



REQUEST FOR PROPOSAL

Recruitment of a Technical Firm to Provide Project Management Assistance for the Implementation of an Integrated Judicial and Penitentiary Information Management System in Djibouti (JPIMS)

RFP No.: RFP-DJI-2022- 001

Project: Ministry of Justice - UNDP Djibouti

Country: Djibouti

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Content

Section 1. Letter of invitation.....	4
Section 2. Instruction to Bidders.....	5
A. GENERAL PROVISIONS	5
1. Introduction	5
2. Fraud & Corruption, Gifts and Hospitality.....	5
3.	5
4. Eligibility.....	5
5. Conflict of Interests	5
B. PREPARATION OF PROPOSALS	6
6. General Considerations	6
7. Cost of Preparation of Proposal.....	6
8. Language	6
9. Documents Comprising the Proposal	6
10. Documents Establishing the Eligibility and Qualifications of the Bidder	7
11. Technical Proposal Format and Content	7
12. Financial Proposals.....	7
13.	7
14. Proposal Security.....	7
15. Currencies.....	8
16. Joint Venture, Consortium or Association	8
17. Only One Proposal	8
18. Proposal Validity Period.....	9
19. Extension of Proposal Validity Period	9
20. Clarification of Proposal.....	9
21.	9
22. Amendment of Proposals	9
23.	9
24. Alternative Proposals.....	10
25. Pre-Bid Conference	10
C. SUBMISSION AND OPENING OF PROPOSALS	10
26. Submission	10
27. Deadline for Submission of Proposals and Late Proposals.....	11
28. Withdrawal, Substitution, and Modification of Proposals	11
29. Proposal Opening	12
D. EVALUATION OF PROPOSALS	12
30. Confidentiality	12
31. Evaluation of Proposals.....	12

32. Preliminary Examination.....	12
33. Evaluation of Eligibility and Qualification	12
34. Evaluation of Technical and Financial Proposals	13
35. Due Diligence	13
36. Clarification of Proposals	14
37. Responsiveness of Proposal	14
38. Nonconformities, Reparable Errors and Omissions	14
E. AWARD OF CONTRACT.....	15
39. Right to Accept, Reject, Any or All Proposals.....	15
40. Award Criteria	15
41. Debriefing.....	15
42. Right to Vary Requirements at the Time of Award	15
43. Contract Signature	15
44. Contract Type and General Terms and Conditions	15
45. Performance Security	15
46. Bank Guarantee for Advanced Payment	15
47. Liquidated Damages	16
48. Payment Provisions	16
49. Vendor Protest	16
50. Other Provisions	16
Section 3. Tender Data	17
Section 4. Evaluation criteria	22
Section 5: Terms of Reference	27
Section 6: Returnable Tender Forms / Checklist.....	38
Form A: Technical Proposal Submission Form	39
Form B: Tenderer Information Form	41
Form C: Joint venture/consortium/association information form	42
Form D: Qualification form	43
Form E: Technical Proposal Format	45
Form F: Financial proposal submission form	48
Form G: Financial Proposal Form	49
Form H: Self-declaration	51

SECTION 1. LETTER OF INVITATION

The United Nations Development Programme (UNDP) hereby invites you to submit a proposal in response to this Request for Proposals (RFP) for the above topic.

This RFP includes the following documents and the general conditions of contract which are included in the tender data (PAD):

- Section 1: This invitation letter
- Section 2: Instructions to Tenderers
- Section 3: Tender Data (PAD)
- Section 4: Evaluation criteria
- Section 5: Terms of Reference
- Section 6: Tender forms to be returned
 - o Form A: Technical Proposal Submission Form
 - o Form B: Tenderer Information Form
 - o Form C: Joint venture/consortium/association information form
 - o Form D: Qualification form
 - o Form E: Technical Proposal Format
 - o Form F: Financial proposal submission form
 - o Form G: Financial Proposal Form

If you wish to submit a proposal in response to this RFP, please prepare your proposal in accordance with the requirements and procedure set out in this RFP and submit it by the deadline for submission of proposals indicated in the Bid Data Sheet. You may acknowledge receipt of this RFP by sending an email to proc.dji@undp.org indicating whether or not you intend to submit a proposal. You may also use the "Accept Invitation" function of the e-tendering system. This will allow you to receive changes or updates to the RFP. If you require further clarification, please contact the contact person(s) identified in the attached Tender Data as the focal point for questions relating to this RFP.

The Financial Proposal and Technical Proposal files MUST BE COMPLETELY SEPARATE, uploaded separately into the system and clearly labeled "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL" as appropriate. Each document must include the name and address of the Proposer. **The file containing the "FINANCIAL PROPOSAL" must be password encrypted so that it cannot be opened or accessed until the proposal has been deemed eligible for technical evaluation. Once a proposal has passed the technical evaluation stage, UNDP will request the Proposer by email to submit the password to open the financial proposal.** The Proposer assumes responsibility for not encrypting the Financial Proposal.

**PLEASE DO NOT INDICATE THE PRICE OF YOUR PROPOSAL IN THE 'HEADINGS' OF THE SYSTEM.
INSTEAD, ENTER 1 AND UPLOAD THE FINANCIAL PROPOSAL AS INDICATED ABOVE.**

UNDP looks forward to receiving your proposal and thanks you in advance for your interest in UNDP procurement opportunities.

Issued by :

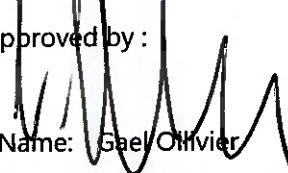


Name: Simia Adakey Salawu

Title : Procurement Analyst

Date : March 2, 2022

Approved by :



Name: Gael Olivier

Title: Deputy Resident Representative

Date : March 2, 2022

SECTION 2. INSTRUCTION TO BIDDERS

A. GENERAL PROVISIONS

<p><i>1. Introduction</i></p>	<p>1.1 Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by UNDP. This RFP is conducted in accordance with the UNDP Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement which can be accessed at https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d</p> <p>1.2 Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFP.</p> <p>1.3 As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website (www.ungm.org). The Bidder may still submit a bid even if not registered with the UNGM. However, if the Bidder is selected for contract award, the Bidder must register on the UNGM prior to contract signature.</p>
<p><i>2. Fraud & Corruption, Gifts and Hospitality</i></p> <p><i>3.</i></p>	<p>3.1 UNDP strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of UNDP vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. UNDP's Anti-Fraud Policy can be found at http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti</p> <p>3.2 Bidders/vendors shall not offer gifts or hospitality of any kind to UNDP staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners.</p> <p>3.3 In pursuance of this policy, UNDP (a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question; (b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a UNDP contract.</p> <p>3.4 All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at https://www.un.org/Depts/ptd/about-us/un-supplier-code-conduct</p>
<p><i>4. Eligibility</i></p>	<p>4.1 A vendor should not be suspended, debarred, or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization. Vendors are therefore required to disclose to UNDP whether they are subject to any sanction or temporary suspension imposed by these organizations.</p> <p>4.2 It is the Bidder's responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by UNDP.</p>
<p><i>5. Conflict of Interests</i></p>	<p>5.1 Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a</p>

		<p>conflict of interest with one or more parties in this solicitation process, if they:</p> <ul style="list-style-type: none"> a) Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the goods and services in this selection process; b) Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or c) Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP. <p>5.2 In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to UNDP, and seek UNDP's confirmation on whether or not such a conflict exists.</p> <p>5.3 Similarly, the Bidders must disclose in their proposal their knowledge of the following:</p> <ul style="list-style-type: none"> a) If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving services under this RFP; and b) All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices. <p>Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.</p> <p>5.4 The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to UNDP's further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal.</p>
B. PREPARATION OF PROPOSALS		
6. <i>General Considerations</i>		<p>6.1 In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.</p> <p>6.2 The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the UNDP</p>
7. <i>Cost Preparation Proposal</i>	<i>of of</i>	<p>7.1 The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. UNDP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.</p>
8. <i>Language</i>		<p>8.1 The Proposal, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in the language (s) specified in the BDS.</p>
9. <i>Documents Comprising the Proposal</i>	<i>the</i>	<p>9.1 The Proposal shall comprise of the following documents:</p> <ul style="list-style-type: none"> a) Documents Establishing the Eligibility and Qualifications of the Bidder; b) Technical Proposal; c) Financial Proposal; d) Proposal Security, if required by BDS;

	e) Any attachments and/or appendices to the Proposal.
10. Documents Establishing the Eligibility and Qualifications of the Bidder	10.1 The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to UNDP's satisfaction.
11. Technical Proposal Format and Content	11.1 The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP. 11.2 The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive. 11.3 Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by UNDP, and at no expense to UNDP 11.4 When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the UNDP. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS.
12. Financial Proposals	13.1 The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs. 13.2 Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price. 13.3 Prices and other financial information must not be disclosed in any other place except in the financial proposal.
14. Proposal Security	14.1 A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal. 14.2 The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected. 14.3 If the Proposal Security amount or its validity period is found to be less than what is required by UNDP, UNDP shall reject the Proposal. 14.4 In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS. 14.5 The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions: <ul style="list-style-type: none"> a) If the Bidder withdraws its offer during the period of the Proposal Validity specified in the BDS, or; b) In the event that the successful Bidder fails: <ul style="list-style-type: none"> i. to sign the Contract after UNDP has issued an award; or 14.6 to furnish the Performance Security, insurances, or other documents that UNDP may require as a condition precedent to the effectivity of the contract that may

	be awarded to the Bidder.
15. <i>Currencies</i>	<p>15.1 All prices shall be quoted in the currency or currencies indicated in the BDS. Where Proposals are quoted in different currencies, for the purposes of comparison of all Proposals:</p> <ul style="list-style-type: none"> a) UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the last day of submission of Proposals; and b) In the event that UNDP selects a proposal for award that is quoted in a currency different from the preferred currency in the BDS, UNDP shall reserve the right to award the contract in the currency of UNDP's preference, using the conversion method specified above.
16. <i>Joint Venture, Consortium or Association</i>	<p>16.1 If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that : (i) they have designated one party to act as a lead entity, duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between UNDP and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture.</p> <p>16.2 After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of UNDP.</p> <p>16.3 The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal.</p> <p>16.4 The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement. All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by UNDP.</p> <p>16.5 A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between:</p> <ul style="list-style-type: none"> a) Those that were undertaken together by the JV, Consortium or Association; and b) Those that were undertaken by the individual entities of the JV, Consortium or Association. <p>16.6 Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials.</p> <p>16.7 JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm.</p>
17. <i>Only One</i>	<p>17.1 The Bidder (including the individual members of any Joint Venture) shall submit only one Proposal, either in its own name or as part of a Joint Venture.</p>

<p><i>Proposal</i></p>	<p>17.2 Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:</p> <ul style="list-style-type: none"> f) they have at least one controlling partner, director or shareholder in common; or g) any one of them receive or have received any direct or indirect subsidy from the other/s; or h) they have the same legal representative for purposes of this RFP; or i) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process; j) they are subcontractors to each other's Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or k) some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Proposal.
<p>18. Proposal Validity Period</p>	<p>18.1 Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by UNDP and rendered non-responsive.</p> <p>18.2 During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price.</p>
<p>19. Extension of Proposal Validity Period</p>	<p>19.1 In exceptional circumstances, prior to the expiration of the proposal validity period, UNDP may request Bidders to extend the period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal.</p> <p>19.2 If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.</p> <p>19.3 The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated.</p>
<p>20. Clarification of Proposal</p> <p>1.</p>	<p>21.1 Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a UNDP staff member, UNDP shall have no obligation to respond or confirm that the query was officially received.</p> <p>21.2 UNDP will provide the responses to clarifications through the method specified in the BDS.</p> <p>21.3 UNDP shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of UNDP to extend the submission date of the Proposals, unless UNDP deems that such an extension is justified and necessary.</p>
<p>22. Amendment of Proposals</p> <p>3.</p>	<p>23.1 At any time prior to the deadline of Proposal submission, UNDP may for any reason, such as in response to a clarification requested by a Bidder, modify the RFP in the form of an amendment to the RFP. Amendments will be made available to all prospective bidders.</p> <p>23.2 If the amendment is substantial, UNDP may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals.</p>

<p>24. <i>Alternative Proposals</i></p>	<p>24.1 Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. UNDP shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, UNDP reserves the right to award a contract based on an alternative proposal.</p> <p>24.2 If multiple/alternative proposals are being submitted, they must be clearly marked as "Main Proposal" and "Alternative Proposal"</p>
<p>25. <i>Pre-Bid Conference</i></p>	<p>25.1 When appropriate, a Bidder's conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder's conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder's Conference or issued/posted as an amendment to RFP.</p>
<p>C. SUBMISSION AND OPENING OF PROPOSALS</p>	
<p>26. <i>Submission</i></p>	<p>26.1 The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS.</p> <p>26.2 The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.</p> <p>26.3 Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the UNDP General Contract Terms and Conditions.</p>
<p>Hard copy (manual) submission</p>	<p>26.4 Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:</p> <ul style="list-style-type: none"> a) The signed Proposal shall be marked "Original", and its copies marked "Copy" as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail. b) The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL", as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall: <ul style="list-style-type: none"> i. Bear the name and address of the bidder; ii. Be addressed to UNDP as specified in the BDS iii. Bear a warning that states "<i>Not to be opened before the time and date for proposal opening</i>" as specified in the BDS. <p>If the envelopes and packages with the Proposal are not sealed and marked as required, UNDP shall assume no responsibility for the misplacement, loss,</p>

	or premature opening of the Proposal.
Email Submission	<p>26.5 Email submission, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; b) The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS. c) 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. Failure to provide correct password may result in the proposal being rejected.
eTendering submission	<p>26.6 Electronic submission through eTendering, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; b) The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled. d) 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. Failure to provide the correct password may result in the proposal being rejected. c) Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand delivery as per the instructions in BDS. d) Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/
27. Deadline for Submission of Proposals and Late Proposals	<p>27.1 Complete Proposals must be received by UNDP in the manner, and no later than the date and time, specified in the BDS. UNDP shall only recognize the date and time that the bid was received by UNDP</p> <p>27.2 UNDP shall not consider any Proposal that is submitted after the deadline for the submission of Proposals.</p>
28. Withdrawal, Substitution, and Modification of Proposals	<p>28.1 A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission.</p> <p>28.2 Manual and Email submissions: A bidder may withdraw, substitute or modify its Proposal by sending a written notice to UNDP, duly signed by an authorized representative, and shall include a copy of the authorization (or a Power of Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as "WITHDRAWAL" "SUBSTITUTION," or "MODIFICATION"</p>

	<p>28.3 eTendering: A Bidder may withdraw, substitute or modify its Proposal by Canceling, Editing, and re-submitting the proposal directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Proposal as needed. Detailed instructions on how to cancel or modify a Proposal directly in the system are provided in Bidder User Guide and Instructional videos.</p> <p>28.4 Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened</p>
29. <i>Proposal Opening</i>	29.1 There is no public bid opening for RFPs. UNDP shall open the Proposals in the presence of an ad-hoc committee formed by UNDP, consisting of at least two (2) members. In the case of e-Tendering submission, bidders will receive an automatic notification once their proposal is opened.
D. EVALUATION OF PROPOSALS	
30. <i>Confidentiality</i>	<p>30.1 Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award.</p> <p>30.2 Any effort by a Bidder or anyone on behalf of the Bidder to influence UNDP in the examination, evaluation and comparison of the Proposals or contract award decisions may, at UNDP's decision, result in the rejection of its Proposal and may be subject to the application of prevailing UNDP's vendor sanctions procedures.</p>
31. <i>Evaluation of Proposals</i>	<p>31.1 The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. UNDP will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals.</p> <p>31.2 Evaluation of proposals is made of the following steps:</p> <ol style="list-style-type: none"> Preliminary Examination Minimum Eligibility and Qualification (if pre-qualification is not done) Evaluation of Technical Proposals Evaluation of Financial Proposals
32. <i>Preliminary Examination</i>	32.1 UNDP shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. UNDP reserves the right to reject any Proposal at this stage.
33. <i>Evaluation of Eligibility and Qualification</i>	<p>33.1 Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).</p> <p>33.2 In general terms, vendors that meet the following criteria may be considered qualified:</p> <ol style="list-style-type: none"> They are not included in the UN Security Council 1267/1989 Committee's list of terrorists and terrorist financiers, and in UNDP's ineligible vendors' list; They have a good financial standing and have access to adequate financial resources to perform the contract and all existing commercial commitments, They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance

	<p>procedures and other resources applicable to the provision of the services required;</p> <p>h) They are able to comply fully with UNDP General Terms and Conditions of Contract;</p> <p>i) They do not have a consistent history of court/arbitral award decisions against the Bidder; and</p> <p>j) They have a record of timely and satisfactory performance with their clients.</p>
<p>34. Evaluation of Technical and Financial Proposals</p>	<p>34.1 The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, UNDP may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required.</p> <p>34.2 In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, UNDP will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive.</p> <p>34.3 The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score.</p> <p>34.4 When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p><u>Rating the Technical Proposal (TP):</u></p> <p>TP Rating = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100</p> <p><u>Rating the Financial Proposal (FP):</u></p> <p>FP Rating = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100</p> <p><u>Total Combined Score:</u></p> <p>Combined Score = (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%)</p> </div>
<p>35. Due Diligence</p>	<p>35.1 UNDP reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:</p> <p>a) Verification of accuracy, correctness and authenticity of information provided by the Bidder;</p>

	<ul style="list-style-type: none"> b) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team; c) Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder; d) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary; e) Physical inspection of the Bidder's offices, branches or other places where business transpires, with or without notice to the Bidder; f) Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract.
36. Clarification of Proposals	<p>36.1 To assist in the examination, evaluation and comparison of Proposals, UNDP may, at its discretion, ask any Bidder for a clarification of its Proposal.</p> <p>36.2 UNDP's request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by UNDP in the evaluation of the Proposals, in accordance with RFP.</p> <p>36.3 Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by UNDP, shall not be considered during the review and evaluation of the Proposals.</p>
37. Responsiveness of Proposal	<p>37.1 UNDP's determination of a Proposal's responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission.</p> <p>37.2 If a Proposal is not substantially responsive, it shall be rejected by UNDP and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission.</p>
38. Nonconformities, Reparable Errors and Omissions	<p>38.1 Provided that a Proposal is substantially responsive, UNDP may waive any non-conformities or omissions in the Proposal that, in the opinion of UNDP, do not constitute a material deviation.</p> <p>38.2 UNDP may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal.</p> <p>38.3 For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows:</p> <ul style="list-style-type: none"> a) if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of UNDP there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected; b) if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; and c) if there is a discrepancy between words and figures, the amount in words

	<p>shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.</p> <p>38.4 If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected.</p>
E. AWARD OF CONTRACT	
39. <i>Right to Accept, Reject, Any or All Proposals</i>	39.1 UNDP reserves the right to accept or reject any Proposal, to render any or all of the Proposals as non-responsive, and to reject all Proposals at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for UNDP's action. UNDP shall not be obliged to award the contract to the lowest priced offer.
40. <i>Award Criteria</i>	40.1 Prior to expiration of the proposal validity, UNDP shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS.
41. <i>Debriefing</i>	41.1 In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from UNDP. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder's submission, in order to assist the Bidder in improving its future proposals for UNDP procurement opportunities. The content of other proposals and how they compare to the Bidder's submission shall not be discussed.
42. <i>Right to Vary Requirements at the Time of Award</i>	42.1 At the time of award of Contract, UNDP reserves the right to vary 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.
43. <i>Contract Signature</i>	43.1 Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to UNDP. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, UNDP may award the Contract to the Second Ranked Bidder or call for new Proposals.
44. <i>Contract Type and General Terms and Conditions</i>	44.1 The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html
45. <i>Performance Security</i>	45.1 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&action=default within fifteen (15) days of the contract signature by both parties. Where a performance security is required, the receipt of the performance security by UNDP shall be a condition for rendering the contract effective.
46. <i>Bank Guarantee for Advanced Payment</i>	46.1 Except when the interests of UNDP so require, it is UNDP's preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP

		DOCUMENT LIBRARY/Public/PSU_Contract%20Management%20Payment%20and%20Taxes_Advanced%20Payment%20Guarantee%20Form.docx&action=default
47. <i>Liquidated Damages</i>	47.1	If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor's delays or breach of its obligations as per the Contract.
48. <i>Payment Provisions</i>	48.1	Payment will be made only upon UNDP's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in UNDP with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract.
49. <i>Vendor Protest</i>	49.1	UNDP's vendor protest procedure provides an opportunity for appeal to those persons or firms not awarded a contract through a competitive procurement process. In the event that a Bidder believes that it was not treated fairly, the following link provides further details regarding UNDP vendor protest procedures: http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html
50. <i>Other Provisions</i>	50.1	In the event that the Bidder offers a lower price to the host Government (e.g. General Services Administration (GSA) of the federal government of the United States of America) for similar services, UNDP shall be entitled to same lower price. The UNDP General Terms and Conditions shall have precedence.
	50.2	UNDP is entitled to receive the same pricing offered by the same Contractor in contracts with the United Nations and/or its Agencies. The UNDP General Terms and Conditions shall have precedence.
	50.3	The United Nations has established restrictions on employment of (former) UN staff who have been involved in the procurement process as per bulletin ST/SGB/2006/15 http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&referer

SECTION 3. TENDER DATA

The following data relating to the services to be procured shall supplement, complement or amend the provisions of the RFP. In the event of any conflict between the Instructions to Bidders, the Data Sheet and other annexes or references attached to the Data Sheet, the provisions of the Data Sheet shall prevail.

BDS No.	Ref. to section.2	Data	Specific instructions / requirements
1	7	Language of the proposal	English or French
2		Submission of proposals for parts or sub-parts of the ToR (partial offers)	Not allowed Promoters must submit full proposals covering all requirements.
3	20	Alternative proposals	The following are not considered
4	21	Pre-proposal conference	<p>Will be conducted</p> <p>Will be online. Time: 14.00 Hrs (Djibouti Time) GMT+.3 Date : March 15, 2022 2:00 PM Location: ZOOM Meeting</p> <p>Join the Zoom meeting https://undp.zoom.us/j/88350447706?pwd=UzZTb3FxL1FlamM5ajNFY2o3ZEoxdz09</p> <p>Meeting ID: 883 5044 7706 Code secret : 759881</p> <p>RFP REF : RFP-DJI-2022-001</p> <p>The UNDP focal point for this arrangement is : E-mail: proc.dji@undp.org</p>
5	10	Period of validity of the proposal	120 days
6	14	Security of offers	Not required

7	41	Advance payment on signing the contract	Not allowed
8	42	Liquidated damages	<p>Will be taxed as follows:</p> <ul style="list-style-type: none"> ◆ If the Contractor fails to provide the specified services within the time period(s) stipulated in the Contract, UNDP may, without prejudice to its other remedies under the Contract, deduct 0.5 per cent from the total amount of the services for each day of delay until the actual delivery of 30 days. ◆ Once the maximum is reached, the UNDP may consider terminating the contract.
9	40	Performance security	Not required
10	18	Currency of the proposal	<ul style="list-style-type: none"> ◆ Local currency DJF - Djibouti Franc (if registered at national level) ◆ Euro- (for international companies)
11	31	Deadline for submission of requests for clarification/questions	5 calendar days prior to the submission deadline for all technical questions/clarifications and questions relating to the tender.
12	31	Contact details for submitting clarifications/questions	<p>UNDP Focal Person: Procurement Unit</p> <p>E-mail address: proc.dji@undp.org</p> <p>E-mail reference: RFP-DJI-2022-001</p>
13	18, 19 and 21	Method of disseminating additional information to the RFP and responses/clarifications to requests for information.	<p>Posted directly in eTendering</p> <p>Insert BU code : DJI10</p> <p>Event identification number: RFP-22-001</p> <p><input checked="" type="checkbox"/> Uploaded into the system. Once uploaded, potential Proposers (i.e. Proposers who have accepted the tender in the system) will be informed by email that changes have been made. It is the Proposers' responsibility to check the respective changes and clarifications in the system.</p>
14	23	Deadline for submission	<p>27 March 2021, (Djibouti 23.00time)</p> <p>For electronic submission - as indicated in the electronic tendering system. Please note that the time zone of the system is EST/EDT (New York, New York)</p> <p>PLEASE NOTE:</p> <p>Closing time: as indicated in the eTendering system. Please note that the time zone of the system is EST/EDT (New York).</p> <p>Bidders can refer to https://www.thetimezoneconverter.com to confirm the equivalent closing schedule in DJIBOUTI city.</p>

7	41	Advance payment on signing the contract	Not allowed
8	42	Liquidated damages	<p>Will be taxed as follows:</p> <ul style="list-style-type: none"> ◆ If the Contractor fails to provide the specified services within the time period(s) stipulated in the Contract, UNDP may, without prejudice to its other remedies under the Contract, deduct 0.5 per cent from the total amount of the services for each day of delay until the actual delivery of 30 days. ◆ Once the maximum is reached, the UNDP may consider terminating the contract.
9	40	Performance security	Not required
10	18	Currency of the proposal	<ul style="list-style-type: none"> ◆ Local currency DJF - Djibouti Franc (if registered at national level) ◆ Dollars (\$) - (for international companies)
11	31	Deadline for submission of requests for clarification/questions	5 calendar days prior to the submission deadline for all technical questions/clarifications and questions relating to the tender.
12	31	Contact details for submitting clarifications/questions	<p>UNDP Focal Person: Procurement Unit</p> <p>E-mail address: proc.dji@undp.org</p> <p>E-mail reference: RFP-DJI-2022-001</p>
13	18, 19 and 21	Method of disseminating additional information to the RFP and responses/clarifications to requests for information.	<p>Posted directly in eTendering</p> <p>Insert BU code : DJI10</p> <p>Event identification number: RFP-22-001</p> <p><input checked="" type="checkbox"/> Uploaded into the system. Once uploaded, potential Proposers (i.e. Proposers who have accepted the tender in the system) will be informed by email that changes have been made. It is the Proposers' responsibility to check the respective changes and clarifications in the system.</p>
14	23	Deadline for submission	<p>27 March 2021, (Djibouti 23.00time)</p> <p>For electronic submission - as indicated in the electronic tendering system. Please note that the time zone of the system is EST/EDT (New York).</p> <p>PLEASE NOTE:</p> <p>Closing time: as indicated in the eTendering system. Please note that the time zone of the system is EST/EDT (New York).</p> <p>Bidders can refer to https://www.thetimezoneconverter.com to confirm the equivalent closing schedule in DJIBOUTI city.</p>

			<p>The date and time shown on the main event screen (on the e-tendering portal) will be final and will prevail over any other closing time shown elsewhere, should it be different. It is the responsibility of Bidders to ensure that proposals are submitted by this deadline. UNDP will not accept any proposal that is not submitted directly into the system.</p>
14	22	Authorised method of submission of proposals	<p>Electronic tendering ONLY. Tenders submitted otherwise (e.g. by e-mail or hand delivery) <u>will not be considered</u> and will be returned.</p>
15	22	Address for submission of the proposal	<p>https://etendering.partneragencies.org <u>Insert BU code</u> : DJI10 <u>Event identification number</u>: RFP-22-001</p>
16	22	Electronic submission requirements (email or eTendering)	<ul style="list-style-type: none"> ▪ Format: PDF files only ▪ File names should be a maximum of 60 characters long and should not contain any letters or special characters other than those in the Latin/keyboard alphabet. File names must contain the name of the tenderer for easy identification. ▪ All files must be virus-free and uncorrupted. ▪ Only the ZIP format is accepted. RAR format is not acceptable. ZIP in a ZIP folder - not acceptable. ▪ The password for the financial proposal must only be provided to UNDP upon request. ▪ Max. File size per transmission: 35 MB ▪ Mandatory subject of the e-mail: RFP-DJI-2022-001 <p>1. Proposers must submit their proposals online in the eTendering system. In this regard, the Proposer shall upload separate proposals for :</p> <p style="padding-left: 40px;">1) Technical Proposal; and 2) Financial Proposal, in the form of separate attachments/files clearly marked "Technical Proposal" and "Financial Proposal".</p> <p style="padding-left: 40px;">2) To secure your financial proposal, please set up a password for the financial proposal which will be requested as follows:</p> <p style="padding-left: 80px;">a) The password for the financial proposal will be requested from the bidders if they have passed the evaluation of the technical proposal. Only those who have obtained the minimum score in the technical evaluation will be asked to provide the password for the financial proposals.</p>

			<p>b) Tenderers are strongly advised to write down the passwords and keep them in a safe place. If we are unable to open the file due to forgotten password(s), the proposal will be disqualified.</p> <p>c) Do not indicate the amount of the financial proposal in the electronic tender.</p>
17	27 36	Evaluation method for contract award	<p>Combined scoring method, using the 70%-30% split for technical and financial proposals respectively.</p> <p>-----</p> <p>Examples of rejection of a tender</p> <p>Tenders were rejected at the tender stage or found to be technically non-compliant due to errors in presentation and non-compliance with tender instructions.</p> <p>Below are some of the most common examples of reasons for rejection. Tenderers are advised to read them before submitting their bids and to check that their bids comply with each of these points and with the instructions in the tender documents.</p> <ul style="list-style-type: none"> ◆ The tender is submitted after the deadline, either by hand or electronically. Bids submitted just before the deadline via eTendering may arrive after the deadline and be rejected. Please ensure that your offer is submitted in advance. ◆ Tenders are not submitted to the correct physical or e-mail address. <u>Note that the address for submission of tenders is different from the address for questions about tenders.</u> ◆ The offer is not signed in accordance with the instructions in the RFP. ◆ Not all sufficient documentation was provided. ◆ The documents provided are not in English. Certificates of registration from companies or tax authorities may be submitted in the original language. During the evaluation process, UNDP may request translated files of these documents. ◆ The documents provided do not directly address each point of the evaluation criteria. ◆ Tender not specifically meeting the evaluation criteria of the RFP and the technical specifications. ◆ The offer does not include services that were specifically requested in the technical specifications. ◆ Failure to attach the mandatory tender submission form (see Form 6, in Section A). ◆ The bidder did not consult the UNDP Atlas eTendering website prior to the deadline for submission of bids and did not see the ITB changes listed there that are to be incorporated into the bid.

			<ul style="list-style-type: none"> ◆ The bidder refuses or proposes a major deviation from the UNDP General Conditions of Contract. ◆ Tenders contain viruses and/or corrupted files. Tenderers must ensure that tenders submitted DO NOT contain viruses and/or corrupted files. Such offers will be rejected. <p>The examples above illustrate some of the mistakes that can be made by bidders. This is a partial list. The tender documents contain additional instructions that should be followed carefully.</p>
18		Expected start date of the contract	June 1, 2022
19		Maximum expected duration of the contract	The total expected duration of this consultation is a maximum of 250 working days spread over 24 months. However, tenderers are allowed to propose a realistic number of days for each expert. The timetable provided is indicative. A justification must be provided for the number of days proposed for each expert.
20	35	UNDP will award the contract to :	Only one proposer However, as previously mentioned, a consortium between a Djiboutian and an international company is recommended.
21	39	Type of contract	Purchase order and contract for goods and services for UNDP http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html
22	39	Terms and conditions of the UNDP contract that will apply	UNDP General Conditions for Professional Services http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html
23		Other information on the call for tenders	The Financial Proposal and Technical Proposal files MUST BE COMPLETELY SEPARATE, uploaded separately to the system and clearly named "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL" as appropriate. The file containing the "FINANCIAL PROPOSAL" must be password encrypted.

SECTION 4. EVALUATION CRITERIA

Screening criteria

Proposals will be reviewed for completeness and submitted in accordance with the tender requirements according to the following criteria on a Yes/No basis:

- Appropriate signatures of the firm's authorised signatory
- Power of Attorney
- Minimum documents provided
- Technical and financial proposals submitted **separately**
- Validity of the offer
- Signed CVs of the required key persons (see terms of reference).
- The company must submit the financial audit report for the last three years.
- The company should submit a company brochure/profile covering the company's expertise, strength and experience, highlighting the areas relevant to this assignment.
- The company must submit a certificate of incorporation
- Valid business licence, tax exemption certificate and VAT registration certificate (if applicable).
- Written self-declaration that the company is not on the UN Security Council 1267/1989 list, the UN Procurement Division list or any other ineligibility list;

Minimum eligibility and qualification criteria

Eligibility and qualification will be assessed on a pass/fail basis.

If the proposal is submitted in the form of a joint venture, consortium or association, each member must meet the minimum criteria, unless otherwise specified in the criteria.

Subject	Criteria	Document submission Requirements
ELIGIBILITY		
Legal status	<p>Vendor is a legally registered entity.</p> <p>Tenderers are required to complete Form B. In addition, tenderers must include the following documents</p> <ul style="list-style-type: none"> • The company profile should not more than, 15 pages. • Certificate of incorporation in the name of the company • Certification of audited accounts and financial statement for the last three (3) years, (from 2018). 	Form B: Tenderer Information Form
Eligibility	<p>The Vendor is not suspended, debarred or otherwise identified as ineligible by any United Nations organisation or the World Bank Group or any other international organisation pursuant to clause 3 of the RFP.</p> <p>Note to bidders: UNPD CO undertakes its due diligence to verify and confirm the eligibility of the bidder. This verification <i>includes</i> all key personnel proposed in the tender.</p>	Form A: Technical Proposal Submission Form
Conflict of interest	<p>No conflict of interest in accordance with clause 4 of the tender.</p> <p>Tenderers are required to complete Form A.</p>	Form A: Technical Proposal Submission Form
Bankruptcy	<p>It has not filed for bankruptcy, is not involved in any bankruptcy or receivership proceedings, and there are no pending judgments or legal actions against the seller that</p>	Form A: Technical Proposal Submission Form

	<p>pending judgments or legal actions against the seller that could adversely affect its operations in the foreseeable future.</p> <p>Tenderers are required to complete Form A.</p>	Form
QUALIFICATION		
History of non-performing contracts	Non-performance of a contract has not occurred as a result of default by the contractor within the last 3 years. (as of 2018)	Form D: Qualification form
Litigation history	No consistent history of court/arbitration decisions against the bidder in the last 3 years. (as of 2018)	Form D: Qualification form
The minimum requirements	<p>The firm must have a minimum of 5 years experience in the digitization of institutional processes with a proven track record;</p> <p>Previous experience in digitising court management systems is a considerable advantage. If your company does not have this specific knowledge, we suggest that you partner through a joint venture or consortium with companies that do, or offer some other way to ensure that the team has this expertise.</p> <p>Ability to ensure the sustainability of the digitisation process through the implementation of change management procedures, national ownership (see Box 2) and an on-site presence in Djibouti. If you are not based in Djibouti, we suggest that you establish a partnership with a Djiboutian IT company through a joint venture or consortium that can continue to maintain and support the software after the end of this assignment.</p> <p>A partnership between an international company and a Djiboutian company is highly recommended.</p>	Form D: Qualification form
	<p>Minimum two (2) contracts of similar value, nature and complexity executed within the last 5 (five) years.</p> <p>Statement of satisfactory performance/certificate of completion/certificate of practical completion from the top two (2) clients in terms of contract value for similar assignments in recent years⁵.</p> <p><i>(For JVs/Consortia/Associations, all parties combined must meet this requirement).</i></p>	Form D: Qualification form
Financial situation	<p>Minimum average annual turnover (MAAT) of USD 350,000 or equivalent (three hundred and fifty thousand USD) for the last 3 years. (as of 2018)</p> <p><i>(For JVs/Consortia/Associations, all parties combined must meet this requirement).</i></p>	Form D: Qualification form
	<p>The bidder must demonstrate the current strength of its financial position and indicate its long-term profitability prospects.</p> <p><i>(For JVs/Consortia/Associations, all parties combined must meet this requirement).</i></p>	Form D: Qualification form

	-The composition of the team must be provided in full, in accordance with the terms of reference.	
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Technical evaluation criteria

PROPOSERS MUST RESPOND TO EACH OF THE EVALUATION CRITERIA IN A CLEAR AND DETAILED MANNER. YOU MUST PAY ATTENTION TO SPECIFIC INFORMATION REQUESTS. YOU ARE SOLELY RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF YOUR PROPOSAL.

Summary of technical proposal evaluation forms		Weight Score	Points to be obtained
1.	Expertise of the firm	30%	300
2.	Proposed methodology, approach and implementation plan	40%	400
3.	Management structure and key personnel	30%	300
Total		100%	100

1. Evaluation of the technical proposal (Form I)			Points to be obtained
Expertise of the firm / organisation			
1.1	General organisational capacity that is likely to affect implementation. <ul style="list-style-type: none"> • Strength of project management support • Internal quality assurance mechanisms and risk mitigation measures • Financing capacity of the project • Project management control 		50
1.2	Partnerships have been established to provide the international expertise needed to implement this mission, as well as an ongoing presence in Djibouti to ensure the sustainability of the process. This could be, for example, a partnership between an international company and a Djibouti IT company.		80
1.3	Relevance of : <ul style="list-style-type: none"> • Experience in an IT consulting company on digitisation or related fields. • Practical experience of managing or leading programmes/projects to design or implement an integrated case management system or similar solution. • Work for large multilateral and/or bilateral programmes in the digitisation of government or business processes • Permanent presence in Djibouti of at least one partner in case of joint application. 		120
1.4	At least two (2) examples of similar projects that have been completed, preferably within the last 5 years, of similar size and scope. Provide photos, a description of the project and contact details, if applicable.		50
Subtotal			300

2. Evaluation of the technical proposal (Form II)			Points to be obtained
Proposed methodology, approach and implementation plan			

2.1	How well does the Proposer understand the task?	50
2.2	Does the description of the approach and methodology meet or exceed the requirements of the Terms of Reference. Specifically:	
2.2.1	Is the framework appropriate to the task and the overall scope well defined	50
2.2.2	Are essential tasks identified, well defined and addressed	100
2.2.3	Are different elements of tasks properly weighted against each other	20
2.2.4	Is the sequence of activities logical and realistic	80
2.3	Is the presentation clear and well presented and is the sequence of activities and planning logical, realistic?	50
2.4	Description of the mechanisms and tools available for performance monitoring and evaluation; how they will be adopted and used for a specific need	50
Subtotal		400
3. Evaluation of the technical proposal (Form III)		Points to be obtained
Management structure and key personnel		
<p>The applicant should propose a team with a designated team leader and team members with the expertise the applicant considers most appropriate to carry out the assignment. The following is a list of minimum requirements for the team.</p> <p>In the proposal, please clearly indicate the role of each team member and where they will be based for the duration of the assignment. A partnership with a Djibouti-based company ensures a permanent presence in Djibouti, which is an advantage.</p> <p>In the CVs submitted, please highlight or summarise the experience and skills most relevant to this assignment.</p> <p>If the core team is supported by HQ staff, the role, skills and time allocated to HQ staff should be indicated in the proposal.</p>		
3.1	Team Leader <ul style="list-style-type: none"> At least a Master's degree in computer science or computer engineering from an accredited educational institution or related training/qualification at Master's level. At least one year10's experience in managing teams responsible for designing and implementing an integrated case management system or similar solution. Project and product management skills. Excellent oral and written communication skills in French. English and Arabic are an advantage. Proven ability to conduct consultations and facilitate dialogue between senior officials and other high-level stakeholders. Significant experience in developing and implementing an IT master plan Experience in developing terms of reference for software, hardware and services and launch the corresponding calls for tender. Experience quality control and supervision of the digital transformation The team leader is preferably based in Djibouti. 	140

3.2	IT expert <ul style="list-style-type: none"> • At least a Master's degree or equivalent in computer engineering from an accredited educational institution. • Have a good knowledge in the analysis and documentation of database structures, system and network architectures • Have participated in an implementation project of similar scope to the one covered by this TOR (national scope) • Have a thorough knowledge of functional analysis methods • At least 5 years experience in the design, development and implementation of a case management or similar solution, with proven knowledge and skills in systems analysis. • Excellent verbal and written communication skills in English or French. 	50
3.3	Process Management Specialist <ul style="list-style-type: none"> • At least a BAC+5 in Information Systems Management or equivalent • A good technological culture coupled with a global vision of process engineering and application and software solutions. • At least 5 years' experience in process engineering and application and software solutions • Excellent verbal and written communication skills in English or French. 	30
3.4	Legal expert <ul style="list-style-type: none"> • At least a Master of Laws degree from an accredited educational institution. • At least 5 years of experience in legal practice, public policy development related to the legal field, and/or any other relevant field. • Experience in integrating human rights and gender considerations into government processes is an asset. • Excellent knowledge of civil and criminal procedure. Knowledge of French or, preferably, Djiboutian civil and criminal court procedures is an advantage. It is also desirable that the expert has experience in conducting audits of judicial procedures and recommending improvements. • Have carried out comparable consultancy assignments in the context of justice modernisation projects. • Excellent verbal and written communication skills in French. English is an advantage. 	50
3.5	Expert in information management and preservation <ul style="list-style-type: none"> • At least a Bachelor's degree in Information Management from an accredited educational institution, or a related degree. • At least five years' experience in helping organisations to introduce efficient and transparent ways of managing information, archives and records. Preferably, the expert has experience in the creation and management of digital documents, including the digitisation of archives and paper documents, and in the use of database technologies. • Excellent oral and written communication skills in French. 	30
Subtotal		300

SECTION 5: TERMS OF REFERENCE

Description of the service	Recruitment of a consultancy firm to support the digitisation of justice services in Djibouti.
Place of employment	Djibouti, Republic of Djibouti
Organization	UNDP DJIBOUTI
Title of the project / programme	Support to the justice system in the Republic of Djibouti
Duration of the mission	250 days spread over several months until March 2024
Type of contract	Consulting (firm)
Expected start date	1 st June 2022

A. Background and description of the project :

A process of judicial reform is underway in Djibouti to enable the justice system to be impartial and fair and to guarantee the security of persons and property. Following the *Etats Généraux de la Justice*, organised from 2000 to 2002, the Djibouti authorities implemented a major reform project (revision of the codes, new judicial organisation, creation of a prison administration, significant recruitment of judicial personnel, etc.).

During its mid-term review in 2017, the European Union, Djibouti's largest development aid donor, decided with the government to include the justice sector among its priorities. As a result, an action paper was developed in this area by the EU with the Ministry of Justice and Prison Affairs in charge of human rights. The project entitled *Support to Justice in the Republic of Djibouti* is the result of this work. The project advances the Sustainable Development Goals (SDGs), in particular goal 16 on peace, justice and effective institutions and goal 5 on gender equality. By mutual agreement, but in this case tripartite, UNDP Djibouti was chosen as the best placed organisation to implement this ambitious project.

The fourth component of the project is the implementation of an Integrated Judicial and Penitentiary Information Management System (JPIMS). More specifically, this involves: (1) the development of an IT master plan and terms of reference for contracts; (2) the provision of a modernised IT environment; (3) the training of relevant staff in the use of the new IT system; (4) the establishment of a secure and operational judicial intranet; and (5) the improvement of administrative and document management.

This digitisation process is part of the government's priorities to modernise the justice system and improve the delivery of government services by developing e-governance, as set out in the government's Vision 2035.

The Ministry of Justice and the project steering committee have chosen Mizan 2 as the Djibouti Integrated Judicial and Penitentiary Information Management System. This decision is currently being validated by a feasibility study conducted by ANSIE.

Mizan 2 was developed by the Supreme Judicial Council of Palestine with financial and technical support from Sawasya, the UN's main programmatic instrument for the promotion of the rule of

law, integrity, gender justice and human rights in Palestine. Mizan 2 is open-source software that Djibouti authorities would receive free of charge without having to pay any licensing fees. In addition, UN partners in Palestine will provide significant support for the adoption and implementation of the software in Djibouti.

Box 1: Technical Summary Description of Mizan 2

Mizan 2 is a comprehensive case management software system intended to automate the process of initiating, indexing, tracking, and finalizing cases at the Palestinian judiciary system.

Mizan 2 is a desktop and web-enabled application optimized for Microsoft SQL server 2005-2012 database management system as a backend, yet it is designed to be data source independent and to utilize any data source such as ORACLE, MYSQL, and other RDMS. For reporting Mizan2 utilized Crystal Reports which is built in as part of the Visual Studio package. Crystal Reports was selected for its ability to provide reporting both for desktop and web enabled application with no or little change. Mizan2 utilizes a n tier architecture through the separation of business logic, user interface, and the data access layer. In VS2008-2017 data access can be achieved either through the usage of the data adapter object or through the usage of the command object. Mizan2 relies entirely on the data adapter object approach, MIZAN2 uses the x-road system as platform for internal connectivity with other ministers.

Mizan 2 offers numerous functionalities in terms of security and control over users access as well as tools that enable system administrators track changes in the system such as docketing, procedural functions such as succession of judges, capturing and indexing participants transforming it into a participant-based system. Mizan2 interfaces with external agencies and governmental offices such as the ministry of interior, ministry of transportation and ministry of justice.

Mizan 2 main features:

- records initial case data upon filing: this includes establishing a case identifier, recording basic classification data, and recording the names and data about the parties to case (e.g. plaintiff, defendant, attorneys);
- indexes case data and supports methods to identify and locate cases based upon partial case information (e.g. party name);
- records case-related fees paid by parties;
- records documents (pleadings, evidentiary enclosures, etc.) received by the court from parties and added to the case file folder;
- prepares documents (notices, orders, judgments, etc.) generated by the court;
- schedules hearings, maintains a hearing calendar for judges, and records hearing minutes;
- keeps track of the physical location of the case file folder and maintains a history of case file movements;
- records case closure and some post-disposition activity (e.g. appeal filed);
- generates reports useful to court management to monitor workload and court performance including basic caseload and case clearance statistics required of each court by the HJC.

Mizan 2 provides substantial levels of communication with external ministries and agencies for data access and cross referencing and can be connected to additional agencies related to the work of HJC, Mizan2 provides the lawyers and the public with the ability of track and manage cases online through web interfaces and mobile application.

The process of digitising Djibouti's judicial system is led by the Ministry of Justice and implemented by UNDP through the Justice Support Project. Another key national partner is the Agence Nationale des Systèmes d'Information de l'Etat (ANSIE), which is responsible for the infrastructure, security and maintenance of the digital system. The digitisation process is guided by an advisory group that will be appointed by the Ministry of Justice.

B. Description of the mission :

The Terms of Reference have been designed to engage a technical firm to support the implementation of an integrated judicial and prison information management system in Djibouti pursuant to Output 4 of the Justice Support Project. The firm will develop the analysis and an IT master plan with budgeted deliverables for the overall process of introducing and implementing the JJMIS. The firm will also assist UNDP in procuring the services and equipment necessary to implement the IT master plan, including developing detailed terms of reference for these services and equipment. The firm will then advise UNDP and the authorities on the implementation of the plan and provide quality control and oversight of the implementation of the IT master plan, ensuring successful management of the challenging process of digitising Djibouti's justice system.

C. Mission objective and expected results

To improve judicial governance through the implementation of an integrated judicial and prison information management system. The relevant outputs set out in the project document are

Output 4: An integrated judicial and prison information management system is operational	
Result 4.1:	The IT master plan and the terms of reference for the contracts are drawn up
Result 4.2	A modernised IT environment is made available (software set up and applications operational)
Result 4.3	The staff concerned (managers, users, IT staff) are able to use the new IT system
Result 4.4	The secure judicial intranet is set up
Result 4.5	Administrative and document management is improved (computerised management of human resources, archives, case law)

The introduction of integrated court and prison information management should aim to help the court system modernise by combining document management, data management and business process automation. The process should also modernise court rules and practices in preparation for the deployment of electronic services. The application will have additional functionalities to monitor and generate statistics on the performance of justice services.

D. Scope of work and approach to the assignment :

The scope of the potential firm's work is to provide UNDP with the necessary expertise to ensure that project outcome 4 is effectively, efficiently and properly implemented.

The company will be responsible for :

Preparatory phase: Leading the design and planning :

- Draft roadmap
 - Prepare an initial roadmap and work plan for the overall process of adapting and operationalising a PMIS in Djibouti.
- Carry out a full needs analysis, including
 - The functional and non-functional requirements of the justice system, in particular the courts and prison services (using analysis of applications, surveys, interviews, observations, tests and recordings). For this purpose, the company should use a report of an inspection of the administration of justice. This report is the result of an activity that will be carried out separately in the framework of the Justice Support Project (Activity 1.1.1) and will provide a detailed description of the justice processes in Djibouti and identify opportunities to strengthen the justice processes through digitalisation. The need to introduce a digital human resources management system should be taken into account in the needs analysis and recommendations made to that effect.
 - Identify relevant facilities and capacities already in place
 - Create a requirements traceability matrix, after validating the requirements.
 - Identify and analyse the legal issues related to the digitisation process, including property rights.
- Develop an IT master plan for the implementation of an integrated judicial and prison information management system. This requires in particular :
 - Identify the necessary programming in terms of infrastructure to be deployed to support the solution, IT equipment for end users, licences to be acquired and other related services to successfully implement the plan and ensure the sustainability of the process.
 - Take into account the issues of interoperability, dematerialisation, biometric identity and cyber security, which are all technically managed by ANSIE and should therefore be considered as prerequisites for the implementation of the PGIMS.
 - Enabling a strategic transformation of the judicial system through the digitisation process, see text in Box 2 below which lists the considerations to be taken into account.
 - Work plan with budgeted deliverables for the implementation of the IT Master Plan.

Implementation phases: Quality control and supervision of implementation

- Support UNDP in the provision of services and equipment necessary for the implementation of the PMMIS, including the preparation of terms of reference for hardware, software, personnel and other equipment and services necessary for the implementation of the IT scheme.
 - The company will also support UNDP in recruiting the necessary expertise to carry out a feasibility study on the improvement and merging of the gendarmerie and police fingerprint files in conjunction with the public prosecutor's office and the criminal records office (this is an activity under output 1.2. of the project).

- Accompany UNDP and the Ministry in the implementation of the PMIS until the end of the project in February 2024:
 - Provide technical advice
 - Implement and manage a monitoring and coordination mechanism for the implementation of the integrated system
 - Write a functional and technical recipe booklet
 - Validate the result of the revenue generated
 - Analyse and validate the training plan proposed by the supplier

Testing phases: Conducting feedback and evaluation

- Provide feedback and evaluation, including :
 - Participate in system testing and user acceptance testing and follow up on incident resolution;
 - Validate intermediate and final deliverables of services and materials.

Please also refer to Annex 4 below for a detailed list of activities as listed in the programme documents (in French).

Box 2: Strategic considerations

The process of digitising justice services in Djibouti is not only about introducing new technologies, but also an opportunity to transform the justice system by improving the delivery and accessibility of justice, respect for human rights and protection of the rule of law.

To achieve this, the design of the IT master plan and the implementation process should include the following elements

Change of system

- Explore the possibility of using e-Justice as a strategy that integrates operational improvements with rights protections and development goals.
- Present a work plan and budget covering the whole process towards the desired system change, beyond the duration of the EU-funded justice support project, as required (February 2024).
- Prepare for future crises and ongoing changes, including risk assessment and mitigation measures.
- Examine the legislative parameters that apply in the context of e-justice and identify the reforms needed.

Human rights monitoring

- Bring rigorous rights protection analysis to design, implementation and ongoing monitoring.
- Carry out a sound gender analysis, including usable gender results.
- Incorporate accountability frameworks, such as complaints or reports to identify abuse or exclusion arising from digitalisation.

Ensuring access to justice for all

- Identify who is being left behind, whether structurally or because of cost, connectivity, access to devices, digital literacy, comfort or cultural barriers.

- Provide accommodation and adaptation tools to facilitate access for people with barriers.
- Careful transition ensuring continuity of justice for all.

Protecting the rule of law

- Focus on people-centred transformation, not systems-centred.
- Integrate activities to strengthen the judiciary, ensure its independence, fight corruption and develop the skills of legal professionals.
- Integrate data protection.

Design of strategic projects

- Integrate change management principles into the implementation plan, including cultivating sustainable senior management buy-in, adopting a participatory approach to project development, building appetite and capacity for transformation through phased implementation, setting realistic and sustainable expectations and timelines.
- Design an iterative, user-centred process, starting with a small pilot and planning to learn and evolve.
- Integrate SDG targets and human rights obligations into project outputs and data collection.
- Include activities to develop national resources and expertise to understand and reasonably shape e-justice.
- Analyse data and technology ownership issues with a view to ensuring public ownership of data.
- Establish a statistical system that will maintain and analyse disaggregated data on the impact of justice services and e-justice changes.

Sustainability and national ownership

- Ensure national ownership and transfer of knowledge to national partners to ensure the sustainability of the digitisation process.

UNDP and the Advisory Group on the Digitisation of Justice will work closely with the company to ensure that these factors are properly integrated into the digitisation process.

E. Expected deliverables :

As part of this assignment, the company will deploy the necessary staff to implement the activities within the agreed timeframe. The company is expected to achieve the following results:

1. Detailed and budgeted methodology for the execution of the assignment
2. Analysis of validated needs and existing capacities
3. Validated IT master plan
4. Finalized and approved terms of reference for hardware, software, personnel, materials and services required to implement the plan
5. Technical and financial advice on the implementation of the IT master plan throughout the assignment
6. Four periodic monitoring, implementation and quality assurance reports on the implementation of the IT Master Plan

7. Final report on the overall process of developing, implementing and monitoring the IT Master Plan

G. Institutional Arrangements / Reporting

The contractor will work under the overall direction of the UNDP Chief Technical Advisor for the justice project and will report to him.

The Ministry, including the project focal point in the Ministry, and the advisory group set up by the Secretary General of the Ministry of Justice will oversee and guide the process of digitisation of the judicial system.

H. Duration of the work :

The total expected duration of this consultation is a **maximum of 250 working days spread over 20 months** (June 2021 to February 2024). However, tenderers are allowed to propose their realistic number of days for each expert. The timetable provided is indicative. A justification must be provided for the number of days proposed for each expert.

I. Place of employment :

The presence must be in Djibouti, although the company's headquarters and part of the team may be based elsewhere.

J. Deliverables / final services of the company/organisation :

N°	Deliverable	Maximum duration	Approval
Preparatory phase			UNDP, CTA project
1	Detailed methodology	1 month	
2	Validated analysis and IT master plan	4 months	
Implementation phase			
3	Terms of reference for the implementation of the IT Master Plan. Support for relevant procurement.	3 months	
4	First periodic monitoring, execution and quality assurance report on the implementation of the IT Master Plan.	3 months	

5	Second periodic monitoring, execution and quality assurance report on the implementation of the IT Master Plan.	3 months	
6	Third periodic monitoring, execution and quality assurance report on the implementation of the IT Master Plan.	3 months	
7	Fourth periodic monitoring, execution and quality assurance report on the implementation of the IT Master Plan.	3 months	
8	Final report on the overall process of developing, implementing and monitoring the IT Master Plan	3 months	

K. Scheduling payments :

The target start date for the contract is June 1^{ère} 2022. The company should be ready to carry out its first evaluation mission in June 2022.

The contract is for two years from the signing of the contract, the total number of working days must not exceed 250 days.

Other deliverables will be paid for according to a budgeted roadmap developed by the contractor and approved by UNDP.

For each phase, UNDP will make payments by bank transfer to the Contractor's bank account after acceptance of the deliverables produced by the Contractor. Payment will be made in instalments on the basis of the stage deliverables, on presentation of invoices and on certification of the work done.

	Payment schedule	Deliverables	Estimated time to complete deliverables	Percentage of payment
	1 st Payment: 5% of the total value of the contract	When producing Deliverable 1	<u>1 month</u>	5 %
	2 nd Payout: % of 15th the total value of the contract	When producing Deliverable 2	<u>Overall 4 months.</u> Payment will be paid at the issue of each deliverable	15 %
	3 rd deposit: 25% of the total contract value	When producing deliverable 3		25%
	3 rd payment: 15% of the total value of the contract	Deliverables 3	<u>2 months</u>	15 %
	4 th the deposit: 10% of the total value of the contract	Deliverables 4	<u>3 months</u>	8%
	5 th the deposit: 10% of the total value of the contract	When producing Deliverable 5	<u>3 months</u>	8%

	6 th the deposit: 10% of the total value of the contract	When producing deliverable 6	<u>3 months</u>	8 %
	7 th the deposit: 10% of the total value of the contract	When producing deliverable 7	<u>3 months</u>	8 %
	8 th deposit - final: 10% of the total contract value	When producing Deliverable 8	<u>3 months</u>	8 %

All costs related to this assignment, including logistics, office set-up, accommodation, etc., will be borne by the contractor.

When conducting missions to Djibouti or maintaining an on-site presence in Djibouti, UNDP provides internal transportation and access to its offices within the limits of available workspace. The contractor is solely responsible for the completion of the deliverables. Any delays must be communicated to UNDP / the project team with a plan to remedy the delay.

**DESCRIPTION OF ACTIVITIES IN
OUTPUT 4 OF THE PROGRAMME DOCUMENT
SUPPORT FOR JUSTICE IN THE REPUBLIC OF DJIBOU**
(Unofficial translation from French)

Output 4: An integrated judicial and prison information management system is operational.

The project will support the development of an integrated judicial and prison information management system.

Previous experience with the computerisation of judicial and prison systems has highlighted certain recurrent risks encountered in the context of these projects, such as the lack of acceptance by users of the changes in behaviour imposed by the new system; difficulties in ensuring the sustainability of the IT teams responsible for implementing the project, as well as difficulties in ensuring the maintenance of applications, equipment and installations. These recurring problems will be taken into account from the start of the project and solutions will be identified as part of the development of the IT master plan.

The Ministry, through its Directorate of Communication and New Technologies, whose capacities will be strengthened within the framework of the project, will have to ensure constant steering of the project. A working group under the supervision of the Secretary General of the Ministry of Justice will also be set up to oversee the computerisation. This working group may include representatives of all the entities in the civil and criminal chain within the Court of First Instance (public prosecutor's office, investigation offices, criminal court, office for the execution of sentences), the court of appeal (public prosecutor's office, indictment chamber, criminal court), the prison administration (prison administration directorate, prison establishments), the judicial police (gendarmerie, police, national security), the directorate of judicial services, and the bar association.

Outcome 4.1: The IT master plan and terms of reference for contracts are available.

The following activities will be carried out under this product

- Development and validation of the IT master plan (courts, prisons, MJ): The development of an IT and management master plan will make it possible to ensure coherence, coordination and complementarity between the experiments underway, in particular the partial computerisation of the civil chain, and the actors, including the National Agency for State Information Systems (ANSIE). The plan will also have to identify solutions to ensure the sustainability of the computerisation process, particularly with regard to capacity building and the sustainability of the Ministry of Justice's IT team. As part of the development of the master plan, it will be decided whether to develop software locally or to purchase existing software that will be adapted to the specific needs of Djibouti's judicial and penitentiary systems.

Note: The judicial authorities in Djibouti have already decided to use the Mizan 2 case management system developed by the Palestinian High Judicial Council with the support of the UN Sawasya rule of law programme.

- Description of business processes and development of terms of reference for contracts: An international consultant will be recruited to carry out a study describing the processes in use within the civil and criminal justice systems in Djibouti and to draw up the software specifications in accordance with the texts in force. The expert will also support the working

group in charge of computerisation in drawing up the tables of offences and procedures in accordance with the texts. The work of this consultant will be carried out in connection with the support provided under output 2.2 of the justice support project (analysis of the processing of civil and criminal files and development of manuals of criminal and civil procedures). The terms of reference for the acquisition of computer equipment and the development of the software/purchase of the court and prison management software package will be elaborated.

Outcome 4.2: A modernised IT environment is provided (software set up and applications operational)

The following activities will be carried out under this product

- Procurement of IT equipment: Based on the specifications developed under subproduct 4.1, all necessary IT equipment (computers, individual printers, multifunction printers and servers) will be purchased.
- Development and implementation of the IT software: Based on the contract specifications developed under sub-product 4.1, an IT development company will be hired to develop the business software. This work will include the parameterisation and encoding of the processes in the applications as well as the deployment of the application and the testing required to ensure its full functionality. Priority will be given to the operationalisation of the penal chain and the computerisation of the criminal record.

Outcome 4.3: Relevant staff (managers, users, IT staff) are able to use the new IT system.

Under this by-product, the following activities will be carried out

- Training of those responsible for the management system
- User training
- Periodic monitoring and reinforcement on site
- Training of computer specialists (operating systems, etc.).

All these activities will be carried out by the contractor selected under Output 4.2 for the development and implementation of the computer software.

Outcome 4.4: The secure judicial intranet is operational

This product includes the implementation of a secure intranet for the staff of the Ministry of Justice and judicial institutions. All these activities will be carried out by the contractor selected under subproduct 4.2 for the development and implementation of the software.

Output 4.5: Administrative and document management is improved

The following activities will be carried out under this product

- Support for the computerised management of judicial, prison and administrative archives: this support includes several steps, including the establishment of an archiving policy, the processing of backlogs currently stored in containers at the courthouse, the digitisation of certain documents and the installation of archiving software.
- Support for case law management: This support will cover both case law and legislation, which will be made accessible through internet dissemination.

SECTION 6: RETURNABLE TENDER FORMS / CHECKLIST

This form serves as a checklist for preparing your proposal. Please complete the returnable tender forms in accordance with the instructions contained therein and return them with your proposal. No changes to the format of the forms will be permitted and no substitutions will be accepted.

Before submitting your proposal, please ensure compliance with the SDB 22 proposal submission instructions.

Technical proposal :

Have you completed all the tender forms to be returned?	
▪ Form A: Technical Proposal Submission Form	<input type="checkbox"/>
▪ Form B: Tenderer Information Form	<input type="checkbox"/>
▪ Form C: Joint venture/consortium/association information form	<input type="checkbox"/>
▪ Form D: Qualification form	<input type="checkbox"/>
▪ Form E: Technical Proposal Format	<input type="checkbox"/>
▪ Form H: Proposal Security Form	<input type="checkbox"/>
Have you provided the documentation required to establish compliance with the assessment criteria in Section 4?	<input type="checkbox"/>

Financial proposal

(Must be submitted in a separate file and must be password protected. UNDP will request a password from the technically qualified bidder).

▪ Form F: Financial proposal submission form	<input type="checkbox"/>
▪ Form G: Financial Proposal Form	<input type="checkbox"/>

FORM A: TECHNICAL PROPOSAL SUBMISSION FORM

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services of [Insert Title of services] in accordance with your Request for Proposal No. RFP-BD-2021-012 and our proposal. We hereby submit our proposal, which includes this technical proposal and our financial proposal sealed in a separate envelope.

We hereby declare that our company, its affiliates or subsidiaries or employees, including any JV/Consortium/Association member or subcontractor or supplier for any part of the contract :

- is not subject to a UN procurement ban, including, but not limited to, those prohibitions arising from the UN Security Council's Compendium of Sanctions Lists;
- have not been suspended, debarred, sanctioned or otherwise identified as ineligible by a United Nations organisation or the World Bank Group or any other international organisation;
- not have any conflict of interest in accordance with clause 4 of the Instructions to Tenderers;
- do not employ or intend to employ any person or persons who are or have been United Nations staff members within the past year, if such United Nations staff member has or has had a prior employment relationship with our company in his or her capacity as a United Nations staff member within the past three years of service with the United Nations (in accordance with the United Nations post-employment restrictions published in ST/SGB/2006/15);
- have not filed for bankruptcy, are not involved in bankruptcy or receivership proceedings, and there are no pending judgments or legal actions against them that could adversely affect their operations in the foreseeable future;
- We undertake not to engage in prohibited practices, including but not limited to bribery, fraud, coercion, collusion, obstruction or any other unethical practice, with the UN or any other party, and to conduct our business in a manner that avoids any financial, operational, reputational or other undue risk to the UN We *adhere to the principles of the UN Supplier Code of Conduct and the principles of the UN Global Compact.*

We declare that all information and statements made in this proposal are true and we accept that any misinterpretation or misrepresentation contained in this proposal may result in our disqualification and/or sanction by UNDP.

We propose to provide services in accordance with the tender documents, including the UNDP General Conditions of Contract and in accordance with the Terms of Reference.

Our proposal shall be valid and binding for the period specified in the Tender Data Sheet.

We understand and acknowledge that you are not obliged to accept the proposals you receive.

I, the undersigned, certify that I am duly authorized by [Insert Name of Bidder] to sign and bind this proposal if accepted by UNDP.

Nom : _____

Title: _____

Date : _____

Signature : _____

[Official stamp of the Tenderer].

FORM B: TENDERER INFORMATION FORM

Legal name of the tenderer	[Complete]
Legal address	[Complete]
Year of registration	[Complete]
Information on the tenderer's authorised representative	Name and title : [Complete] Telephone numbers : [Complete] Email : [Complete]
Are you a registered vendor with the UNGM?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UGNM vendor number]
Are you a UNDP supplier?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UNDP vendor number]
Country of operation	[Complete]
Number of full-time employees	[Complete]
Quality assurance certification (e.g. ISO 9000 or equivalent) (If yes, provide a copy of the valid certificate) :	[Complete]
Does your company hold an accreditation such as ISO 14001 for the environment? (If yes, provide a copy of the valid certificate) :	[Complete]
Does your company have a written statement of its environmental policy? (If yes, please provide a copy)	[Complete]
Contact person whom UNDP can contact for clarification during the proposal evaluation.	Name and title : [Complete] Telephone numbers : [Complete] Email : [Complete]
Please attach the following documents:	<ul style="list-style-type: none"> ▪ Company profile, <u>not</u> exceeding fifteen (15) pages, including printed brochures and product catalogues relating to the goods/services being contracted. ▪ Certificate of incorporation/registration of the company ▪ Tax registration/payment certificate issued by the Internal Revenue Authority certifying that the bidder is up to date with its tax obligations, or tax exemption certificate, if the bidder has such a privilege. ▪ Trade name registration documents, if any ▪ Local government permit to settle and operate in the place of employment, if applicable. ▪ Official letter of appointment as a local representative, if the bidder is bidding on behalf of an entity located outside the country. ▪ Power of Attorney

FORM C: JOINT VENTURE/CONSORTIUM/ASSOCIATION INFORMATION FORM

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

To be completed and returned with your proposal if the proposal is submitted as a joint venture/consortium/association.

No	Name of the partner and contact details (address, telephone numbers, fax numbers, e-mail address)	Proposed proportion of responsibilities (%) and type of services to be performed
1	[Complete]	[Complete]
2	[Complete]	[Complete]
3	[Complete]	[Complete]

Name of the main partner (with the power to bind the joint venture, consortium or association during the request for proposal procedure and, if a contract is awarded, during the performance of the contract).	[Complete]
---	------------

We have attached a copy of the document below signed by each partner, which details the likely legal structure and confirmation of the joint and severable liability of the members of the said joint venture:

☐ Letter of intent to form a joint venture **OR** ☐ JV/Consortium/Association Agreement

We hereby confirm that if the contract is awarded, all parties of the joint venture/consortium/association shall be jointly and severally liable to UNDP for the performance of the provisions of the contract.

Name of the partner :

Signature: _____

Date: _____

Name of the partner :

Signature: _____

Date: _____

Name of the partner :

Signature: _____

Date: _____

Name of the partner :

Signature: _____

Date: _____

FORM D: QUALIFICATION FORM

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

If JV/Consortium/Association, to be completed by each partner.

History of non-performance of contracts

☐ Non-performance of the contract has not occurred in the last 3 years.

☐ Contract(s) not performed for 3 years

Year	Unperformed part of the contract	Identification of the contract	Total contract amount (present value in US\$)
		Name of the client : Customer address : Reason(s) for non-performance :	

Litigation history (including pending litigation)

☐ No history of litigation in the last 3 years

☐ Litigation history as shown below

Year of the dispute	Amount in dispute (in US\$)	Identification of the contract	Total contract amount (present value in US\$)
		Name of the client : Customer address : Subject of the dispute : Party who initiated the dispute : Status of the dispute : Game awarded if solved :	

Previous relevant experience

Please list only previous similar assignments successfully completed within the last 3 years.

Indicate only those assignments for which the tenderer was legally contracted or subcontracted by the client as a company or was one of the partners in the consortium/joint venture. Assignments carried out by the tenderer's individual experts working privately or through other companies cannot be claimed as the relevant experience of the tenderer, or that of the tenderer's partners or sub-consultants, but can be claimed by the experts themselves in their CVs. The bidder must be prepared to substantiate the claimed experience by submitting copies of relevant documents and references if requested by UNDP.

Project name and country of assignment	Client and reference details	Contract value	Period of activity and status	Types of activities undertaken

Tenderers may also attach their own project data sheets with more details for the above assignments.

☐ Attached are statements of satisfactory performance from the first 3 (three) or more clients.

Financial situation

Annual turnover for the last 3 years	Year	USD
	Year	USD
	Year	USD
Latest credit rating (if applicable), indicate source		

Financial information (in US\$ equivalent)	Historical information for the last 3 years		
	Year 1	Year 2	Year 3
	<i>Information from the balance sheet</i>		
Total assets (TA)			
Total liabilities (TL)			
Current assets (CA)			
Current liabilities (CL)			
	<i>Information from the income statement</i>		
Total / Gross Income (GI)			
Profit before tax (PBT)			
Net profit			
Current ratio			

☐ Attached are copies of the audited financial statements (balance sheets, including all related notes, and profit and loss accounts) for the years requested above, conforming to the following condition:

- Must reflect the financial position of the bidder or joint venture party, not the sister or parent companies;
- Historical financial statements must be audited by a certified public accountant;
- Historical financial statements must relate to accounting periods already completed and audited. No statements for partial periods are accepted.

FORM E: TECHNICAL PROPOSAL FORMAT

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

The bidder's proposal should be organised to follow this technical proposal format. When the Bidder is presented with a requirement or asked to use a specific approach, the Bidder must not only state its acceptance, but also describe how it intends to comply with the requirements. Where a descriptive response is requested, failure to provide it will be considered a non-response.

Please ensure that the information below is adapted according to the technical assessment criteria included in Section 4. The sections below correspond to the example criteria included in this RFP template in Section 4].

SECTION 1: Qualification, capacity and expertise of the tenderer

- 1.1 Brief description of the organisation, including year and country of incorporation, and types of activities undertaken.
- 1.2 General organisational capacity that may affect implementation: management structure, financial stability and funding capacity of the project, project management controls, extent to which any work would be subcontracted (if so, provide details).
- 1.3 Relevance of specialist knowledge and experience on similar assignments in the region or country.
- 1.4 Quality assurance procedures and risk mitigation measures.
- 1.5 The organisation's commitment to sustainability.

SECTION 2: Proposed Methodology, Approach and Implementation Plan

This section should demonstrate the bidder's ability to meet the terms of reference by identifying the specific components proposed, meeting the requirements, providing a detailed description of the proposed key performance characteristics and demonstrating how the proposed approach and methodology meet or exceed the requirements. All significant aspects should be addressed in sufficient detail and the different components of the project should be appropriately weighted against each other.

- 2.1 A detailed description of the approach and methodology that the tenderer will adopt to achieve the project's terms of reference, taking into account the suitability for local conditions and the project environment. A detailed description of how the various elements of the service will be organised, monitored and delivered.
- 2.2 The methodology will also include details of the tenderer's internal technical review and quality assurance mechanisms.
- 2.3 Explain if any work will be subcontracted, to whom, what percentage of the work, the reason for subcontracting, the roles of the proposed subcontractors and how each will function as a team.
- 2.4 Description of available performance monitoring and evaluation mechanisms and tools; how they will be adopted and used for a specific need.
- 2.5 Implementation plan including a Gantt chart or project timetable showing the detailed sequence of activities to be undertaken and their corresponding timetable.
- 2.6 Demonstrate how you intend to integrate sustainability measures into the execution of the contract.

- 2.7 Any other comments or information regarding the approach and methodology of the project that will be adopted.

SECTION 2A: Tenderer's comments and suggestions on the terms of reference

Provide comments and suggestions on the terms of reference, or on additional services to be rendered beyond the requirements of the ToR, if any.

SECTION 3: Management Structure and Key Personnel

- 3.1 Describe the overall management approach to project planning and implementation. Include an organisation chart for the management of the project describing the relationships between key positions and designations. Provide a spreadsheet showing the activities of each staff member and the time allocated to their involvement.
- 3.2 Provide CVs of key personnel who will be provided to support the implementation of this project using the format below. CVs should demonstrate qualifications in the areas relevant to the scope of services.

Format of the proposed key personnel CV

Name of staff	[Insert]
Position for this assignment	[Insert]
Nationality	[Insert]
Language skills	[Insert]
Education/ Qualifications	<i>(Summarise the staff member's college/university and other specialised training, including names of schools, dates of attendance and degrees/qualifications obtained).</i> [Insert]
Professional certifications	<i>[Provide details of professional certifications relevant to the scope of services].</i> Name of the institution : [Insert] Date of certification : [Insert]
Employment record/ experience	<i>[List all positions held by the staff (starting with the current position, in reverse order), indicating dates, name of employing organisation, title of position held and place of employment. For experience over the last five years, detail the type of activities performed, the degree of responsibility, the location of assignments and any other information or professional experience considered relevant to this assignment].</i> [Insert]
References	<i>[List the names, addresses, telephone numbers and e-mail addresses of two (2) references].</i> Reference 1: [Insert] Reference 2: [Insert]

I, the undersigned, certify that, to the best of my knowledge, these data correctly describe my qualifications, experience and other relevant information about myself.

Signature of staff

Date (day/month/year)

FORM F: FINANCIAL PROPOSAL SUBMISSION FORM

(Must be submitted in a separate file and must be password protected. UNDP will request a password from the technically qualified bidder).

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services of [Insert Title of services] in accordance with your RFP No. [Insert RFP Reference Number] and our proposal. We hereby submit our proposal, which includes this technical proposal and our financial proposal sealed in a separate envelope.

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

Our proposal shall be valid and binding for the period specified in the Tender Data Sheet.

We understand that you are not obliged to accept the proposals you receive.

Nom : _____

Title: _____

Date : _____

Signature : _____

[Official stamp of the Tenderer].

FORM G: FINANCIAL PROPOSAL FORM

(Must be submitted in a separate file and must be password protected. UNDP will request a password from the technically qualified bidder).

Name of the tenderer :	[Insert Name of Bidder]	Date :	Select the date
Reference of the request for proposals :	[Insert RFP Reference Number]		

The Bidder is required to prepare the Financial Proposal in the format below and submit it in a separate envelope from the Technical Proposal, as indicated in the Instructions to Bidders. Any financial information provided in the technical proposal will result in the disqualification of the bidder. The financial proposal must comply with the requirements of the Terms of Reference and the Bidder's technical proposal.

Currency of the proposal : [Insert Currency]

Table 1: Summary of overall prices

Description of the activity	Remuneration per unit of time	Total commitment period	Number of people	Total rate
I. Personnel Services				
<i>Team Leader</i>				
<i>IT expert</i>				
<i>Process Management Specialist</i>				
<i>Legal Expert</i>				
<i>Expert in information management and preservation</i>				
II. Pocket expenses				
Cost of the trip				
Daily allowance				
Communications				
Reproduction				
Communications				
III. Other related costs¹				
Grand total				

¹ Please include it according to your understanding of the TOR. But must be justified in accordance with the value for money.

Table 2: Breakdown of professional fees

Name	Position	Rate of duty	Number of days/months/ hours	Total amount
		A	B	C=A+B
In the country				
At home				
Subtotal Professional fees :				

Table 3: Breakdown of other costs

Description	UOM	Quantity	Price per unit	Total amount
International flights	Travel			
Subsistence allowance	Day			
Miscellaneous travel expenses	Travel			
Local transport costs	Lump sum			
Personal expenses				
Other costs : (please specify)				
Subtotal Other costs :				

Table 4: Price breakdown by deliverable/activity

Payment in instalments	Deliverables	Percentage	Value

FORM H: SELF-DECLARATION

Statement

Date :

United Nations Development Programme
UNDP Registry, Djibouti

Affectation : " _____ "

Reference: RFP-DJI-20-02201

Dear Sir,

I declare that is not on the United Nations Security Council list 1267/1989, the United Nations Procurement Division list or any other United Nations ineligibility list.

Yours sincerely