



REPÚBLICA DE CABO VERDE

MINISTÉRIO DAS FINANÇAS E FOMENTO EMPRESARIAL

TERM OF REFERENCE

TECHNICAL ASSISTANCE TO DEVELOP THE Cape Verdean Music Society (SCM) APP AND SCM AUTHORS AND ARTISTS PORTAL

1. BACKGROUND INFORMATION

The Republic of Cabo Verde has requested a \$20 million loan from the World Bank to finance the Digital Cabo Verde (DCV) project. The project aims to support the Government of Cabo Verde (GoCV) in the implementation of the main priority initiatives of the national Information and Communications Technologies (ICT) and e-governance strategies, transforming the country into a regional digital hub for accelerating its digital economy through an enhanced digital infrastructure and strengthened demand of digital services and skills, as well as continue to support the strengthening of the national telecommunications sector.

In its Digital Governance plan component, the Project will support the Cape Verdean Music Society SCM, in its recent efforts to finance the implementation of the SCM APP AND SCM PORTAL FOR AUTHORS AND ARTISTS PROJECT, whose objective is the creation of a Society Application and Portal that allows establishing, within the framework of new technologies and the demands of the professional exercise of collective management, the connectivity of the organization, with its members and rights holders in general, as well as music users and partners.

The project will support SCM's strategy to acquire fast and secure services, by digital means, that facilitate the rights holders to register as members, access their cadastral information, declare their repertoire (musical and phonograms works), follow their financial situation, interact with the society, receive relevant information, namely about payment dates, collected and distributed amounts, among others, relevant in the context of the duty of information to which the Society is bound.



It will also allow music users to access information about the licensing conditions of their activities and to proceed, via the Portal, to obtain their digital licensing titles, through online payments.

Since Cabo Verde is an island country and SCM an organization whose relations with rights holders it represents go beyond the national territory, SCM has defined as a strategy, since its creation in 2013, to equip itself with the means that allow to respond, with quality and speed, rights holders' demands, not only rooted in the national territory, but also in the diaspora and in respect of reciprocity agreements signed with their foreign counterparts.

SCM offers, within its strategy, since 2020, the WIPO Connect technology system, which allows generating the distribution of copyright and related rights, in line with the professional requirements of the collective rights management sector and aligned with the best international practices. SCM APP AND SCM PORTAL FOR AUTHORS AND ARTISTS PROJECT arises exactly in order to complement WIPO CONNECT'S role, aiming to provide SCM with a technological park with the response capacity required for a modern collective management organization with digital presence and connectivity.

2. OBJECTIVE, PURPOSE AND EXPECTED RESULTS

2.1. General objectives

The objective of this TOR is the hiring of a consulting company, specialized in providing services developing and implementing an Application and Portal with the respective society's back office, so that its associates and music-using partners, within the framework of new technologies, can interact with the SCM, accessing and providing relevant information and documents in the context of the exercise of collective management.

2.2. Specific objectives

The specific objectives include:

- i. Creation and development of a conceptual model of a membership application form with functional adaptations, based on an existing physical model;
- ii. IPI application system (exclusive identifier code of the worldwide Rights Holder)
- iii. Creation and development of a conceptual model of a works declaration form with functional adaptations, based on an existing physical model;
- iv. Creation and development of a conceptual model of a phonogram (recordings) declaration form, with functional adaptations, based on an existing physical model;
- v. Creation and development of field of access for the member to query financial information concerning him;
- vi. Creation and development of the user's channel;
- vii. Creation and development of news dissemination channels;



- viii. MP3 Music files upload system;
- ix. Digital files uploading system with lyrics and tabs of the musical and recordings works. Capacity building and implementing training session to the ICT department staff of SCM to maintain the system;

2.3. Expected results

From the consultancy it is expected to accumulate advantageous conditions for communication and information flows, reducing the time needed for the processes completion, through, but not limited to, the conception of the following functionalities:

- i. Membership application form, covering the following fields
- ii. Registration Data (Title/Name/Pseudonym/TIN, IPI Code, address, contacts, previous links to the SCM);
- iii. Holder categories;
- iv. Representation rights categories;
- v. Territory of representation;
- vi. Legal representative data;
- vii. Bank details
- viii. Supporting documents insertion field;
- ix. Liability Statement;
- x. Authentication (Date and signature)

Piece of Work declaration sheets, covering, the following fields:

- i. Work title (original/derivative);
- ii. ISWC (International Standard Work Code) cataloguing and code number;
- iii. Author name, or co-authors of the original work;
- iv. In the name of the author, or co-authors of the derivative work;
- v. Editor or editors identification
- vi. Genre;
- vii. Interpreter;
- viii. Album/EP/Single/ Other;
- ix. Lyric;
- x. Music (Tab/Physical Support)
- xi. Percentage of ownership interest;
- xii. Co-authors Notification
- xiii. Authentication (date and signature).

Phonogram (recordings) declaration sheets, covering the following fields:

- i. Title (Original piece of work or recorded version)
- ii. Genre;
- iii. ISRC (International Standard Recording Code) Code
- iv. Authors' name;
- v. Release/publication date;
- vi. Name/Designation of the holders;
- vii. Name of the group or orchestra;
- viii. Name or pseudonym of performers, arrangers, conductors and musicians;
- ix. Name of the phonographic producer;



- x. Country of origin of the phonogram;
- xi. Names of the declarants;
- xii. Performing and mechanical rights registration companies;
- xiii. Percentage;
- xiv. Notification of co-participating holders;
- xv. Recording date;

Field of access, queries, and automatic remittance of financial information of the right holder, covering:

- i. Checking account inquiry;
- ii. Accumulation Query;
- iii. Pending Query;
- iv. Consultation and Remittance of Reports Catalog of musical piece of work and phonograms
- v. Remittance of Distribution Reports;

User channel, covering:

- i. Tariff consultation;
- ii. Licensing conditions (calculations and charging criteria):
- iii. Digital license applications and issuance;
- iv. Online payment system and proof of payment;
- v. License expiry alert
- vi. News dissemination channel.

The objectives of hiring the consulting services are to improve the experience of SCM members and rights holders, music users, SCM employees in general and partners) when implementing the new functionalities, with the following results:

- i. Best secure and faster communication between the SCM and its stakeholders;
- ii. Communicative content with quality and creativity aimed at attracting more non-member rights holders to and engaging with member rights holders, music users, and the general public;
- iii. Broadening the representative base of members;
- iv. The increase of the Cape Verdean music catalog and enlargement of the number of protected works and recordings;
- v. The increase of the copyright collections and related rights revenues and the distribution base for these rights;
- vi. The increase of the degree of satisfaction of users, namely members and users of protected musical works and recordings, as well as other partners, concerning the quality of SCM services;
- vii. Effective consolidation of the SCM's technological park.



- viii. Provision of the services in digital format (online and offline) and digital connectivity.

The consulting company will present a work methodology for the development of the SCM APP and SCM Authors and Artists' Portal, which should follow the following principles:

- i. Ensure effective communication between the Consulting team and the SCM;
- ii. Ensure a common understanding of the expected work;
- iii. Be flexible in managing expectations and adapting process flows;
- iv. Must be capable of anticipating and managing project risk.

The proposed methodology must be adapted to achieve the objectives of this consultancy within the required timeframe, while ensuring a high quality product.

3. Scope of work

The scope of work includes the following tasks, but should not be limited to:

- a) To have a clear and complete image of the SCM APP and the SCM Authors and Artists' Portal, considering data management and analysis, the interoperability with the WIPO Connect System and other systems, among which the accounting one, SCM website and the One Stop Shop systems of the Municipal Councils;
- b) Roadmap for updating the SCM APP and the SCM Authors and Artists' Portal with the WIPO Connect System and other systems, In order to ensure that users can access and navigate to meet their needs;
- c) Survey of needs, preparation of functional specifications, use cases, including the MOCKUP of the APP, the Portal and the test plan with the proper integration to the WIPO Connect SCM system;
- d) The pilot testing with users
- e) To include a package of post deployment hours in case to make changes to the platform/app.
- f) Availability of the Code for the SCM should be stated
- g) Integration of the electronic payment system for the financial relationship with the members and users, through the Entity/Reference/Amount model, allowing the use of Rede 24 cards and international channels such as Visa, MasterCard, PayPal, among others;



- h) Detailed functional specifications of the Project, in the dimensions of the APP and Portal, considering the technological infrastructure (operating system, database, mobile development technology, tablets, among others) all functionalities, use cases and mockup of the interfaces;
- i) Elaboration of technical handbook and user's handbook;
- j) Taking into account, in the specifications, the presentation layer "Portal + App" separate from the BackOffice layer, which should be common to both presentation layers;
- k) The inclusion and delivery of the following studies specifying how to ensure the identification and secure authentication of each member, music user and other users of the system, in order to allow online signing:
 - (i) Mobile digital key;
 - (ii) SNIAC (National System for Civil Identification and Authentication);
 - (iii) Digital certificates (The solution should provide interoperability with the SNIAC database);
- l) Initially host the APP and the SCM Authors and Artists Portal in the cloud;
- m) Have as a specification of the technological infrastructure necessary for the implementation of the SCM APP and the SCM Authors and Artists Portal:

Description	Minimum configuration	Maximum configuration
Processor	4 cores	10 cores
Memory	16GB	60GB
Storage	500 GB	2 TB

Where the database, application server and authentication services will be installed the software used. The versions must be specified by the consulting company.



- n) Sizing the technological infrastructure mentioned in the previous paragraph to adjust to the needs of implementation and development of the APP and Portal to ensure the operational sustainability of the systems and their intelligent management, being subject to eventual changes in order to increase the response capacity.
- o) Replacement of the current process of sending manual programming of musical performances of radio, television and live music users.
- p) Sizing the system to automatically identify musical performances, defining the title of the songs and the name of their rights holders, generating an electronic file that will be updated on the APP and on the SCM Authors and Artists Portal and later transmitted to the WIPO Connect system.

If the structure to be used is Cloud, the servers can be replaced by this service. Part of the infrastructure, in the cloud, or different identified server, for hosting the APP and the SCM Portal, in the phase of delivery in production environment, will be at the expense of the Cape Verdean Music Society.

4. Languages

The SCM APP and SCM Authors and Artists' Portal should be developed in Portuguese, English and French.

5. Duration

The Term for the provision of advisory services under this TOR is for a period of ten (10) months from the signing of the contract.

The period provided for in this TOR does not apply to ancillary obligations in favor of SCM that will continue beyond the termination of the contract.

The other relevant aspects of the present consultancy will be taken into account and shall be ensured:

- a) Immediately communicate any conflicts of interest or duties that may compromise



or affect the full compliance with its obligations;

- b) Immediately inform any facts of which they are aware and that may be considered objectively relevant to the full compliance of their obligations;
- c) Respond to any incident or complaint regarding the contracted service within 48 hours.

6. Consultant Qualifications

- a) For the execution of the project, it will be necessary that the consulting company and time has proven experience in developing technological solutions aimed at digital innovation and transformation in the field of corporate solutions development, evidenced in the individual curricula;

The consulting team, with proven experience, should be composed of **four key expert:**

1 (one) Business Consultant (Team Leader)

Assignment in the project:

- ✓ Conduct a survey to determine the automation needs;
- ✓ Specifying the project requirements;
- ✓ Define the scope of the project;
- ✓ Plan the deliverables schedule;
- ✓ Be the direct contact between the consultancy and SCM for validation and approval of previous activities;
- ✓ Lead the developers team.

Required qualification and experience:

- ✓ Have a degree in Computer Science, Engineering or equivalent;
- ✓ Presentation of a professional résumé.
- ✓ Mastery of the Portuguese Language.

Required:

- ✓ Have at least 10 years of experience in the business sector of developing web technology solutions with practical development and experience in corporate development and systems analysis;
- ✓ Have at least 5 projects developed in the sector with a duration of 1 (one) year or more;
- ✓ Have experience in technological innovation projects focused on digital



- transformation;
- ✓ Have experience in development, testing, implementation and deployment of technological projects for the Copyright and Related Rights segment. (indispensable)
 - ✓ Having worked in companies and/or associations in the Copyright and Related Rights segment will be valued.

3 (three) Developers:

Required qualification and experience:

- ✓ Degree in Computer Science, Engineering or equivalent;
- ✓ Presentation of a professional résumé.

Required:

- ✓ Experience of at least 5 years as a JAVA/NODEJS or PYTHON developer, with practical development and experience in development and system analysis, with a minimum of 3 projects developed in the sector, with a duration of 1 (one) year or more;
- ✓ Understanding of web security concepts for mobile developers;
- ✓ Experience as a mobile application developer for Android and iOS platforms;
- ✓ Experience with seamless integration between corporate environments (legacy systems, portals, etc.) and web applications;
- ✓ Experience in application development with cloud storage;

Specific requirements:

- ✓ The firm must integrate and remunerate additionally two (2) cabo-verdean developers, residing in Cabo Verde to be part of the development team, to provide continuity to the Company's future subsequent automation needs, maintenance and upgrades.
- ✓ In order to fulfill the previous requirement, SCM will present to the firm a pool of 6 or 4 cabo-verdean developers residing in Cabo Verde, so that the firm can select the two (2) developers that will integrate the work team.
- ✓ It is required the use of the best and most modern practices and tools for the making of the APP and the Portal.

7. Intellectual Property Rights

The intellectual property rights, namely regarding the trademark, patents and copyrights, arising from the APP and the SCM Authors and Artists' Portal are exclusive to the Sociedade Cabo-verdiana de Música.



8. Confidentiality and security standards

- a) The company and the hired technicians shall keep absolute secrecy about any data and information contained in any documents and media, including the equipment and its storage means, which may have come to their knowledge during the execution of the services, not being allowed, under any pretext, to disclose, reproduce or use, under penalty of the law, regardless of the secrecy classification granted by SCM to such documents;
- b) The declaration of maintenance of secrecy and respect for the present safety standards of the SCM is ensured through an NDA (non-disclosure agreement) signed by the company and the contracted technicians.

9. Contract

A Lump-Sum form of Contract shall be signed, payments of the Consultant fees are tied to the approval of deliverables, and the payment of reimbursable expenses are made upon presentation of expenses receipts incurred at the real cost.

The expected duration is ten (10) months. If any adjustments prove necessary, the parties will agree upon them.

10. Accountabilities

The consulting company shall work in close coordination with UGPE for contract management and with the SCM for technical matters, and shall be responsible for providing the services in accordance with the provisions of this TOR and in compliance with the applicable legislation.

The hired company in charge of the system shall be responsible for the maintenance and further development of the monitoring system, without cost to the SCM, **in the twelve months following the conclusion of the project.**



Any need for additional customization requested by SCM, at the time of the presentation of the system, shall be included in the costs of the contractor before the implementation of the system.

11. Payments

Deliverables	Schedule	Payment(after approval by the client)
D1- Inception report with precise planning of the assignment.	Signing of the contract + 2 weeks	15%
D2- Submission of the report Task 1 – Delivery of mockup, studies and solutions	Signing of the contract + 4 weeks	20%
D3- Submission of the report Task 2 – Development and operationalization of the APP and Portal	Signing of the contract + 14 weeks	20%
D4- Capacity building implementation report Task 3 –	Signing of the contract + 10 weeks	20%
D5- Submission of the report Task 4 – Integration of the APP and the Portal in the SCM Technology Park	Signing of the contract + 10 weeks	25%

The payments will be upon presentation of the products and services, accompanied by the monthly reports to UGPE and SCM according to the project's development schedule.