

# **REQUEST FOR PROPOSAL**

SARD/Consulting Services to conduct an assessment of intermunicipal cooperation service providers in Republic of Moldova

RFP No.: RfP-18/01788

Project: Support to Agriculture and Rural Development

Country: Moldova

Issued on: 31 July 2018

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### **Section 1.** Letter of Invitation

The United Nations Development Programme (UNDP) hereby invites you to submit a Proposal to this Request for Proposal (RFP) for the above-referenced subject.

This RFP includes the following documents and the General Terms and Conditions of Contract which is inserted in the Bid Data Sheet (BDS):

Section 1: This Letter of Invitation

Section 2: Instruction to Bidders

Section 3: Bid Data Sheet (BDS)

Section 4: Evaluation Criteria

Section 5: Terms of Reference

Section 6: Returnable Bidding Forms

- o Form A: Technical Proposal Submission Form
- o Form B: Bidder Information Form
- Form C: Joint Venture/Consortium/Association Information Form
- o Form D: Qualification Form
- o Form E: Format of Technical Proposal
- o Form F: Financial Proposal Submission Form
- o Form G. Financial Proposal Form

If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet.

Please acknowledge receipt of this RFP by sending an email to <a href="mailto:sc.md@undp.org">sc.md@undp.org</a>, indicating whether you intend to submit a Proposal or otherwise. You may also utilize the "Accept Invitation" function in e-Tendering system, where applicable. This will enable you to receive amendments or updates to the RFP. Should you require further clarifications, kindly communicate with the contact person/s identified in the attached Bid Data Sheet as the focal point for queries on this RFP.

UNDP looks forward to receiving your Proposal and thank you in advance for your interest in UNDP procurement opportunities.

Issued by:

Name: Leonid Mazilu Title: Project Associate

Date: July 31, 2018

Approved by:

Name: Denis Suschevici

Title: Procurement Analyst/Head of Procuremen

Date: July 31, 2018



## **Section 2.** Instruction to Bidders

A. GENERAL PROVISI	NS
1. Introduction	1.1 Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by UNDP. This RFP is conducted in accordance with the UNDP Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement which can be accessed at <a href="https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d">https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d</a>
	1.2 Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFP.
	As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website ( <a href="www.ungm.org">www.ungm.org</a> ). The Bidder may still submit a bid even if not registered with the UNGM. However, if the Bidder is selected for contract award, the Bidder must register on the UNGM prior to contract signature.
2. Fraud & Corruption, Gifts and Hospitality	UNDP strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of UNDP vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. UNDP's Anti-Fraud Policy can be found at <a href="http://www.undp.org/content/undp/en/home/operations/accountability/audit/officeoff audit andinvestigation.html#anti">http://www.undp.org/content/undp/en/home/operations/accountability/audit/officeoff audit andinvestigation.html#anti</a>
	2.2 Bidders/vendors shall not offer gifts or hospitality of any kind to UNDP staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners.
	<ul> <li>In pursuance of this policy, UNDP <ul> <li>(a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question;</li> <li>(b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a UNDP contract.</li> </ul> </li> </ul>
	2.4 All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at <a href="http://www.un.org/depts/ptd/pdf/conduct_english.pdf">http://www.un.org/depts/ptd/pdf/conduct_english.pdf</a>
3. Eligibility	A vendor should not be suspended, debarred, or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization. Vendors are therefore required to disclose to UNDP whether they are subject to any sanction or temporary suspension imposed by these organizations.
	3.2 It is the Bidder's responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by UNDP.

#### 4. Conflict of Interests

4.1

- Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:
  - a) Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the goods and services in this selection process;
  - b) Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or
  - Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP.
- 4.2 In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to UNDP, and seek UNDP's confirmation on whether or not such a conflict exists.
- 4.3 Similarly, the Bidders must disclose in their proposal their knowledge of the following:
  - a) If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving services under this RFP; and
  - b) All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.

Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.

4.4 The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to UNDP's further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal.

#### **B. PREPARATION OF PROPOSALS**

# 5. General Considerations

- 5.1 In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.
- 5.2 The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the UNDP

# 6. Cost of Preparation of Proposal

6.1 The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. UNDP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.

#### 7. Language

7.1 The Proposal, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in the language (s) specified in the BDS.

#### 8. Documents

8.1 The Proposal shall comprise of the following documents:

Comprising the Proposal	<ul> <li>a) Documents Establishing the Eligibility and Qualifications of the Bidder;</li> <li>b) Technical Proposal;</li> <li>c) Financial Proposal;</li> <li>d) Proposal Security, if required by BDS;</li> <li>e) Any attachments and/or appendices to the Proposal.</li> </ul>
9. Documents Establishing the Eligibility and Qualifications of the Bidder	9.1 The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to UNDP's satisfaction.
10. Technical Proposal Format and Content	10.1 The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP.
	10.2 The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive.
	10.3 Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by UNDP, and at no expense to UNDP
	10.4 When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the UNDP. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS.
11. Financial Proposals	11.1 The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs.
	11.2 Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price.
	11.3 Prices and other financial information must not be disclosed in any other place except in the financial proposal.
12. Proposal Security	12.1 A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal.
	12.2 The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected.
	12.3 If the Proposal Security amount or its validity period is found to be less than what is required by UNDP, UNDP shall reject the Proposal.
	12.4 In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS.
	12.5 The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions:
	<ul><li>a) If the Bidder withdraws its offer during the period of the Proposal Validity specified in the BDS, or;</li><li>b) In the event that the successful Bidder fails:</li></ul>

to sign the Contract after UNDP has issued an award; or 12.6 to furnish the Performance Security, insurances, or other documents that UNDP may require as a condition precedent to the effectivity of the contract that may be awarded to the Bidder. 13. Currencies 13.1 All prices shall be quoted in the currency or currencies indicated in the BDS. Where Proposals are quoted in different currencies, for the purposes of comparison of all Proposals: a) UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the last day of submission of Proposals; and b) In the event that UNDP selects a proposal for award that is quoted in a currency different from the preferred currency in the BDS, UNDP shall reserve the right to award the contract in the currency of UNDP's preference, using the conversion method specified above. 14. Joint Venture. 14.1 If the Bidder is a group of legal entities that will form or have formed a Joint Consortium or Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that: (i) they have designated one party to act as a lead entity, Association duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between UNDP and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture. 14.2 After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of UNDP. 14.3 The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal. 14.4 The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement. All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by UNDP. 14.5 A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between: a) Those that were undertaken together by the JV, Consortium or Association; and b) Those that were undertaken by the individual entities of the JV, Consortium or Association. Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials. 14.7 JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm.

15. Only One Proposal	5.1 The Bidder (including the individual members of any Joint Venture) shall submit only one Proposal, either in its own name or as part of a Joint Venture.
	<ul> <li>Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following: <ul> <li>a) they have at least one controlling partner, director or shareholder in common; or</li> <li>b) any one of them receive or have received any direct or indirect subsidy from the other/s; or</li> <li>c) they have the same legal representative for purposes of this RFP; or</li> <li>d) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process;</li> <li>e) they are subcontractors to each other's Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or</li> <li>f) some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included</li> </ul> </li> </ul>
	in more than one Proposal.
16. Proposal Validity Period	6.1 Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by UNDP and rendered non-responsive.
	6.2 During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price.
17. Extension of Proposal Validity Period	7.1 In exceptional circumstances, prior to the expiration of the proposal validity period, UNDP may request Bidders to extend the period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal.
	7.2 If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.
	7.3 The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated.
18. Clarification of Proposal	8.1 Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a UNDP staff member, UNDP shall have no obligation to respond or confirm that the query was officially received.
	8.2 UNDP will provide the responses to clarifications through the method specified in the BDS.
	8.3 UNDP shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of UNDP to extend the submission date of the Proposals, unless UNDP deems that such an extension is justified and necessary.
19.1 At any time prior to the deadline of Proposal submission, UN reason, such as in response to a clarification requested by a Bi RFP in the form of an amendment to the RFP. Amendmen available to all prospective bidders.	

	19.2	If the amendment is substantial, UNDP may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals.
20. Alternative Proposals	20.1	Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. UNDP shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, UNDP reserves the right to award a contract based on an alternative proposal.
	20.2	If multiple/alternative proposals are being submitted, they must be clearly marked as "Main Proposal" and "Alternative Proposal"
location specified in the BDS. All Bidders are encourage attendance, however, shall not result in disqualification of Minutes of the Bidder's conference will be disseminated website and shared by email or on the e-Tendering platfor BDS. No verbal statement made during the conference shand conditions of the RFP, unless specifically incorporated		When appropriate, a Bidder's conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder's conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder's Conference or issued/posted as an amendment to RFP.
C. SUBMISSION AND	OPEN	ing of proposals
22. Submission	22.1	The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS.
	22.2	The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.
	22.3	Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the UNDP General Contract Terms and Conditions.
Hard copy (manual) submission	22.4	Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:
		a) The signed Proposal shall be marked "Original", and its copies marked "Copy" as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail.
		b) The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL", as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall:
		i. Bear the name and address of the bidder;
		ii. Be addressed to UNDP as specified in the BDS

	iii.	Bear a warning that states "Not to be opened before the time and date for proposal opening" as specified in the BDS.
		If the envelopes and packages with the Proposal are not sealed and marked as required, UNDP shall assume no responsibility for the misplacement, loss, or premature opening of the Proposal.
<b>Email Submission</b>	22.5 <b>E</b> r	mail submission, if allowed or specified in the BDS, shall be governed as follows:
	a)	Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;
	b)	The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS.
	c)	The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose Technical Proposal has been found to be technically responsive. Failure to provide correct password may result in the proposal being rejected.
eTendering submission		ectronic submission through eTendering, if allowed or specified in the BDS, nall be governed as follows:
	a)	Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;
	b)	The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled.
	d)	The Financial Proposal file must be encrypted with a password so that it cannot be opened nor viewed until the password is provided. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose technical proposal has been found to be technically responsive. Failure to provide the correct password may result in the proposal being rejected.
	c)	Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand delivery as per the instructions in BDS.
	d)	Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: <a href="http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/">http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/</a>
23. Deadline for Submission of Proposals and Late	th	omplete Proposals must be received by UNDP in the manner, and no later than ne date and time, specified in the BDS. UNDP shall only recognize the date and me that the bid was received by UNDP
Proposals		NDP shall not consider any Proposal that is submitted after the deadline for ne submission of Proposals.
24. Withdrawal, Substitution, and		Bidder may withdraw, substitute or modify its Proposal after it has been ubmitted at any time prior to the deadline for submission.
Modification of Proposals	Pr	lanual and Email submissions: A bidder may withdraw, substitute or modify its roposal by sending a written notice to UNDP, duly signed by an authorized epresentative, and shall include a copy of the authorization (or a Power of

	24.3	Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as "WITHDRAWAL" "SUBSTITUTION," or "MODIFICATION"  eTendering: A Bidder may withdraw, substitute or modify its Proposal by Canceling, Editing, and re-submitting the proposal directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Proposal as needed. Detailed instructions on how to cancel or modify a Proposal directly in the system are provided in Bidder User Guide and Instructional videos.  Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened
25. Proposal Opening		There is no public bid opening for RFPs. UNDP shall open the Proposals in the presence of an ad-hoc committee formed by UNDP, consisting of at least two (2) members. In the case of e-Tendering submission, bidders will receive an automatic notification once their proposal is opened.
D. EVALUATION OF	PROPOS	SALS
26. Confidentiality	26.1	Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award.
	26.2	Any effort by a Bidder or anyone on behalf of the Bidder to influence UNDP in the examination, evaluation and comparison of the Proposals or contract award decisions may, at UNDP's decision, result in the rejection of its Proposal and may be subject to the application of prevailing UNDP's vendor sanctions procedures.
27. Evaluation of Proposals	27.1	The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. UNDP will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals.
	27.2	<ul> <li>Evaluation of proposals is made of the following steps:</li> <li>a) Preliminary Examination</li> <li>b) Minimum Eligibility and Qualification (if pre-qualification is not done)</li> <li>c) Evaluation of Technical Proposals</li> <li>d) Evaluation of Financial Proposals</li> </ul>
28. Preliminary 2 Examination		UNDP shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. UNDP reserves the right to reject any Proposal at this stage.
29. Evaluation of Eligibility and Qualification	29.1	Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).
	29.2	In general terms, vendors that meet the following criteria may be considered qualified:  a) They are not included in the UN Security Council 1267/1989 Committee's list of terrorists and terrorist financiers, and in UNDP's ineligible vendors' list;  b) They have a good financial standing and have access to adequate financial

- resources to perform the contract and all existing commercial commitments,
- c) They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance procedures and other resources applicable to the provision of the services required;
- d) They are able to comply fully with UNDP General Terms and Conditions of Contract;
- e) They do not have a consistent history of court/arbitral award decisions against the Bidder; and
- f) They have a record of timely and satisfactory performance with their clients.

### 30. Evaluation of Technical and Financial Proposals

- 30.1 The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, UNDP may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required.
- 30.2 In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, UNDP will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive.
- 30.3 The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score.
- 30.4 When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:

#### Rating the Technical Proposal (TP):

**TP Rating** = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100

Rating the Financial Proposal (FP):

**FP Rating** = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100

**Total Combined Score:** 

**Combined Score** = (TP Rating) x (Weight of TP, e.g. 60%) + (FP Rating) x (Weight of FP, e.g., 40%)

### 31. Due Diligence

31.1 UNDP reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

a) Verification of accuracy, correctness and authenticity of information provided by the Bidder; b) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team; c) Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder; d) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary; e) Physical inspection of the Bidder's offices, branches or other places where business transpires, with or without notice to the Bidder; Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract. 32. Clarification of 32.1 To assist in the examination, evaluation and comparison of Proposals, UNDP **Proposals** may, at its discretion, ask any Bidder for a clarification of its Proposal. 32.2 UNDP's request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by UNDP in the evaluation of the Proposals, in accordance with RFP. 32.3 Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by UNDP, shall not be considered during the review and evaluation of the Proposals. 33. Responsiveness of 33.1 UNDP's determination of a Proposal's responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that **Proposal** conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission. 33.2 If a Proposal is not substantially responsive, it shall be rejected by UNDP and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission. 34. Nonconformities, 34.1 Provided that a Proposal is substantially responsive, UNDP may waive any nonconformities or omissions in the Proposal that, in the opinion of UNDP, do not Reparable Errors and constitute a material deviation. **Omissions** 34.2 UNDP may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal. 34.3 For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows: a) if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of UNDP there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected; b) if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected;

		and
		<ul> <li>c) if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.</li> </ul>
	34.4	If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected.
E. AWARD OF CONTI	RACT	
35. Right to Accept, Reject, Any or All Proposals	the Proposals as non-responsive, and to reject all Proposals at any time.	
36. Award Criteria	36.1	Prior to expiration of the proposal validity, UNDP shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS.
37. Debriefing	37.1	In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from UNDP. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder's submission, in order to assist the Bidder in improving its future proposals for UNDP procurement opportunities. The content of other proposals and how they compare to the Bidder's submission shall not be discussed.
Requirements at the of services and/or goods, by up to a maximum twenty-five per of		At the time of award of Contract, UNDP reserves the right to vary the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.
Bidder shall sig may constitute of the Propos		Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to UNDP. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, UNDP may award the Contract to the Second Ranked Bidder or call for new Proposals.
40. Contract Type and General Terms and Conditions	40.1	The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at <a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a>
41. Performance Security	41.1	40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at
		https://popp.undp.org/ layouts/15/WopiFrame.aspx?sourcedoc=/UNDP POPP DOCUMENT LIBRARY/Public/PSU Solicitation Performance%20Guarantee%20 Form.docx&action=default within fifteen (15) days of the contract signature by both parties. Where a performance security is required, the receipt of the performance security by UNDP shall be a condition for rendering the contract effective.
42. Bank Guarantee for Advanced Payment	42.1	Except when the interests of UNDP so require, it is UNDP's preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at <a href="https://popp.undp.org/layouts/15/WopiFrame.aspx?sourcedoc=/UNDP POPP">https://popp.undp.org/layouts/15/WopiFrame.aspx?sourcedoc=/UNDP POPP</a>

	<u>DOCUMENT LIBRARY/Public/PSU Contract%20Management%20Payment%20and%20Taxes Advanced%20Payment%20Guarantee%20Form.docx&amp;action=default</u>
43. Liquidated Damages	3.1 If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor's delays or breach of its obligations as per the Contract.
44. Payment Provisions	4.1 Payment will be made only upon UNDP's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in UNDP with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract.
45. Vendor Protest	5.1 UNDP's vendor protest procedure provides an opportunity for appeal to thos persons or firms not awarded a contract through a competitive procuremer process. In the event that a Bidder believes that it was not treated fairly, th following link provides further details regarding UNDP vendor protest procedures: <a href="http://www.undp.org/content/undp/en/home/procurement/business/protest-and-sanctions.html">http://www.undp.org/content/undp/en/home/procurement/business/protest-and-sanctions.html</a>
46. Other Provisions	In the event that the Bidder offers a lower price to the host Government (e.g. General Services Administration (GSA) of the federal government of the Unite States of America) for similar services, UNDP shall be entitled to same lower price. The UNDP General Terms and Conditions shall have precedence.
	6.2 UNDP is entitled to receive the same pricing offered by the same Contractor i contracts with the United Nations and/or its Agencies. The UNDP General Term and Conditions shall have precedence.
	6.3 The United Nations has established restrictions on employment of (former) UI staff who have been involved in the procurement process as per bulleti ST/SGB/2006/15 <a href="http://www.un.org/en/ga/search/view doc.asp?symbol=ST/SGB/2006/15&amp;refeer">http://www.un.org/en/ga/search/view doc.asp?symbol=ST/SGB/2006/15&amp;refeer</a>

## Section 3. Bid Data Sheet

The following data for the services to be procured shall complement, supplement, or amend the provisions in the Request for Proposals. In the case of a conflict between the Instructions to Bidders, the Data Sheet, and other annexes or references attached to the Data Sheet, the provisions in the Data Sheet shall prevail.

BDS No.	Ref. to Section.2	Data	Specific Instructions / Requirements
1	7	Language of the Proposal	English
2		Submitting Proposals for Parts or sub-parts of the TOR (partial bids)	Not Allowed
3	20	Alternative Proposals	Shall not be considered
4	21	Pre-proposal conference	Will not be conducted
5	10	Proposal Validity Period	90 days
6	14	Bid Security	Not Required
7	41	Advanced Payment upon signing of contract	Not Allowed
8	42	Liquidated Damages	Will be imposed as follows: Percentage of contract price per day of delay: 0.5  Max. number of days of delay 10 working days, after which UNDP may terminate the contract.
9	40	Performance Security	Not Required
10	18	Currency of Proposal	United States Dollar
11	31	Deadline for submitting requests for clarifications/ questions	3 days before the submission deadline

12	31	Contact Details for submitting clarifications/questions	Focal Person in UNDP: E-mail address: <a href="mailto:leonid.mazilu@undp.org">leonid.mazilu@undp.org</a> , <a href="mailto:Procurement Associate">Procurement Associate</a>
13	18, 19 and 21	Manner of Disseminating Supplemental Information to the RFP and responses/clarifications to queries	Posted directly to eTendering
14	23	Deadline for Submission	August 13, 2018 14:00 (GMT+2:00, Moldova local time)  For eTendering submission - as indicated in eTendering system. Note that system time zone is in EST/EDT (New York) time zone.
14	22	Allowable Manner of Submitting Proposals	<ul> <li>□ Courier/Hand Delivery</li> <li>□ Submission by email</li> <li>☑ e-Tendering</li> </ul>
15	22	Proposal Submission Address	https://etendering.partneragencies.org  BU Code: MDA10 and Event ID number: 0000002634
16	22	Electronic submission (email or eTendering) requirements	<ul> <li>Format: PDF files only</li> <li>File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard.</li> <li>All files must be free of viruses and not corrupted.</li> <li>Password for technical proposal must not be provided to UNDP until the date as indicated in No. 14 (for email submission only)</li> <li>Password for financial proposal must not be provided to UNDP until requested by UNDP.</li> <li>Max. File Size per transmission: 5 Mb</li> <li>Mandatory subject of email: RfP-18/1788</li> </ul>
17	27 36	Evaluation Method for the Award of Contract	Combined Scoring Method, using the 60%-40% distribution for technical and financial proposals respectively  The minimum technical score required to pass is 70%.
18		Expected date for commencement of Contract	September 3, 2018
19		Maximum expected duration of contract	2.5 months

20	35	UNDP will award the contract to:	One Proposer Only
21	39	Type of Contract	Contract for Goods and Services for UNDP <a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a>
22	39	UNDP Contract Terms and Conditions that will apply	UNDP General Terms and Conditions for Institutional (de minimis) Contracts <a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a>

### Section 4. Evaluation Criteria

#### **Preliminary Examination Criteria**

Proposals will be examined to determine whether they are complete and submitted in accordance with RFP requirements as per below criteria on a Yes/No basis:

- Appropriate signatures
- Power of Attorney
- Minimum documents provided
- Technical and Financial Proposals submitted separately
- Bid Validity
- Bid Security submitted as per RFP requirements with compliant validity period

#### **Minimum Eligibility and Qualification Criteria**

Eligibility and Qualification will be evaluated on Pass/Fail basis.

If the Proposal is submitted as a Joint Venture/Consortium/Association, each member should meet minimum criteria, unless otherwise specified in the criterion.

Subject	Criteria	Document Submission requirement
ELIGIBILITY		
Legal Status	Vendor is a legally registered entity.	Form B: Bidder Information Form
<b>Eligibility</b> Vendor is not suspended, nor debarred, nor otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization in accordance with ITB clause 3.		Form A: Technical Proposal Submission Form
Conflict of Interest	No conflicts of interest in accordance with ITB clause 4.	Form A: Technical Proposal Submission Form
Bankruptcy	Not declared bankruptcy, not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against the vendor that could impair its operations in the foreseeable future.	Form A: Technical Proposal Submission Form
QUALIFICATION		
History of Non- Performing Contracts <sup>1</sup>	Non-performance of a contract did not occur as a result of contractor default for the last 3 years.	Form D: Qualification Form
Litigation History	No consistent history of court/arbitral award decisions against the Bidder for the last 3 years.	Form D: Qualification Form

<sup>&</sup>lt;sup>1</sup> Non-performance, as decided by UNDP, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

Previous Experience	Minimum 3 years of experience in conducting in-depth analysis and assessment of public services	Form D: Qualification Form
	Minimum 5 contracts in conducting in-depth analysis and assessment of public services implemented over the last 3 years. (For JV/Consortium/Association, all Parties cumulatively should meet requirement).	Form D: Qualification Form
Financial Standing	Minimum average annual turnover of USD 40.000 for the last 2 years.  (For JV/Consortium/Association, all Parties cumulatively should meet requirement).	Form D: Qualification Form
	Bidder must demonstrate the current soundness of its financial standing and indicate its prospective long-term profitability. (For JV/Consortium/Association, all Parties cumulatively should meet requirement).	Form D: Qualification Form

## **Technical Evaluation Criteria**

Summ	nary of Technical Proposal Evaluation Forms	Points Obtainable
1.	Bidder's qualification, capacity and experience	250
2.	Proposed Methodology, Approach and Implementation Plan	250
3.	Management Structure and Key Personnel	500
	Total	1000

Sectio	n 1. Bidder's qualification, capacity and experience	Points obtainable
1.1	Reputation of Organization and Staff / Credibility / Reliability	40
	(Well balanced Management Structure – 10 pts; Existence of Quality control system within the Organization – 10 pts; Good Past Performance and Letters of Gratitude from GoM and from previous clients – 10 pts; Financial capacity over the minimum requested (40,000 USD average per year) – 10 pts)	
1.2	Corporate experience of the firm (3 years – 20 pts, each additional year – 4 pts up to max. additional 20 pts)	40
1.3	Proven experience in conducting in-depth analysis and assessment of public services, in the last 3 years (5 projects – 40 pts, each additional project – 5 pts up to max. additional 20 pts)	60
1.4	Experience in elaboration of research studies and public policies with recommendations on adjustment of the national legal and regulatory framework (3 projects – 30 pts, each additional project – 5 pts up to max. additional 30 pts)	60
1.5	Experience working with UNDP, or other UN Agencies, or other International Organizations (1 project – 10 pts, each additional project 5 pts up to max. additional 20 pts)	30
1.6	Adherence to UN core values (no. of staff women in the proposed team of experts): 1 person - 10 pts, no. of persons with physical impairs in the proposed team of experts): 1 person – 10 pts)	20
	Total Section 1	250

Section 2. Proposed Methodology, Approach and Implementation Plan		Points obtainable
2.1	The proposal clearly explains, understand and respond to the objectives of the project as stated in the Terms of Reference (TOR). The different components of the project adequately weighted relative to one another.	45
2.2	The proposed program approach and detailed activities and timeline fulfill the requirements of executing the terms of Reference effectively and efficiently.	40
2.3	The proposed Methodology cover all tasks of the terms of Reference.	40
2.4	The proposal demonstrates the offeror's sector knowledge related to technical sectors required by the TOR.	45
2.5	The Company proposed improvements and suggestions to the TOR.	40
2.6	Key staff time is proportionally and adequately allocated throughout project implementation	40

Section 3. Management Structure and Key Personnel			Points obtainable
3.1	Qualifications of key personnel proposed		
3.1 a	Task Manager		115
	University or master's Degree in management or similar field related to scope of terms of Reference (University Degree – 15 pts; Master Degree - 20 pts)	20	
	Professional Experience in the area of Project Management, Task coordinator (3 years - 20 pts, each additional year – 2 pts, up to additional 10 pts)	30	
	Extensive experience in managing and coordination of team of experts (3 years - 15 pts, each additional year – 2 pts, up to additional 10 pts)	25	
	Professional experience in undertaking assignments with practical focus on development of local public services (3 years of experience – 9 pts, each additional year – 2 pts, up to max. 15 pts)	15	
	Experience working with UN Agencies (Yes - 10 pts; No – 0 pts)	10	
	Language Qualifications (proficiency in English language – 5 pts; Russian language - 5 pts, Romanian language – 5 pts)	15	
3.1 b	Qualified Key Expert - Local Public Administration		125
	University or Master Degree in public administration or similar field related to terms of Reference tasks (University Degree – 15 pts; Master Degree - 30 pts)	30	
	Professional Experience in undertaking assignments with practical focus on development/improvement of local public services (5 years - 30 pts, each additional year — 2 pts, up to additional 10 pts)	40	
	Extensive experience in conducting assessments and analysis on local public services functioning, including IMC (3 years - 25 pts, each additional year – 3 pts, up to additional 15 pts)	40	
	Language Qualifications (proficiency in English language – 5 pts; Russian language - 5 pts, Romanian language – 5 pts).	15	
3.1 c	Qualified Key Expert – Financial-Economic domain		145
	University or Master Degree in finance, economic domain or similar field related to terms of terms of Reference tasks (University Degree – 15 pts; Master Degree - 30 pts)	30	
	Experience in providing consultancy and conducting assessments in public local finances area (5 years - 20 points each additional year - 5 pts., up to max. 10 pts)	30	
	Practical experience of work in a central or public administration in the area of public finances management (5 years - 20 points, each additional year – 2 points, up to max. additional 10 pts)	30	
	Experience of involving in assignments/projects funded by international institutions with focus on development of local public finances (3 projects - 20 pts, each additional project – 5 pts, up to max. 20 pts)	40	
	Language Qualifications (proficiency in English language – 5 pts; Russian language - 5 pts, Romanian language – 5 pts).	15	
3.1 d	Law expert		115
	University or Master Degree in law (University Degree – 15 pts; Master Degree - 30 pts)	30	

Professional Experience in drafting normative acts in the area of local public administration functioning (4 projects - 20 pts, each additional project - 5 pts, up to max. additional 10 pts)	30	
Experience of conducting comparative analysis, research, assessment on the implementation of the national/international legislation and policies, with focus on development of local public administration and service provision (3 projects - 30 pts, each additional project - 5 pts, up to additional 10 pts)	40	
Language Qualifications (proficiency in English language – 5 pts; Russian – language 5 pts, Romanian language – 5pts).	15	
Tota	l Section 3	500

### **Section 5.** Terms of Reference

# SARD/Consulting Services to conduct an assessment of intermunicipal cooperation service providers in Republic of Moldova

#### I. BACKGROUND

In the context of local public administration reform and decentralization, the Government of the Republic of Moldova has committed to actively promote, stimulate and support the application of 'inter- communal cooperation' (ICC) tools. The aim of intermunicipal cooperation is to increase Local Public Authorities (LPAs) capacities to create economies of scale and to better plan for, invest in and deliver qualitative public services at the local level, as well as promote economic development.

In the conditions of the current system of public administration and weak local autonomy, the economic shocks at the central level are multiplied several times when it comes to the local level. This comes mainly due to: excessive fragmentation fed by current negative demographic trends, low institutional capacities of the local public administrations to efficiently deliver public services, insufficient administrative capacity and limited fiscal potential of local public authorities. Thus, 80% of local governments in Moldova do not meet the basic (and legal) administrative capacity criteria: they fulfil only a very limited number of functions – typically basic administrative functions. There are small municipalities which allocate 86% of their expenditures on administration. 60% of local governments have a maximum of 4-6 staff, a composition and institutional structure that does not allow management and provision of services, and regulatory functions required by the law.

In addition to insufficient financial resources, the limited size of localities is negatively affecting the administrative capacity of LPA to fulfil their functions and deliver qualitative public services to citizens. This involves reduced managerial capacity (greater difficulties in recruiting knowledgeable and skilled staff) and higher per capita costs (diseconomies of scale) in public service delivery. These problems have resulted in poorer quality of public services, have clouded the citizen image of local government and are now hampering the local development processes. Consequently, a very significant part of rural LPA (which represent app. 90% of the total number) do not have sufficient capacities to deliver efficient local public services. These LPA have neither staff nor necessary financial resources for the assurance of complex development functions.

The IMC models were disseminated as examples to advocate for practical innovative solutions to overcome the deficit of capacity of small LPAs to deliver particular public services.

Thus, with EU funded SARD project support, implemented by UNDP, total seven (5 newly established and 2 previously created) Intercommunal Cooperation projects (IMC) were supported in the ATU Gagauzia and Taraclia. The projects focused on improvement of local service provision and on upgrade the basic public infrastructure, enhancing cooperation across the targeted LPAs, in line with local development strategies for enhanced rural development.

Previously, during 2013-2015, UNDP with support from Governments of Sweden and Denmark, has supported the implementation of 11 IMC across the country. Also, Council of Europe has provided support to the creation of two IMCs.

Also, UNDP supported the adjustment of local legislation to enable creation of intermunicipal enterprises. Additionally, a Guide on Inter- Municipal Cooperation has been developed by UNDP Moldova, based on

the one prepared in 2009 by the Council of Europe, the United Nations Development Programme (UNDP) and the Local Government Initiative (LGI) of the Open Society.

Till now, functioning of the abovementioned IMC have not been assessed in a comprehensive manner, in order to obtain conclusions on necessary legal amendments and incentives needed to stimulate creation of intermunicipal enterprises throughout the country.

#### II. OBJECTIVE AND SCOPE OF SERVICES

SARD is looking to contract a consulting company (hereinafter Company) that has the capacity to conduct an assessment of existing IMC service provision in Republic of Moldova and provide recommendations for their sustainable functioning.

The objective of the assignment is to assess existing intermunicipal enterprises, comparing different IMC models and propose recommendations for the functioning and development of Inter-Municipal Cooperation (IMC) services in Republic of Moldova, by reviewing the regulatory framework, interviewing up to 20 existing IMC service providers, and developing proposals for ensuring elimination of legal and administrative barriers towards improving for efficient and effective functioning of inter-municipal cooperation service provision.

More specifically, the assessment shall contain the following:

- 1. Understand the Government's, European Delegation and UNDP objectives and expected results in the field of IMC, as well as the expectations of the LPAs on Inter-municipal cooperation initiatives.
- 2. Conduct an in-depth analysis of the legal and regulatory framework related to IMC registration and functioning;
- 3. Interview up to 20 existing IMC and assess their documents in order to understand and compare approaches toward:
  - Range of currently provided services and possibilities for expansion through IMC<sup>2</sup>
  - Sustainability after the project finalization and risk factors; additional private, public and international funds attracted after the project finalization
  - Internal procedures and regulations of the IMC service provision; how the procurement and approvals processes are taking place; existing transparency mechanisms; property management procedures and regulation to ensure equal participation of all IMC participants;
  - Sources of revenue, funding and costs of the provided services; identify arguments for the economy of scale, if the case
  - Contracting modality between IMC service providers and other LPAs; modalities for payment for services by the end beneficiary
  - Impact to livelihoods of all engaged communities;
- 4. Based on the above conducted review, comparison of different IMC models and their impact: identify gaps and bottlenecks in the promotion, support and implementation of IMC initiatives; formulate recommendations for improved policies and legal framework; produce templates of Statute, regulations and internal procedures for the functioning of IMC (based on the existing one with proposed improvements)

Close cooperation with the public authorities in conducting the assessment and making recommendations is mandatory.

<sup>&</sup>lt;sup>2</sup> Potential areas of IMC multi-functional communal services to improve the overall quality of public services at the local level: water and waste water maintenance; solid waste management and green spaces; roads maintenance and pedestrian/ street cleaning; public lighting network maintenance; industrial park developments; education to modernize the education estate; others, if identified as priority.

#### III. KEY ACTIVITIES

The Service Provider will take full responsibility for the provision of required services in close co-operation with the UNDP project team. The General objectives and scope of work defined above shall be met through activities that include, but are not limited to the following:

- 1. **Methodology development**: prepare and submit for approval to UNDP the methodological approach and detailed work plan for carrying the assessment of existing IMCs, including the ones from ATU Gagauzia and Taraclia district, which would include, inter alia, the following:
  - a. Primary desk research;
  - b. The interview guide;
  - c. A list of potential interviewees proposed based on consultations with UNDP. A gender balanced approach should be applied.

#### 2. Conduct the assessment

Based on proposed methodology, the Company will conduct the assessment of the current state and functioning of existing IMCs, as per aspects in the point II. above.

A team consisting of at least one legal expert; economist; public administration expert will be employed to conduct the assessment

- 3. **Develop a Final Report** addressing the key results, major conclusions and recommendations, including the following annexes:
  - 2.1. Proposal for the adjustment of the national legal and regulatory framework (ex. draft Government Decision etc.)
  - 2.2. Templates for the IMC Association Agreement; Delegation Agreement; internal regulations for the functioning of IMC, including human resources structure; property management; performance indicators)

#### IV.DELIVERABLES AND INDICATIVE TIMEFRAME

The assignment will be conducted between August-November 2018, according to the following draft plan:

Deliverable	Indicative timeframe
Deliverable 1: Detailed work plan, methodology and timeframe Deliverable 2: The interview guide and list of potential interviewees	In 2 weeks after the contract is signed, no later than 10 September  Up to 10 working days
Conduct the assessment Deliverable 3: Progress report	By 5 October Up to 20 working days
Deliverable 4. Final Report containing:	By 5 November

1.1. Short overview/ analysis of each IMC visited/interviewed: brief general info (date of creation, structure, services provided, area covered, operational and financial state), what worked, what did not work, lessons learned).

Up to 20 working days

- 1.2. Analysis of overall common and(or) specific problems/issues.
- 1.3. Proposal for the adjustment of the national legal and regulatory framework (ex. draft Government Decision etc.)
- 1.4. Proposals for adjustment of templates of IMC Association Agreement; Delegation Agreement; internal regulations for the functioning of IMC, including human resources structure; property management; performance indicators)
- 1.5. Recommendations for the future similar assignments. Recommend a template of an Indicators Tracking Table for monitoring/assessment of future projects of similar nature.
- 1.6. Formulation of the Outcomes achieved by SARD Project through the IMC Consulting Firm.
- 1.7. Formulation of the potential Impacts of the UNDP/SARD intervention in the area of IMC activities

The final report on assessment of intermunicipal cooperation service providers in Republic of Moldova shall be submitted in Romanian and English.

#### V. INSTITUTIONAL ARRANGEMENTS

The Contractor will be awarded a contract with UNDP for the delivery of requested services, and will work under the overall supervision of UNDP Project Manager and direct supervision of project staff. All deliverables shall require the approval of the SARD Project Manager.

- a) The estimated duration of work is 2,5 months. The expected time of commencement is August 2018;
- b) UNDP will require at least ten days to review the outputs, provide comments, approve or certify acceptance of outputs.

#### VI.REQUIRED QUALIFICATIONS OF SERVICE PROVIDERS

To ensure adequate implementation of all planned activities, SARD is seeking qualified consulting Company who should demonstrate enough capacity to implement the activities efficiently and within the proposed timeframe. The offers will be evaluated based on their compliance with the general requirements specified bellow:

#### Corporate Competencies

 At least 3 years of experience in providing consulting services and conducting assessments in local development, capacity development for LPAs, planning, monitoring and evaluation at the local level.

- Proven experience in developing recommendations in the field of local public administration and providing consulting services for LPAs in implementation of local services projects.
- Qualified experts with: University or Master degree in Economics, Law, Local Public Administration, Sociology. [Note: the pool of experts will include compulsory specialists in: law; financial-economic analysis; local public administration]
- Proven record of undertaking functional and socio-economic analysis at the local level.
- Proven record of undertaking consultancy services/training in the field of IMC and/or local public services development.
- At least 3 years of experience in developing analytical reports and assessments
- Good communication and interpersonal skills
- Knowledge and experience in applying of Human Rights Based Approach and Gender Mainstreaming in the area of local development and decentralization.
- Good knowledge of Moldovan rural area context.
- Excellent command of Romanian and Russian. English is an advantage.

## **Section 6:** Returnable Bidding Forms / Checklist

This form serves as a checklist for preparation of your Proposal. Please complete the Returnable Bidding Forms in accordance with the instructions in the forms and return them as part of your Proposal submission. No alteration to format of forms shall be permitted and no substitution shall be accepted.

Before submitting your Proposal, please ensure compliance with the Proposal Submission instructions of the BDS 22.

## **Technical Proposal Envelope:**

Have you duly completed all the Returnable Bidding Forms?	
<ul><li>Form A: Technical Proposal Submission Form</li></ul>	
<ul><li>Form B: Bidder Information Form</li></ul>	
<ul> <li>Form C: Joint Venture/Consortium/ Association Information Form</li> </ul>	
<ul><li>Form D: Qualification Form</li></ul>	
<ul><li>Form E: Format of Technical Proposal</li></ul>	
Have you provided the required documents to establish compliance with the evaluation criteria in Section 4?	

### **Financial Proposal Envelope**

(Must be submitted in a separate sealed envelope/password protected email)

Form F: Financial Proposal Submission Form	
Form G: Financial Proposal Form	

## Form A: Technical Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	RfP18/01788		

We, the undersigned, offer to provide the services for **Consulting Services to conduct an assessment of intermunicipal cooperation service providers in Republic of Moldova** in accordance with your Request for Proposal No. **RfP18/01788** and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

- a) is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
- b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
- c) have no conflict of interest in accordance with Instruction to Bidders Clause 4;
- do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
- e) have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- f) undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.

We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification and/or sanctioning by the UNDP.

We offer to provide services in conformity with the Bidding documents, including the UNDP General Conditions of Contract and in accordance with the Terms of Reference

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand and recognize that you are not bound to accept any Proposal you receive.

I, the undersigned, certify that I am duly authorized by [Insert Name of Bidder] to sign this Proposal and bind it should UNDP accept this Proposal.

Name:	 	 
Title:		
Date:		
Signature:		
9		

[Stamp with official stamp of the Bidder]

## Form B: Bidder Information Form

Legal name of Bidder	[Complete]		
Legal address	[Complete]		
Year of registration	[Complete]		
Bidder's Authorized Representative Information	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]		
Are you a UNGM registered vendor?	$\square$ Yes $\square$ No If yes, [insert UGNM vendor number]		
Are you a UNDP vendor?	$\square$ Yes $\square$ No If yes, [insert UNDP vendor number]		
Countries of operation	[Complete]		
No. of full-time employees	[Complete]		
Quality Assurance Certification (e.g. ISO 9000 or Equivalent) (If yes, provide a Copy of the valid Certificate):	[Complete]		
Does your Company hold any accreditation such as ISO 14001 related to the environment? (If yes, provide a Copy of the valid Certificate):	[Complete]		
Does your Company have a written Statement of its Environmental Policy? (If yes, provide a Copy)	[Complete]		
Contact person UNDP may contact for requests for clarification during Proposal evaluation	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]		
Please attach the following documents:	<ul> <li>Company Profile, which should not exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured</li> <li>Certificate of Incorporation/ Business Registration</li> <li>Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder</li> <li>Trade name registration papers, if applicable</li> <li>Local Government permit to locate and operate in assignment location, if applicable</li> <li>Official Letter of Appointment as local representative, if Bidder is submitting a Bid in behalf of an entity located outside the country</li> <li>Power of Attorney</li> </ul>		

## Form C: Joint Venture/Consortium/Association Information Form

Nam	e of Bidder:	[Insert Name of Bidder]			Date:	Select date
RFP reference: [Insert RFP Reference Number]						
	completed and re/Consortium/A	eturned with your Pr ssociation.	roposal if the Propo	osal is submitt	ed as a .	loint
No		ner and contact inf ne numbers, fax numbe			_	on of responsibilities (in rvices to be performed
1	[Complete]			[Complete]		
2	[Complete]			[Complete]		
3	[Complete]			[Complete]		
	e of leading pa	_				
(with Assoc the ev	authority to bind	the JV, Consortium, RFP process and, in	[Complete]			
structı □ Let We he	are of and the co ter of intent to f ereby confirm th	onfirmation of joint a	or and severable liabi	lity of the men	mbers o n/Assoc t Ventui	re/Consortium/Association the Contract.
Name of partner: Name of partner:						
Signature: Sign		ature:				
Date:			Date	·		
Nam	e of partner:		Nam	e of partner: _		
Signa	ature:		Signa	ature:		

## Form D: Qualification Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

If JV/Consortium/Association, to be completed by each partner.

## **Historical Contract Non-Performance**

☐ Contract non-performance did not occur for the last 3 years						
☐ Contrac	t(s) not performed fo	or the last 3 years				
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount (current value in US\$)			
		Name of Client:  Address of Client:  Reason(s) for non-performance:				

## **Litigation History** (including pending litigation)

□ No litiga	☐ No litigation history for the last 3 years						
☐ Litigatio	n History as indicate	d below					
Year of dispute	Amount in dispute (in US\$)	Contract Identification	Total Contract Amount (current value in US\$)				
		Name of Client:					
		Address of Client:					
		Matter in dispute:					
		Party who initiated the dispute:					
		Status of dispute:					
		Party awarded if resolved:					

## **Previous Relevant Experience**

Please list only previous similar assignments successfully completed in the last 3 years.

List only those assignments for which the Bidder was legally contracted or sub-contracted by the Client as a company or was one of the Consortium/JV partners. Assignments completed by the Bidder's individual experts working privately or through other firms cannot be claimed as the relevant experience of the Bidder, or that of the Bidder's partners or sub-consultants, but can be claimed by the Experts themselves in their CVs. The Bidder should be prepared to substantiate the claimed experience by presenting copies of relevant documents and references if so requested by UNDP.

Project name & Country of Assignment	Client & Reference Contact Details	Contract Value	Period of activity and status	Types of activities undertaken

Bidders may also attach their own Project Data Sheets with more details for assignments above.

$\square$ Attached are the Statements of Satisfactory Performance from the Top 3 (three) Clients or mor
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## **Financial Standing**

Annual Turnover for the last 3 years	Year Year Year	USD USD USD
Latest Credit Rating (if any), indicate the source		

Financial information (in US\$ equivalent)	Historic information for the last 3 years		
	Year 1	Year 2	Year 3
	Information from Balance Sheet		
Total Assets (TA)			
Total Liabilities (TL)			
Current Assets (CA)			
Current Liabilities (CL)			
	Information from Income Statement		
Total / Gross Revenue (TR)			
Profits Before Taxes (PBT)			
Net Profit			

Current Ratio		

☐ Attached are copies of the audited financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following condition:

- a) Must reflect the financial situation of the Bidder or party to a JV, and not sister or parent companies;
- b) Historic financial statements must be audited by a certified public accountant;
- c) Historic financial statements must correspond to accounting periods already completed and audited. No statements for partial periods shall be accepted.

### Form E: Format of Technical Proposal

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	RfP18/01788		

The Bidder's proposal should be organized to follow this format of Technical Proposal. Where the bidder is presented with a requirement or asked to use a specific approach, the bidder must not only state its acceptance, but also describe how it intends to comply with the requirements. Where a descriptive response is requested, failure to provide the same will be viewed as non-responsive.

#### SECTION 1: Bidder's qualification, capacity and expertise

- 1.1 Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.
- 1.2 General organizational capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted (if so, provide details).
- 1.3 Relevance of specialized knowledge and experience on similar engagements done in the region/country.
- 1.4 Quality assurance procedures and risk mitigation measures.
- 1.5 Organization's commitment to sustainability.

#### **SECTION 2: Proposed Methodology, Approach and Implementation Plan**

This section should demonstrate the bidder's responsiveness to the TOR by identifying the specific components proposed, addressing the requirements, providing a detailed description of the essential performance characteristics proposed and demonstrating how the proposed approach and methodology meets or exceeds the requirements. All important aspects should be addressed in sufficient detail and different components of the project should be adequately weighted relative to one another.

- 2.1 A detailed description of the approach and methodology for how the Bidder will achieve the Terms of Reference of the project, keeping in mind the appropriateness to local conditions and project environment. Details how the different service elements shall be organized, controlled and delivered.
- 2.2 The methodology shall also include details of the Bidder's internal technical and quality assurance review mechanisms.
- 2.3 Explain whether any work would be subcontracted, to whom, how much percentage of the work, the rationale for such, and the roles of the proposed sub-contractors and how everyone will function as a team.
- 2.4 Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.
- 2.5 Implementation plan including a Gantt Chart or Project Schedule indicating the detailed sequence of activities that will be undertaken and their corresponding timing.
- 2.6 Demonstrate how you plan to integrate sustainability measures in the execution of the contract.
- 2.7 Any other comments or information regarding the project approach and methodology that will be adopted.

#### **SECTION 2A: Bidder's Comments and Suggestions on the Terms of Reference**

Provide comments and suggestions on the Terms of Reference, or additional services that will be rendered beyond the requirements of the TOR, if any.

#### **SECTION 3: Management Structure and Key Personnel**

- 3.1 Describe the overall management approach toward planning and implementing the project. Include an organization chart for the management of the project describing the relationship of key positions and designations. Provide a spreadsheet to show the activities of each personnel and the time allocated for his/her involvement.
- 3.2 Provide CVs for key personnel that will be provided to support the implementation of this project using the format below. CVs should demonstrate qualifications in areas relevant to the Scope of Services.

## **Format for CV of Proposed Key Personnel**

Name of Personnel	[Insert]			
Position for this assignment	[Insert]			
Nationality	[Insert]			
Language proficiency	[Insert]			
Education/	[Summarize college/university and other specialized education of personnel member, giving names of schools, dates attended, and degrees/qualifications obtained.]			
Qualifications	[Insert]			
	[Provide details of professional certifications relevant to the scope of services]			
Professional certifications	<ul><li>Name of institution: [Insert]</li><li>Date of certification: [Insert]</li></ul>			
Employment Record/ Experience	[List all positions held by personnel (starting with present position, list in reverse order), giving dates, names of employing organization, title of position held and location of employment. For experience in last five years, detail the type of activities performed, degree of responsibilities, location of assignments and any other information or professional experience considered pertinent for this assignment.]			
	[Insert]			
	[Provide names, addresses, phone and email contact information for two (2) references]			
References	Reference 1: [Insert]			
	Reference 2: [Insert]			

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe my qualifications, my experiences, and other relevant information about myself.

Signature of Personnel	Date (Day/Month/Year)

Form F: Financial Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	RfP18/01788		

We, the undersigned, offer to provide the services for **Consulting Services to conduct an assessment of intermunicipal cooperation service providers in Republic of Moldova** in accordance with your Request for Proposal No. **RfP18/01788** and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

Our attached Financial Proposal is for the sum of [Insert amount in words and figures].

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet. We understand you are not bound to accept any Proposal you receive.

Name:	 	
Title:	 	
Date:	 	 
Signature:		
•		

[Stamp with official stamp of the Bidder]

## Form G: Financial Proposal Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	RfP18/01788		

The Bidder is required to prepare the Financial Proposal following the below format and submit it in an envelope separate from the Technical Proposal as indicated in the Instruction to Bidders. Any Financial information provided in the Technical Proposal shall lead to Bidder's disqualification.

The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder's Technical Proposal.

**Currency of the proposal:** [Insert Currency]

**Table 1: Summary of Overall Prices** 

	Amount(s)
Professional Fees (from Table 2)	
Other Costs (from Table 3)	
Total Amount of Financial Proposal	

**Table 2: Breakdown of Professional Fees** 

Name	Position	Fee Rate	No. of Days/months/ hours	Total Amount
		Α	В	C=A+B
In-Country				
	Task Manager			
	Qualified Key Expert -			
	Local Public			
	Administration			
	Qualified Key Expert –			
	Financial-Economic			
	domain			
	Law expert			
	Consultants in			
	collecting data (Lump			
	Sum/per day)			
	Office assistant,			
	Accountant, Translator,			
	(Lump Sum/per day)			

Home Based				
	Task Manager			
	<b>Qualified Key Expert -</b>			
	Local Public			
	Administration			
	Qualified Key Expert –			
	Financial-Economic			
	domain			
	Law expert			
		Subtotal Pr	ofessional Fees:	

## **Table 3: Breakdown of Other Costs**

Description	иом	Quantity	Unit Price	Total Amount
- Local transportation costs	Lump Sum			
- Office, consumables and communications	Lump Sum			
Other Costs: (please specify)				
Subtotal Other Costs:				

## **Table 4: Breakdown of Price per Deliverable/Activity**

Deliverable/ Activity description	<b>Time</b> (person days)	Professional Fees	Other Costs	Total
Deliverable 1: Detailed work plan, methodology and timeframe				
Deliverable 2: The interview guide and list of potential interviewees				
Deliverable 3: Assessment Progress reports				
Deliverable 4. Final Report (as per ToR requirements)				