



**ASEAN-AUSTRALIA DEVELOPMENT COOPERATION PROGRAM (AADCP)
PHASE II**

**TERMS OF REFERENCE
FOR
THE NEW ASEAN TARIFF FINDER**

The ASEAN Secretariat and the Australian Government, through AADCP II, invite applications from consultants for the above-referenced project.

I. Background

A tariff finder helps traders determine what tariff, or tax at the border, the destination countries will collect when a product crosses their boundaries.

The existing ASEAN Tariff Finder started operating in 2016 is managed by the ASEAN Secretariat (ASEC). It currently provides information on tariff reduction schedules of ASEAN Member States and Free Trade Agreement (FTA) Partners under several ASEAN trade agreements as well as Product Specific Rules (PSRs) for the ASEAN Trade in Goods Agreement (ATIGA) and some ASEAN+1 FTAs.

The current tariff finder was designed to assist businesses, and maximize benefits from ASEAN's FTAs. The tool was launched at the 48th ASEAN Economic Ministers (AEM) Meeting in August 2016 and has been fully operating since then.

At the moment, the ASEAN Tariff Finder provides the TRS for the following agreements:

1. ASEAN Trade in Goods Agreement (ATIGA);
2. ASEAN-Australia-New Zealand Free Trade Area (AANZFTA);
3. ASEAN-China Free Trade Area (ACFTA);
4. ASEAN-India Free Trade Area (AIFTA);
5. ASEAN-Japan Comprehensive Economic Partnership Agreement (AJCEPA);
6. ASEAN-Korea Free Trade Area (AKFTA).

In addition, it also provides the PSRs for the ATIGA and the above mentioned ASEAN+1 FTAs.

The World Customs Organization (WCO) provides the 6-digit HS Code transposition every five (5) years; however, the ASEAN Tariff Finder has not been updated since its inception. In 2022, AMS are still in the progress of transposing the TRSs in the ATIGA and ASEAN-plus FTAs. Therefore, to ensure the accuracy of tariff rates, updating the current Tariff Finder database to the latest HS/AHTN versions is essential.

As the existing Tariff Finder no longer serves the purposes it was intended to deliver, the development of a new Tariff Finder is being proposed to address expanding requirements. Aside from the trade agreements currently covered in the current Tariff Finder, the proposed project will include the newly concluded or upgraded trade agreements, the scope of a new tariff finder can be enhanced to encompass tariff commitments, rules of origin, NTMs, import, export, and customs procedures of relevant AMS, interaction with the private sector, linkage to other useful websites, among others, which are useful for facilitating trade.

II. Needs and Objectives

Through this project, it is expected that the AMS and relevant stakeholders would have improved access to trade-related information (e.g., tariffs, PSRs, customs procedures, and import-export requirements) that will facilitate informed decision-making. Specifically, it envisaged to lead to:

1. Improved quantity and quality of trade flows across ASEAN and their trading partners outside the region due to the provision and better access to significant and timely trade information

The new ASEAN tariff finder is intended to assist businesses in maximising benefits from the FTAs through updated and accurate trade information in a single portal, which includes:

- Global MFN duties, including those of the ASEAN Member States (AMS), its Dialogue Partners (DPs), and the other World Trade Organization (WTO) Members;
- Regular duties of non-WTO Members;
- Preferential tariff rates under all ASEAN FTAs, including the ATIGA, ASEAN Plus FTAs, RCEP, and bilateral or regional FTAs of AMS where available;
- Internal taxation measures becoming due at importation such as Value Added Tax (VAT), excise, and other taxes;
- Rules of Origin and Product Specific Rules (PSRs) under all ASEAN FTAs; and
- Global import procedures and formalities, including global import licensing mechanisms as well as customs clearance requirements.

Such information will help traders prepare business plans and import-export strategies before shipping the goods to importing countries. It also mitigates the risks of exposure of traders due to the lack of trade and customs information.

2. Efficient trade negotiations and analysis of trade performance

ASEAN government officials and negotiators could use the widely-expanded database to analyse existing commitments for more cost-effective negotiations. It may also potentially contribute to a better assessment of trade performance.

Together with AADCP II, the ASEAN Secretariat's Trade Facilitation Division (TFD) seeks to engage the services of an entity or firm to support the preparation of the project key outputs identified below.

III. Outputs

The outputs of this project include the following:

- A new ASEAN Tariff Finder with the elements mentioned in section "II. Needs and Objectives" and technical specifications as stated in ANNEX A of this TOR; and
- Communication products and activities to promote the ASEAN Tariff Finder including workshops, seminars, creation of a dedicated leaflet/e-flyer, a user manual, and an instructional video.

In addition to these outputs, as well as to maintain the tariff finder's relevance and assess usability, appropriate monitoring indicators will also be developed and information will be regularly collected and reported.

IV. Tasks/Activities

The following activities will need to be undertaken to achieve the outputs presented above. The bidder should provide details on its approach to each activity in its bid and is free to recommend additional activities.

	Output/Milestone	Activities*	Person working days	Completion Date	Person(s) responsible
1	Inception Report	<ul style="list-style-type: none"> - Submission of the draft Inception Report detailing the overall approach to the delivery of the expected outputs including detailed work and management plans; - Inception Meeting with ASEC, CCA representatives, AADCP II; and, - Finalisation of the Inception Report based on feedback, if any. 	5-person days	last week of November to 1 st week of December 2022	Consultant/Vendor/ASEC/AADCP II
<i>Approval of the inception report by the Senior Economic Officials Meeting (SEOM) (10 working days)</i>					
2	The new ASEAN Tariff Finder	<ul style="list-style-type: none"> - Development of the program interface (UI/UX); - Development of a prototype; - Development of the database - Development of functional User Acceptance Testing (UAT) (register new users, search functions, etc.) and, - Finalisation. 	400-person days	December 2022	Consultant/Vendor/ASEC
<i>Approval of the ASEAN Tariff Finder by the Senior Economic Officials Meeting (SEOM) (10 working days)</i>					
3	IEC Materials	<ul style="list-style-type: none"> - Creation of draft leaflet/e-flyer, User Manual, Video, and public information material for review of ASEC and CCA; - Finalisation of draft leaflet/e-flyer, User Manual, Video, and public information materials based on feedback received. 	65-person days	January 2023	Consultant/Vendor ASEC
4	Outreach Programmes & Training	<ul style="list-style-type: none"> - Drafting of awareness and training materials for AMS and other relevant stakeholders for review of ASEC and CCA; - Finalisation of awareness and training materials before roll-out; and - Conduct awareness and training events. 	100-person days	Throughout the Project	Consultant/Vendor ASEC
5	Regular operation & maintenance	<ul style="list-style-type: none"> - Database and information update; - Maintenance of the ASEAN Tariff Finder; 	4800-person days	Throughout the Project	Consultant/Vendor

		<ul style="list-style-type: none"> - Provide any technical support required to ensure/maintain optimal performance of the new ASEAN Tariff Finder during the period of the contract; - Respond to the queries from AMS, ASEC, and relevant stakeholders; and - Submission of Monthly Performance Report. 				
6	Completion Report	<ul style="list-style-type: none"> - Drafting and submission of the Project Completion Report which consists of an assessment of the whole operationalisation of the project (i.e., summarising the project outputs, achievements/ shortfalls, learnings and recommendations) for review; and, - Finalisation of the PCR based on feedback received. 	10-person days	December 2025	Consultant/Vendor	
<i>Approval of Completion Report by Trade Facilitation Division (ASEC) (5 working days)</i>						
*The indicative period for each project milestone may overlap, or run in parallel with other milestones to meet the project commission date.						

V. Reporting

The consultant is expected to produce reports in accordance with Section III and IV above. The timing of delivery is indicative and can be adjusted when the consultant's work plan is developed, subject to mutual agreement.

No.	Reports	Target Delivery Date
1	Inception Report Provides a mutual understanding of the consultant's plan of action and timeline for conducting the project of the new ASEAN Tariff Finder. It also provides an additional guarantee of adherence to and interpretation of the TOR.	Last week of November to the first week of December 2022
2	Monthly Performance Report Provides information on the database maintenance/update, performance, utilisation of the new ASEAN Tariff Finder, and other activities undertaken as well as issues arising after its full operationalisation.	Every Month till the end of the project
3	Project Completion Report Provides the information and assessment on the whole operationalisation of the project at the end of the project funding by the AADCP2.	End of the project (year 3)

All reports will be submitted based on AADCP II Guidelines for Contractors in draft format to the TFD of the ASEAN Secretariat with a copy to AADCP II, and following ASEC approval, in final form. All outputs and reports must be suitable for publication, although the decision on publication lies with the ASEAN.

Financial reports will be submitted at invoicing in line with a payment schedule to be specified in the Special Services Agreement (SSA).

VI. Project Management

The project will be funded by the AADCP II and managed by the TFD of the ASEAN Secretariat in consultation with the relevant divisions and the AADCP II Program Planning and Monitoring Support Unit (PPMSU).

The TFD, with oversight support from AADCP II, will be responsible for the overall management of the project. It will work closely with AADCP II PPMSU in the selection of external consultant(s) for the project, in ensuring the timely delivery of planned activities and key deliverables of the project, and in ensuring efficient reporting and disbursement of funds. AADCP II will monitor progress from the perspective of the use of AADCP II resources and timely delivery of outputs that are fit for purpose and will provide advice to the TFD accordingly.

TFD will act as the ASEAN Secretariat's key focal point for the project. It will, in consultation with the relevant divisions in ASEC:

- manage project implementation, and together with AADCP II, monitor the progress of the consultancy work;
- provide technical supervision to the project;
- assist/facilitate introductory consultation meetings with key Member States focal points and sectoral bodies, as needed; and,
- provide overall guidance on the presentations and meetings.

The consultant should be responsible for organising and conducting the scheduled activities in collaboration with the host countries and the ASEAN Secretariat.

AADCP II will conclude at the end of 2022. Once it concludes, support for this project will be provided through its successor program, the Australia for ASEAN Futures (Economic and Connectivity), subject to the program's approval which is anticipated during the last quarter of 2022.

VII. Scope of Services

The consultancy will be undertaken over a **continuous effective period of 36 (thirty-six) calendar months** with approximately **650-person months** of professional services. Work will commence immediately after contract signing.

The number of people working months is intended to indicate the amount of relative effort required to deliver the corresponding outputs. The calculation is based on the assumption of twenty-two working days per month. Actual time will be agreed upon in negotiation with the successful bidder.

VIII. Qualifications

In its proposal, the bidder (preferably an entity) should demonstrate experience and availability of the following skills and competencies, both management and technical:

- The proposed team members should possess expertise in the areas of information systems, business administration, business management, management engineering, international trade, computer science, or related fields. The team is expected to be led by a project manager with at least five (5) years of project management experience on projects of similar scale and complexity;
- Good working knowledge of preferential trading arrangements and their trade creation/distortion impacts;
- Good understanding of the Harmonized System of Tariff Nomenclature (HS) under the aegis of the World Customs Organization (WCO) and efforts undertaken by ASEAN in developing its own Harmonized Tariff Nomenclature (AHTN);
- Good working knowledge of tariff reduction schedules (TRS) and Product Specific Rules (PSRs), Non-Tariff Measures, and other trade-related information and documents.
- Track record in developing, updating, and maintaining web-based tariff search tools to facilitate utilization of preferential tariffs under existing trading arrangements;
- At least five (5) years of experience in developing web applications, systems, and server administration;
- Demonstrated technical capacity in developing high-quality IEC materials for a general (non-technical) audience in English (e.g. leaflet/e-flyers, user manuals, video, other public awareness and information materials);
- Able to manage multiple parallel activities at the same time and deliver results in a short timeframe;
- Familiarity with ASEAN, ASEAN Economic Community, ASEAN Structure, and implementation arrangements for ASEAN Strategic Plans is an advantage; and
- A thorough understanding of ASEAN, the ASEAN Secretariat, and the AADCP II procedures will be considered an added value.
- Capacity to generate and process data to ensure that the information in the tariff finder is up to date.

IX. Bidding

Interested consulting firms are invited to submit a proposal in response to these Terms of Reference. This proposal should be in two parts: **Technical** and **Financial components**.

The Technical component should present the following information:

- A brief discussion indicating the bidder's understanding of the needs of the project;
- A brief analysis of key issues;

- A methodological discussion of how the bidder proposes to address those needs including assessment of key issues, analytical strategies that will underlie the project, specific techniques to be utilised, and practical discussion of possible limitations in carrying out the project;
- A detailed work plan that specifies activities to be undertaken, expected outputs and deliverables, resources to be utilised, and timing;
- Staffing and management plan;
- A discussion on how measures to ensure the future sustainability of the outcomes of the project will be addressed;
- CVs of all proposed experts;
- A brief discussion of the firm's past experience in undertaking similar work and brief summaries of all projects undertaken; and
- Website link to samples of relevant past work/ reports.

The Financial component should specify:

- Professional fees of expert(s);
- Management and/or operational fees (if any), which include all costs incurred by the person/entity/company for internal coordination, communication, travel, and any other associated project management cost;
- Applicable taxes such as VAT, GST, and PPN. See Section XI point 3 for an additional note on tax liability.

Activity costs for experts and participants such as reimbursable expenses for airfare, other travel costs, and daily subsistence allowance for workshops, meetings, and all other agreed activities do not need to be included in the Financial Component. These items will be discussed with the preferred contractor during the finalisation of the scope of services. Costs will be based on prevailing ASEC rates.

X. Submission of Application

Applicants should send their application with a cover letter, materials specified in Section VIII above, and other supporting documents with "**New ASEAN Tariff Finder**" as the subject via email to tender@aadcp2.org no later than **Thursday, 10 November 2022 at 05:00 pm Jakarta time**.

For Frequently Asked Questions (FAQ), please visit <http://aadcp2.org/aadcp-ii-tender-frequently-asked-questions/>

Any queries on the TOR should be sent to contact@aadcp2.org with the subject line: "**Queries - New ASEAN Tariff Finder**".

XI. Additional Notes on Terms and Conditions of the Project

1. Any future studies/reports/analysis in any form of intellectual property rights (including but not limited to patents, copyright, and any related rights) submitted by the Contractor to ASEAN arising out of or in connection to the services performed by the Consultant to ASEAN shall belong to ASEC under the name of **ASEAN** only.
2. The successful bidder shall agree to be bound and sign the Special Services Agreement (SSA) with all requirements under the terms and conditions provided therein, including but not limited to the AADCP II Guidelines for the Contractors attached to the SSA.
3. As an intergovernmental organisation, ASEAN shall not be responsible for any tax(es), levy, tax claim, or any tax liability which may be imposed by any law in relation to any amount payable by the ASEAN Secretariat.

ANNEX A. Technical Specifications of the New ASEAN Tariff Finder

A. NEW ASEAN TARIFF FINDER SCOPE

1. Tenderers are invited to make a tender submission to propose solutions that best meet the requirements of this project.
2. The appointed vendor's database of tariff and non-tariff information shall be made available to registered users, based on the ASEAN Member states (AMS) geographical license.
3. Users shall be able to search from the new ASEAN Tariff Finder database which contains global MFN rates and preferential rates, and global import formalities. The database shall also contain Rules of Origin (ROO) and Product Specific Rules (PSRs) covering all ASEAN FTA agreements as well as other elements stated in Section II (Needs and Objectives) of this TOR.
4. The database of information shall be ready and available upon commissioning of the New ASEAN Tariff Finder portal.
5. The appointed vendor shall, during the contract term, update the new ASEAN Tariff Finder database with information on new trade agreements that have been implemented.
6. The appointed vendor shall, during the contract term, upon request, share the new ASEAN Tariff Finder database in database format or excel format to the ASEAN Secretariat for verification purposes.
7. The appointed vendor shall, during the contract term, update the new ASEAN Tariff Finder database with information relating to food import and/or export, under the import formalities section, based on information that will be periodically furnished by ASEC. The information shall be mapped and displayed to users based on inputs of a specific country of origin, i.e., AMS, and destination.
8. Users shall be able to conduct searches through the new ASEAN Tariff Finder based on the following premises:
 - 8.1. User input fields:
 - 8.1.1. "Origin" (drop-down list)
 - 8.1.2. "Destination" (drop-down list)
 - 8.1.3. "Product code"
 - 8.2. A new ASEAN Tariff Finder database contains global MFN rates and preferential rates, and global import formalities. The database shall also contain rules of origin and Product Specific Rules (PSRs) covering AMS' FTAs/EPAs as well as other elements stated in Section II (Needs and Objectives) of this TOR.
 - 8.3. Import formalities shall be clearly defined within the database, as general requirements or specific requirements. General requirements and specific requirements shall be related or linked to the product's HS code. Import formalities shall cover both import procedures and market access information.
 - 8.4. Searches by HS code shall be performed at the 4-digit, 6-digit, and 8-digit levels.
 - 8.5. Any word/product searches shall not restrict users to exact word(s), but also include related words, e.g., paper, pulps of fibers, paperboard, tissue stock, etc.
 - 8.6. Display contextually suggestive text while the user is typing a keyword into the search field(s) to aid in the search.
 - 8.7. The new ASEAN Tariff Finder database shall be updated frequently and regularly.
 - 8.8. The new ASEAN Tariff Finder portal shall clearly show users the updates/additions that have been made to the database in chronological order.

- 8.9. MFN and preferential rates as well as other information shall be updated by the vendor accurately based on verified information through the appointed vendor's network, implementations by countries, and/or FTA schedules of commitments.
- 8.10. Product classification is based on a product code search or a product keyword search. Product keyword search shall include a list of possibilities of related products.
- 8.11. The mode of language for the new ASEAN Tariff Finder shall be in the English language with possible extension to the national languages of the AMS.
9. The portal shall reflect ASEAN's look and feel, and the colour scheme shall be similar to ASEAN's website. The look and feel specifications (i.e. ASEAN's logo and colour palette) shall be provided to the appointed vendor during the project planning period.
 - 9.1. If the AMS requires the look and feel specifications such as the colour scheme, font type, agency name, logo, etc., to be updated/changed after commissioning, the appointed vendor shall make the requested changes during the contract term.

B. REQUIREMENT SPECIFICATIONS

10. The Tariff Finder portal shall contain a Third-Party Website disclaimer that will be formulated by the ASEAN Secretariat in consultation with the ASEAN Members.
11. The new ASEAN Tariff Finder's registration page shall minimally request the following:
 - 11.1. User's email address
 - 11.2. Company/Users details (address, country)
 - 11.3. Password
 - 11.4. Company structure
 - 11.4.1. Micro Small Medium Enterprise, Large Local Enterprise, Multinational Companies, Trade Associations & Chambers of Commerce, Educational Institute, Others
 - 11.5. Industry Classification
 - 11.5.1. Air Transport, Built Environment, Consulting, Digital / ICT, Education, Electronics, Energy & Chemicals, Food Manufacturing, Food Services, Healthcare & Biomedical, Land Transport, Logistics, Marine and Offshore, Non-profit Organisation, Precision Engineering, Retail, Sea Transport, Urban Solutions, Wholesale Trade, Others.
12. Access to the Tariff Finder portal shall be granted based on the ten (10) ASEAN Member States' geographical regions by Internet Protocol (IP) identification.
13. Users located outside of the geographical region of ASEAN Member States (AMS) shall be granted access to the new ASEAN Tariff Finder portal if the user has previously registered successfully, and has a valid login ID and a password.
14. Users who have successfully registered shall be granted access to the new ASEAN Tariff Finder for the entire contract term.
15. There shall not be a quantity limit or cap on the number of users who can register and access the new ASEAN Tariff Finder.
16. There shall not be a quantity limit or cap to the number of searches that can be made through the new ASEAN Tariff Finder.
17. The appointed vendor shall manage/handle registrations and logins, and manage verifications of companies that are located within the ASEAN Member States geographical region for the new ASEAN Tariff Finder portal.
18. The appointed vendor shall have an obligation to protect users' data to prevent unauthorised or accidental access, collection, use, disclosure, copying, modification, disposal, or destruction of personal data, or other similar risks.

19. Registration and/or Maintenance of Domain

19.1. The new ASEAN Tariff Finder portal shall be hosted by the appointed vendor, and the vendor shall be responsible for the maintenance of the new ASEAN Tariff Finder during the contract term.

19.2. The new ASEAN Tariff Finder URL address shall be as agreed with the ASEAN Secretariat during the project planning period.

19.3. The appointed vendor shall coordinate with the Technology Team of the ASEAN Secretariat to terminate the existing ASEAN Tariff Finder.

19.4. The appointed vendor shall undertake maintenance of the domain name/URL address for the maximum period of the term of the contract, and shall not terminate or request to transfer the designated URL without prior notice to the ASEAN Secretariat.

20. Graphical User Interface (GUI)

20.1. The new ASEAN Tariff Finder portal shall be designed in a way where users without adequate IT literacy shall be able to use the service without any assistance.

20.2. Menus shall be structurally arranged, and each option in the menu shall be easily accessible.

20.3. A loading bar shall be in place to convey the portal's response.

20.4. Error messages shall be descriptive enough for users to perform corrective actions.

20.5. Users shall see a common and seamless user interface.

21. Responsive Web Design

21.1. The new ASEAN Tariff Finder portal layout and design shall be mobile responsive, while at the same time, remaining optimized for standard workstations/PCs.

21.2. The new ASEAN Tariff Finder portal shall be adjustable according to the display of various screen sizes on mobile devices (e.g. iPhone, Android, Samsung), tablets (e.g. iPad, Galaxy Tab, etc), and browsers (e.g. Microsoft Edge, Google Chrome, Mozilla Firefox, Safari, and Opera).

22. Performance

22.1. The new ASEAN Tariff Finder's response time is defined as the time taken from the moment the user clicks on a link or button to the time a reasonable response is displayed on the user's screen.

22.2. The vendor shall ensure that requested data from the time of call, shall not be more than three (3) seconds for online queries, and ensure a response time of not more than ten (10) seconds for report generation.

22.3. The Vendor shall minimally support 100 concurrent web service searches and 100 concurrent user access.

22.4. The Vendor shall monitor the performance of the new ASEAN Tariff Finder service during the implementation, and performance guarantee period (PGP), and fine-tune the Tariff Finder services where necessary to meet the required performance.

23. Availability

23.1. The new ASEAN Tariff Finder is expected to run continuously 24 hours per day and 7 days a week.

23.2. The vendor shall meet the standard of performance with a System Availability Level (SAL) of not less than 95%, for each calendar month or part thereof, except during scheduled downtime.

24. Defacement, Hacking Monitoring, and Response

24.1. The vendor shall dedicate qualified personnel to monitor for any defacement and/or hacking and promptly respond when it is detected, to eliminate the such negative impact.

24.2. All costs associated with the putting down and restoration of the affected pages, etc., shall be borne solely by the appointed vendor.

25. Tariff Finder Monitoring Reports

25.1. A monthly new ASEAN Tariff Finder monitoring report shall be provided to the desk officer of the ASEAN Secretariat no later than the 15th of every subsequent month of service. For example, September's report shall be provided to the key project manager no later than the 15th day of October of the same year.

25.2. The report template shall be as agreed during project planning, and adjusted as required during the contract term. In the event that the ASEAN Secretariat requires additional items to be provided in the report, the vendor shall be obliged to provide the information, throughout the contract term.

25.3. The report format shall be discussed and agreed upon with the appointed vendor, and shall contain minimally:

25.3.1. A summary of the number of registered users per month, and the number of queries served per month.

25.3.2. A summary of the user profile, i.e., country, company type, and industry classification.

25.3.3. List of users registered to use the new ASEAN Tariff Finder service, including details on the company's structure, and industry classification.

25.3.4. Analysis of searches made by users, including the origin and destination entries, and HS code/product description entries.

25.3.5. A summary of users' activities and standard website metrics (number of visits, number of clicks, time spent on each visit, etc.)

25.3.6. A summary of downtime.