# **TERMS OF REFERENCE**

**Capacity Building for Barbados in Alternative Dispute Resolution Systems**

Barbados

BA-T1056

**Feasibility Study Update and Development of a Sustainability Plan for the Arbitration and Mediation Court of the Caribbean - Products and External Services Contractual**

1. **Background and Justification**
   1. Established in 1959, the Inter-American Development Bank (“IDB” or “Bank”) is the main source of financing for economic, social and institutional development in Latin America and the Caribbean. It provides loans, grants, guarantees, policy advice and technical assistance to the public and private sectors of its borrowing countries.
   2. On March 20, 2016, the IDB Board approved the creation of the Compete Caribbean Partnership Facility (CCPF) as a multi-donor Trust Fund jointed funded by the United Kingdom’s Department for International Development (DFID) and the Caribbean Development Bank (CDB). The goal of the Compete Caribbean Partnership Facility is to support the Caribbean region in increasing productivity and Caribbean firms’ contribution to economic growth. The specific objectives are to (i) support firms to grow, innovate and enter new sectors and markets; and (ii) to promote an environment that enables innovation and growth. The Facility will support productivity and economic growth in the Caribbean by focusing on two thematic pillars: (i) productivity and innovation in firms; and (ii) enhancing the business and innovation climate. The Facility is being executed by Inter-American Development Bank and henceforth all procedures related to operations and implementation thereof must comply with IDB policies.
   3. The proposed consultancy will be funded by the CCPF with the aim of building capacity in Barbados and the OECS in Alternative Dispute Resolution Systems.
   4. The ability to enforce contracts and resolve disputes is fundamental for functioning, efficient markets. Good contract enforcement practices enhance the predictability of commercial relationships and reduce uncertainty by assuring businesses and individuals that local courts will uphold their contractual rights efficiently. Weak contract enforcement slows down trade, investment, economic growth and inhibits innovation and entrepreneurship. As a result of relatively weak contract enforcement in the Caribbean, firms, both large and small, rely heavily on long-term, personalised relationships with their suppliers or consumers to avoid risk, thus potentially reducing the capacity of new innovative firms to enter the market. Banks are more conservative and reduce their financing for new investments. New business ventures without a record in the market find it harder to obtain finance and credit, in addition to the uncertainty in securing revenue. This particularly affects start-ups and the SME sector. Given the fact that the majority of the businesses in the Caribbean can be classified as SMEs, (in Barbados, micro and small enterprises comprise 92.2% of formal enterprises in the country), limited options to resolve conflict quickly and efficiently hinder growth, investment, innovation and productivity.
   5. Alternative Dispute Resolution (ADR) increases conflict resolution options for firms, and particularly for SMEs. An ADR system helps parties resolve disputes without going to court and is often less formal, cheaper and quicker than litigation. And in addition to being timely and cost-efficient, ADR is also confidential and offers a discreet and neutral setting for the resolution of disputes. In 2017, the Arbitration and Mediation Court of the Caribbean (AMCC) was established in Barbados. The AMCC is a not-for-profit organization, established to offer alternative methods of dispute resolution to assist in the swift, cost-effective resolution of commercial disputes, in Barbados and the wider Caribbean. While there are some ADR initiatives already in the region, the AMCC aims to fill existing gaps in services and expertise and reduce the cost of accessing arbitration and mediation services, thereby increasing firm access to such services. The Centre plans to specifically target SMEs through a number of low value/low cost schemes, as well as simpler rules and procedures, which would allow SMEs and individuals to access services more easily.
   6. In 2014, prior to the development of the Centre, the Compete Caribbean Program assisted Barbados in undertaking a Feasibility Study for the Establishment of an Alternative Dispute Resolution Centre in Barbados, 2014. The study concluded that there was unanimous support for the establishment of such a centre amongst various stakeholders in Barbados and the OECS region. As the Centre establishes itself as a regional leader in ADR and continues to expand services to Barbados and OECS markets, it would be instructive to have the 2014 feasibility study updated, as well as to focus on ensuring the Centre has a sustainability plan for the future.
2. **Objective**

* 1. The objective of this consultancy is to assist the Arbitration and Mediation Court of the Caribbean (AMCC) to update the 2014 Feasibility Study for the Establishment of an Alternative Dispute Resolution Centre in Barbados and to develop a sustainability strategy for the Centre which will make it self-sufficient within 5 years of operation.

1. **Scope of Services**

The scope of services includes the following:

* 1. Reviewing the existing 2014 Feasibility Study, gathering any new information and data from present and future stakeholders of the Centre, and updating the Study with any relevant new information.
  2. Reviewing the existing business model for the AMCC as a not-for-profit organization and proposing a strategic framework for the sustainability if the Centre within 5 years of operation.
  3. Providing suggestions for the marketing and branding of the Centre.

1. **Key Activities**

The contractual will carry out the following key activities that will facilitate the achievement of the objective:

* 1. Undertake review of the 2014 Feasibility Study for the Establishment of an Alternative Dispute Resolution Centre in Barbados, the findings from the 2018 AMCC stakeholder survey, as well as any additional data and information on the demand and supply of arbitration and mediation services in Barbados and the OECS. The 2018 survey indicates that Barbadian and regional stakeholders continue to believe that an ADR Centre will provide more amicable resolution of disputes, protect privacy, help clear the backlog in the court system, improve the international business profile of the region, and be more affordable and timely, especially for SMEs. The contractual will gather any new information working closely with the Director General of the AMCC, and in consultation with various stakeholders and potential users from the business and legal communities, as needed. Particular attention should be paid to the SME sector. In addition, the majority of SMEs in the services-based economies of the Caribbean are women-owned. In Barbados, 47.7% of sole proprietorships are female owned, 82.6% of micro firms and 77.5% of service firms are owned by women. As such, the review should include relevant gender information.
  2. Update the Feasibility Study, using the information gathered above. The study should identify indicators for Enforcing Contracts based on the World Bank’s Doing Business rankings, and baselines for Barbados and the OECS. These indicators can be used to help the Centre with impact assessments in the future. It should also propose non-traditional value measurements which will benefit corporate planning and resource allocation in the future.
  3. Review the AMCC vision, mission, core values and strategic objectives. Review existing operational and service documents for the AMCC as well as its work plan, financial records, present and anticipated expenses, financial agreements, schedule of fees for services, cost recovery, etc. Develop a framework which estimates financial sustainability within 5 years of operation, as well as its longer-term viability. The strategy should take into consideration international best practice as well as any gender considerations. It should include an elaboration of budgeting, human and capital resource allocation, capital deployment-decision making, risk identification and mitigation, as well as financial performance measurement and reporting. It should also consider key stakeholder groups in order to deliver competitively valuable services to clients.
  4. Informed by both the updated Feasibility Study and the Sustainability Strategy, propose some key messages for specific audiences, e.g women and SMEs, to be included as a core business strategy for brand differentiation and value creation for the AMCC.

1. **Expected Outcome and Deliverables**

The expected outcomes and products under this assignment are the following:

* 1. An inception report, including the approach and work plan for the assignment;
  2. A final version of the Updated Feasibility Study for the Establishment of an ADR Centre in Barbados.
  3. A draft Sustainability Strategy
  4. A final consultancy report with the final version of the Sustainability Strategy and the proposed branding and marketing messages.

All reports must be submitted electronically by email to the CCPF/ IDB and the Arbitration and Mediation Court of the Caribbean.

1. **Supervision and Reporting**
   1. The technical and administrative responsibilities of this consultancy will be coordinated by Claudia Stevenson (IFD/CTI)) in collaboration with the IDB’s Country Office in Barbados. The counterparts will be Arbitration and Mediation Court of the Caribbean .
2. **Schedule of Payments & Qualifications**
   1. Payment terms will be based on project milestones or deliverables. The Bank does not expect to make advance payments under consulting contracts unless a significant amount of travel is required.

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| --- | --- |
| **Payment Schedule** | |
| ***Deliverable*** | **%** |
| 1. Approval of an inception report with the work plan after signature of contract | 20% |
| 1. Completion and acceptance Updated Feasibility Study | 20% |
| 1. Completion and acceptance of draft Sustainability Strategy | 40% |
| 1. Completion of consultancy report with final Sustainability Strategy, including branding and marketing messages. | 20% |
| **TOTAL** | 100% |

**Qualifications**

Academic Degree / Level & Years of Professional Work Experience:

* Master's degree or equivalent in finance, economics, development economics, sustainable development, law or any other related field.

Experience

* At least 8 years work experience in business and/or strategic planning.
* Solid understanding of the business planning process and how to prepare and analyse business/strategic plans, particularly as it pertains to not-for-profit or NGO organisations.
* Knowledge of global alternate dispute resolution systems

Other Skills

* Proven project work at international, national and local levels; Experience with processing large amounts of information and synthesizing it in an understandable fashion to decision-makers and wider audiences.

Core Competencies

* Highly developed communication skills, including the preparation of high quality reports and the delivery of presentations;
* Ability to work under pressure, sometimes with extended hours, and to meet tight deadlines without compromising the quality of outputs;
* Ability to maintain confidentiality and use discretion when dealing with sensitive intellectual property issues;
* Cultural awareness and sensitivity to country specific issues;
* Fluency in oral and written English.

**Characteristics of the Consultancy**

Consultancy category and modality: International Products and External Services Contractual, Lump Sum

Contract duration: Three (3) months from the start date including 30 non-continuous working days.

Place(s) of work: External consultancy. 30 non-consecutive working days. For international contractual, two separate missions to Barbados are expected (one at the beginning and one at the end of the consultancy, with a maximum of 5 days each. Travel will be paid separately.

1. **Payment and Conditions of Employment:** Remuneration will be determined in accordance with Bank regulations and criteria.
2. **Consanguinity:** Individuals with relatives working for the IDB within, and including the fourth degree of consanguinity and the second degree of affinity are not eligible for employment as staff or contractual. Candidates must be individuals from any IDB member country and non-IDB member countries recognized by the Donors of the Compete Caribbean Partnership Facility as eligible
3. **Diversity:** The IDB is committed to diversity and inclusion and to providing equal opportunities in employment. We embrace diversity on the basis of gender, age, education, national origin, ethnic origin, race, disability, sexual orientation, religion, and HIV/AIDs status. We encourage women, Afro descendants and persons of indigenous origins to apply.

# **TERMS OF REFERENCE**

**Capacity Building for Barbados in Alternative Dispute Resolution Systems**

Barbados

BA-T1056

**Development and Implementation of a Branding Strategy and Marketing and Communications Plan for the AMCC**

1. **Background and Justification**
   1. Established in 1959, the Inter-American Development Bank (“IDB” or “Bank”) is the main source of financing for economic, social and institutional development in Latin America and the Caribbean. It provides loans, grants, guarantees, policy advice and technical assistance to the public and private sectors of its borrowing countries.
   2. On March 20, 2016, the IDB Board approved the creation of the Compete Caribbean Partnership Facility (CCPF) as a multi-donor Trust Fund jointed funded by the United Kingdom’s Department for International Development (DFID) and the Caribbean Development Bank (CDB). The goal of the Compete Caribbean Partnership Facility is to support the Caribbean region in increasing productivity and Caribbean firms’ contribution to economic growth. The specific objectives are to (i) support firms to grow, innovate and enter new sectors and markets; and (ii) to promote an environment that enables innovation and growth. The Facility will support productivity and economic growth in the Caribbean by focusing on two thematic pillars: (i) productivity and innovation in firms; and (ii) enhancing the business and innovation climate. The Facility is being executed by Inter-American Development Bank and henceforth all procedures related to operations and implementation thereof must comply with IDB policies.
   3. The proposed consultancy will be funded by the CCPF with the aim of building capacity in Barbados and the OECS in Alternative Dispute Resolution Systems.
   4. The ability to enforce contracts and resolve disputes is fundamental for functioning, efficient markets. Good contract enforcement practices enhance the predictability of commercial relationships and reduce uncertainty by assuring businesses and individuals that local courts will uphold their contractual rights efficiently. Weak contract enforcement slows down trade, investment, economic growth and inhibits innovation and entrepreneurship. As a result of relatively weak contract enforcement in the Caribbean, firms, both large and small, rely heavily on long-term, personalised relationships with their suppliers or consumers to avoid risk, thus potentially reducing the capacity of new innovative firms to enter the market. Banks are more conservative and reduce their financing for new investments. New business ventures without a record in the market find it harder to obtain finance and credit, in addition to the uncertainty in securing revenue. This particularly affects start-ups and the SME sector. Given the fact that the majority of the businesses in the Caribbean can be classified as SMEs, (in Barbados, micro and small enterprises comprise 92.2% of formal enterprises in the country), limited options to resolve conflict quickly and efficiently hinder growth, investment, innovation and productivity.
   5. Alternative Dispute Resolution (ADR) increases conflict resolution options for firms, and particularly for SMEs. An ADR system helps parties resolve disputes without going to court and is often less formal, cheaper and quicker than litigation. And in addition to being timely and cost-efficient, ADR is also confidential and offers a discreet and neutral setting for the resolution of disputes. In 2017, the Arbitration and Mediation Court of the Caribbean (AMCC) was established in Barbados. The AMCC is a not-for-profit organization, established to offer alternative methods of dispute resolution to assist in the swift, cost-effective resolution of commercial disputes, in Barbados and the wider Caribbean. While there are some ADR initiatives already in the region, the AMCC aims to fill existing gaps in services and expertise and reduce the cost of accessing arbitration and mediation services, thereby increasing firm access to such services. The Centre plans to specifically target SMEs through a number of low value/low cost schemes, as well as simpler rules and procedures, which would allow SMEs and individuals to access services more easily.
   6. The AMCC held a soft launch in December 2017 and has developed an informational website in January 2018. As the Centre establishes itself as a regional leader in ADR and continues to expand services to Barbados and OECS markets, it requires expert branding as well as strategic marketing and communications to advertise and promote the services of the Centre, as well as to increase awareness of ADR mechanisms and their benefit to business and private sector development more generally.
2. **Objective**

* 1. The objective of this consultancy is to develop and implement a master marketing and communications plan and a brand strategy for the Arbitration and Mediation Court of the Caribbean (AMCC) in order to raise awareness of and promote the services of the Centre.

1. **Scope of Services**

The scope of services includes the following:

* 1. Develop and implement a marketing and communications plan targeted to various stakeholder audiences that increases awareness of the benefits of ADR systems and promotes the services of the AMCC.
  2. Devise a branding strategy and logo to be used on AMCC documents, website and promotional

materials.

* 1. Support the AMCC to implement the above and assist in the formal launch of the Centre.

1. **Key Activities**

The contractual will carry out the following key activities that will facilitate the achievement of the objective:

* 1. Undertake a review of existing AMCC strategic and operational documents including Updated Feasibility Study, operational documents and reports, work plans, the AMCC website, the Sustainability Strategy and its proposed branding and marketing messages. Review any existing communications/public awareness tools and assess their effectiveness.
  2. Draft a 3-year marketing and communications plan and develop a brand strategy that incorporates the vision, mission and strategic objectives of the AMCC. The marketing and communications plan should include but not be limited to:
* Market analysis – including a SWOT (strengths, weaknesses, opportunities and threats), consideration of geographic area (Barbados and the OECS) and competition, and identification of various audiences and stakeholders.
* Marketing and communications plan – including the business case, the approaches to target stakeholders and potential clients using appropriate local and regional media channels (newsletters, direct mailings, print media, promotional material and other collaterals, face-to-face meetings, etc.), and guidance for the upgrade of the AMCC website to a client-centred portal. It must include an implementation plan which recommends specific activities, timelines, resources, targets and indicators. Particular attention should be paid to the SME audience and female business owners.
* Branding strategy – including a complete brand identity and development of a logo, and other visuals for the AMCC, as well as any written message/pitch to leverage the brand identity.
  1. Support the implementation of the marketing and communications plan for a period of at least 12 months. Implementation support will include but not be limited to collaboration with the consultant engaged to upgrade the AMCC website; the drafting of communications materials and other related collateral materials (such as brochures, newsletters, flyers, website content, advertisements, e-mail marketing templates, promotions to various audiences, case studies on good practices and lessons learned); regular reporting on targets; and training of AMCC staff as required.
  2. Support the formal launch of the AMCC - conceptualize, plan, organize, coordinate and conduct activities planned for a regional ADR conference to launch the Centre to be held before end of 2018. The conference will include experts and regional stakeholders to discuss key issues affecting ADR in the region. The agenda and content should pay specific attention to ADR’s benefit to SMEs and women-owned businesses.
  3. Document and report on implementation activities, highlighting progress, achievements and success stories.
  4. To complete the activities above the contractual will have to collaborate closely with the Director General of the AMCC, as well as with key stakeholders and the website consultant/developer.

1. **Expected Outcome and Deliverables**

The expected outcomes and products under this assignment are the following:

* 1. An inception report, including the approach, work plan and timelines for the assignment;
  2. A draft 3-year marketing and communications plan which includes the full brand strategy and implementation plan;
  3. A final 3 year marketing and communications plan which includes the full brand strategy and implementation plan;
  4. A report on the AMCC Launch Conference, including event program, list of attendees (disaggregated by sex and size of business), costs, etc.;
  5. A Progress Report describing accomplishment of fifty percent (50%) of activities in the approves marketing and communications plan;
  6. Final report on the consultancy which should include the activities undertaken, results (planned and unplanned), successes, challenges, lessons learned and recommendations for future action.

All reports must be submitted electronically by email to the CCPF/ IDB and the Arbitration and Mediation Court of the Caribbean.

1. **Supervision and Reporting**
   1. The technical and administrative responsibilities of this consultancy will be coordinated by Claudia Stevenson (IFD/CTI)) in collaboration with the IDB’s Country Office in Barbados. The counterparts will be Arbitration and Mediation Court of the Caribbean.
2. **Schedule of Payments & Qualifications**
   1. Payment terms will be based on project milestones or deliverables. The Bank does not expect to make advance payments under consulting contracts unless a significant amount of travel is required.

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| **Payment Schedule** | |
| ***Deliverable*** | **%** |
| 1. Approval of an inception report with the work plan after signature of contract. | 20% |
| 1. Completion and acceptance of the final Marketing and Communications plan, including the final branding strategy. | 20% |
| 1. Completion and acceptance of the AMCC conference launch report. | 20% |
| 1. Completion and acceptance of the Implementation Progress Report | 20% |
| 1. Completion and acceptance of the Final Report on the Consultancy | 20% |
| **TOTAL** | 100% |

**Qualifications**

Academic Degree / Level & Years of Professional Work Experience:

* Master's degree in the field of public relations, journalism, communications or marketing.

Experience

* At least 5 years professional experience in the development of communications, PR, marketing or a related flied.

Languages

* Fluency in oral and written English.

Other Skills

* Highly developed networking and communication skills, including the preparation of high quality reports and the delivery of presentations
* Ability to work under pressure, sometimes with extended hours, and to meet tight deadlines without compromising the quality of outputs; cultural awareness and sensitivity to country specific issues.

Core Competencies

* Capability and proven experience in developing and executing marketing and public awareness strategies.
* Capability and proven experience in crafting messages in various formats (press releases, website, newsletters, blogs, tweets, etc.)
* Familiarity with branding and branding compliance.
* Familiarity with website development and social media platforms.
* Experience undertaking assignments for similar not-for-profit organisations.
* Familiarity of working in the Caribbean, including the OECS.

**Characteristics of the Consultancy**

Consultancy category and modality: International Products and External Services Contractual, Lump Sum

Contract duration: Eighteen (18) months from the start date including 90 non-continuous working days.

Place(s) of work: Barbados. The consultant must be located in Barbados and will be expected to be available to the AMCC as and when needed (as agreed with AMCC).

1. **Payment and Conditions of Employment:** Remuneration will be determined in accordance with Bank regulations and criteria.
2. **Consanguinity:** Individuals with relatives working for the IDB within, and including the fourth degree of consanguinity and the second degree of affinity are not eligible for employment as staff or contractual. Candidates must be individuals from any IDB member country and non-IDB member countries recognized by the Donors of the Compete Caribbean Partnership Facility as eligible
3. **Diversity:** The IDB is committed to diversity and inclusion and to providing equal opportunities in employment. We embrace diversity on the basis of gender, age, education, national origin, ethnic origin, race, disability, sexual orientation, religion, and HIV/AIDs status. We encourage women, Afro descendants and persons of indigenous origins to apply.

# **TERMS OF REFERENCE**

**Capacity Building for Barbados in Alternative Dispute Resolution Systems**

Barbados

BA-T1056

**Upgrading of the AMCC Website**

1. **Background and Justification**
   1. Established in 1959, the Inter-American Development Bank (“IDB” or “Bank”) is the main source of financing for economic, social and institutional development in Latin America and the Caribbean. It provides loans, grants, guarantees, policy advice and technical assistance to the public and private sectors of its borrowing countries.
   2. On March 20, 2016, the IDB Board approved the creation of the Compete Caribbean Partnership Facility (CCPF) as a multi-donor Trust Fund jointed funded by the United Kingdom’s Department for International Development (DFID) and the Caribbean Development Bank (CDB). The goal of the Compete Caribbean Partnership Facility is to support the Caribbean region in increasing productivity and Caribbean firms’ contribution to economic growth. The specific objectives are to (i) support firms to grow, innovate and enter new sectors and markets; and (ii) to promote an environment that enables innovation and growth. The Facility will support productivity and economic growth in the Caribbean by focusing on two thematic pillars: (i) productivity and innovation in firms; and (ii) enhancing the business and innovation climate. The Facility is being executed by Inter-American Development Bank and henceforth all procedures related to operations and implementation thereof must comply with IDB policies.
   3. The proposed consultancy will be funded by the CCPF with the aim of building capacity in Barbados and the OECS in Alternative Dispute Resolution Systems.
   4. The ability to enforce contracts and resolve disputes is fundamental for functioning, efficient markets. Good contract enforcement practices enhance the predictability of commercial relationships and reduce uncertainty by assuring businesses and individuals that local courts will uphold their contractual rights efficiently. Weak contract enforcement slows down trade, investment, economic growth and inhibits innovation and entrepreneurship. As a result of relatively weak contract enforcement in the Caribbean, firms, both large and small, rely heavily on long-term, personalised relationships with their suppliers or consumers to avoid risk, thus potentially reducing the capacity of new innovative firms to enter the market. Banks are more conservative and reduce their financing for new investments. New business ventures without a record in the market find it harder to obtain finance and credit, in addition to the uncertainty in securing revenue. This particularly affects start-ups and the SME sector. Given the fact that the majority of the businesses in the Caribbean can be classified as SMEs, (in Barbados, micro and small enterprises comprise 92.2% of formal enterprises in the country), limited options to resolve conflict quickly and efficiently hinder growth, investment, innovation and productivity.
   5. Alternative Dispute Resolution (ADR) increases conflict resolution options for firms, and particularly for SMEs. An ADR system helps parties resolve disputes without going to court and is often less formal, cheaper and quicker than litigation. And in addition to being timely and cost-efficient, ADR is also confidential and offers a discreet and neutral setting for the resolution of disputes. In 2017, the Arbitration and Mediation Court of the Caribbean (AMCC) was established in Barbados. The AMCC is a not-for-profit organization, established to offer alternative methods of dispute resolution to assist in the swift, cost-effective resolution of commercial disputes, in Barbados and the wider Caribbean. While there are some ADR initiatives already in the region, the AMCC aims to fill existing gaps in services and expertise and reduce the cost of accessing arbitration and mediation services, thereby increasing firm access to such services. The Centre plans to specifically target SMEs through a number of low value/low cost schemes, as well as simpler rules and procedures, which would allow SMEs and individuals to access services more easily.
   6. The AMCC held a soft launch in December 2017 and has developed an informational website in January 2018. As the Centre establishes itself as a regional leader in ADR and continues to expand services to Barbados and OECS markets, the CCPF is helping the Centre with branding as well as strategic marketing and communications. The Centre also requires support to upgrade its existing website to a more client-centered portal in conjunction with its branding and marketing plans.
2. **Objective**

* 1. The objective of this consultancy is upgrade the existing website of the Arbitration and Mediation Court of the Caribbean (AMCC) to a more client-centered online portal. The website will be maintained by the AMCC and it will be used to publish a wide range of communications and promotional materials, (such as events, press releases, speeches, presentations, annual reports, research papers and brochures), to facilitate its work, promote its activities and share information with clients, partners and the general public.

1. **Scope of Services**

The scope of services includes the following:

* 1. Provide the technical design for the re-development of the AMCC website in alignment with the AMCC brand strategy and marketing and communications plan guidelines.
  2. Establish a secure, re-designed website on the Internet that is interactive, appealing, and user-friendly.
  3. Ensure that the AMCC is able to manage the website and its contents appropriately.

1. **Key Activities**

The contractual will carry out the following key activities that will facilitate the achievement of the objective:

* 1. Assess the current AMCC website structure and contents for ease of accessibility, quality of contents, user-friendliness, ease of maintenance or update, information retrieval, etc.
  2. Review the brand strategy and marketing and communications plan of the AMCC, as well as existing client management software – specifically its Daylite and Curia systems.
  3. Liaise with relevant programme officers and team members to understand users' needs and identify corresponding user interface requirements, workflows, and functionalities.
  4. Make a proposal for the technical design and development of the website including wireframes, storyboards and prototypes to propose options for implementation. The solution should include upcoming events, latest news, trending topics, accessing the AMCC services, etc.
  5. Design the website structure, taking into account the need for clear data and page storage, attractive site and page layout, ease to use, update and maintain, flexible navigation and search functions, monitoring of website visits and downloads, etc.
  6. Create the HTML documents and graphics for implementation on the Web.
  7. Establish the re-designed website on the Web, including an anti-virus and anti-hacker plan. It should include a secured and authenticated web access web solution and be secured in accordance with current best practices.
  8. Train the AMCCC in website administration and provide a technical Administrator Manual.
  9. Make recommendations for any further software, hardware and other back-end applications related to the website development and functionality.
  10. To complete the activities above the contractual will have to collaborate closely with the Director General of the AMCC, as well as with key stakeholders and the marketing and communications consultant.

1. **Expected Outcome and Deliverables**

The expected outcomes and products under this assignment are the following:

* 1. An inception report, including the approach, work plan and timelines for the assignment;
  2. A website proposal for the technical design and development of the website including wireframes, storyboards and prototypes to propose options for implementation.
  3. A completed, tested and launched website on the Web.
  4. Training completed for AMCC staff with completed Website Administration Manual.

All reports must be submitted electronically by email to the CCPF/ IDB and the Arbitration and Mediation Court of the Caribbean.

1. **Supervision and Reporting**
   1. The technical and administrative responsibilities of this consultancy will be coordinated by Claudia Stevenson (IFD/CTI)) in collaboration with the IDB’s Country Office in Barbados. The counterparts will be Arbitration and Mediation Court of the Caribbean.
2. **Schedule of Payments & Qualifications**
   1. Payment terms will be based on project milestones or deliverables. The Bank does not expect to make advance payments under consulting contracts unless a significant amount of travel is required.

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| **Payment Schedule** | |
| ***Deliverable*** | **%** |
| 1. Approval of an inception report with the work plan after signature of contract. | 20% |
| 1. Completion and acceptance the website proposal | 20% |
| 1. Completion and acceptance and launch of the re-designed AMCC website. | 40% |
| 1. Completion of the training of AMCC staff an acceptance of the Website Administration Manual. | 20% |
| **TOTAL** | 100% |

**Qualifications**

Academic Degree / Level & Years of Professional Work Experience:

* Qualifications in graphic design and the technical implementation of user interfaces in a web-based environment

Experience

* At lease 3 years experience in Website design and setup.
* Knowledge of industry-standard design tools such as Adobe Photoshop, Illustrator and Dreamweaver
* Expert knowledge of technology such as HTML, CSS and JavaScript.
* Knowledge of Bootstrap, jQuery and AngularJS
* Candidates should provide a portfolio containing examples of their achievements.

Languages

* Fluency in oral and written English.

Other Skills

* Strong knowledge of the field of expertise with good analytical skills, ability to understand complex problems and to deliver appropriate solutions
* Good spoken and written communication skills, including the ability to liaise with technical staff and present information in a clear and concise style.
* Ability to understand users' needs and to customize services and products accordingly, in order to provide user-friendly and ergonomic solutions that meet user requirements.
* Ability to plan projects and activities, work to tight deadlines, and manage conflicting priorities
* Ability to work under pressure, sometimes with extended hours, and to meet tight deadlines without compromising the quality of outputs; cultural awareness and sensitivity to country specific issues.

Core Competencies

* Solid understanding of the concepts of user experience, user interface design principles and conceptual design
* Solid knowledge on website security and website hosting service
* Eye for design and attention to details are essential.
* Familiarity with branding and branding compliance.
* Experience undertaking assignments for similar not-for-profit organisations.
* Familiarity of working in the Caribbean, including the OECS.

**Characteristics of the Consultancy**

Consultancy category and modality: International Products and External Services Contractual, Lump Sum

Contract duration: Three (3) months from the start date including 90 non-continuous working days.

Place(s) of work: Barbados. The consultant must be located in Barbados and will be expected to be available to the AMCC as and when needed (as agreed with AMCC).

1. **Payment and Conditions of Employment:** Remuneration will be determined in accordance with Bank regulations and criteria.
2. **Consanguinity:** Individuals with relatives working for the IDB within, and including the fourth degree of consanguinity and the second degree of affinity are not eligible for employment as staff or contractual. Candidates must be individuals from any IDB member country and non-IDB member countries recognized by the Donors of the Compete Caribbean Partnership Facility as eligible
3. **Diversity:** The IDB is committed to diversity and inclusion and to providing equal opportunities in employment. We embrace diversity on the basis of gender, age, education, national origin, ethnic origin, race, disability, sexual orientation, religion, and HIV/AIDs status. We encourage women, Afro descendants and persons of indigenous origins to apply.

# **TERMS OF REFERENCE**

**Capacity Building for Barbados in Alternative Dispute Resolution Systems**

Barbados

BA-T1056

**Design and Delivery of Training for Panel Development in ADR**

1. **Background and Justification**
   1. Established in 1959, the Inter-American Development Bank (“IDB” or “Bank”) is the main source of financing for economic, social and institutional development in Latin America and the Caribbean. It provides loans, grants, guarantees, policy advice and technical assistance to the public and private sectors of its borrowing countries.
   2. On March 20, 2016, the IDB Board approved the creation of the Compete Caribbean Partnership Facility (CCPF) as a multi-donor Trust Fund jointed funded by the United Kingdom’s Department for International Development (DFID) and the Caribbean Development Bank (CDB). The goal of the Compete Caribbean Partnership Facility is to support the Caribbean region in increasing productivity and Caribbean firms’ contribution to economic growth. The specific objectives are to (i) support firms to grow, innovate and enter new sectors and markets; and (ii) to promote an environment that enables innovation and growth. The Facility will support productivity and economic growth in the Caribbean by focusing on two thematic pillars: (i) productivity and innovation in firms; and (ii) enhancing the business and innovation climate. The Facility is being executed by Inter-American Development Bank and henceforth all procedures related to operations and implementation thereof must comply with IDB policies.
   3. The proposed consultancy will be funded by the CCPF with the aim of building capacity in Barbados and the OECS in Alternative Dispute Resolution Systems.
   4. The ability to enforce contracts and resolve disputes is fundamental for functioning, efficient markets. Good contract enforcement practices enhance the predictability of commercial relationships and reduce uncertainty by assuring businesses and individuals that local courts will uphold their contractual rights efficiently. Weak contract enforcement slows down trade, investment, economic growth and inhibits innovation and entrepreneurship. As a result of relatively weak contract enforcement in the Caribbean, firms, both large and small, rely heavily on long-term, personalised relationships with their suppliers or consumers to avoid risk, thus potentially reducing the capacity of new innovative firms to enter the market. Banks are more conservative and reduce their financing for new investments. New business ventures without a record in the market find it harder to obtain finance and credit, in addition to the uncertainty in securing revenue. This particularly affects start-ups and the SME sector. Given the fact that the majority of the businesses in the Caribbean can be classified as SMEs, (in Barbados, micro and small enterprises comprise 92.2% of formal enterprises in the country), limited options to resolve conflict quickly and efficiently hinder growth, investment, innovation and productivity.
   5. Alternative Dispute Resolution (ADR) increases conflict resolution options for firms, and particularly for SMEs. An ADR system helps parties resolve disputes without going to court and is often less formal, cheaper and quicker than litigation. And in addition to being timely and cost-efficient, ADR is also confidential and offers a discreet and neutral setting for the resolution of disputes. In 2017, the Arbitration and Mediation Court of the Caribbean (AMCC) was established in Barbados. The AMCC is a not-for-profit organization, established to offer alternative methods of dispute resolution to assist in the swift, cost-effective resolution of commercial disputes, in Barbados and the wider Caribbean. While there are some ADR initiatives already in the region, the AMCC aims to fill existing gaps in services and expertise and reduce the cost of accessing arbitration and mediation services, thereby increasing firm access to such services. The Centre plans to specifically target SMEs through a number of low value/low cost schemes, as well as simpler rules and procedures, which would allow SMEs and individuals to access services more easily.
   6. To date, the AMCC has hosted a workshop on International and Non-International Arbitration Rules, Mediation Rules, Procedures and Fees. The Centre also offers, on request, ADR seminars and workshops to match the needs of legal and commercial clients. These focus on arbitration, mediation and negotiation and offer professional education and training for lawyers, commercial managers, claims managers and HR professionals. In order to develop a cadre of arbitrators and mediators that the Centre can call on to provide ADR services to its clients, the Centre is seeking expert support to train professionals from Barbados and the OECS. It is also seeking to increase local capacity to deliver the training in the future through a training for trainers programme.
2. **Objective**

* 1. The objective of this consultancy is to deliver standardized international arbitration and mediation training packages for the AMCC, including training for trainers to facilitate ADR panel development and increased capacity for local delivery of future training.

1. **Scope of Services**

The scope of services includes the following:

* 1. Deliver their own standard international curriculum for ADR training for the AMCC.
  2. Develop training modules for ADR training and for training for trainers (ToT).
  3. Develop training manuals for the AMCC, and simulations customized to the Caribbean context for ADR modules and ToT modules.
  4. Deliver at least 4 workshops to deliver the training curriculum (1 arbitration, 1 mediation and 2 ToT).
  5. Assess the results of the training sessions and update the training modules accordingly.

1. **Key Activities**

The contractual will carry out the following key activities that will facilitate the achievement of the objective:

* 1. Review the AMCC mission and vision and information on the services and education available at the Centre currently.
  2. In discussion and consultation with the Director General, propose an approach to curriculum development, (one for arbitration and one for mediation), create a schedule for activities and deliverables including tentative training plan and a framework for the monitoring and evaluation to measure success in achieving deliverables and expected results from the consultancy.
  3. Submit their full standard arbitration/mediation curriculum to the AMCC and an ADR training package which includes all relevant modules including training for trainers. The training package must be aligned with international standards and focused on preparing participants to serve on ADR panels established by the AMCC to provide services to its clients. The training package should include:
     1. All relevant ADR modules
     2. Supporting course material, including role plays, reading materials and participant handbooks/workbooks
     3. A trainer’s manual covering all the modules
     4. A train the trainers manual
  4. Deliver training package (arbitration/mediation) for the AMCC to participants selected by the AMCC. There should be at least one complete cycle of training (either arbitration or mediation) and one Train the Trainer. As such the AMCC will receive support for the completion of one completed cycle on Mediation, one on Arbitration and two on Train the Trainers (arbitration and mediation separately). The schedule for delivering the training must be approved by the AMCC. The AMCC will be responsible for all logistics and organisation or the trainings. At the end of each training, the contractual will submit a report on the training, identifying what went well, what were the challenges and what could be improved upon.
  5. Following the completion of the delivering of training each contractual will update/adapt all the materials in the training package, based on experience gained in delivering the training sessions. The revised materials should be contextualized to the Caribbean reality and should include regional case studies. The revised material should be annexed to a final consultancy report which includes reflections on the consultancy, successes and challenges and recommendations for next steps. This material will remain the copyright of the AMCC.
  6. To complete the activities above each contractual will have to collaborate closely with the Director General of the AMCC, as well as any other stakeholders identified by the AMCC.

1. **Expected Outcome and Deliverables**

The expected outcomes and products under this assignment are the following:

* 1. An inception report, including the approach, work plan and timelines for the assignment;
  2. An inception report, including the approach, work plan and timelines, and the monitoring and evaluation framework for the assignment;
  3. Standard ADR Curriculum with all relevant modules (arbitration/mediation), including the ToT, and all supporting materials and manuals, as well as a delivery schedule for training.
  4. Reports on delivery of training workshops (at least 1 on mediation/ 1 on arbitration and 1 ToT)
  5. Final consultancy report with updated training package and recommendations for next steps.

All reports must be submitted electronically by email to the CCPF/ IDB and the Arbitration and Mediation Court of the Caribbean.

1. **Supervision and Reporting**
   1. The technical and administrative responsibilities of this consultancy will be coordinated by Claudia Stevenson (IFD/CTI)) in collaboration with the IDB’s Country Office in Barbados. The counterparts will be Arbitration and Mediation Court of the Caribbean.
2. **Schedule of Payments & Qualifications**
   1. Payment terms will be based on project milestones or deliverables. The Bank does not expect to make advance payments under consulting contracts unless a significant amount of travel is required.

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| **Payment Schedule** | |
| ***Deliverable*** | **%** |
| 1. Approval of an inception report with the work plan after signature of contract. | 10% |
| 1. Completion and acceptance the standard ADR Curriculum and Training Package. | 20% |
| 1. Completion of delivery of training and acceptance of training reports | 40% |
| 1. Completion and acceptance of final consultancy report and updated training package | 20% |
| **TOTAL** | 100% |

**Qualifications**

Academic Degree / Level & Years of Professional Work Experience:

* Advanced degree in Law or International law, including Company Law, Commercial Property, Contract and Employment Law;

Experience

* Minimum 10 years of professional experience in the fields relevant to alternative dispute resolution mechanisms in civil justice.

Languages

* Fluency in oral and written English.

Other Skills

* Ability to work in multi-disciplinary and multi-cultural teams,
* Ability to work under pressure against strict deadlines,
* Ability to think out-of-the-box,
* Ability to present complex issues persuasively and simply.
* Ability to contextualize global trends in accordance with the dynamics of the operating (working) environment.

Core Competencies

* Proven expertise in provision of advice for the development of training programs for lawyers, government officials, judicial actors and /or arbitrators and mediators;
* Extensive expertise in the field of ADR internationally, as well as legal issues related to commercial activities with specific knowledge of, and familiarity with, the legal and commercial environment in Barbados and the Caribbean region;
* Experience undertaking assignments for similar not-for-profit organisations;
* Familiarity of working in the Caribbean, including the OECS.

**Characteristics of the Consultancy**

Consultancy category and modality: International Products and External Services Contractual, Lump Sum

Contract duration: Twelve months (12) months from the start date including 40 non-continuous working days.

Place(s) of work: Consultant’s place of residence, Barbados

1. **Payment and Conditions of Employment:** Remuneration will be determined in accordance with Bank regulations and criteria.
2. **Consanguinity:** Individuals with relatives working for the IDB within, and including the fourth degree of consanguinity and the second degree of affinity are not eligible for employment as staff or contractual. Candidates must be individuals from any IDB member country and non-IDB member countries recognized by the Donors of the Compete Caribbean Partnership Facility as eligible
3. **Diversity:** The IDB is committed to diversity and inclusion and to providing equal opportunities in employment. We embrace diversity on the basis of gender, age, education, national origin, ethnic origin, race, disability, sexual orientation, religion, and HIV/AIDs status. We encourage women, Afro descendants and persons of indigenous origins to apply.