



REQUEST FOR PROPOSAL (RFP)

NAME & ADDRESS OF FIRM	DATE: September 6, 2021
	REFERENCE: MyRFP2021-024

Dear Sir / Madam:

We kindly request you to submit your Proposal for **Strengthen access to justice and empowerment of key populations who use drugs or live with HIV**.

Please be guided by the form attached hereto as Annex 2, in preparing your Proposal.

Proposals may be submitted on or before **Monday, September 20, 2021, 11:59 GST+8** and via email to the address below:

United Nations Development Programme
Procurement Team
procurement.my@undp.org

Your Proposal must be expressed in the English, and valid for a minimum period of 90 days.

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. If you are submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files.

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 attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

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:

<http://www.undp.org/content/undp/en/home/operations/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/unscc/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,
Patrick Pee
Assistant Resident Representative (O)
6 September 2021

Description of Requirements

Context of the Requirement	Strengthening access to justice and legal empowerment of key populations who use drugs or who live with HIV
Implementing Partner of UNDP	Not applicable
Brief Description of the Required Services ¹	<p>Legal aid plays an important role in guaranteeing protection from discrimination, getting redress for rights violations, and supporting access to HIV prevention and treatment services. However, the enforcement of even the most basic human rights for people living with HIV in Malaysia is difficult because of high levels of stigma and discrimination. The Malaysian AIDS Council have documented multiple reports on workplace discrimination among people living with HIV that resulted in job termination, offer retraction and anxiety-related issues.</p> <p>In Malaysia, although HIV service organizations have established strong rapport with key populations at-risk of getting HIV or living with HIV, legal assistance remains an unaddressed need, with a lack of information about how to obtain legal aid, absence of linkages between HIV service organizations and legal service providers, as well as low levels of legal empowerment amongst PWUD arrested for drug offences.</p> <p>There is a need for PWUD and key populations to have accessible information about their rights and legal assistance that are available to them.</p>
List and Description of Expected Outputs to be Delivered	To develop an application that serves both as hotline and resource centre about legal aid available for persons experiencing stigma and discrimination in custody, in relation to drug use and/or HIV.
Person to Supervise the Work/Performance of the Service Provider	Designated UNDP project personnel
Frequency of Reporting	Monthly, or as needed
Progress Reporting Requirements	May be documented in the form of progress meeting minutes.
Location of work	<input checked="" type="checkbox"/> At Contractor's Location
Expected duration of work	4 months
Target start date	27 September 2021
Latest completion date	31 December 2021

¹ A detailed TOR may be attached if the information listed in this Annex is not sufficient to fully describe the nature of the work and other details of the requirements.

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"/> Local Currency_Malaysia Ringgit			
Value Added Tax on Price Proposal ²	<input checked="" type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes			
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input checked="" type="checkbox"/> 90 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 ³	Outputs	Percentage	Timing	Condition for Payment Release
	Upon award of contract	20%	September 2021	Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.
	Upon acceptance of storyboard for application development	30%	October 2021	
	Upon submission of the prototype	20%	November 2021	
	Upon submission and acceptance of the final working app product ready to launch	30%	December 2021	

² VAT exemption status varies from one country to another. Pls. check whatever is applicable to the UNDP CO/BU requiring the service.

³ UNDP preference is not to pay any amount in advance upon signing of contract. If the Service Provider strictly requires payment in advance, it will be limited only up to 20% of the total price quoted. For any higher percentage, or any amount advanced exceeding \$30,000, UNDP shall require the Service Provider to submit a bank guarantee or bank cheque payable to UNDP, in the same amount as the payment advanced by UNDP to the Service Provider.

Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	Assistant Resident Representative (P) with support from UNDP Project Personnel
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 criterion 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	Technical Proposal (70%) <input checked="" type="checkbox"/> Expertise of the Firm [20%] <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 [20%] Financial Proposal (30%) To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Service Provider
Contract General Terms and Conditions ⁴	<input checked="" type="checkbox"/> General Terms and Conditions for de minimis contracts (services only, less than \$50,000) Applicable Terms and Conditions are available at: http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html
Annexes to this RFP ⁵	<input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2) <input checked="" type="checkbox"/> Detailed TOR

⁴ 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.

⁵ Where the information is available in the web, a URL for the information may simply be provided.

Contact Person for Inquiries (Written inquiries only) ⁶	<i>Procurement Team</i> procurement.my@undp.org 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.
Other Information [pls. specify]	Refer to the below Detailed Terms of Reference

⁶ 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.

TERMS OF REFERENCE

STRENGTHENING ACCESS TO JUSTICE AND LEGAL EMPOWERMENT OF KEY POPULATIONS WHO USE DRUGS OR WHO LIVE WITH HIV

I. Context

Legal aid plays an important role in guaranteeing protection from discrimination, getting redress for rights violations, and supporting access to HIV prevention and treatment services. However, the enforcement of even the most basic human rights for people living with HIV in Malaysia is difficult because of high levels of stigma and discrimination. The Malaysian AIDS Council have documented multiple reports on workplace discrimination among people living with HIV that resulted in job termination, offer retraction and anxiety-related issues.

In Malaysia, although HIV service organizations have established strong rapport with key populations at-risk of getting HIV or living with HIV, legal assistance remains an unaddressed need, with lack of information about how to obtain legal aid, absence of linkages between HIV service organizations and legal service providers, as well as low levels of legal empowerment amongst PWUD arrested for drug offences.

There is a need for PWUD and key populations to have accessible information about their rights and legal assistance that are available to them.

II. Objectives of the Assignment

To develop an application that serves both as hotline and resource centre about legal aid available for persons experiencing stigma and discrimination in custody, in relation to drug use and/or HIV.

III. Scope of Work

The scope of work shall be carried out by a competent organisation, coordinated by a Principal Consultant who is expected to pull together a Project Team of relevant expertise at his/her own arrangement. This includes recruiting a competent application developer who will work closely with the Principal Consultant and project team to create a user-friendly and informative application.

The Principal Consultant will work under the oversight of the UNDP Assistant Resident Representative and the direct supervision of designated UNDP project personnel. The organisation will work in collaboration with Government officials, UN Agencies, development partners, technical advisors and experts, civil society, and the private sector, where necessary to advance the understanding of the assignment.

The scope of work for this assignment will include the following key functions:

- Consultation with relevant multi-stakeholder groups and document feedback on the appropriate user interface that must be put in place that can support user's access to justice and empower for PWUD / PLHIV's awareness to rights and legal assistance;
- Work closely with the application developer to provide relevant and useful content for the application; and
- Launch the application during World AIDS Day 2021.

IV. Methodology

The methodology for the assignment will include:

1. Focus group discussion with stakeholder groups to get input and feedback.

V. Expected Deliverables and Qualifications

A. Deliverables

The contract and payments will be performance-based and assessed by UNDP. For payment in instalments, certification of satisfactory performance at each phase of key deliverable is required. Timing of specific activities will be discussed and agreed between UNDP and the project team.

1. Upon award of contract (20%);
2. Upon acceptance of storyboard for application development (30%);
3. Upon submission of the prototype (20%); and
4. Upon submission and acceptance of the final working app product ready to launch (30%).

B. Education, Experience and Competencies

Organisation: Profile and Experience

- The organisation should specialise in work related to HIV/AIDs, demonstrating competencies in HIV/AIDS research, outreach, education, and advocacy.
- Organisations with more than 5 years of specialised experience in HIV/AIDS work **will be an advantage**.

Principal Consultant: Education & Experience

- A PhD (doctorate or equivalent) in public health, medical science, social science, humanities, legal studies or a related area (**background in HIV/AIDS research and studies is an added advantage**).
- Candidate with more than 7 years of specialised experience in public health and HIV/AIDS work **will be an advantage**.
- Evidence of written work on HIV/AIDS-related topics and content;
- Demonstrate knowledge of and/or experience in humanitarian work and community work, **will be an advantage**;
- Experience in engagement with key populations **will be an advantage**;
- Excellent discursive writing and general written communication skills;
- Fluency in written and spoken English and Malay;
- Ability to write high-quality reports; and
- Strong motivation and ability to work and deliver under short deadlines.

Competencies

Corporate

- Demonstrates commitment to UNDP's vision, mission, and values;
- Displays cultural, gender, religion, race, nationality, age sensitivity, and adaptability;
- Demonstrates/safeguards ethics and integrity; and

- Fulfills all obligations to gender sensitivity and zero tolerance for sexual harassment.

Technical

- Capable of working efficiently, dependable, and strong attention to detail;
- Familiarity with economics and development terminology and concepts, is an advantage;
- Demonstrated commitment to the timely delivery of projects; and
- Ability to maintain high-quality of work while meeting tight deadlines and short turn-around times.

Functional

- Strong listening and communication skills;
- Capable of working in a high-pressure environment with short deadlines, managing many tasks simultaneously; and
- Exercise the highest level of responsibility and be able to handle confidential.

VI. Documents To Be Included When Submitting the Proposals

Interested organisations must submit the following documents/information to demonstrate their competencies as refer to the Annex 2:

A. Technical Proposal:

- Submit a technical proposal (no more than 10 pages) with indicative workplan that can lead towards the successful deliverable of the objectives of this project within the required timeframe.

B. Financial proposal

Specify a lump sum fee that is all inclusive and takes into account various expenses the organisation expects to incur during the contract period, including where relevant:

- The daily professional fee;
- Communications, utilities and consumables; and
- Life, health and any other insurance.

C. Organisation Profile & Personal CV

Submit the:

- Organisation's profile and
- Personal CV of proposed Principal Consultant including areas of expertise and past experiences in similar area of work and at least 3 referees.

Note:

(1) Incomplete applications will not be considered for shortlisting. Shortlisted organisations and their nominated Principal Consultant for the project may be invited to an interview. The interview date will be informed to the shortlisted organisations directly within two weeks of the application deadline.

(2) UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, aboriginal groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

Annex 2

FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL⁷

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery⁸)

[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, 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, indicating brief description of contract scope, contract duration, contract value, and contact references;*
- e) 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 description of key activities, reporting conditions and quality assurance mechanisms that will be put in place, and the proposed methodology that will be appropriate to the local conditions and context of the work.

C. Qualifications of Key Personnel

⁷ This serves as a guide to the Service Provider in preparing the Proposal.

⁸ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

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.

D. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price (Weight for payment)	Price (Lump Sum, All Inclusive)
1	Upon award of contract	20%	
2	Upon submission and acceptance of storyboard for application development	30%	
3	Upon submission and acceptance of the prototype	20%	
4	Upon submission and acceptance of the final working app product ready to launch	30%	
	Total	100%	

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

E. Cost Breakdown by Cost Component [This is only an Example. Please structure breakdown to suit the activities proposed]:

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

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

[Designation]

[Date]