

Terms of reference (ToR)

Alignment Assessment of a multi-stakeholder initiative in the garment and footwear sector against the recommendations in the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector

I. Background

About OECD Alignment Assessments of Industry Programmes and Multi-Stakeholder Initiatives

In 2016, the OECD launched a programme to assess the alignment of initiatives with OECD Due Diligence guidance in the minerals and garment and footwear sectors, called the Alignment Assessment process. The objective of such Alignment Assessments is to evaluate the alignment of an industry or multi-stakeholder programme with the recommendations of the corresponding OECD due diligence guidance. Importantly, OECD Alignment Assessments evaluate not only how the written policies and procedures of a programme align to the steps of the OECD due diligence guidance process but, equally important, whether these policies and their implementation supports due diligence which meets the criteria of being risk-based, proactive and appropriate to the circumstances, amongst others.

The objective of OECD Alignment Assessments is to evaluate the alignment of an industry or multi-stakeholder programme (a programme) with the recommendations of the corresponding OECD due diligence guidance. Specifically, Alignment Assessments seek to determine:

- Whether key overarching due diligence principles have been incorporated into the procedures and implementation of a programme.
- Whether a programme's requirements for companies and the activities it undertakes itself are aligned to the specific recommendations of the OECD due diligence framework.

This is achieved by analysing a programme's standards and implementation against detailed "core criteria" of due diligence included in an [OECD Alignment Assessment Tool](#) (AAT). Each core criterion is linked to discrete recommendations within corresponding due diligence guidance. Programmes are evaluated as being aligned, partially aligned or not aligned against each due diligence criterion, contributing towards an overarching alignment score.

In addition to the categories of alignment (overarching due diligence principles and the due diligence framework), Alignment Assessments may also evaluate collaboration within a programme and the programme's governance. These aspects, however, do not inform the judgement on the alignment of the programme.

Alignment Assessments follow a 5-step process that starts with a detailed scoping of the programme against OECD due diligence processes. Desktop review, interviews and shadow assessments then form the basis of data collection and analysis. Based on its review, the OECD develops a findings report, which

is shared with the programme and an informal advisory group, which includes stakeholders from governments, the initiatives and civil society, prior to publication. Fact checking and discussions with the programmes that are being assessed provides an extra layer of quality control as well as a forum for discussions on the findings.

Alignment Assessments are carried out in accordance with the [OECD Alignment Assessment Methodology and Tool](#).

II. Objective of the market consultation

The objective of the market consultation is to source one contractor to support the OECD Alignment Assessment of a multi-stakeholder initiative operating in the garment and footwear sector. The following activities of the initiative fall within the scope of the Alignment Assessment:

- Factory audits/ assessments on labour / human rights standards
- Review/assessments of member brand and retailer due diligence
- Supply chain grievance mechanism

III. Scope of Work

The contractor will be responsible for the following activities. Activities will be carried out in a manner that is consistent with the OECD Alignment Assessment Methodology. Activities may be carried out consecutively in some cases (see V. Example Work plan).

Desktop review

The consultant will conduct a desktop review of documentation submitted by the initiative being reviewed. The purpose of the review will be to:

- Confirm the aspects of due diligence that the initiative holds standards on or implements, and adjust the scope of the alignment assessment as necessary.
- Evaluate the alignment of the initiative's standards or procedures against criteria included in the OECD Alignment Assessment Tool.
- Review documents that may provide evidence of the extent of alignment of the initiative's implementation with its own procedures and criteria within the OECD Alignment Assessment Tool.

Key interviews

The consultant will conduct approximately 20-30 interviews of relevant internal and external stakeholders to the organisation. The purpose of interviews is to evaluate the extent to which the activities of the initiative align with OECD due diligence guidance in practice. The consultant will be tasked with the following activities:

- Determine list of stakeholders (both within and external to the initiative) to interview. This may include: organisation staff, member companies/ stakeholders, external stakeholders affected by the initiative, issue experts (as appropriate).
- Develop interview questions for each stakeholder group. Interviews should be semi-structured and could evolve as the contractor learns more about the initiative. A survey could also be employed if deemed relevant, however, a survey should not take the place of interviews.
- Coordinate with the initiative, the OECD Secretariat and stakeholders to schedule interviews

- Carry out approximately 20-30 interviews with relevant internal and external stakeholders to the initiative.
- Type up and share notes for each interview with the OECD Secretariat.

Shadow Assessment

The contractor will conduct four shadow assessments of the activities of the initiative. Through shadow assessments, the contractor will observe two supplier audits/ assessments conducted by the initiative's auditors and two brand assessments. Each shadow-assessment is anticipated to include one full-day of observation in addition to preparation. The consultant will be tasked with the following activities:

- Determine list of stakeholders (both within and external to the organisation) to be interviewed during the shadow assessment (if appropriate). This may include the auditor, company being reviewed, etc.
- Review relevant documentation prior to the shadow assessment (e.g. pre-audit documents)
- Coordinate with the initiative, the OECD Secretariat and stakeholders to organise the shadow assessments
- Carry out four shadow assessments
- Type up and share notes for each shadow assessment with the OECD Secretariat.

Analysis

Based on the findings of the desk-top review, interviews and shadow assessment, the consultant will conduct an initial ranking of the initiative against all criteria (~150 criteria) within the Alignment Assessment Tool that are in-scope for the assessment.

For each discrete criterion the consultant will evaluate the initiative against what is written down (e.g. written standards) versus implementation. The consultant will provide a justification in the Alignment Assessment Tool for each ranking and relevant reference (e.g. references to documents, interviews or shadow assessment).

The OECD Secretariat will review one to two drafts of the completed Alignment Assessment Tool and provide feedback to be integrated by the contractor in a final version of the tool.

Report writing

The consultant will write a ~25-30 page report detailing the following:

- High-level findings (or executive summary)
- Methodology of the assessment including any limitations or interpretations of OECD due diligence guidance
- Findings of overarching due diligence criteria
- Findings across the six steps of the due diligence process
- Findings on governance, cooperation, accountability and recognition
- Recommendations
- Annexes (List of documents used during the review; Number of interviewees by stakeholder group; additional methodological considerations)

The OECD Secretariat will provide feedback after every major draft of the report to be integrated by the contractor. Following draft 2 of the report, the OECD Secretariat will seek feedback from the initiative and

stakeholders. The contractor will likewise be tasked with integrating findings from these parties as appropriate.

IV. Deliverables

The consultant will produce the following deliverables:

- Completed Alignment Assessment Tool, including: a designated score assigned to each discrete criterion in the tool, a justification for the score, appropriate references (e.g. to documentation).
- Summary notes from each interview and shadow assessment
- ~25-30 page report plus annexes of the Alignment Assessment of the initiative using the OECD template

V. Example Work plan

The project is expected to take place over the period of 8 -10months starting mid-2020. See Table 1 below for an indicative work plan; this of course will be heavily influenced by Covid-19 confinement measures and ability to travel.

Table 1. Example work plan

	Activity	Proposed Timing
1.	Document review	Aug - Sept 2020
2.	Shadow assessments of brand and retailer checks	Covid-19 permitting, Sept / Oct 2020
3.	Alignment Assessment Tool – Draft 1, Written Policy	September 2020
4.	Alignment Assessment Tool – Draft 2, Written Policy	October 2020
5.	Interviews	August – October 2020
6.	Shadow assessments of supplier audits/ assessments	August – October 2020
7.	Alignment Assessment Tool – Implementation Draft 1	November 2020
8.	Draft 1 Report	November 2020
9.	Draft 2 Report	December 2020
10.	Draft 3 Report	January 2021

Note: The OECD Secretariat will consult with the initiative and stakeholders in-between drafts 2 and 3.

VI. Minimum requirements for bidders:

Candidates responding to this Market Consultation shall demonstrate the following minimum requirements:

- Subject matter expertise on labour and human rights due diligence;
- Experience conducting assessments / evaluations
- Experience conducting interviews across stakeholders
- Demonstrated analytical and drafting skills
- Demonstrated project management experience
- Full written and oral proficiency in English
- Availability to carry out all activities within 10 months of signature of the contract (expected start date July/Aug 2020).

- Language proficiency in one or more relevant languages beyond English (e.g. Turkish, Chinese Bangla, India, Indonesian, French, Turkish or Vietnamese) is not mandated, but is a benefit.

VII. Responding to the market consultation

The **deadline for submitting proposals is 3 July 2020**. Applications should be sent by email to Ariane.ROTA@oecd.org. Offers received after this deadline may not be considered.

To participate in this market consultation, interested bidders are requested to provide a technical offer (comprising of a concept note, CVs and writing sample) and budget proposal.

Concept note

Candidates responding to this market consultation shall provide a concept note demonstrating or describing the applicant's achievement of the minimum requirements listed under Section VI. The concept note should likewise detail the governance of the project (i.e. the project team and roles and responsibilities by team member).

Curricula Vitae

Candidates responding to this market consultation shall provide the Curricula Vitae of all team members which provides further details on the relevant expertise / experience of team members pertaining to the minimum requirements.

Writing sample

Candidates are requested to submit a writing sample in English to demonstrate their written proficiency in English and analytical skills.

Budget

Candidates responding to this market consultation shall provide a budget proposal providing the cost to carry out the services and provide the deliverables described above. The candidate is expected to submit a financial proposal using the template below:

Table 2. Budget Example

	Activities	# of Days	# of staff	Sub-total Cost
1.	Document review			
2	Shadow assessments of brand and retailer checks			
3	Alignment Assessment Tool – Written Policy			
5.	Interviews			
6.	Shadow assessments of supplier audits/ assessments			
7.	Alignment Assessment Tool – Implementation			
8	Report writing			
	Total cost			

The proposal should include

- A detailed fee for the activities under each project stage (see section V.)
- An indication of the daily rate of each member of the contractor(s) team
- The total amount excluding taxes, *and* including any applicable taxes

Questions / points of clarification

If candidates need any clarification on the Terms of Reference or procurement process, they can submit their questions by email to Ariane.ROTA@oecd.org prior to 3 July 2020. The OECD Secretariat will publish responses to questions submitted on the website (<http://mneguidelines.oecd.org/rbc-call-for-proposals.htm>).

VIII. Evaluation criteria and weighting

An evaluation panel will evaluate all applications meeting the minimum requirements described above. The evaluation will be carried out upon the criteria described below. Shortlisted candidates may be invited to participate in interviews in order to clarify and assess their proposals.

The OECD will assess the proposals against the following criteria and weighting, based on the information provided during the Application Process:

Table 1. Evaluation criteria and weight

Criteria	Weight
Subject matter expertise and experience <ul style="list-style-type: none"> • Knowledge of human rights and labour due diligence • Technical knowledge of the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector • Expertise on grievance mechanisms • Knowledge / experience with the 	35%
Experience carrying out relevant assessments/ evaluations	25%
Ability to carry out the ToR <ul style="list-style-type: none"> • Proficiency in English • Language proficiency in one or more relevant languages beyond English (e.g. Turkish, Chinese Bangla, India, Indonesian, French, Turkish or Vietnamese) • Availability during the timeframe indicated under section 	15%
Financial offer	25%

IX. Additional Items

Language

- The outline, drafts and report will be written in English (UK spelling).
- Shadow assessments may be conducted in languages other than English. Interpretation and translation can be arranged by the OECD Secretariat as necessary.

Travel

It is anticipated that any significant travel required under this ToR would be expensed separately by the OECD Secretariat and so should not be included within this budget. This includes the consultant's travel for the purpose of interviews and shadow assessments, to be agreed on a case by case basis by the OECD.

Management:

The project will be managed by the OECD Secretariat. The contractor is expected to work closely with the OECD Secretariat and update the Secretariat on progress against the scope of work, challenges and preliminary findings.

Event management and costs

The OECD will coordinate venue booking and hospitality organisation and costs for events (eg. consultations) foreseen as part of this project. The consultant should only budget their associated time for attending events.

Publication

The final report will be published by the OECD and final editing, translation or publishing work does not come under the scope of this project.

Intellectual Property

Any intellectual product that results from this framework contract shall be the property of the OECD.

Background reading

- OECD [Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector, 2017](#)
- OECD [Guidelines for Multinational Enterprises](#), OECD, 2011
- OECD [Due Diligence Guidance for Responsible Business Conduct](#), OECD, 2018
- Garment and Footwear Alignment Assessment Tool and Methodology <https://mneguidelines.oecd.org/alignment-assessment-garment-footwear.htm>, OECD 2020