



SECTION 1: REQUEST FOR QUOTATION (RFQ)

UNDP kindly requests your quotation for the **Publication of the book "How Judges Think" by Richard A. Posner** as detailed in line items section of this RFQ.

This Request for Quotation comprises the **following documents**:

Section 1: This RFQ document generated by the online system;

Section 2: RFQ Instructions and Data

Annex 1: Schedule of Requirements

Annex 2: Quotation Submission Form

Annex 3: Financial Offer

Annex 4: Technical Responsiveness Table

When preparing your quotation, please **be guided by the RFQ Instructions and Data**. Please note that quotations must be submitted directly in the system responding to the questions and uploading required documents. by the date and time indicated in the online portal. It is your responsibility to ensure that your quotation is submitted before the deadline. Quotations received after the submission deadline outside the online portal, for whatever reason, will not be considered for evaluation.



Quotations must be **submitted directly in NextGenERP supplier portal** following this link: <http://supplier.nextgenerp.partneragencies.org/> using the profile you may have in the portal.

Follow the instructions in the user guide to search for the tender using **Negotiation ID: UNDP-MD-0006**

In case you have never registered before, follow this link to register a profile:

https://estm.fa.em2.oraclecloud.com/fscmUI/faces/PrcPosRegisterSupplier?prcBuld=300000127715297&_adf.ctrl-state=azywmctp_1&afrLoop=6329722925931702&afrWindowMode=0&afrWindowId=null&afrFS=16&afrMT=screen&afrMFW=1042&afrMFH=575&afrMFDW=1280&afrMFDH=720&afrMFC=8&afrMFCI=0&afrMFM=0&afrMFR=144&afrMFG=0&afrMFS=0&afrMFO=0

Do not create a new profile if you already have one. Use the forgotten password feature in case you do not remember the password or the username from previous registration.

Thank you and we look forward to receiving your quotations.



Tender Overview

United Nations Development Programme hereby invites you to submit your quotation for Publishing the book "How Judges Think" by Richard A. Posner, as detailed in this RFQ.

When preparing your quotation, please be guided by the RFQ Instructions and Data. Please note that quotations must be submitted directly in the system responding to the questions and uploading required documents by the date and time indicated in the online portal.

Quotations may be submitted on or before 22 October 2021, 16:30 (Moldova local time).

It is your responsibility to ensure that your quotation is submitted before the deadline. Quotations received after the submission deadline outside the online portal, for whatever reason, will not be considered for evaluation.

Quotations must be submitted directly in NextGenERP supplier portal following this link: <http://supplier.nextgenerp.partneragencies.org/> using the profile you may have in the portal.

Follow the instructions in the user guide to search for the tender using

Negotiation ID: UNDP-MD-00006

In case you have never registered before, follow this link to register a profile: https://estm.fa.em2.oraclecloud.com/fscmUI/faces/PrCPosRegisterSupplier?prcBuld=300000127715297&_adf.ctrl-state=azywmctp_1&_afrLoop=6329722925931702&_afrWindowMode=0&_afrWindowId=null&_afrFS=16&_afrMT=screen&_afrMFW=1042&_afrMFH=575&_afrMFDW=1280&_afrMFDH=720&_afrMFC=8&_afrMFCI=0&_afrMFM=0&_afrMFR=144&_afrMFG=0&_afrMFS=0&_afrMFO=0

Do not create a new profile if you already have one. Use the forgotten password feature in case you do not remember the password or the username from previous registration.



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1 Overview

1.1 General Information

Title	RFQ21/02374 NIJ2 Publishing the book "How Judges Think" by Richard A. Posner
Contact Point	Anna Soltan
Outcome	
E-Mail	anna.soltan@undp.org
Reference Number	RFQ-21/02374
Beneficiary Country	Republic of Moldova
Introduction	PRC0001028

1.2 Tender Timeline

Preview Date	
Open Date	08/10/21 12:01 PM
Close Date	29/10/21 14:30 PM
Time Zone	Coordinated Universal Time

1.3 Response Rules

This negotiation is governed by all the rules displayed below.

	Rule
<input type="checkbox"/>	Negotiation is restricted to invited suppliers
<input type="checkbox"/>	
<input type="checkbox"/>	Suppliers are allowed to respond to selected lines
<input checked="" type="checkbox"/>	Suppliers are allowed to provide multiple responses
<input checked="" type="checkbox"/>	Suppliers are allowed to revise their submitted response

1.4 Terms

Negotiation Currency USD ()



2 Requirements

**Response is required*

Dear Supplier,

Please review carefully the requirements below. Some of the requirements are for information purpose only, while some require your response.

2.1 Section 1. Section 2: RFQ Instructions and Data

1.

Introduction

Bidders shall adhere to all the requirements of this RFQ, including any amendments made in writing by UNDP. This RFQ is conducted in accordance with the [UNDP Programme and Operations Policies and Procedures \(POPP\) on Contracts and Procurement](#)

Any Bid submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Bid by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFQ.

UNDP reserves the right to cancel the procurement process at any stage without any liability of any kind for UNDP, upon notice to the bidders or cancellation of the tender in the online portal.

2. Deadline for the Submission of Quotation

Deadline is indicated in the online portal.

If any doubt exists as to the time zone in which the quotation should be submitted, refer to <http://www.timeanddate.com/worldclock/>.



4. Cost of preparation of quotation

UNDP shall not be responsible for any costs associated with a Supplier's preparation and submission of a quotation, regardless of the outcome or the manner of conducting the selection process

5.

Supplier Code of Conduct, Fraud, Corruption

All prospective suppliers must read the United Nations Supplier Code of Conduct and acknowledge that it provides the minimum standards expected of suppliers to the UN. The Code of Conduct, which includes **principles on labour, human rights, environment and ethical conduct** may be found at: <https://www.un.org/Depts/ptd/about-us/un-supplier-code-conduct>

Moreover, 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 to observe the highest standard of ethics during the procurement process and contract implementation. UNDP's Anti-Fraud Policy can be found at http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_and_investigation.html#anti

6. Gifts and Hospitality

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, dinners or similar. In pursuance of this policy, UNDP: (a) Shall reject a bid if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question; (b) Shall declare a vendor ineligible, either indefinitely or for a stated period, 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.

7.

Conflict of Interest

UNDP requires every prospective Supplier to avoid and prevent conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, specifications, cost estimates, and other information used in this RFQ. Bidders shall 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.

Bidders must disclose in their Bid their knowledge of the following: a) If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel who are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving goods and/or services under this RFQ.

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 RFQ, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Bid.

8.

General Conditions of Contract

Any Purchase Order or contract that will be issued as a result of this RFQ shall be subject to one of the General Conditions of Contract below as applicable in each case specified in the Requirements section

Applicable GTC:

[General Terms and Conditions for de minimis contracts \(services only, less than \\$50,000\)](#)

Applicable Terms and Conditions and other provisions are available at [UNDP/How-we-buy](#)

9.

Special Conditions of Contract

Cancellation of PO/Contract if the delivery/completion is delayed by **1 calendar month**

Liquidated damages will be imposed as follows:

Percentage of contract price per every day of delay: 0.1%. Max. number of days of delay - 30 days, after which UNDP may terminate the contract.

10.

Eligibility

A vendor who will be engaged by UNDP may 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. Failure to do so may result in termination of any contract or PO subsequently issued to the vendor by UNDP.

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.

Bidders must have the legal capacity to enter a binding contract with UNDP and to deliver in the country, or through an authorized representative.

11. Currency of Quotation

Quotations shall be quoted in in the currency indicated in the portal.

12.

Joint Venture, Consortium or Association

If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Bid, they shall confirm in their Bid that : (i) they have designated one party to act as a lead entity, 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 Bid; 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, Consortium or Association.

Refer to Clauses 19 – 24 under [Solicitation policy](#) for details on the applicable provisions on Joint Ventures, Consortium or Association.

13.

Only one Bid

The Bidder (including the Lead Entity on behalf of the individual members of any Joint Venture, Consortium or Association) shall submit only one Bid, either in its own name or, if a joint venture, Consortium or Association, as the lead entity of such Joint Venture, Consortium or Association.

Bids submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:

a) they have at least one controlling partner, director or shareholder in common; or b) any one of them receive or have received any direct or indirect subsidy from the other/s; or

b) they have the same legal representative for purposes of this RFQ; or



c) 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 Bid of, another Bidder regarding this RFQ process;

d) they are subcontractors to each other's Bid, or a subcontractor to one Bid also submits another Bid under its name as lead Bidder; or

e) some key personnel proposed to be in the team of one Bidder participates in more than one Bid received for this RFQ process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Bid.

14.

Duties and taxes

Article II, Section 7, of the Convention on the Privileges and Immunities provides, inter alia, that the United Nations, including UNDP as a subsidiary organ of the General Assembly of the United Nations, is exempt from all direct taxes, except charges for public utility services, and is exempt from customs restrictions, duties, and charges of a similar nature in respect of articles imported or exported for its official use. All quotations shall be submitted net of any direct taxes and any other taxes and duties, unless otherwise specified in the requirements section.

All prices must:

be exclusive of VAT and other applicable indirect taxes

15. **Language of quotation**

Quotation must be in English and/Russian and/or Romanian

16. **Price variation**

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted at any time during the validity of the quotation after the quotation has been received.

17. **Quotation validity period**

Quotations shall remain valid for **90 days** from the deadline for the Submission of Quotation.

18.

Alternative Quotes

Not permitted



If alternative quote is permitted, it may be submitted only if a conforming quote to the RFQ requirements is submitted. 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 quote. If multiple/alternative quotes are being submitted, they must be clearly marked as "Main Quote" and "Alternative Quote" directly in the portal and in any supporting document as relevant.

19.

Payment Terms

100% upon complete delivery of services and products

20.

Conditions for Release of Payment

Passing inspection: correspondence to the approved final version of design

Written Acceptance of Goods and Services, based on full compliance with RFQ requirements

21. **Clarifications**

Requests for clarification from bidders will not be accepted any later than **3 days** before the submission deadline. Responses to request for clarification will be communicated directly with messages in the portal and on the tender website.

Target: 2021-10-19T00:00:00.000+00:00

22.

Evaluation Method

The Contract or Purchase Order will be awarded to the lowest price technically compliant offer*



*UNDP reserves the right not to award the contract to the lowest priced offer, if the second lowest price among the responsive offer is found to be significantly more superior, and the price is higher than the lowest priced compliant offer by not more than 10%, and the budget can sufficiently cover the price difference. The term "more superior" as used in this provision shall refer to offers that have exceeded the pre-determined requirements established in the specifications.

23.

Evaluation criteria

- Technical responsiveness/Full compliance to requirements and lowest price* as per Annex 1;
- Officially registered legal entity with full capacity to act;
- Minimum 3-year experience in the field of editing, layout, design and printing;
- Minimum 5 products with a volume of at least 50 pages completed within the last 12 months covering the services described in the Schedule of Requirements in Annex 1;
- Full acceptance of the PO/Contract General Terms and Conditions;
- Maximum delivery period not to exceed 45 calendar days upon signature of the contract.

* UNDP reserves the right not to award the contract to the lowest priced offer, if the second lowest price among the responsive offer is found to be significantly more superior, and the price is higher than the lowest priced compliant offer by not more than 10%, and the budget can sufficiently cover the price difference. The term "more superior" as used in this provision shall refer to offers that have exceeded the pre-determined requirements established in the specifications.

24. Right not to accept any quotation

UNDP is not bound to accept any quotation, nor award a contract or Purchase Order

25. Right to vary requirement at time of award



At the time of award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) 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.

26.

Type of Contract to be awarded

[Contract Face Sheet](#) (Goods and-or Services)

27. **Expected date for contract award**

Expected date for contract award is estimated to be on 01 November 2021.

Target: 2021-11-01T00:00:00.000+00:00

28. **Publication of Contract Award**

UNDP will publish the contract awards valued at USD 100,000 and more on the websites of the CO and the corporate UNDP Web site.

29. **Policies and procedures**

This RFQ is conducted in accordance with [UNDP Programme and Operations Policies and Procedures](#)

30.

UNGM registration

Any Contract resulting from this RFQ exercise will be subject to the supplier being registered at the appropriate level on the United Nations Global Marketplace (UNGM) website at www.ungm.org.

The Bidder may still submit a quotation 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.

2.2 Section 2. Documents to be submitted

***1. Company Profile**

Please write a a very brief profile of the company highlighting areas of expertise, capacity, and experience. You can upload attachments for more comprehensive description of your company, in addition to the brief profile written directly in the system.

Response attachments are optional.

***2. Registration Certificate**

Have you provided a copy of your company registration certificates?

***3.**

List of products



List of the most representative products (minimum 5 examples with a volume of at least 50 pages) completed within the last 12 months covering the services described in the Schedule of Requirements in Annex 1 (please attach electronic/scanned copies or indicate links where the products can be accessed)

*4.

Written Self-Declaration

Written Self-Declaration of not being included in the UN Security Council 1267/1989 list, UN Procurement Division List or other UN Ineligibility List

*5. **Offer validity**

Confirm validity of your offer from deadline of RFQ.

I-1. Internal for evaluation team: Mark score as 1 if offer has complied with all requirements in this section overall. Mark 0 if not. If marked as 0, system will disqualify offer automatically.

2.3 Section 3. Annex 1: Schedule of Requirements

*1. **Compliance with technical requirements**

Please confirm whether you comply with technical requirements. Indicate per each line if complying fully and state if any deviations. Upload the full document as per template provided and add additional technical documentation as needed.

Attachments:

File Name or URL	Type	Description
Annex 1 Schedule of Requirements	File	Annex 1 Schedule of Requirements
Annex 4 Technical Responsivene	File	Annex 4 Technical Responsiveness Table

*2. **Delivery time**

Confirm that you meet the required delivery time (specified in Annex 1 - Schedule of Requirements) as indicated below in calendar days from the contract signature. Provide a delivery plan indicating how many days per each of the key milestones.

Response attachments are optional.

*3. **Exact address of delivery location**

Accept to deliver to the address(es) and locations indicated in Annex 1: Schedule of Requirements to the



RFQ.

I-1. Internal for evaluation team: Mark score as 1 if offer has complied with all requirements in this section overall. Mark 0 if not. If marked as 0, system will disqualify offer automatically.

2.4 Section 4. Annex 2: Quotation submission form

***1. Legal name of bidder or Lead entity**

Provide the legal name of the bidder, or the Lead Entity in case of JVs

Response attachments are optional.

***2. Legal Address**

Provide the legal address of the bidder

Response attachments are optional.

***3. Registration year**

Provide the registration year of the company

***4. Legal structure**

Choose the applicable legal structure from the options below.

***5. UNGM registration**

Are you a UNGM registered vendor? If yes, provide UNGM number in the comments box

***6. ISO 9000 or equivalent**

Do you possess an ISO 9000 certificate or equivalent? If yes, upload a copy.

***7. ISO 14001 or 14064**

Does your Company hold any accreditation such as ISO 14001 or ISO 14064 or equivalent related to the environment? (If yes, provide a Copy of the valid Certificate):

***8. Company statement on Environmental policy**

Does your Company have a written Statement of its Environmental Policy? (If yes, provide a Copy)

***9. Commitment to sustainability**

Does your organization demonstrate significant commitment to sustainability through some other means, for example internal company policy documents on women empowerment, renewable energies or membership of trade institutions promoting such issues (If yes, provide a Copy)

***10. Member of UN Global Compact**

Is your company member of UN Global Compact?

***11. Bank Information**

Please provide the following bank information and upload a bank document as proof:

Bank Name:

Bank Address:

IBAN:

SWIFT/BIC:

Account Currency:

Account number:

Response attachments are optional.



***12. Previous relevant experience**

Provide information on most recent 3 relevant contracts performed in the field of the field of editing, layout, design and printing for the last 3 years, upload table if needed:

Name of previous contracts

Client & Reference

Contact Details including e-mail

Contract Value

Period of activity

Types of activities undertaken

Response attachments are optional.

I-1. Internal for evaluation team: Mark score as 1 if offer has complied with all requirements in this section overall. Mark 0 if not. If marked as 0, system will disqualify offer automatically.

2.5 Section 5. Bidder Declaration

***1. Requirements and Terms and Conditions**

Requirements and Terms and Conditions: I/We have read and fully understand the RFQ, including the RFQ Information and Data, Schedule of Requirements, the General Conditions of Contract, and any Special Conditions of Contract. I/we confirm that the Bidder agrees to be bound by them.

***2. Capacity and capability**

I/We confirm that the Bidder has the necessary capacity, capability, and necessary licenses to fully meet or exceed the Requirements and will be available to deliver throughout the relevant Contract period.

***3. Ethics:** In submitting this Quote I/we warrant that the bidder: has not entered into any improper, illegal, collusive or anti-competitive arrangements with any Competitor; has not directly or indirectly approached any representative of the Buyer (other than the Point of Contact) to lobby or solicit information in relation to the RFQ ;has not attempted to influence, or provide any form of personal inducement, reward or benefit to any representative of the Buyer.



***4. Code of Conduct**

I/We confirm to undertake not to engage in proscribed practices, , 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 have read the United Nations Supplier Code of Conduct :<https://www.un.org/Depts/ptd/about-us/un-supplier-code-conduct> and acknowledge that it provides the minimum standards expected of suppliers to the UN.

***5. Conflict of interest:** I/We warrant that the bidder has no actual, potential, or perceived Conflict of Interest in submitting this Quote or entering a Contract to deliver the Requirements. Where a Conflict of Interest arises during the RFQ process the bidder will report it immediately to the Procuring Organisation's Point of Contact.

***6. Prohibitions and Sanctions:** I/We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium members or subcontractors or suppliers for any part of the contract 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 and 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.

***7. Bankruptcy:** I/We 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.

***8. Offer Validity Period:** I/We confirm that this Quote, including the price, remains open for acceptance for the Offer Validity.

***9. Acceptance of contract**

I/We understand and recognize that you are not bound to accept any Quotation you receive, and we certify that the goods offered in our Quotation are new and unused.

***10. Signatory person**

I/We hereby confirm that this offer in the system is submitted by an authorized person from the company and it warrants and agrees that he/she been authorized by the Organization/s to make this declaration on its/their behalf.

2.6 Section 6. Annex 3: Financial offer

1. Financial offer

Please provide detailed pricing directly in the system per each line, unless otherwise instructed by UNDP. By submitting the financial offer in the system, your company confirms acceptance of all the terms indicated in this RFQ document.

I-1. Internal for evaluation team: Mark score as 1 if offer has complied with all requirements in this section overall. Mark 0 if not. If marked as 0, system will disqualify offer automatically.



3 Lines

Instructions

3.1 Line Information

Line	Category Name	Item	UOM	Estimated Quantity	Unit Price	Total Price	Additional Attributes
1-Publication of the book "How Judges Think" by Richard A. Posner	Catalogs		Ea	Ea			