



**Minutes of the Pre-Proposal Conference for
RfP21/02230: Company to conduct a Functional Analysis of the National System of
Forensic Institutions in the Republic of Moldova**

March 29, 2021, 14:00
Online, Zoom platform

Ref. no: RfP21/02230

Agenda:

- I. Presentation and description of procurement procedures and technical requirements
- II. Questions and answers

I. Presentation and description of procedures

The Pre-proposal conference was opened by Ms. Victoria Muntean, A2J Project Manager, who introduced the members of UNDP team: Mr. Alexandru Cocirta, Programme Analyst, Ms. Veronica Cangea-Cibotaru, A2J Project Officer, Ms. Anna Soltan, A2J Project Associate, Mr. Iurie Tarcenco, Procurement Associate, all present at the event.

Ms. Muntean welcomed and thanked the representatives of the 5 (five) companies who joined the meeting for their interest in the tender and passed through the agenda of the event.

A detailed description of the RfP process was made, highlighting the most important parts of the published documents, submission details and deadlines.

Mr. Tarcenco emphasized some important aspects related to **solicitation documents and procurement rules in UNDP**:

- The RfP states the **evaluation criteria** to be met and **mandatory documents** to be submitted by companies as per sections *Documents to be submitted* and *Evaluation Criteria* of the RfP.
- **Allowable Manner of Submitting Proposals** – electronic **only, via the e-tendering system**. After deadline expiry, the system will automatically close, and no more offers will be accepted (guide published). Please note that the time zone displayed in e-tendering is the New York time. Therefore).
- **Format of proposal**: The offer, comprising a Technical and Financial Proposals, shall be submitted in accordance with "Section 3: Bid Data Sheet" of RfP document. The bidders are required to pay attention to the submission requirements, especially to the fact that **technical and financial proposals shall be submitted in separate files, while the financial proposal shall be password protected**. The password shall not be disclosed unless required in written by UNDP. The bidders have to ensure that no other documents are disclosing their financial proposal apart from Forms F and G which are password protected.
- **Bidders are encouraged to register and upload their offers one day before the deadline**, to avoid last moment technical problems that could impede them successfully submit their offers. For easy reference, on the tender announcement page, besides the PDF application guides, there are available videos in Russian and English to help bidders with the electronic submissions: *e-Tendering Resources for Bidders*

- Any relevant changes to **solicitation documents** will be reflected in **official amendments** published on the RfP announcement pages.
- **Bid-opening:** In the case of e-Tendering submission, bidders will receive an automatic notification once their Bids are opened.
- **Clarifications/questions** regarding procurement and technical requirements, may be addressed during the pre-proposal, as well as in written form to the e-mail of the UNDP focal point mentioned in the RfP. If relevant, answers will be published on tender announcement pages and/or be also disseminated to interested companies via e-mail. Companies are encouraged to register and accept the invitation for this tender on e-tendering as soon as possible, to get notifications directly from the system.

Ms. Muntean made a brief description of the Strengthening Efficiency and Access to Justice in Moldova Project scope and provided as well objective of the assignment and presentation on the Terms of Reference for the announced RFP and encouraged the company to address questions/comments regarding procurement procedure or technical aspects.

II. Questions and answers

Question 1: *In case of a consortium or an association is it required to provide an agreement between the parties and is necessary that such an agreement is notarized?*

Answer: An agreement between the members of the consortium is necessary to be presented. The agreement doesn't have to be notarized. The agreement can be a document of the bidder's company policy format that shall clearly state which is the leading consortium member. The agreement shall clearly explain the distribution of roles and responsibilities amongst the members in relation to carrying out the tasks related to the completion of the assignment.

Question 2: *Related to the consortium agreement, does it involve legal entities as well? In the case of such companies as PwC, which are from several countries, is it necessary to have that agreement as well? And the distribution of tasks that need to be accomplished, it should also be mentioned in the formal agreement?*

Answer: When talking about a consortium agreement, we talk about different legal entities. This agreement is used in order to understand which company is signing the contract, what is the company responsible for and which is the company receiving the payment after the completion of tasks.

Question 3: *In the Proposal there are some references to the financial key expert. But then in the section for the evaluation criteria for each expert the financial expert it is not mentioned.*

Answer: Given the specific objectives of the assignment it is envisaged that availability of expertise in the area of finance would be necessary. The bidders have the opportunity to include in their proposed team, as per provisions of *Section 5. Terms of Reference* non key experts, including in the area of finances.

The text of the ToR will be double checked for any inconsistency, however, shall be noted there is no express requirement to engage a key expert in the finance area.

Note: *An amendment to the RfP has been posted on the competition webpage.*

Question 4: *The Terms of Reference contains reference to 2 (two) national experts, Legal expert and Institutional development expert. Does it mean that the experts should be citizens of Republic of Moldova?*

Answer: In order to make sure that the recommendations and findings of the Functional Analysis are based on the national regulatory framework it is deemed necessary to have within the team

national expertise from Republic of Moldova. This would ensure availability of knowledge and understanding of Moldovan national legislation which would be transposed in development of findings and recommendations of the analysis.

Question 5: *Given the COVID-19 situation, the international expert will not be available to travel to local institutions, is that acceptable for UNDP?*

Answer: The RfP at Section 5. Terms of Reference describes under Institutional Arrangements the context of work and the arrangements applicable in relation to COVID-19 implications.

Thus, the potential Service Provider shall reflect in the proposed methodology the implications associated to conducting the assignment virtually and remotely, including use of teleconferencing online tools, making sure that the tools used will ensure that team members engage efficiently in all stages of the assignment.

The possibility of conducting two missions to Republic of Moldova is also envisaged, subject to restrictions in place and with close observation of imposed rules and regulations.

The bidders shall ensure that the envisaged costs to carry out the assignment, remotely or with potential missions are accurately distributed and reflected in the financial proposal.

Question 6: *What are the language requirements in terms of document submission and language skills of each team member and expert?*

Answer: The RfP at Section 5. Terms of Reference notes under Language requirements that all the documentation should be submitted in English and Romanian and all the associated documentation shall be subject to proofreading and ensuring compliance with the language terminology in the national legislation, and it is upon the Service Provider responsibility to ensure if necessary interpretation during interviews, presentation, meetings as well as development of key outputs of the assignment.

Also, the RfP at Technical Evaluation Criteria (page 23 of the RfP) clearly presents in the scoring tables, the number of points allotted to each team member for compliance with the language requirements, assessed based on the information included in the submitted CVs.

Question 7: *What is the number of working days required for each expert?*

Answer: The bidders shall estimate the necessary involvement and engagement in the assignment of each proposed team member in order to ensure that the deliverables are produced within the expected timeline and at the expected quality.

The necessary amount of working days is an internal assessment that each bidder shall make, and which will be presented accurately in the proposal so as to clearly reflect the distribution of tasks and associated number of days. For the non key experts a Time Sheet is also requested, as indicated in the ToR.

Question 8: *The information and documents that will be collected from the forensic institutions, will be in Romanian? In the ToR there is a specification about the Russian language.*

Answer: Considering the national legislation on the functioning of the languages on the territory of the Republic of Moldova, it is envisaged that majority of documentation available in the beneficiary's institutions and those subject to the assessment will be in Romanian.

Indeed, at Technical Evaluation Criteria (page 23 of the RfP) Section 3. Management Structure and Key Personnel, at points obtainable is made reference to the fluency in certain languages, including Russian, however, this shall not be treated as an expectation that certain documents will be provided in Russian only.

Moreover, The RfP at Section 5. Terms of Reference notes under Language requirements the possibility, upon necessity, to engage services of interpretation and translation, all the costs being listed separately in the financial offer.

Question 9: *In the RfP at page 23 there is referred to the project as for quasi-public institutions. Do you refer to association or public institutions?*

Answer: For the scope of the RfP, quasi-public institutions are public institutions, national or municipal, which in line with the national legislation can obtain income from rendering services.

Question 10: For the requirements for the team leader and for the senior forensic, the need for master's degree in Law, Economic, or other relevant which is listed as necessary. But what if a team member comes from another background with the knowledge, not having the master's degree in the relevant specified area. Can he/she be subject for scoring?

Answer: The scoring for proposed experts and team members educational background is provided at Technical Evaluation Criteria (page 23 of the RfP) Section 3. Management Structure and Key Personnel, and notes that the required Master's degree or 5 years university level could be in one of the area expressly listed in the table and ToR or related fields.

However, the level of degree obtained shall be the one specified in the evaluation criteria. In case the requirement as to level of degree is not met, no points will be allotted.

Note: The deadline for submission of proposals is extended until 14 April 2021, 16:30 (Moldova Local Time)