



NOTICE TO TENDERERS

PTN No. 5 of 2022

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Request for Proposals: Consultancy Services for the Virgin Islands Gaming and Betting Control Commission

1. INTRODUCTION

1.1. The Government of the Virgin Islands (GoVI or the "Government"), acting through the Premier's Office is inviting qualified, professional, experienced, and resourceful firms to submit proposals to provide consultancy services for the Virgin Islands Gaming and Betting Control Commission ("the Commission"). The overarching objective of this consultancy is to develop procedures applicable to the operations of the Commission, develop regulations for the governing the operations of gaming activities in the Virgin Islands, and provide general consulting services to assist the Commission in complying with its duty to regulate and oversee the Virgin Islands gaming and betting industry as defined in the **Virgin Islands Gaming and Betting Control Act, 2020** ("the Gaming Act").

1.2. Bidding documents will be sent to bidders electronically upon request to procurement@gov.vg with the subject title "**RFP for Consultancy Services for the Virgin Islands Gaming and Betting Control Commission**". Bidders are advised that the destination mailbox is NOT automated to send bidders a dated and time acknowledgement of receipt and delivery of their message. Therefore, bidders should not assume that their email has been safely received and it is the responsibility of the bidder to follow up with the Procurement Coordinator using the contract information below if an acknowledgement of receipt is not received within two (2) working days of submission of their email. Under no circumstance will GOVI or the Procurement Unit, Ministry of Finance, be responsible for non-receipt of documents by bidder.

2. BACKGROUND

2.1. The Virgin Islands is a full service destination and jurisdiction which offers a diverse range of products and services. As a jurisdiction, the Government of the Virgin Islands (GoVI) is working to ensure all stakeholders have the maximum opportunity to thrive with the correct legislative framework to help lead the world into a new era. GoVI is committed to keeping the destination and jurisdiction at the forefront and has always worked diligently to set the highest standards of transparency, regulation, collaboration, enforcement and cooperation to maintain the competitive edge.

2.2. The Virgin Islands Gaming and Betting Control Commission (the "Commission") regulates the gaming and betting sectors which are, both on a global and national level. The Commission establishes a licensing framework designed to aid in minimising the potential for money laundering and terrorism financing due to the stringent criteria that will have to be met by anyone desirous of obtaining a licence permitting them to work in the gambling sector in the Virgin Islands.

2.3. The gaming and betting industry will, among other areas, cover sectors such as horse racing and the cruise industry. These areas which have not previously been structurally targeted to encourage revenue and employment. The GoVI has expressed the vision of transforming the Virgin Islands into a leading regional economy by 2025 through entrepreneurship, innovation and local and foreign investment, with the creation of new industries as drivers for economic diversification.

2.4. The Commission's responsibility includes among other things:

- i. Regulate and control the operation of gaming and betting in the Virgin Islands;
- ii. Granting of licenses without prejudice in accordance with the provisions of the Act;
- iii. Impose conditions in the granting of licenses;
- iv. Engage in consultations in accordance with prescribed regulations;
- v. Conduct studies, prepare reports, and make recommendations in relation to gaming and betting activities in the Virgin Islands;
- vi. Conduct verification of background, character and reputation of applicants and any associates, employees, relatives or other persons deemed necessary;
- vii. Conduct inspections of gaming equipment;
- viii. Monitor activities of licensed gaming entities;
- ix. Collect fees and levies;
- x. Seek to address harmful and negative effects of gaming and betting; and
- xi. Share information with other relevant Government agencies

2.5. Licencing under the Gaming Act will be in the following eleven (11) categories:

- i. **Gaming Operators Licence** which permits the licensee to operate a gaming machine location for the purpose of conducting gaming;
- ii. **Gaming Owners Licence** which permits the licensee to own a gaming machine location (although such licensees cannot operate such establishments without first having obtained a Gaming Operators Licence;
- iii. **Bookmakers Licence** which permits the licensee to conduct betting activities other than pool betting;
- iv. **Promoters Licence** which permits a licensee to stage live racing and conduct pool betting (pari-mutuel) activities;
- v. **Gaming Machine Operating Licence** which permits the licensee to sell or lease gaming machines for use in premises approved by the Commission for the purpose;
- vi. **Gaming Machine Distributor Licence** which permits a licensee to import and supply licensed gaming machines, prescribed gaming components and related equipment;

vii. **Technical Operators Licence** which permits the licensee to install, maintain or repair licensed gaming machines;

viii. **Premises Licence** which permits activities approved by the Commission under an operating licence to be conducted at premises stipulated in the licence;

ix. **Personal Licence**, in respect of key employees within a licensed betting or gaming machine location;

x. **Betting Operators Licence** which permits the licensee to operate a betting business and any other licence as the Commission may stipulate, as it deems necessary; and

xi. **Online Gaming Licence** which permits the licensee to operate a gaming business whether on the computer, electronic means or the internet or otherwise for a prize or winnings in money or money's worth and includes but is not but not limited to lottery, raffles and scratch cards.

3. OBJECTIVES

3.1. The objective is to procure the services of a consultant to provide consulting services to the Virgin Islands Gaming and Betting Control Commission ("the Commission") with respect to the industries and activities under its jurisdiction; develop procedures applicable to the operations of the Commission; develop regulations for governing the operations of gaming and betting activities in the Virgin Islands; provide consulting services to the Commission regarding gaming and betting as defined in the Virgin Islands Gaming and Betting Control Act, 2020 and the Amendment Act, 2021.

4. DELIVERABLES

4.1. The Scope of Services required under this assignment include:

4.1.1. Provide consulting services inclusive of technology, operations and strategy during the start-up phase of the Commission, while ensuring regulatory compliance.

4.1.2. Assist the Commission in the drafting of rules and procedures governing the operations of the Commission and all matters under its jurisdiction.

4.1.3. Assist the Commission in the drafting of regulations to regulate, control and monitor gaming and betting operations in the Virgin Islands.

4.1.4. Establish systems of internal control and technical standards designed to ensure both the integrity and the profitability of the Commission.



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- 4.1.5. Provide expert advice as it relates to designing and defining organizational structure and staffing within the Commission.
- 4.1.6. Provide consulting services to the Commission regarding all approved betting and gaming permitted under the Virgin Islands Gaming and Betting Control Act, 2020.
- 4.1.7. Inform the Commission with regard to relevant gaming best practices.
- 4.1.8. Establish a work plan for the services described herein.
- 4.1.9. Assist with identifying and structuring online gaming opportunities

5. DELIVERABLES

- 5.1. The deliverables to be provided relative to this assignment include:
 - 5.1.1. An Inception Report that documents initial desk reviews and finalises the methodology and schedule for performing the assignment within 30 days from the date noted in the Letter of Acceptance;
 - 5.1.2. Draft Regulations for the enforcement of the Act;
 - 5.1.3. An Administrative Procedure Manual to guide the administrative operations of the Commission;
 - 5.1.4. An Operations Manual to guide the work of the Commission inclusive of a process diagram;
 - 5.1.5. A five (5) year strategic plan for the Commission;
 - 5.1.6. Comprehensive budget and financial procedures/guidelines;
 - 5.1.7. A Human Development Plan for the Commission;
 - 5.1.8. A comprehensive audit and compliance strategy; and
 - 5.1.9. A portfolio of online and other gaming opportunities that the Commission can explore and possibly implement.

6. PRE-TENDER MEETING

A virtual Pre-Tender meeting will be held via WebEx platform on **Thursday, 7th April, 2022 at 10:00 am** (local time). All prospective tenderers will be notified of the access code and password prior to the meeting. The pre-tender meeting is not mandatory; however, it is recommended that each Bidder attend. Each Bidder must be fully informed regarding all existing and

expected conditions and matters which might affect the cost or performance of the Services. Any failure to fully assess the associated cost, shall not relieve any Bidder from responsibility to properly evaluate the difficulty or cost of successfully performing the Services.

7. PROCUREMENT QUESTIONS – PROHIBITED CONTACTS

- 7.1. Any questions regarding this RFP should be submitted in writing by email only to the Procurement Coordinator at procurement@gov.vg on or before Wednesday, 13th April, 2022.
- 7.2. Questions submitted after the designated period will not be considered. Any response made by the Procurement Unit will be provided in writing to all Bidders via an addendum. It is the responsibility of each Bidder to obtain a copy of any addendum issued for this procurement. No Bidder may rely on any verbal response to any question submitted concerning this RFP. All communications by any Bidder concerning this RFP must be made to the Procurement Coordinator via procurement@gov.vg.

8. SUBMISSION OF PROPOSALS

- 8.1. Electronic submissions of proposals in a non-editable format and not exceeding 10 MB should be sent to the Procurement Coordinator (Mrs. Ishma Rhymer) at email address procurement@gov.vg. The filename and the email subject must bear the Applicant's name and **"RFP for Consultancy Services for the Virgin Islands Gaming and Betting Control Commission"**.
- 8.2. Proposals must be submitted to the Procurement Coordinator no later than Tuesday, 19th April, 2022 at 10:00 am (local time). It is the responsibility of the bidder to ensure that bid is received by the Procurement Coordinator before the aforementioned submission deadline. Late submissions will not be accepted for evaluation. Proposals will be opened on the same day at 11:30 am. Bidders who wish to witness the opening process via WebEx will be provided with the access code and password by on **12:00 noon Monday, 18th April, 2022**.
- 8.3. Proposals must be submitted in accordance with paragraph 7.1 and 7.2 with documentary evidence (where applicable) that include the following: **(All form noted must be completed without any alterations to its format, and no substitutes shall be accepted.)**

- 8.3.1. Form of Proposal as per attached Form I;
- 8.3.2. Company profile and statement of capability;
- 8.3.3. Curriculum Vitae for the bidder or for all key members of the firm (if a firm) that are expected to deliver the services;
- 8.3.4. General information on the bidder as per attached Form II: General Information;

- 8.3.5. A list with brief descriptions of recent assignments that demonstrate a proven track record, solid reputation, success, and experience that are similar in scope to the requirements of this assignment that the individual or firm has participated in as per attached Form III: Statement of Experience on Similar Assignments;
- 8.3.6. Proposed methodology for implementing the Services including a Schedule with timelines for completion of tasks and submission of the deliverables;
- 8.3.7. Financial Proposal to perform the services including hourly charge-out rates for personnel that are proposed to be assigned to deliver these services as per attached Form IV: Cost Proposal Questionnaire;
- 8.3.8. Firms are required to submit a valid business licence or equivalency as proof of authorisation to operate a business in the area of the required expertise in its jurisdiction of operation;
- 8.3.9. Bidders registered in the BVI are required to submit an updated Certificate of Good Standing to the effect that the Tenderer has complied with the provisions and have fulfilled the obligations under the Social Security Act Ordinance, CAP. 266, Payroll Taxes Act No. 18. of 2004, Income Tax Ordinance CAP. 206 and National Health Insurance under the Social Security (Amendment) Act 2014 of the Laws of the Virgin Islands.
- 8.3.10. Any other documentary evidence to establish credentials.

The Government of the Virgin Islands (British) does not bind itself to accept the lowest or any other tender and will not defray any costs incurred by the Tenderer.

**Ministry of Finance
Procurement Unit
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