are to be submitted on separate flash drives in the respective sealed envelopes. **The name and address of the lead Consultant or the name of the firm or Limited Liability Company must be printed on both envelopes.** The envelopes must also be clearly marked on the outside:

**“Tender for the review of the regulatory and legislative environment for the Yachting sub-sector in Trinidad and Tobago and the development of a legislative brief for Yachting sub-sector legislation”**

Envelope #1 - **Technical Proposal**

## Envelope #2 - **Financial Proposal**

- 1.5 Envelopes must be deposited in the white tender box labelled “Proposal for (a) the review of the regulatory and legislative environment for the Yachting sub-sector in Trinidad and Tobago and (b) the development of a legislative brief for Yachting sub-sector legislation” located on the eastern side of the 16th floor, Ministry of Trade and Industry, Nicholas Tower, Independence Square, Port of Spain, not later than 1:30 pm (local time) on September 18, 2017. Bidders should note that the dimensions of the slot in the tender box are **37.5cm x 5.5cm**, and as such, Proposals should be packaged accordingly.

Envelopes should be addressed to:

The Permanent Secretary  
Ministry of Trade and Industry  
Level 16, Nicholas Tower  
63 – 65 Independence Square  
Port of Spain

- 1.6 The Proposal must be valid for a period of **120 days**.
- 1.7 The successful Consultant will be required to enter into a written Contract with the Client upon notification of an award of Contract.
- 1.8 The successful Consultant will also be required to make a formal presentation of its Proposal at an inception meeting with the Client at the Ministry of Trade and Industry, Nicholas Tower, Port of Spain. The Consultant Personnel proposed to be assigned to the performance of the Services should be in attendance at the said formal presentation.
- 1.9 Late Proposals will **NOT** be considered in any circumstances.
- 1.10 The Client does not bind itself to accept any Proposal.
- 1.11 The Client reserves the right to cancel the bidding process in its entirety or partially without defraying any cost incurred by any individual, partnership or company in the preparation and submission of its Technical and Financial Proposal.

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**Permanent Secretary**  
Ministry of Trade and Industry  
July 26, 2017

## 2.0 Terms of Reference

### 2.1 Background

The core responsibility of the Client is to grow trade, business and investment, with emphasis on the development of the non-energy sectors of the economy to reduce the dependence on the hydrocarbon sector. Within the context of developing business and industry, the Client is responsible for, *inter alia*, creation of an enabling environment including an effective legislative framework that supports business and investment activities.

#### 2.1.1 GoRTT's Policy Framework

The official Policy Framework of the GoRTT identified the Maritime Sector, among others, as “*having many of the ingredients necessary for successful penetration of international markets.*” Leisure marine or Yachting is seen as a sub-sector within the Maritime Sector which is economically viable given Trinidad and Tobago's strategic geographic location below the hurricane belt.

As part of the diversification thrust, some of the goals to be achieved through the growth of the Yachting sub-sector include increasing the sector's contribution to the Gross Domestic Product (GDP), increasing foreign exchange earnings and employment generation. These goals can be facilitated by growing the existing businesses and/or by encouraging the creation of new businesses in the Yachting sub-sector. It should be noted that over 80% of existing yachting businesses are micro or small enterprises. The GoRTT recognises that it is important to encourage and support the product and service providers in the industry through, among other things, a comprehensive regulatory framework.

#### 2.1.2 Standing Committee for the Development of the Maritime Sector in Trinidad and Tobago

A Standing Committee for the Development of the Maritime Sector of Trinidad and Tobago was established by the Cabinet in 2016 with a mandate to direct the development and implementation of initiatives for the expansion of the Maritime Sector. This Committee is comprised of Ministers, high-level representatives from the relevant Ministries and GoRTT's regulatory agencies, as well as the Private Sector.

#### 2.1.3 Private Sector Investment

The Yachting sub-sector is one of the few areas targeted for development that is not heavily dependent on the energy sector for its continuity. During the early 1990s, the private sector began to invest in storage and haul-out capacity when cruisers realised that Trinidad's location created a safe haven for yachts during the hurricane season. Subsequently, an industrial cluster of repairs, storage and maintenance businesses commenced operations in Trinidad to provide goods and services to yacht owners. In Tobago, leisure and tourism based services were provided for visiting cruisers.

#### 2.1.4 Yacht arrivals

Yacht arrivals in Trinidad and Tobago peaked in the year 2000 but since then, arrivals have been steadily declining on an annual basis. The decline has negatively impacted yachting businesses in Trinidad where some have ceased operations; some have reoriented their service offering towards non-yachting activities and others have relocated to other islands within the region. In Tobago, smaller arrival numbers have affected the tourism expenditure component of the Yachting sub-sector where the number of yachting tourists has dropped considerably. The reduction in arrivals translates into smaller economic contributions across the board from yachting related services to the tourism sector to other subsidiary services such as accommodation or entertainment.

#### 2.1.5 Internal Regulatory Environment

Administration of the Yachting sub-sector is governed by legislation that was created for the commercial maritime industry under the following: Customs Act, Chap. 78:01; Immigration Act, Chap. 18:01; and the Harbours Act, Chap. 50:06. The Yachting sub-sector is also governed by the Shipping Act, Chap. 50:10. The Customs and Excise Division, the Immigration Division and the Maritime Services Division are the regulatory bodies that are directly involved in the Yachting sub-sector. Other bodies such as the Ministry of Tourism and the Ministry of Sport are indirectly involved, for example through the provision of incentives under the Tourism Development Act, Chap. 87:22 and the Corporation Tax Act, Chap. 75:02.

It is critical to note that the core functions of the border agencies, that is, national security, revenue collection and maritime safety are of paramount importance even in the context of facilitation for the Yachting sub-sector. Any proposed measures should improve the efficiency of their operations in support of their core functions.

#### 2.1.6 External Regulatory Environment

There are a number of international maritime laws and conventions which are usually developed by the International Maritime Organisation (IMO), for example, the International Convention for the Safety of Life at Sea (SOLAS 74/78) and the International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW) 1978. These were written to cover large commercial ships and similar vessels. It is noted however, that certain provisions of SOLAS and STCW apply to all yachts of 500 GRT and over.

Other important IMO Conventions applicable to the Yachting sub-sector to which Trinidad and Tobago is party include:

- The International Convention for the Prevention of Pollution from Ships (MARPOL 73/78);
- The International Convention for the Control and Management of Ships' Ballast Water and Sediments, BWM 2004;
- The International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS 2001);

- The Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGS); and
- The International Convention on Load Lines, 1966 (LL 66).

With particular reference to yachts, there are other forms of regulations which countries have adopted such as the United Kingdom's Maritime and Coastguard Agency (MCA) Marine Guidance Note: Pleasure Vessels – Guidance and Applicable UK Regulations.

## 2.2 Objectives of the Consultancy

The overarching objective of this consultancy is to provide a solid foundation for regulatory and legislative reform in order to facilitate the growth of the Yachting sub-sector in Trinidad and Tobago. There is a need to streamline Trinidad and Tobago's existing international obligations, as well as the legislation and regulations that affect the Yachting sub-sector by incorporating all relevant elements into a single law (with associated regulations), or amending existing legislation and/or regulations that are appropriate for the needs of the Yachting sub-sector. As such, the objectives of the consultancy are to:

- Provide a basis to strengthen and improve the internal legal and regulatory environment for the Yachting sub-sector; and
- Develop a framework that will facilitate the growth of the Yachting sub-sector and simultaneously enhance the efficiency and effectiveness of the border agencies.

## 2.3 Scope of Work

The Consultant will undertake the following tasks:

- Task 1  
Draft and submit an Inception Report that defines the approach to the assignment and includes a finalized project plan.
- Task 2
  - Conduct stakeholder analysis with **both** the public and private sector to ascertain a clear idea of the roles, responsibilities and the needs of each party in the Yachting sub-sector as it relates to the legislative and regulatory environment. In conducting the analysis, *at least* 50 stakeholders from the private sector, 15 organizations from the public sector and 30 cruisers must be consulted.
  - Draft and submit a Stakeholder Analysis Report based on the findings of the stakeholder analysis.



3. Task 3

- a. Undertake an analysis of the legislative and regulatory environment, specifically:
  - i. Conduct a historical overview of the existing internal regulatory and legislative environment including clearly defined purposes for those laws and regulations and the consequent levels of efficacy;
  - ii. Conduct a P.E.S.T.L.E analysis of the yachting industry to identify any possible implications or difficulties which may be envisaged in the drafting of Yachting specific legislation. Furthermore, strategies to mitigate these issues should be included;
  - iii. Conduct an analysis of the legal and regulatory framework in regional countries with a Yachting Industry comparable to Trinidad and Tobago; and
  - iv. Utilize whichever additional methodology of analysis is suitable to achieve the objectives of the consultancy.
- b. Draft and submit an Analytical Report based on the findings of the various analyses of the legislative and regulatory environment.

4. Task 4

Prepare and submit a draft Legislative Brief that includes recommendations for the amendment of existing legislation and/or regulations or the creation of new legislation (with associated regulations) that will serve to develop the Yachting sub-sector. The recommendations must:

- a. Include industry specific definitions;
- b. Include conditions for qualifications of captain and crew on pleasure crafts;
- c. Include conditions for crewed or bare boat charter fleets to operate in Trinidad and Tobago;
- d. Include clearly defined incentives for the development of the Yachting sub-sector;
- e. Include regulations for international best practices as it relates to treatment of the environment;
- f. Identify all persons (titles), organisations and things to whom any proposed laws and regulations would apply;
- g. Identify existing laws and regulations that would be affected or that need to be altered;
- h. Be written in plain language and in a narrative format; and
- i. Include any other recommendations that are deemed appropriate.

5. Task 5

Draft and submit the Final Legislative Brief and make a Power Point presentation on the Final Legislative Brief to the Client and the Standing Committee for the Development of the Maritime Sector of Trinidad and Tobago.

## 2.4 Changes to Scope of Work

Any alterations to the above Scope of Work will have to be negotiated between the Consultant and the Client and must be agreed upon by both parties before commencement or continuation of the assignment.

## 2.5 Deliverables

The deliverables expected from this Consultancy include:

No.	Deliverables	Timeframes
1.	An <b>Inception Report</b> that defines the approach to the assignment and includes a finalised project plan.	The report is to be submitted to the Client no later than 14 days from signing of the Contract
2.	A <b>Stakeholder Analysis Report</b> outlining the information gathered from stakeholders from the private sector, organizations from the public sector and cruisers.	The report is to be submitted to the Client no later than 60 days after the submission of the Inception Report
3.	An <b>Analytical Report</b> including the historical overview of the existing internal regulatory and legislative environment, the P.E.S.T.L.E analysis of the Yachting Industry and the analysis of the legal and regulatory framework in regional countries with a Yachting Industry comparable to Trinidad and Tobago.	The report is to be submitted to the Client no later than 28 days after the submission of the Stakeholder Analysis Report
4.	<p>A <b>Draft Legislative Brief</b> written in plain language and narrative form which should include recommendations for, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>• Industry specific definitions;</li> <li>• Conditions for qualifications of captain and crew on pleasure crafts;</li> <li>• Conditions for crewed or bare boat charter fleets to operate in Trinidad and Tobago;</li> <li>• Clearly defined incentives for the development of the Yachting sub-sector; and</li> <li>• Regulations for international best practices as it relates to treatment of the environment.</li> </ul> <p>The Draft Legislative Brief should also:</p> <ul style="list-style-type: none"> <li>• Identify all persons (titles), organisations and things to whom any proposed laws and regulations would apply; and</li> <li>• Identify existing laws and regulations that would</li> </ul>	The report is to be submitted to the Client no later than 28 days after the submission of the Analytical Report

No.	Deliverables	Timeframes
	be affected or that need to be altered.	
5.	The <b>Final Legislative Brief</b> submitted to the Client and a Power Point presentation on the Final Legislative Brief to the Client and the Standing Committee for the Development of the Maritime Sector of Trinidad and Tobago.	The report is to be submitted to the Client no later than 50 days after submission of the Draft Legislative Brief

The Consultant will submit all deliverables identified in this Terms of Reference in accordance with the agreed delivery schedule in **Section 2.5**. Three (3) hardcopies of the relevant deliverables should be addressed and submitted to the Permanent Secretary, MTI and a soft copy of all deliverables should also be delivered via a flash drive within the same delivery schedule as the hardcopies. The Power Point presentation must be conducted in person on a mutually agreed date that is within the timeframes identified.

### 3.0 Guidelines for Proposal Preparation

#### 3.1 Technical Proposal

The **Technical Proposal** shall detail the following:

- a. **Methodology for conducting the Consultancy:** This section of the Technical Proposal should include the detailed approach to be used by the Consultant in undertaking the Scope of Works.
- b. A detailed **Project Plan** of the activities, human resource and other needs, and timelines that are proposed to meet the deliverables and objectives as outlined in the TOR. There should be a clear indication of the duration and milestones.
- c. **Names and Curriculum vitae** of Consultant Personnel proposed for delivery of the Services. All Curricula Vitae must be signed and dated by the person named. Failure to submit signed and dated Curriculum Vitae shall result in the loss of points during the Evaluation.
- d. **Specific Consultant(s) Experience:** This section should provide information regarding the organization's work experience in undertaking consultancies of a similar type in developed or developing countries, as well as their experience in maritime law.
- e. **List of References:** Two (2) current corporate references having performed similar types of services including the organization's name, name of contact, designation of contact, contact's e-mail address, address, telephone number and client relationship synopsis.

- f. **Letter of Motivation** outlining how their experience, skills, qualifications and professional networks fit with the required deliverables (one (1) page maximum).
- g. The following documents must be submitted with the Proposal:
- i. A valid certificate from the Commissioner of the Board of Inland Revenue, not more than six (6) months old on the date that the Proposals must be submitted, to the effect that the Bidder has complied with the provisions of and has fulfilled all its obligations under the Income Tax Act of Trinidad and Tobago, Chapter 75:01 (as amended) to the satisfaction of the Commissioner;
  - ii. A valid VAT Clearance Certificate;
  - iii. A valid Certificate of Compliance issued in accordance with the National Insurance Act of Trinidad and Tobago, Chapter 32:01 (as amended);
  - iv. If the Bidder is a lawfully incorporated limited liability company or if the Bidder operates as a sole proprietorship or partnership, a copy of the Certificate of Incorporation, Certificate of Continuation or Certificate of Business Registration (whichever is applicable) along with a current copy of the Notice of Directors identifying all the principal officers of the business;
  - v. A Consultant Profile – If the Bidder is an **Individual**, he/she is required to submit the Consultant’s address, main telephone number, facsimile number, key contact’s name, key contact’s designation, name of the person(s) authorised to enter into contracts, and the number of years the Consultant has been offering the relevant services. If the Bidder is a **Firm or a Limited Liability Company**, it is required to submit the Consultant’s official registered name, its registered address, main telephone number, facsimile number, key contact’s name, key contact’s designation, name of the person(s) authorised to enter into contracts, and the number of years the Consultant has been offering the relevant services; and
  - vi. Audited financial statements for the past three (3) years.

### 3.2 Financial Proposal

The **Financial Proposal** shall detail the following:

- a) **Estimated total cost:** This section should state the estimated total cost of the Services, including a detailed breakdown of the various costs (fixed and variable) for undertaking the Consultancy. This section should also indicate the number of man-hours to be expended on the Services.

- b) Note that the Consultant fee shall be inclusive of all administrative costs, including all costs pertaining to the hosting of the stakeholder consultation.
- c) All prices must be stated in TTD and be inclusive of VAT. Any costs not specified will be deemed as included in the total cost.

## 4.0 Instructions to Bidders

### 4.1 Type of Consultancy

Given the nature of the proposed consultancy, the Consultant will be required to consult with public and private stakeholders involved in the industry.

### 4.2 Required Expertise

The Consultant must be suitably qualified and have a high level of knowledge, expertise and experience in stakeholder analysis, collection and analysis of data, legal research, development of drafting instructions and legislative briefs (regionally or locally) and legislative drafting. Knowledge, expertise and experience within the Yachting sub-sector or access to individuals/agencies/institutions with similar knowledge and experience will be an asset. The (lead) Consultant is expected to have the following qualifications and competencies:

- At least ten (10) years' experience in legislative drafting and policy development;
- Proven experience with maritime law;
- Proven ability to collect and analyse data;
- Proven ability to prepare reports of a legal nature based on qualitative and quantitative data and information;
- Proven experience in stakeholder analysis through stakeholder consultations and interviews;
- Proven ability to write and present complex policy-related issues for a non-technical audience; and
- Excellent English speaking and writing skills.

### 4.3 Reporting and Reporting Relationships

The Consultant will report to the Permanent Secretary, Ministry of Trade and Industry or any representative of the Client designated by the Permanent Secretary.

The Consultant will submit all deliverables identified in the Terms of Reference, by 4:00 p.m. on the required date. **Three (3)** hardcopies of the relevant deliverables should be addressed and submitted to the Permanent Secretary, MTI and a soft copy of all deliverables should also be delivered via a flash drive within the same delivery schedule as the hardcopies. Any changes requested must be made and incorporated into the final report. These reports are to be property of the Client.

The Client will provide comments to the Consultant on relevant deliverables by 4:00 p.m. within 20 working days of receipt of the said deliverables.

The Consultant must present the **Final Legislative Brief in person to selected staff of the Client.**

The Consultants should note that he/she will be expected to utilize his/her own office space, stationary (paper, etc...) and computer resources (laptops, desktops, software, printing etc.) in the execution of the Services.

#### 4.4 Place of Work

The Consultant's office and field work.

#### 4.5 Starting Date/Duration

The consultancy commences upon signing of the Contract. The maximum expected duration of this assignment is **180 days**. The Consultant(s) shall make all efforts to adhere to the timelines outlined in the Project Plan submitted to the Client. Should the Consultant(s) realize that there will be delays in any phase of the Services, they should inform the Client and outline the plans to compensate for lost time.

#### 4.6 Language

All deliverables will be in the English Language.

#### 4.7 Intellectual Property

Note and agree that its intellectual property rights including copyright (with all data supplied) are to be assigned to the Client.

### 5.0 Payment Schedule

Payment will be made in tranches, in Trinidad and Tobago Dollars based on successful completion, submission and acceptance of the identified deliverables as follows:

- 10% of the Consultancy Fees on the timely submission and acceptance of the Inception Report by the Client;
- 10% of the Consultancy Fees on the timely submission and acceptance of the Stakeholder Consultation Report by the Client;
- 10% of the Consultancy Fees on the timely submission and acceptance of the Analytical Report by the Client;
- 20% of the Consultancy Fees on the timely submission and acceptance of the draft Legislative Brief by the Client; and
- 50% of the Consultancy Fees on the presentation and acceptance of the Final Legislative Brief by the Client.

Acceptance of each deliverable will be communicated via letter from the Permanent Secretary or authorized representative of the Client to the Consultant.

Final payment will only be made when the deliverables, reports or outputs have been completed to the full satisfaction of and accepted by the Client.

## 6.0 Budget

The cost for consultancy will be fixed and is inclusive of all fees for the completion of deliverables. The Client shall not be responsible for the payments for office expenses, travel, living and accommodation expenses.

## 7.0 Evaluation Criteria

Proposals will be evaluated based on the following criteria:

Item	Criteria	%
<b>Technical Evaluation</b>		
1	<u>Specific Experience</u> Specific experience of the Consultant in the field of the assignment (similar Services in similar countries)	<b>20 points</b>
2	<u>Methodology</u> Adequacy of the proposed methodology and project plan in responding to the Terms of Reference  a. Technical approach and methodology  b. Project Plan  c. Organization and staffing  <b>Sub-total</b>	  20 points  15 points  10 points  <b>45 points</b>
3	<u>Key Professional Staff</u> Qualification and competence of Team Leader and other key staff proposed for the assignment	<b>35 points</b>
	<b>Technical Evaluation Total</b>	<b>100 points</b>
<b>Financial Evaluation</b>		

Item	Criteria	%
1	<u>Cost</u> Adequacy of the proposed estimated total cost of the Services.	<b>100 points</b>

The minimum technical score required is 70 points.

A weighting of 75% technical and 25% financial will be applied to arrive at the overall score.

## 8.0 Personnel

The Consultant is expected to identify the human resources available for the conduct of the Services. This should include Consultant Personnel with the competences required for the conduct of the scope of work.

Sufficient Consultant Personnel should be available to ensure the timely delivery of the project plan. As per the project plan, the Consultant will be required to certify that the persons assigned to the individual elements of work will be available and will be made available without substitution.

Substitution will only be allowed following a request submitted to, and approved by, the Client with justification, including confirmation of the competencies of the professional previously identified in the project plan.

## 9.0 Confidentiality

The Consultant shall not, except as authorized by the Client, use for the Consultant's own benefit or gain or divulge to any persons, firm, company or other organization whatsoever any confidential information belonging to the GoRTT or relating to the affairs or dealings which may come to the Consultant's knowledge during the engagement. This restriction shall cease to apply to any information or knowledge which may subsequently come into the public domain other than in breach of this clause.

## 10.0 Ownership

All data, records, reports and other documents prepared by the Consultant, or obtained from whatever source in connection with carrying out the functions of this position, shall become and remain the property of Client and the Consultant shall not later than upon termination or expiration of the Contract, deliver all such documents together with a detailed inventory thereof. The Consultant may retain a copy of such documents but shall not use them for purposes unrelated to this Contract without prior written approval of the Permanent Secretary of the Ministry of Trade and Industry.