



REQUEST FOR PROPOSAL (RFP)

Judicial harassment and SLAPPs in Southeast Asia: Awareness raising, Capacity building and Networking and Collaboration event for legislative and judicial authorities	DATE: October 12, 2020
	REFERENCE: RFP-2020-20

Dear Sir / Madam:

We kindly request you to submit your Proposal for the services of **Judicial harassment and SLAPPs in Southeast Asia: Awareness raising, Capacity building and Networking and Collaboration event for legislative and judicial authorities**

Please be guided by the forms attached hereto as Annex 3 and Annex 4, in preparing your Proposal.

Proposal must be submitted on or before the deadline indicated in the e-tendering system (**04:00PM, Bangkok Time, 22 October 2020**). Proposal must be submitted through online e-tendering system in the following link: <https://etendering.partneragencies.org> using your username and password.

If you have not registered in the system before, you can register now by logging in using the below credentials and follow the registration steps as specified in the system user guide

Username: event.guest

Password: why2change

Your Proposal must be expressed in English language and valid for a minimum period of 120 days

You are requested to indicate whether your company intends to submit a proposal by clicking "Accept Invitation" in the system.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. In submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files

The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and uploaded separately in the system and clearly named as either "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL", as appropriate. Each document shall include the Proposer's name and address. **The file with the "FINANCIAL PROPOSAL" must be encrypted with a password** so that it cannot be opened nor viewed until the proposal has been found to pass the technical evaluation stage. UNDP shall request via email the Proposer to submit the password to open the Financial Proposal. The Proposers shall assume the responsibility for not encrypting financial proposal.

IMPORTANT NOTE: The amount of the Financial proposal **MUST NOT** be mentioned anywhere in the submitted documents or in the e-tendering system, other than the Financial Proposal. Failure in compliance with the mentioned condition shall result in rejection of the offer.

PLEASE DO NOT PUT THE PRICE OF YOUR PROPOSAL IN THE LINE ITEM IN THE SYSTEM. INSTEAD PUT "1" AND UPLOAD THE FINANCIAL PROPOSAL AS INSTRUCTED ABOVE

Services proposed shall be reviewed and evaluated based on completeness and compliance of the Proposal and responsiveness with the requirements of the RFP and all other annexes providing details of UNDP requirements.

The Proposal that complies with all of the requirements, meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not meet the requirements shall be rejected.

Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail and the total price shall be corrected. If the Service Provider does not accept the final price based on UNDP's re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. 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.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions indicated herein. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP in this link: <http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Service Providers preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link: <https://www.undp.org/content/undp/en/home/procurement/business/protest-and-sanctions.html>

UNDP encourages every prospective Service Provider to prevent and avoid 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, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link : https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unscconduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,



Keshini Wijesundera
Manager, Transactional Services Team, BRH
12 October 2020

Description of Requirements

Context of the Requirement	<p>In 2011, the United Nations Human Rights Council endorsed the United Nations Guiding Principles on Business and Human Rights (UNGPs). The UNGPs are comprised of three pillars, which outline respectively (1) the State duty to protect against human rights abuses by business enterprises, (2) the responsibility of business enterprises to respect human rights, and (3) the role of States and business enterprises in ensuring access to effective remedy of adversely impacted rights holders.</p> <p>Public participation is essential in promoting business respect for human rights. It allows journalists, human rights defenders, activists, expert practitioners, harmed rights holders and other witnesses to highlight protection gaps and advocate for the effective implementation of the UNGPs by State and business actors alike. However, unfortunately some State and business actors try to aggressively quash public participation by (ab)using the legal system. The most pertinent example of such judicial harassment is the use of strategic lawsuits against public participation (SLAPPs). SLAPPs often take the form of criminal or civil law charges against individuals that attempt to bring attention to business-related human rights abuses.</p> <p>Judicial harassment and the use of SLAPPs remains a significant barrier to the work of human rights defenders and others across Southeast Asia. It is true that one can observe increasing uptake of the business and human rights discourse and the UNGPs in Southeast Asia. At the same time, however, outspoken individuals continue to face judicial harassment. The use of SLAPPs, which may take the form of defamation or libel charges (among others) impacts their lives in numerous ways: they face jail sentences, they face putative criminal law fines as well as monetary civil law claims, they face enormous personal stress due this judicial harassment (as well as other forms of physical harassment). And often they are forced to repeal their claims about business-related human rights abuses. In essence, the continued use of SLAPPs perpetuates impunity and presents an obstacle to the realization of all three pillars of the UNGPs.</p> <p>Considering these challenges, there is an urgent need for the legislature to pass laws that prohibit or prevent the use of SLAPPs; for judicial authorities to know how to evaluate and deal with SLAPPs (while acknowledging that legislative reform is often the first step in dealing with SLAPPs); for lawyers to be aware of their own responsibilities under the UNGPs in advising those individuals or entities initiating SLAPPs; and for all actors including civil society actors to understand challenges posed by SLAPPs, and discuss and identify solutions.</p>
Implementing Partner of UNDP	N/A
Brief Description of the Required Services	<i>As Detailed in the TOR attached as Annex 2</i>
List and Description of Expected Outputs to be Delivered	<i>As Detailed in the TOR attached as Annex 2</i>
Person to Supervise the Work/	Business and Human Rights Specialist, Business and Human Rights unit

Performance of the Service Provider	
Frequency of Reporting	As indicated in the ToR attached as Annex 2
Progress Reporting Requirements	As indicated in the ToR attached as Annex 2
Location of work	<input checked="" type="checkbox"/> At Contractor's Location
Expected duration of work	5 months
Target start date	05 November 2020
Latest completion date	31 March 2021
Travels Expected	As indicated in the ToR attached as Annex 2
Special Security Requirements	<input checked="" type="checkbox"/> Others N/A
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	As indicated in the ToR attached as Annex 2
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required
Currency of Proposal	<input checked="" type="checkbox"/> United States Dollars
Value Added Tax on Price Proposal	<input type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes <input checked="" type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes
Validity Period of Proposals (<i>Counting for the last day of submission of quotes</i>)	<input checked="" type="checkbox"/> 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.
Partial Quotes	<input checked="" type="checkbox"/> Not permitted
Payment Terms	As indicated in the ToR attached as Annex 2
Person(s) to review/ inspect/ approve outputs/ completed services and authorize the disbursement of payment	Project Manager/ Team Leader/ Programme Specialist

Type of Contract to be Signed	<input checked="" type="checkbox"/> Contract for Professional Services
Criteria for Contract Award	<input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criteria and cannot be deleted regardless of the nature of services required. Non acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	<p>Technical Proposal (70%)</p> <input checked="" type="checkbox"/> Expertise of the Firm - 30% <input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan - 30% <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel - 40%
	<p>Financial Proposal (30%)</p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p> <p>The following formula will be used to evaluate financial proposal: $p = y (\mu/z)$, where: p=points for the financial proposal being evaluated; y=maximum number of points for the financial proposal; μ=price of the lowest priced proposal; z = price of the proposal being evaluated.</p>
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Service Provider
Contract General Terms and Conditions	<input checked="" type="checkbox"/> General Terms and Conditions for contracts (goods and/or services) Applicable Terms and Conditions are available at: http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html <i>Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.</i>
Annexes to this RFP	<input checked="" type="checkbox"/> Detailed TOR (Annex 2) <input checked="" type="checkbox"/> Form for Submission of Technical Proposal (Annex 3) <input checked="" type="checkbox"/> Form for Submission of Financial Proposal (Annex 4)
Contact Person for Inquiries (Written inquiries only)	Mostaq Ahmed Procurement Consultant Email: mostaq.ahmed@undp.org Requests for clarifications must be submitted to UNDP by email to the address mentioned above until 3 days before submission deadline. Answers to clarifications will be uploaded to the Procurement Notices Website and on the etendering platform. This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

	Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.
Required Documents that must be Submitted to Establish Qualification of Proposers	<p> <input checked="" type="checkbox"/> Technical Proposal submission form as per the Template Annex 3; <input checked="" type="checkbox"/> Password protected Financial proposal Annex 4; <input checked="" type="checkbox"/> Company Profile, which should not exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured <input checked="" type="checkbox"/> Certificate of Registration of the business, including, Articles of Incorporation, or equivalent document if Bidder is not a corporation; <input checked="" type="checkbox"/> 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; <input checked="" type="checkbox"/> Latest Audited Financial Statement (Income Statement and Balance Sheet) including Auditor's Report for the past 3 years (2017, 2018 & 2019); <input checked="" type="checkbox"/> Document Stablishing Eligibility & Qualification of the Bidder as below: <ul style="list-style-type: none"> • At least 10 years of experience working on business and human rights; • Demonstrable track record of working on business and human rights issues in Asia on access to remedy and grievance mechanisms (Must have at least two successfully completed projects of relevant activities during the last 3 years) • Expertise in judicial harassment and the use of SLAPPs, demonstrated by recent publications or delivered trainings (Must have at least one Experience of a recent publication or training during lats 3 years). • Demonstrable track record of raising awareness on protecting human rights defenders (Must have at least two successfully completed projects of relevant activities during last 3 years) <input checked="" type="checkbox"/> Completed and signed CVs for the Proposed Key personnel; <input checked="" type="checkbox"/> Any other documents to substantiate eligibility and qualification of the bidder as required in the Terms of Reference; </p>
	<p>Electronic submission through eTendering shall be governed as follows:</p> <ul style="list-style-type: none"> • Electronic files that form part of the proposal must be in PDF format; • The Technical Proposal and the Financial Proposal files MUST BE <u>COMPLETELY SEPARATE</u> and each of them must be uploaded individually and clearly labelled; • 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. <u>Failure to provide the correct password may result in the proposal being rejected;</u> <p>IMPORTANT NOTE: The amount of the Financial proposal MUST NOT be mentioned anywhere in the submitted documents or in the e-tendering system, other than the Financial Proposal. Failure in compliance with the mentioned condition shall result in rejection of the offer.</p>

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DETAILS OF EVALUATION OF PROPOSALS

Evaluation of Proposal:

Prior to technical evaluation all proposals will be screened (Pass/Fail) based on the minimum eligibility criteria mentioned in the ToR

Minimum Eligibility criteria for the consultancy Firm:

- Submission of signed and stamped Proposal (Technical & Financial) as per the Provided Template and Instructions;
- Acceptance of the UNDP General Terms and Conditions for contracts;
- Business Licenses – Registration papers;
- Written Self Declaration that bidder is not listed in the removed or suspended vendor list of the UN or other such lists of other UN agencies, nor are associated with, any company or individual appearing on the 1267/1989 list of the UN Security Council;
- At least 10 years of experience working on business and human rights;
- Demonstrable track record of working on business and human rights issues in Asia on access to remedy and grievance mechanisms (Must have at least two successfully completed projects of relevant activities during the last 3 years)
- Expertise in judicial harassment and the use of SLAPPs, demonstrated by recent publications or delivered trainings (Must have at least one Experience of a recent publication or training during last 3 years);
- Demonstrable track record of raising awareness on protecting human rights defenders (Must have at least two successfully completed projects of relevant activities during last 3 years)

Note: Necessary documentation must be submitted to substantiate the above eligibility criteria

Technical Evaluation

Summary of Technical Proposal Evaluation Forms		Points Obtainable
1.	Bidder's qualification, capacity, and experience	300
2.	Proposed Methodology, Approach, and Implementation Plan	300
3.	Management Structure and Key Personnel	400
Total		1000

Technical Evaluation Passing Threshold – 70% of the Total Points obtainable

Section 1. Bidder's qualification, capacity and experience		Points obtainable
1.1	Valid organizational license to operate	20
1.2	At least 10 years of experience working on business and human rights.	70
1.3	Demonstrable track record of working on business and human rights issues in Asia on access to remedy and grievance mechanisms (<u>provide at least two examples of relevant activities in 2019 and/or 2020</u>)	70
1.4	Expertise in judicial harassment and the use of SLAPPs, demonstrated by recent publications or delivered trainings (<u>provide at least one example of a recent publication or training between 2018-2020</u>).	70
1.5	Demonstrable track record of raising awareness on SLAPPs in Asia (<u>provide two recent examples between 2018-2020</u>)	70
Total Section 1		300

Section 2. Proposed Methodology, Approach and Implementation Plan		Points obtainable
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2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail?	75
2.2	Description of the offeror's approach and methodology meeting or exceeding the requirements of the Terms of Reference	75
2.3	Details on how the different service elements shall be organized, controlled and delivered	50
2.4	Assessment of the implementation plan proposed including whether the activities are properly sequenced and if these are logical and realistic	50
2.5	Quality assurance procedures and risk mitigation measures	50
Total Section 2		300

Section 3. Management Structure and Key Personnel			Points obtainable
3.1	Composition and structure of the team proposed. Are the proposed roles of the management and the team of key personnel suitable for the provision of the necessary services?		100
	<i>Qualifications of key personnel proposed</i>		
3.2	Project manager		100
3.2.1	Bachelor's degree (or equivalent) in law, political science, business administration, social science, anthropology, or related field	10	
3.2.2	At least 5 years of working experience on business and human rights in Asia	30	
3.2.3	Demonstrable working experience on judicial harassment and the use of SLAPPs (provide example of one recent publication, training or advocacy campaign)	30	
3.2.4	Demonstrable experience managing trainings or other capacity building events on business and human rights in Asia.	30	
3.3	Trainer		200
3.3.1	Master's degree (or equivalent) in Law	50	
3.3.2	Demonstrable track record working with judges, prosecutors, attorneys and other legal practitioners, and/or commissioners of national human rights institutions	50	
3.3.3	Demonstrable experience on judicial harassment and SLAPPs in Asia (provide one example of recent publication or capacity building event)	30	
3.3.4	Demonstrable experience on judicial grievance mechanisms and State-based non-judicial grievance mechanisms.	30	
3.3.5	Demonstrable experience in conducting trainings relating to access to remedy (provide two recent examples)	40	
Total Section 3			400

TERM OF REFERENCE

Judicial harassment and SLAPPs in Southeast Asia: Awareness raising, capacity building and networking and collaboration event for legislative and judicial authorities

PROJECT NAME: UNDP Business and Human Rights in Asia (B+HR Asia), Bangkok Regional Hub

A. Background Information

In 2011, the United Nations Human Rights Council endorsed the United Nations Guiding Principles on Business and Human Rights (UNGPs). The UNGPs are comprised of three pillars, which outline respectively (1) the State duty to protect against human rights abuses by business enterprises, (2) the responsibility of business enterprises to respect human rights, and (3) the role of States and business enterprises in ensuring access to effective remedy of adversely impacted rights holders.

Public participation is essential in promoting business respect for human rights. It allows journalists, human rights defenders, activists, expert practitioners, harmed rights holders and other witnesses to highlight protection gaps and advocate for the effective implementation of the UNGPs by State and business actors alike. However, unfortunately some State and business actors try to aggressively quash public participation by (ab)using the legal system. The most pertinent example of such judicial harassment is the use of strategic lawsuits against public participation (SLAPPs). SLAPPs often take the form of criminal or civil law charges against individuals that attempt to bring attention to business-related human rights abuses.

Judicial harassment and the use of SLAPPs remains a significant barrier to the work of human rights defenders and others across Southeast Asia. It is true that one can observe increasing uptake of the business and human rights discourse and the UNGPs in Southeast Asia. At the same time, however, outspoken individuals continue to face judicial harassment. The use of SLAPPs, which may take the form of defamation or libel charges (among others) impacts their lives in numerous ways: they face jail sentences, they face putative criminal law fines as well as monetary civil law claims, they face enormous personal stress due this judicial harassment (as well as other forms of physical harassment). And often they are forced to repeal their claims about business-related human rights abuses. In essence, the continued use of SLAPPs perpetuates impunity and presents an obstacle to the realization of all three pillars of the UNGPs.

Considering these challenges, there is an urgent need for the legislature to pass laws that prohibit or prevent the use of SLAPPs; for judicial authorities to know how to evaluate and deal with SLAPPs (while acknowledging that legislative reform is often the first step in dealing with SLAPPs); for lawyers to be aware of their own responsibilities under the UNGPs in advising those individuals or entities initiating SLAPPs; and for all actors including civil society actors to understand challenges posed by SLAPPs, and discuss and identify solutions.

B. Objectives

The contractor will be required to develop training material and deliver an event to discuss and identify solutions to address judicial harassment and the use of SLAPPs in Asia – building on previous research conducted for UNDP.

The event should target legislative/regulatory authorities, judicial and enforcement authorities (e.g. judges and public prosecutors), lawyers, and civil society actors. The event shall: (1) raise awareness of these actors on judicial harassment and the use of SLAPPs, (2) build the capacity of these actors to deal with judicial harassment and the use of SLAPPs, and (3) provide a platform for networking and collaboration between these actors.

C. Scope of Work

In order to achieve the objectives of this assignment, it is expected that the following activities should be completed:

- Identifying the most pertinent human rights issues faced by individuals targeted by judicial harassment and SLAPPs
- Developing a training (incl. training materials and relevant case studies) that addresses the three main objectives outlined above. This shall include any activities required to prepare the substantive elements of the event, including but not limited to the development of an agenda and the creation of training materials.
- Moderating the event.
- Securing the participation of relevant speakers/trainers/human rights practitioners. Note that UNDP shall be allowed – but not required – to invite some of these resource people.
- Identifying and securing the participation of 25 participants within the target group (mainly legislative/regulatory authorities, judicial and enforcement authorities (e.g. judges and public prosecutors), lawyers – but also some civil society actors to inform the main target group). Note that UNDP shall be allowed – but not required – to invite some of these participants.
- Handling all logistics, including renting the venue used for the event.
- Presenting a summary report with the findings from the evaluation of the trainings (including satisfaction survey)

D. Approach and Methodology

Prospective contractors shall submit an initial approach/methodology through which the contractor expects to complete this assignment.

E. Deliverables and Schedules/Expected Outputs

The contractor will be responsible for designing a research methodology, leading desk and field research in the selected countries, and collating findings into concrete recommendations for further use of the C19 RSA Tool by companies through a high-quality report that will be published by UNDP. The agency will also be tasked with presenting the findings throughout the research to UNDP. All the outputs/deliverables as stipulated below are subject to review and approval by the Business and Human Rights Specialist, UNDP BRH, before deliverables are deemed to be met and payment can be requested.

No	Deliverables/ Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Deliverable 1: Submission of: final and complete agenda; final substantive discussion materials (e.g. case studies) and training materials; preliminary list of resource people; preliminary list of participants/functions/organizations that will be invited.	15 December 2020	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding team, UNDP Bangkok Regional Hub
2	Deliverable 2: Event delivered to at least 25 individuals in the target group. This deliverable is met if it has (1) raised the awareness of the target group on judicial harassment and the use of SLAPPs, (2) built the capacity of the target group to deal with issues of judicial harassment and the use of SLAPPs, (3) provided an opportunity for networking and collaboration between different	30 May 2021	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding team, UNDP Bangkok Regional Hub

	members of the target group. This deliverable shall also include a summary report with the findings from the event (including satisfaction survey).		
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F. Governance and Accountability

The contractor shall be supervised by, report to, and seek approvals of outputs from, the Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding team, UNDP Bangkok Regional Hub, throughout the assignment. The contractor will work with other UNDP staff and consultants as required.

Fortnightly (written) reporting will be required, though additional (verbal) reporting may be requested by UNDP. Each deliverable shall be presented to the Business and Human Rights Specialist for review and approval.

G. Facilities to be provided by UNDP

UNDP will not be required to provide any facilities or other support, though the Business and Human Rights Specialist or other UNDP personnel may provide guidance.

H. Expected Duration of the Contract/Assignment

The assignment is expected to begin on 05 November 2020 and the final deliverable should be completed by 30 May 2021.

I. Duty Station

The duty station can be “home based”, though presence in Bangkok, Thailand, will be required to deliver the training.

J. Professional Qualifications of the Successful Contractor and its Key Personnel

Applications are solicited from experienced institutions or organizations with specific expertise in the below fields.

The minimum qualifications of the contractor (agency) and its representative are as follows:

Qualifications of the contractor (organization):

- At least 10 years of experience working on business and human rights.
- Demonstrable track record of working on business and human rights issues in Asia on access to remedy and grievance mechanisms (Must have at least two successfully completed projects of relevant activities during the last 3 years)
- Expertise in judicial harassment and the use of SLAPPs, demonstrated by recent publications or delivered trainings (Must have at least one Experience of a recent publication or training during last 3 years).
- Demonstrable track record of raising awareness on protecting human rights defenders (Must have at least two successfully completed projects of relevant activities during last 3 years)

Qualifications of key people working directly on the assignment:

Project manager

- Bachelor's degree (or equivalent) in law, political science, business administration, social science, anthropology, or related field
- At least 5 years of experience working on business and human rights in Asia
- Demonstrable working experience on judicial harassment and the use of SLAPPs (provide example of one recent publication, training or advocacy campaign)

- Demonstrable experience managing trainings or other capacity building events on business and human rights in Asia.

Trainer

- Master's degree (or equivalent) in law
- Demonstrable track record working with judges, prosecutors, attorneys and other legal practitioners, and/or commissioners of national human rights institutions
- Demonstrable experience on judicial harassment and SLAPPs (provide one example of recent publication or capacity building event)
- Demonstrable experience on judicial grievance mechanisms and State-based non-judicial grievance mechanisms,
- Demonstrable experience in conducting trainings relating to access to remedy (provide two recent examples)

K. Price and Schedule of Payments

No	Deliverables/ Outputs	Estimated Duration to Complete	Review and Approvals Required	Payment
1	Deliverable 1: Submission of: final and complete agenda; final substantive discussion materials (e.g. case studies) and training materials; preliminary list of resource people; preliminary list of participants/functions/organizations that will be invited.	15 December 2020	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding team, UNDP Bangkok Regional Hub	40%
2	Deliverable 2: Event delivered to at least 25 individuals in the target group. This deliverable is met if it has (1) raised the awareness of the target group on judicial harassment and the use of SLAPPs, (2) built the capacity of the target group to deal with issues of judicial harassment and the use of SLAPPs, (3) provided an opportunity for networking and collaboration between different members of the target group. This deliverable shall also include a summary report with the findings from the event (including satisfaction survey).	30 May 2021	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding team, UNDP Bangkok Regional Hub	60%

FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL¹

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery²)

[insert: Location].

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date], and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions :

A. Qualifications of the Service Provider

The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :

- a) *Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;*
- b) *Business Licenses – Registration Papers, Tax Payment Certification, etc.*
- c) *Latest Audited Financial Statement – income statement and balance sheet to indicate its financial stability, liquidity, credit standing, and market reputation, etc. ;*
- d) *Track Record – list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references;*
- e) *Certificates and Accreditation – including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.*
- f) *Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.*

B. Proposed Methodology for the Completion of Services

The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology will be appropriate to the local conditions and context of the work.

¹ This serves as a guide to the Service Provider in preparing the Proposal.

² Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

C. Qualifications of Key Personnel

If required by the RFP, the Service Provider must provide :

- a) Names and qualifications of the key personnel that will perform the services indicating who is Team Leader, who are supporting, etc.;*
- b) CVs demonstrating qualifications must be submitted if required by the RFP; and*
- c) Written confirmation from each personnel that they are available for the entire duration of the contract.*

*[Name and Signature of the Service Provider's
Authorized Person]
[Designation]
[Date]*

FORM FOR SUBMITTING SERVICE PROVIDER'S FINANCIAL PROPOSAL³ (Must be Password Protected)

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery⁴)

[insert: Location].

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated *[specify date]*, and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

A. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price (Weight for payment)	Price <i>(Lump Sum, All Inclusive)</i>
1.			
2.			
	Total	100%	

**This shall be the basis of the payment tranches*

D. Cost Breakdown by Cost Component *[This is only an Example]:*

Description of Activity	Remuneration per Unit of Time	Total Period of Engagement	No. of Personnel	Total Rate
I. Personnel Services				
1. Services from Home Office				
a. Expertise 1				
b. Expertise 2				
2. Services from Field Offices				
a. Expertise 1				
b. Expertise 2				
3. Services from Overseas				
a. Expertise 1				
b. Expertise 2				
II. Out of Pocket Expenses				
1. Travel Costs				
2. Daily Allowance				
3. Communications				
4. Reproduction				

³ This serves as a guide to the Service Provider in preparing the Proposal.

⁴ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

5. Equipment Lease				
6. Others				
III. Other Related Costs				

*[Name and Signature of the Service Provider's
Authorized Person]*

[Designation]

[Date]