

Terms of Reference (ToR)
Market Assessment and Feasibility Study to expend NRC’s Commercial Contracts capacity

November 2024

Background information

*About NRC*

The Norwegian Refugee Council (NRC) is an independent humanitarian organisation working to protect the rights of displaced and vulnerable people during crises. NRC provides assistance to meet immediate humanitarian needs, prevent further displacement and contribute to durable solutions. NRC is widely recognised as a leading field-based displacement agency within the international humanitarian community. NRC works in both new and protracted crises across [more than 30 countries](https://www.nrc.no/), where we provide protection (including camp management), food assistance, clean water, shelter, legal aid, and education. NRC is a rights-based organisation and is committed to the humanitarian principles of humanity, neutrality, independence, and impartiality. With headquarters in Oslo, Norway, NRC also has representation offices in Brussels, Geneva, Berlin, London and Washington DC.

*About NORCAP*

NORCAP is NRC’s global provider of expertise to the humanitarian, development and peacebuilding sectors. It builds partnerships with international organisations and national actors to protect lives, rights and livelihoods. NORCAP provides expert personnel and collaborates with partners to identify needs and establish common goals and projects. It helps strengthen partner capacity and improve coordination and collaboration.

*NRC Commercial Contracts Work*

In response to the evolving funding landscape, commercial contracts have become a key avenue for NRC to secure predictability and long-term financial stability. This has enabled country teams to plan and implement substantial, multi-year programs. Since 2016, NRC and NORCAP have onboarded and successfully implemented 26 commercial contracts.

Building on its strong reputation, demonstrated programming capabilities, and long-standing partnerships with key donors, NRC expanded into commercial engagements with private contractors, governments, and development commissioners. All contracts to date have aligned with NRC’s response and partnership strategies, offering new financing opportunities. NRC’s extensive geographical presence and strong relationships with government entities, INGOs, and development banks position it well to grow its commercial contract portfolio.

Efforts are underway to position NRC for commercial opportunities with key players such as the FCDO and the World Bank. Looking ahead, NRC aims to expand its commercial contracts portfolio and develop a proactive, principled strategy for engagement. In May 2024, an initial in-house assessment was conducted to identify avenues for increasing commercial engagement. The next steps will involve exploring opportunities with potential clients including GIZ, DFAT, SDC, UN, EU DEV Donor (INTPA, NEAR, FPI), and regional development banks like IADB and ADB.

Purpose of the study

The Norwegian Refugee Council (NRC) is exploring opportunities to expend its commercial contracts portfolio and to diversify funding streams. To support this initiative, NRC is seeking a consultancy to conduct a market assessment and feasibility study with a specific focus on evaluating potential clients including *GIZ, DFAT, SDC, UN, EU DEV Donor (INTPA, NEAR, FPI) and Regional Development Banks (IADB and ADB as priority).* The consultancy will evaluate the financial value and strategic potential of opportunities with these clients and assess NRC and NORCAP’s suitability of entering commercial partnerships with these clients. This assessment will play a critical role in determining the strategic alignment and viability NRC’s future engagements in the commercial sector.

Objectives

The primary objectives of this consultancy are to:

1. Conduct an in-depth analysis of specific potential clients for commercial contracting including *GIZ, DFAT, SDC, UN, EU DEV Donor (INTPA, NEAR, FPI) and IADB and ADB* assessing their alignment with NRC’s mandate and values.
2. Evaluate the financial value and strategic potential of opportunities with these clients.
3. Provide recommendations on which clients are most suitable for NRC and NORCAP to engage with, based on value, strategic alignment, and risk factors.
4. Offer insights into market trends, client expectations, and competitive dynamics related to commercial contracts.
5. Analys financial, legal, and operational risks in pursuing commercial contracts with selected clients, including risks related to contractual terms, compliance, client stability, and market volatility. The scope will be defined upon completion of the draft report in consultation with the NRC commercial lead.

### Scope of work and deliverables

We expect the consultant to provide a comprehensive overview for each of the potential clients covering ***GIZ, DFAT, SDC, UN, EU DEV Donor (INTPA, NEAR, FPI)***  **IADB and ADB**

Outputs

The consultancy is expected to be primarily conducted through a desk review, relying on the consultant's prior knowledge in this field. The survey will scope *GIZ, DFAT, SDC, UN, EU DEV Donor (INTPA, NEAR, FPI) IADB and ADB’s commercial strategies.*  Interviews with key stakeholders at NRC and NORCAP as well as interviews with key stakeholders at funders may further support the mapping where necessary.

The consultant is expected to produce a written report and a presentation of the findings to senior NRC staff in a clear and concise format. This involves:

1. ***Inception Report:*** A detailed work plan and methodology, including a list of stakeholders and initial research findings.

Due: one week after signature

1. ***Client-Specific Market Assessment (Draft):*** A draft report providing detailed profiles of each identified client covering each aspect detailed in the scope of work and include recommendations for engagement.

Due: two months post signature

1. ***Final Market Assessment and Feasibility Report*:** In consultation with NRC, the consultant will produce a comprehensive final report identifying the most relevant opportunities for NRC and NORCAP. This report will summarize the client-specific analysis, opportunity assessments, eligibility requirements, compliance considerations, and provide recommendations on suitable clients and market entry strategies.

Due: three months post signature

1. ***A PowerPoint Presentation*:** A presentation summarizing the key findings and recommendations to NRC’s senior leadership (up to 12 slides).

Due: three months post signature

Research questions

This overview should explore the following:

* ***Funder Strategy***: Develop detailed profiles for each potential client, including background information, financial health, strategic priorities, and track record in commercial contracting spend over the past five years; Provide a brief analysis of commercial contracting trends over recent years (identifying growth or decline in commercial funding); Assess the types of programs and geographical/thematic areas that clients prioritize and identify sector-specific programming supported through commercial contracts;
* ***Potential Size and Duration***: Evaluate the likely size and scope of relevant aid assistance commercial opportunities available with each identified client to inform strategic planning and engagement; Estimate the typical potential revenue and profitability associated with each client including identification of geographical and thematic focuses for aid assistance commercial contracting; Identify high-value opportunities that offer significant financial returns or strategic benefits; Provide links to publicly available sites where commercial contracts from each client are published and advise on the best way to identify relevant opportunities.
* ***Alignment with NRC’s Work***: Provide insights on how each client’s commercial strategy aligns with NRC’s expertise and capacity. Analyse whether NRC’s current operational model, resources, and areas of expertise match the client’s needs for the identified opportunities
* ***Competitor Landscape*:** Analyse the competitive landscape for each client, identifying other organizations that are competing for commercial contracts with these entities; If available, list of the top ten primary recipients of aid assistance commercial contracts from each client; Assess the strengths and weaknesses of NRC relative to competitors in securing contracts.
* ***Eligibility Requirements***: Identify any pre-conditions or restrictions that could either exclude NRC programs or require adaptations to NRC's approach for accessing these contracts.
* ***Reputational Risks and Ethical Considerations*:** Evaluate potential reputational risks, including concerns about partnerships that could raise ethical considerations for NRC.
* ***Risk and Suitability Assessment:*** for selected and relevant opportunities, in discussion with NRC, analyse financial, legal, and operational risks involved in pursuing commercial contracts with each client; Consider risks related to contractual terms, compliance, client stability, and market volatility; Identify potential ethical or operational risks in engaging with certain clients, considering reputational risk and alignment with NRC’s policies.
* ***Recommendations for NRC and NORCAP***: Offer specific recommendations for NRC and NORCAP to enhance their preparedness for securing commercial contracts. This includes outlining necessary steps and preparations to better align with identified opportunities.

Timeline and management

The consultancy is scheduled to take place from Jan 2025 to March 2025
spanning 25-30 days of work. The Senior IPA Commercial Contracts for NRC, based in the UK, will oversee the management of the consultancy. The consultant can work remotely.

* Up to 15 days for desk research.
* Up to 4.5 days for interviews.
* Up to 4 days for write up of first draft.
* Up to 6 days for review, response to feedback and write up of final draft
* 0.5 days for presentation of findings

Consultant profile

NRC is seeking a consultant or a team of consultants with the following skills and experience:

* Extensive direct experience in market analysis for commercial contracting, in the humanitarian or development sector.
* Previous experience in conducting reviews, evaluations and research intended for senior management, preferably for humanitarian organisations
* In-depth knowledge of Institutional funding contracts and commercial partnership models.
* Experience with and knowledge of the humanitarian sector, including humanitarian operations.
* Experience conducting organizational mappings and reviews, preferably for non-governmental and humanitarian organizations.

Application process

All proposals are to be submitted in English language only. The proposal must include, but is not limited to, the following items:

1. A technical proposal outlining the proposed methodology and approach for conducting the client-specific market assessment.
2. CV highlighting the consultant’s qualifications and relevant experience.
3. Detailed price quote for the services. The required currency for all pricing information is GBP.
4. At least 1 work product from other projects undertaken by the consultant within the past 5 years, with particular emphasis on projects of similar scope and effort.
5. A signed copy of the document “Annex - Suppliers Ethical Standards Declaration”

All consultants, ltd or sole trader, must be registered in accordance with the legal requirements at their base. The consultant must be able to submit documentation that proves that they are meeting all legal and tax obligation for the consultancy.

**Closing date for questions**: All questions to be sent to adva.rodogovsky@nrc.no before 20 November 2024

**Closing date for submissions:** All complete proposals are to be received by NRC at adva.rodogovsky@nrc.no by **2nd December 2024 23:59 GMT**

All applicants will be contacted with formal notification of final selection or information about any delay in the process.

**Evaluation Criteria**

Proposals will be evaluated based on:

1. **Technical Proposal:** Clarity, feasibility, and comprehensiveness of the proposed approach 50%
2. **Experience:** Relevant experience in commercial contracts market assessments and the specific client analysis 15%
3. **Past Performance:** Quality of previous similar assignments 15%
4. **Financial Proposal:** Cost-effectiveness and alignment with the scope of work 30%

Management and Reporting

The consultant(s) will report to Adva Rodogovsky, senior IPA for commercial contracts with regular updates provided through emails and TEAMS.

Confidentiality

All information shared during the course of this consultancy will be treated as confidential and will not be disclosed without prior written consent from NRC.

**Annex : Ethical Standards Declaration for all Supply, Service and Works Contractors**

NRC as a humanitarian organisation expects the contractors to have high ethical standards. “all contractors supplying or planning to supply goods, works or services valued USD 10.000 or more cumulatively within a 12 months’ period must sign this declaration”.

This declaration will be kept on file for a period of 10 years and should be updated every year or more often as appropriate.

NRC staff may perform checks to verify that these standards are adhered to. Should NRC deem that the contractor fails to meet or is not taking appropriate steps to meet these standards, any and all contracts and agreements with NRC may be terminated.

Any contractors doing business with Norwegian Refugee Council shall as a minimum;

1. Comply with all laws and regulations in effect in the country or countries of business

AND

1. Meet the ethical standards as listed below.

 OR

Positively agree to the standards and be willing to implement changes in their organisation.

1. **Anti-corruption and contractor’s compliance with laws and regulations:**
	1. The contractor confirms that it is not involved in any form of fraud, corruption, collusion, coercive practice, bribery, involvement in a criminal organization or other illegal activity.
	2. Where any potential conflict of interest exists between the contractor or any of the contractor’s staff members with any NRC staff member, the contractor shall notify NRC in writing of the potential conflict. NRC shall then determine whether action is required. A conflict of interest can be due to a relationship with a staff member such as close family etc.
	3. The contractor will immediately notify senior NRC management if exposed for alleged corruption by representatives of NRC.
	4. The contractor shall be registered with the relevant government authority with regard to taxation.
	5. The contractor shall pay taxes according to all applicable national laws and regulations.
	6. The contractor warrants that it is not involved in the production or sale of any weapons including anti-personnel mines.
2. **Conditions related to the employees:**
	1. No workers in our company will be forced, bonded or involuntary prison workers.
	2. Workers shall not be required to lodge “deposits” or identity papers with their employer and shall be free to leave their employer after reasonable notice.
	3. Workers, without distinction, shall have the right to join or form trade unions of their own choosing and to bargain collectively.
	4. Persons under the age of 18 shall not be engaged in work which is hazardous to their health or safety, including night work.
	5. Employers of persons under the age of 18 must ensure that the working hours and nature of the work does not interfere with the child’s opportunity to complete his/ her education.
	6. There shall be no discrimination at the work place based on ethnic background, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.
	7. Measures shall be established to protect workers from sexually intrusive, threatening, insulting or exploitative behaviour, and from discrimination or termination of employment on unjustifiable grounds, e.g. marriage, pregnancy, parenthood or HIV status.
	8. Physical abuse or punishment, or threats of physical abuse, sexual or other harassment and verbal abuse, as well as other forms of intimidation, shall be prohibited.
	9. Steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in, the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
	10. Wages and benefits paid for a standard working week shall meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. Wages should always be enough to meet basic needs.
	11. Working hours shall comply with national laws and benchmark industry standards, whichever affords greater protection. It is recommended that working hours do not exceed 48 hours per week (8 hours per day).
	12. Workers shall be provided with at least one day off for every 7 day period.
	13. All workers are entitled to a contract of employment that shall be written in a language they understand.
	14. Workers shall receive regular and documented health and safety training, and such training shall be repeated for new workers.
	15. Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
	16. Accommodation, where provided, shall be clean, safe and adequately ventilated, and shall have access to clean toilet facilities and potable water.
	17. No Deductions from wages shall be made as a disciplinary measure.
3. **Environmental conditions:**
	1. Production and extraction of raw materials for production shall not contribute to the destruction of the resources and income base for marginalized populations, such as in claiming large land areas or other natural resources on which these populations are dependent.
	2. Environmental measures shall be taken into consideration throughout the production and distribution chain ranging from the production of raw material to the consumer sale. Local, regional and global environmental aspects shall be considered. The local environment at the production site shall not be exploited or degraded by pollution.
	3. National and international environmental legislation and regulations shall be respected.
	4. Hazardous chemicals and other substances shall be carefully managed in accordance with documented safety procedures.

We, the undersigned, verify that we are in compliance with all applicable laws and regulations, and meet the ethical standards as listed above or positively agree to these ethical standards and are willing to implement necessary changes in the organisation.

*DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*NAME OF CONTRACTOR/COMPANY: ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*NAME OF REPRESENTATIVE* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*SIGNATURE:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_