

REQUEST FOR PROPOSAL (RFP)



Situational Analysis and Activity Design on Business and Human Rights and Informal Economy	DATE: September 13, 2021
	REFERENCE: RFP-2021-036

Dear Sir / Madam:

We kindly request you to submit your Proposal for the services of **Situational Analysis and Activity Design on Business and Human Rights and Informal Economy**

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. 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 is submitted through e-tendering on or before the deadline.

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 (<http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>). The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP.

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/unsccl/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,



Varisara Anansiribovorn
Procurement and Administrative Analyst
13 September 2021

Annex 1

Description of Requirements

Context of the Requirement	<p>Given that human rights abuses which relate to the informal economy are diverse in so many different ways, while also considering that the UNGPs remain silent on issues and solutions relating to the informal economy, addressing the plight of informal workers has remained an elusive goal. Thus, in an attempt to shape the BHR movement and help it become more responsive to the unique informal economy context in Asia-Pacific – and thus, overcome the perceived gaps of the UNGPs when it comes to the informal economy – UNDP intends to hire an organization to conduct a situation analysis on BHR and informal economy initiatives, identify relevant stakeholders, and design a future activity/initiative to be undertaken by UNDP's B+HR Asia project, which is playing a central role in promoting BHR in the region.</p> <p><i>(Please see details in the TOR attached as Annex 2)</i></p>	
Implementing Partner of UNDP	N/A	
Brief Description of the Required Services	<p>The ultimate objective of this assignment is to design an activity for UNDP's B+HR Asia project, creating a much-needed push in Asia towards preventing and addressing business-related human rights abuse in the context of the informal economy, with a particular focus on Asia and rights holder-centricity.</p> <p><i>(for detail please see the TOR attached as Annex 2)</i></p>	
List and Description of Expected Outputs to be Delivered	Deliverables/ Outputs	Target Due Dates
	Deliverable 1: Situation analysis report	30 November 2021
	Deliverable 2: Activity design	20 December 2021
	<i>(for detail please see the TOR attached as Annex 2)</i>	
Person to Supervise the Work/Performance of the Service Provider	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.	
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	2.5 Months	
Target start date	15 October 2021	
Latest completion date	31 December 2021	
Travels Expected	As indicated in the ToR attached as Annex 2	

Special Security Requirements	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"/> US Dollar			
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 (Counting for the last day of submission of quotes)	<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	Outputs Deliverable 1: Situation analysis report Deliverable 2: Activity design	Percentage 60% 40%	Timing 30 November 2021 20 December 2021	Condition for Payment Release 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.
Person(s) to review/ inspect/ approve outputs/completed services and authorize the disbursement of payment	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.			
Type of Contract to be Signed	<input checked="" type="checkbox"/> UNDP Contract for Goods and/or Services https://www.undp.org/procurement/business/how-we-buy			
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	<u>Technical Proposal (70%)</u> <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 - 35% <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel - 45% <i>(Passing Threshold in Technical Evaluation is 70% or above)</i> <u>Financial Proposal (30%)</u> To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP. 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.			
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)	<p>Mostaq Ahmed Procurement Analyst; Email: mostaq.ahmed@undp.org</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>Required Documents that must be Submitted to Establish minimum Qualification of Proposers</p> <p>(Failure to submit the documents shall result in disqualification)</p>	<input checked="" type="checkbox"/> Technical Proposal submission form & Detail Technical Proposal 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"/> List of similar projects successfully completed within the last 10 years (the list should include: Project Title, Contract amount, Start and end Date, Client/Organization name and contact details who may be contacted for further information/reference check on those contracts); <input checked="" type="checkbox"/> List and value of ongoing Projects with contact details of clients and current completion ratio of each ongoing project; <input checked="" type="checkbox"/> Documents to establish the minimum experience requirement for the bidder (Reference documents such as: <u>copy of contracts /completion certificates</u>) as below: <ul style="list-style-type: none"> Organization has completed at least 15 consultancy assignments relating to business and human rights, with one assignment of at least USD15,000/- in value <input checked="" type="checkbox"/> Proposed composition of team structure, and Completed and signed CVs of the proposed key personnel; <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> Any other documents to substantiate eligibility and qualification of the bidder as required in the Terms of Reference;

<p>Other Information (e-tendering submission)</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 <u>MUST BE 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. <p>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> <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> <p>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</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;
- Bid Validity – 120 days
- Business Licenses – Registration papers;
- 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;
- 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;
- Minimum qualification experience requirement for the bidder:
 - Organization has completed at least 15 consultancy assignments relating to business and human rights, with one assignment of at least USD15,000/- in value

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	200
2.	Proposed Methodology, Approach and Implementation Plan	350
3.	Management Structure and Key Personnel	450
	Total	1,000

Section 1. Bidder's qualification, capacity and experience		Points obtainable
1.1	Organization has completed at least 15 consultancy assignments relating to business and human rights	200
Total Section 1		200

Section 2. Proposed Methodology, Approach and Implementation Plan		Points obtainable
2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail?	70
2.2	Description of the Offeror's approach and methodology meeting or exceeding the requirements of the Terms of Reference	65
2.3	Details on how the different service elements shall be organized, controlled and delivered	65

2.4	Assessment of the implementation plan proposed including whether the activities are properly sequences and if these are logical and realistic	50
2.5	Quality assurance procedures and risk mitigation measures	50
2.6	Does the proposed implementation plan reflect inclusive consultation and engagement of a wide range of stakeholders?	50
Total Section 2		350

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?		50
	<i>Qualifications of key personnel proposed</i>		
3.2	Team Leader		150
3.2.1	Master's degree in Political Science or Law	30	
3.2.2	10 years of working experience on business and human rights	60	
3.2.3	Completed consulting assignments on international value chains with all three of the following: governments, multilateral organizations and businesses	60	
3.3	Scoping Analyst		100
3.3.1	Bachelor's Degree in Law or Political Science	10	
3.3.2	5 years of working experience on business and human rights	50	
3.3.3	Completed 10 projects or assignments on business and human rights mapping human rights issues in international value chains	40	
3.4	Foresight Expert		150
3.4.1	Master's Degree in Law or Political Science	20	
3.4.2	Authored 5 publications relating to business and human rights	30	
3.4.3	13 years of work experience on the role of the business sector in international development and complex social and environmental issues	75	
3.4.4	2 years of working experience with each of the following three types of organizations: academia/think tank; government or other State-based institution; civil society organization.	25	
Total Section 3			450

Terms of Reference

Situational Analysis and Activity Design on Business and Human Rights and Informal Economy

1) PROJECT DESCRIPTION

The ILO [estimates](#) that in Asia-Pacific, more than 1.3 billion people, or 68% of the employed population, work in the informal economy. Moreover, the ILO estimates that in 2016, a total of 75.2% of employment in Southeast Asia and the Pacific was informal, while 87.8% of employment was informal in South Asia. In some industries and countries, this number is even higher: for example, the ILO notes that almost all of agricultural employment (94.7%) is informal in the region, and it reaches a high of 99.3 per cent in South Asia.

These and other available figures underscore the immense size of the informal economy across Asia-Pacific. In the context of business and human rights (BHR), a global movement which seeks to respond to human rights violations and abuses by states and businesses of all types, the informal economy is often referred to as an elephant in the room. Indeed, while it is undeniable that we cannot achieve widespread business respect for human rights in the global south without addressing issues relating to the informal economy, a silver bullet solution so far has not been found, nor is it unlikely to be found in the future. Arguably one of the reasons why such a one-size-fits-all solution is hard to be found is because human rights issues related to the informal economy are highly diverse in root causes, thematic scope, local circumstances and traditions, and applicable legal and social protection frameworks, among other factors.

To date, the United Nations Guiding Principles on Business and Human Rights (UNGPs) are considered the main reference framework for preventing and addressing business-related human rights abuses. The UNGPs were endorsed by the Human Rights Council in 2011 and are based on three complementary pillars, namely (1) the state duty to protect human rights, (2) the business responsibility to respect human rights, (3) and the role of both states and businesses in ensuring access to effective remedies for any business-related human rights violations or abuses. While the UNGPs have played a pivotal role in progressing the BHR movement, outcomes for rights holders, especially situated within the informal economy, have been rather limited.

Although the UNGPs provide a general framework for preventing and addressing business-related human rights abuses (i.e. the “Protect, Respect and Remedy Framework”), its Guiding Principles and Commentary do not explicitly deal with issues of informality. On the one hand this is understandable, as an overarching policy framework such as the UNGPs cannot deal with all BHR issues in detail. At the same time, however, there is an urgent need to devise effective responses to human rights issues within the informal economy as so many people’s enjoyment of human rights are at stake. However, multiple obstacles and uncertainties need to be overcome in order to create effective responses.

A first issue is the need to respond to different types of informality: *de jure* informality, *de facto* informality, and associated (and often lacking) social protection mechanisms. Depending on local contexts, different types of informality and social protections might (not) exist. Moreover, issues related to informality might be caused by the social inefficiency of the law, incoherence and costs of the legal system, weak governance and/or rule of law, corruption, migration, or criminal activity (which in itself is often inherently informal), just to name a few causes. As there are numerous potential root-causes for informality and associated human rights abuses, a combination of interventions that respond to the unique causes of informality in specific circumstances should be explored. For example, while some argue that formalization is the silver bullet solution to all problems, others argue that even in

the formal economy many human rights issues which are prevalent in the informal economy remain an issue for formal workers.

Second, efforts aimed at tackling business-related human rights issues in the informal economy to date have mainly focused on global value chains. While many informal workers might be situated within global value chains (for example, as factory workers with fixed-term or piece-rate contracts, or as homeworkers) many others work or entirely or largely outside global value chains. In turn, this raises the question how micro, small and medium-sized, as well as local, enterprises can effectively be included into BHR solutions.

Finally, certain solutions to BHR issues associated with informality might potentially have human rights implications of their own. Consider, for example, the shift away from our current economic model towards a more sustainable economy, raising issues relating to what is generally termed as a “just transition”.

Given that human rights abuses which relate to the informal economy are diverse in so many different ways, while also considering that the UNGPs remain silent on issues and solutions relating to the informal economy, addressing the plight of informal workers has remained an elusive goal. Thus, in an attempt to shape the BHR movement and help it become more responsive to the unique informal economy context in Asia-Pacific – and thus, overcome the perceived gaps of the UNGPs when it comes to the informal economy – **UNDP intends to hire an organization to conduct a situation analysis on BHR and informal economy initiatives, identify relevant stakeholders, and design a future activity/initiative to be undertaken by UNDP’s B+HR Asia project**, which is playing a central role in promoting BHR in the region.

2) SCOPE OF WORK

The ultimate objective of this assignment is to design an activity for UNDP’s B+HR Asia project, creating a much-needed push in Asia towards preventing and addressing business-related human rights abuse in the context of the informal economy, with a particular focus on Asia and rights holder-centricity.

Deliverable 1: Conduct situation analysis on BHR and informal economy. Steps to successfully complete this deliverable include but are not necessarily limited to:

- Identify relevant thematic issues and stakeholders, existing initiatives and dialogues dealing with business-related human rights issues in the informal economy, related overarching policy, legal and implementation issues, and gaps in the UNGPs in the context of the informal economy in Asia
- Facilitate consultations/interviews/focus group discussions with key stakeholders to collect data and inform the design of the activity
- Summarize the findings in a brief narrative report, present the findings to UNDP B+HR Asia.

Deliverable 2: Design an activity to be implemented by UNDP’s B+HR Asia project. Steps to successfully complete this deliverable include but are not necessarily limited to:

- Design the activity and accompanying methodology, approach and implementation plan.
- Map relevant stakeholders for the activity

3) APPROACH & METHODOLOGY

The contractor shall conduct the situational analysis and related scoping through informant interviews and virtual consultations. The activity shall be designed through foresighting. Bidders shall propose a more detailed methodology in line with the prescribed scope of work, and objectives and deliverables outlined in this TOR.

4) EXPECTED OUTPUTS AND DELIVERABLES

Description of deliverables	Due Date	Contract value	Review and approvals required
Deliverable 1: Situation analysis report	30 November 2021	60%	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.
Deliverable 2: Activity design	20 December 2021	40%	Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.

The contractor will use their own equipment and software.

Intellectual Property

All information and production of report to the assignments as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. The products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable.

5) KEY PERFORMANCE INDICATORS AND SERVICE LEVEL

Key performance indicators shall include:

- Number of individuals/actors consulted
- Extent to which consulted individuals/actors are multi-stakeholder
- Number of issues, gaps, challenges, and opportunities identified and analysed
- Number of potential future programme activities designed

Measures of action to be taken if the required service level is not met by the contractor include:

- Discussion with UNDP project manager on what can be improved to ensure the respective deliverable(s) are met
- Extension of contract deliverable due dates, accompanied by additional scoping, analysis and activity design

6) GOVERNANCE AND ACCOUNTABILITY

The contractor will work under the overall guidance of the Business and Human Rights Specialist, Business and Human Rights unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.

Fortnightly reporting will be required, and each deliverable shall be presented to the Business and Human Rights Specialist for review and approval.

The project will not be required to provide any facilities or other support, though the Business and Human Rights Specialist or other team members may provide guidance.

7) FACILITIES TO BE PROVIDED BY UNDP

UNDP shall not be required to provide any facility, support personnel, support service, or logistics.

8) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Duration

The assignment is estimated to commence on 15 October 2021. The assignment will need to be completed by 31 December 2021. Estimated time to complete the assignment is 2.5 months.

Duty Station

The contractor shall work at their own location and shall set-up a schedule to engage with the project team through video conference or other remote communication tools.

9) MINIMUM QUALIFICATIONS OF THE SUCCESSFUL CONTRACTOR AND ITS KEY PERSONNEL

Bidder's qualification, capacity and experience

- Organization has completed at least 15 consultancy assignments relating to business and human rights, with one assignment of at least USD15,000/- in value

Education and Experience of Team Members

Team Leader:

- At least a Master's degree in Political Science or Law
- Minimum 10 years of working experience on business and human rights
- Completed consulting assignments on international value chains with all three of the following: governments, multilateral organizations and businesses

Scoping Analyst:

- At least a Bachelor's Degree in Law or Political Science
- Minimum 5 years of working experience on business and human rights
- Completed minimum 10 projects or assignments on business and human rights mapping human rights issues in international value chains

Foresight Expert

- At Least A Master's Degree in Law or Political Science
- Authored minimum 5 publications relating to business and human rights
- Minimum 13 years of work experience on the role of the business sector in international development and complex social and environmental issues
- Minimum 2 years of working experience with each of the following three types of organizations: academia/think tank; government or other State-based institution; civil society organization.

11) PRICE AND PAYMENTS

The lump-sum price is fixed regardless of changes in the cost components.

- First Tranche – 60% upon submission and approval of Deliverable 1 (Situational Analysis)
- Second Tranche – 40% upon submission and approval of Deliverable 2 (Activity Design)

TECHNICAL PROPOSAL SUBMISSION FORM

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery¹)

[insert: Location].

[insert: Date]

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

Dear Sir/Madam:

We, the undersigned, offer to provide the services for **Situational Analysis and Activity Design on Business and Human Rights and Informal Economy** in accordance with your Request for Proposal No. **RFP-2021-036** dated: **13 September 2021** and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal (password protected) submitted separately.

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

- a) is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
- b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
- c) do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
- d) 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;
- e) undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we *embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.*

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

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

¹ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

Our Proposal shall be valid and remain binding upon us for the period of **120 days** from the last day of submission of proposal as per the RFP requirement.

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

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

Name: _____

Title: _____

Date: _____

Signature: _____

Contact:

Telephone: _____

Email: _____

FORMAT OF TECHNICAL PROPOSAL²

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.

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]

² This serves as a guide to the Service Provider in preparing the Technical Proposal.

FORM FOR SUBMITTING FINANCIAL PROPOSAL³

(Must be Password Protected)

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

[insert: Location].

[insert: Date]

We, the undersigned, offer to provide the services for **Situational Analysis and Activity Design on Business and Human Rights and Informal Economy** in accordance with your Request for Proposal No. **RFP-2021-036** dated **13 September 2021**. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal (password protected) submitted separately

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

Our Proposal shall be valid and remain binding upon us for the period of 120 days from the last day of submission of proposal as per the RFP requirement.

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

[Any Financial information provided in the Technical Proposal shall lead to Bidder's disqualification. The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder's Technical Proposal]

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	Deliverable 1: Situation analysis report	60%	
2	Deliverable 2: Activity design	40%	
	Total	100%	

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

Cost Breakdown by Cost Component *[This is only an Example]:***Table 1: Summary of Overall Prices**

	Amount(s)
Professional Fees (from Table 2)	

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

Other Costs (from Table 3)	
Total Amount of Financial Proposal	

Table 2: Breakdown of Professional Fees

Name	Position	Fee Rate	No. of Days/months/ hours	Total Amount
		<i>A</i>	<i>B</i>	<i>C=A+B</i>
In-Country				
Home Based				
Subtotal Professional Fees:				

Table 3: Breakdown of Other Costs

Description	UOM	Quantity	Unit Price	Total Amount
International flights	Trip			
Subsistence allowance	Day			
Miscellaneous travel expenses	Trip			
Local transportation costs	Lump Sum			
Out-of-Pocket Expenses				
Other Costs: (please specify)				
Subtotal Other Costs:				

Name: _____

Title: _____

Date: _____

Signature: _____

Contact: _____

Telephone: _____

Email: _____