



**FIJIAN
COMPETITION &
CONSUMER
COMMISSION**

TERMS OF REFERENCE (TOR)

**Study on
Affordable Housing in Fiji**

Closing Date: 5pm, 16th January 2024

CONFIDENTIAL

1. INTRODUCTION

The Fijian Competition and Consumer Commission (FCCC) recognizes the critical need for affordable housing in Fiji, where a significant portion of the population faces challenges in accessing adequate and affordable shelter. The current housing market dynamics, coupled with economic factors, have led to an increasing demand for sustainable, cost-effective housing solutions. In line with its mandate to promote fair competition and protect consumer interests, the FCCC aims to address these challenges by commissioning a comprehensive study on affordable housing.

The FCCC emphasizes the importance of incorporating sustainable measures into the affordable housing study. Fiji, like many other nations, is grappling with environmental challenges, including climate change and resource depletion. The study will explore sustainable building practices, energy-efficient technologies, and environmentally friendly materials to ensure that the proposed affordable housing solutions align with Fiji's commitment to sustainable development. By prioritizing sustainability, the FCCC aims to contribute to the creation of resilient and environmentally conscious communities.

FCCC, as the primary consumer protection authority, is undertaking this study to ensure housing accessibility, directly impacting consumer welfare. Through a comprehensive analysis of housing market dynamics, identification of competitive issues, and proposing measures for efficiency and affordability, the FCCC aims to contribute to enhancing consumer welfare. Collaborating with government agencies, FCCC will provide evidence-based recommendations for policy formulation, addressing socio-economic challenges associated with housing. Stakeholder engagement, including consultations with government bodies, private sector entities, non-governmental organizations, and the community, underscores the FCCC's commitment to a holistic understanding of the housing landscape. This initiative aligns with Fiji's national development priorities, encompassing poverty alleviation, sustainable development, and inclusive growth, reflecting the FCCC's dedication to contributing to Fiji's long-term prosperity.

The objectives of this study are as follows:

- a) Assess the Fijian housing market for affordability, sustainability, and incorporation of traditional practices, considering environmental impact and climate resilience.
- b) Identify barriers hindering affordable and sustainable housing development in Fiji, considering regulatory frameworks, market dynamics, resource constraints, and social equity, particularly in vulnerable communities.
- c) Examine socio-economic and environmental impacts of proposed strategies, focusing on job creation, economic empowerment, and reduced carbon footprint for consumers and the Fijian community.

- d) Propose strategies and a roadmap for fostering affordable and sustainable housing in Fiji, emphasizing economic viability, community engagement, and innovative financing models while ensuring consumer protection and promoting fair market competition.
- e) Foster collaboration among FCCC, government agencies, private sector, NGOs, and local communities for a holistic and collaborative approach to sustainable affordable housing. Emphasize a sense of shared responsibility and adherence to consumer protection and fair competition principles.

The Consultant will be responsible for conducting a comprehensive assessment, providing recommendations to address barriers to entry, and creating guidelines, industry codes and frameworks to ensure consumer protection in the Construction and Building Sector in Fiji.

2. SCOPE OF WORKS

The Consultant will work closely with the FCCC team and carry out the following scope of work based on the objective of the study. This scope of work includes (but is not limited to) the following:

- a) Carry out stakeholder analysis to determine roles and responsibilities of key players and institutions that may play a vital role in the housing sector.
- b) Facilitate workshops with traditional leaders, integrating cultural considerations into the affordable housing study and ensuring alignment with local values and practices.
- c) Conduct a detailed analysis of existing reports and studies on the Fijian housing market, with a specific focus on recent trends in affordability and sustainability including researching international models of affordable housing, emphasizing innovations in construction materials, green housing, energy efficiency, and community engagement.
- d) Evaluate the environmental impact of current building practices, focusing on energy consumption, waste generation, and resource depletion. Provide recommendation towards incorporating traditional building materials and techniques into modern sustainable housing solutions, respecting cultural heritage.
- e) Conduct an in-depth analysis of existing housing-related regulations in Fiji, examining their impact on affordability. Propose amendments to streamline regulatory processes while removing obstacles hindering the development of affordable and sustainable housing options.
- f) Strategy Development & Roadmap Creation: Develop strategies for enhancing affordability and sustainability in Fiji's housing sector, covering economic viability, community engagement, and innovative financing models. Additionally, create a detailed roadmap for the phased implementation of these strategies. This task will require you to:
 - i. Formulate strategies that integrate economic viability, exploring financing models, and cost-effective construction methods to enhance affordability and sustainability in Fiji's housing sector.

- ii. Research and propose strategies for public-private partnerships, emphasizing collaboration between the government and the private sector to foster sustainable housing development.
 - iii. Develop a detailed roadmap outlining short-term and long-term milestones for the phased implementation of affordable and sustainable housing strategies in Fiji.
 - iv. Specify collaboration mechanisms among stakeholders and conduct a risk assessment, mitigation plan, and establish key performance indicators (KPIs) for ongoing evaluation.
- g) Assess the potential socio-economic and environmental impacts of proposed strategies for sustainable affordable housing.
 - h) Develop and recommend FCCC on facilitating knowledge transfer and capacity building programs including educational materials for policymakers, community awareness campaigns to empower local stakeholders and online platform for continuous knowledge-sharing for the implementation of sustainable affordable housing initiatives.
 - i) Development of self-regulating guidelines and practices that promote competition and consumer protection in the housing sector.
 - j) Produce a well written and comprehensive report/analysis/report for the Affordable housing sector study in Fiji.
 - k) Prepare presentation on findings of study and a presentation on Affordable housing to the FCCC; and
 - l) Prepare Checklists, Frameworks, and Guidelines as recommendations for effective implementation of affordable and sustainable housing strategies.

3. REQUIRED SKILLS & QUALIFICATIONS

- a) At least 10-15 years of demonstrated expertise in housing market analysis and affordable housing solutions or a master's degree in a relevant field with a deep understanding of the local Fijian market, its dynamics, and its cultural and regulatory nuances.
- b) Demonstrated knowledge and experience in undertaking field-based work in the construction industry and preferably carrying out similar activities.
- c) Demonstrated experience and skills in facilitating stakeholder/working group consultations. Relevant regional and international experience will be an added advantage.
- d) Comprehensive understanding of regulatory frameworks, market competition, Consumers perspective and industry standards relevant to the housing sector in Fiji.
- e) Commitment to delivering high-quality work and reports within the agreed-upon timeframes.

4. DOCUMENTS TO BE SUBMITTED AS BID

a) Background:

- I. If an individual, provide full name, address, and contact details in a curriculum vitae (CV).*
- II. If an entity, include the proper legal name, registered address, and contact details in a proposal.*

b) Demonstrate how you will achieve the Objective & Scope of Work outlined in the TOR, including timelines to complete the deliverables.

c) Summary of Costs and Fee Proposal

d) Business Registration (if an entity);

e) Two Referees for the consultants past work or expertise.

f) Copies of Current Professional Indemnity Insurance Cover (if applicable).

g) Include any additional relevant information that showcases the Consultant's qualifications, experience, or expertise related to the project.

Please ensure that all the requested details and documents are included in the submission to facilitate a thorough evaluation of the bid.

5. EXCLUSIVITY

The services will be provided on a non-exclusive arrangement.

6. NO CONTRACTUAL OBLIGATIONS

This TOR document should not be interpreted as a contract between the FCCC and the prospective Consultant. It is important to note that nothing in this TOR or in any submission documents should be construed as creating any contractual obligations, whether explicit or implicit, between the FCCC and the Consultant. This TOR is solely aimed at soliciting proposals and evaluating them based on predetermined criteria. Any contractual agreements or obligations will only arise through a separate and formal agreement between the FCCC and the successful Consultant.

7. CONSULTANTS TO INFORM THEMSELVES

The Consultant is responsible for carefully reviewing and comprehending the contents of the TOR, as well as understanding the implications of participating in the submission process. The FCCC emphasizes that it does not accept responsibility for any misunderstandings or misconceptions that may arise from the Consultant's failure to comply with the processes and requirements outlined in the TOR. It is crucial for consultants to ensure their full understanding and compliance with the provided instructions and guidelines to facilitate a fair and transparent evaluation process.

8. CONDITIONS ON ACCEPTANCE OF SUBMISSIONS

The FCCC will only consider submissions that fulfill the following conditions:

- a) The consultant has thoroughly examined this TOR document along with any other information provided to them.
- b) The consultant has conducted all necessary and reasonable inquiries regarding potential risks, contingencies, and other circumstances that could impact their submission.
- c) The consultant is confident in the accuracy and adequacy of their submission; and
- d) The consultant acknowledges that their involvement in the submission process is entirely at their own expense, and they understand that no costs or expenses will be reimbursed or paid by the FCCC.

9. RIGHT TO VARY OR STOP SUBMISSION PROCESS

The FCCC holds the authority to withdraw, halt or modify the submission/TOR process and may request consultants to resubmit their proposals at any given point.

10. CONFLICT OF INTEREST

The Consultant's and their personnel are encouraged to disclose any potential or actual conflicts of interest that may arise either during the submission process or while fulfilling their obligations. The FCCC acknowledges that conflicts of interest can occur and is committed to carefully assessing the circumstances surrounding such conflicts. The aim is to determine whether these conflicts could compromise the impartiality and objectivity of the report. If the FCCC determines that a conflict of interest could indeed jeopardize the outcome of the report, the Consultant will be promptly notified, and appropriate actions will be taken to address the situation. Transparency and integrity in the process are of utmost importance to the FCCC.

11. INQUIRIES BY CONSULTANT

All requests for information from potential consultants should be directed solely to the designated contact mentioned in the advertisement, unless instructed otherwise by the contract. If the FCCC deems it necessary to provide additional information to a specific consultant, the same information will be distributed to all Consultants to ensure fairness and transparency.

12. COLLUSIVE ACTIVITIES

Consultants and their personnel are strictly prohibited from participating in any collusive bidding, engaging in anti-competitive conduct, or any similar activities with other Consultants or individuals while preparing or submitting their proposals. Any form of collusion or involvement in such activities related to the submission is strictly prohibited.

13. CONFIDENTIALITY

Consultant/Vendors are required to maintain the confidentiality of all documents and information provided by the FCCC as part of this process. The FCCC also guarantees the confidentiality of all received proposals and the information contained within them.

14. PUBLIC STATEMENT

No Consultant /vendor shall make any public statement in relation to this process without prior written consent from FCCC.

15. CONTENT EVALUATION

If a potential Consultant identifies any discrepancy, ambiguity, inconsistency, error, or omission within this document, it is important to promptly notify the FCCC in writing. It is advisable to communicate such concerns before the submission deadline, allowing the FCCC sufficient time to address and take any necessary corrective actions.

16. ALTERATIONS, ERASURES, OR ILLEGIBILITY

FCCC retains the authority to reject submissions that have alterations or erasures, incomplete, ambiguous, or illegible prices or terms, or inadequate information that hinders proper evaluation. In such cases, the FCCC will communicate this decision to the Consultant through a formal letter or electronic mail. It is important to note that alterations to submissions cannot be made after the closing time, unless the Consultant can provide clear evidence, satisfying the FCCC's procurement process, that a clerical or keying error has occurred.

17. GENERAL CONDITIONS

- a) The FCCC reserves the right to cancel this TOR or make changes to its contents at any time before accepting a submission.
- b) If none of the proposals received are deemed acceptable, the FCCC may choose to re-advertise the TOR with a revised scope.
- c) The final award of will only be confirmed upon the successful negotiation and approval of a contract by the FCCC.

18. REPORTING

The Consultant will be responsible for reporting to the designated point of contact at the FCCC. Progress reports must be submitted on a bi-weekly basis, providing updates on the project's status. Additionally, the final report should be submitted at the project's completion or as requested by the FCCC periodically.

19. TIMELINE/WORK ARRANGEMENTS

The Consultant is expected to complete the work within three (3) months from the start of the contract.

- a) Duration: Three (3) months, unless otherwise agreed.
- b) Duty Station: Suva /Remote working is also applicable.

- c) The Consultant will strictly follow the work plan, key performance indicators set (objectives) and the time schedule agreed with FCCC in undertaking the contract assignment.

20. ADMINISTRATIVE DETAILS

The EOI should be submitted in a sealed envelope, clearly marked as “Affordable housing Study in Fiji” and addressed to The Chief Executive Officer and:

- a. Dropped in at FCCC’s Head Office, Ground Floor, Employers Hub Building, 42 Gorrie Street, Suva; or
- b. Posted to Fijian Competition & Consumer Commission, P.O. Box 5031, Raiwaqa, Suva; or
- c. Emailed to christina.kumar@fcc.gov.fj .

For further information on the EOI, please contact ESG Lead, Christina Kumar via email address christina.kumar@fcc.gov.fj or mobile +679 9989871.

The bids should be submitted **NO LATER THAN 5.00 P.M. on 16 January 2024**

FCCC reserves the right (without prejudice) to reject any or all EOI’s.