



REQUEST FOR PROPOSAL (RFP)

Access to Justice Lab on Business and Human Rights	DATE: May 25, 2022
	REFERENCE: RFP-2022-19

Dear Sir / Madam:

We kindly request you to submit your Proposal for the services of **Access to Justice Lab on Business and Human Rights**

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

Proposal must be submitted on or before the deadline indicated in the e-tendering system. Proposal must be submitted through online e-tendering system in the following link: <https://etendering.partneragencies.org> using your username and password.

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

Username: event.guest

Password: why2change

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

You are requested to indicate whether your company intends to submit a proposal by clicking "Accept Invitation" in the system. In the course of preparing your Proposal, it shall remain your responsibility to ensure that it is submitted through e-tendering on or before the deadline.

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

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

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

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

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

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

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

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

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

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link:

<http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html>

UNDP encourages every prospective Service Provider to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link :

https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unsccl/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,



Varisara Anansiribovorn
Procurement and Administrative Analyst
25 May 2022

Annex 1

Description of Requirements

Context of the Requirement	<p>The UNDP Asia-Pacific, Bangkok Regional Hub, Business and Human Rights unit (B+HR Asia), is playing a central role in promoting the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in Asia. The regional project “Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships” (B+HR Asia) drives progress on business and human rights and the implementation of the UNGPs through technical advisory, awareness-raising, capacity building support and peer-learning opportunities to governments, businesses, civil society organisations, and national human rights institutions.</p> <p>The third pillar on access to effective remedy for business-related human rights is a core component of the UNGPs but implementation remains challenging. Considering that rights holders often have limited opportunities, either in law or in practice, to secure effective remedy for business-related human rights abuse, there is an urgent need to map so-called pressure points that can complement state and non-state-based grievance mechanisms and remedies. In this context, UNDP intends to hire an organization to operate an access to justice lab and develop issue briefs on pressure points to promote greater business respect for human rights.</p> <p><i>(Please see details in the TOR attached as Annex 2)</i></p>
Implementing Partner of UNDP	N/A
Brief Description of the Required Services	<p>Specific results to be achieved by the contractor are listed below.</p> <ol style="list-style-type: none"> 1. Develop inception report. Tasks required to achieve this deliverable include but are not necessarily limited to: <ul style="list-style-type: none"> • Set up the institutional arrangements for the lab and develop a detailed work plan of the clinic; • Identify, assess, and document the efficacy of various pressure points that individuals, communities, or CSOs could use to seek remedial mechanisms for corporate human rights abuses; • Conduct a brief stakeholder mapping to identify participants in and beneficiaries of the lab; • Conduct desk research and develop an implementation plan with envisaged goals, key performance indicators, and potential scenarios for achieving envisaged goals; • Secure institutional partners, researchers and students to develop “pressure point” research briefs (see deliverable 3); 2. Organize two (2) consultations, one with experts and one with rights holders or their representatives, on pressure points to promote greater business respect for human rights. Tasks required to achieve this deliverable include but are not necessarily limited to: <ul style="list-style-type: none"> • Consult with key stakeholders and gather data required to develop issue brief;

	<ul style="list-style-type: none"> Plan and track data in line with the strategic goals and key performance indicators approved by UNDP as part of Deliverable 1. <p>3. Developing five (5) issue briefs on pressure points to promote greater business respect for human rights and identify potential next steps (if any) for the lab. Tasks required to achieve this deliverable include but are not necessarily limited to:</p> <ul style="list-style-type: none"> Engage faculty members, junior researchers and students to develop five issue briefs on pressure points, using the data collected through consultations and conducting additional desk research; Peer-review, copy-edit and design the draft issue briefs for publication; Make the issue briefs publicly available. <p><i>(for detail please see the TOR attached as Annex 2)</i></p>	
List and Description of Expected Outputs to be Delivered	Deliverables/ Outputs	Target Due Dates
	Deliverable 1: Inception report	31 October 2022
	Deliverable 2: Two (2) consultations	30 April 2023
	Deliverable 3: Five (5) issue briefs	31 May 2023
	<i>(for detail please see the TOR attached as Annex 2)</i>	
Person to Supervise the Work/Performance of the Service Provider	Business and Human Rights Specialist, Business and Human Rights Unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.	
Frequency of Reporting	As indicated in the ToR attached as Annex 2	
Progress Reporting Requirements	As indicated in the ToR attached as Annex 2	
Location of work	<input checked="" type="checkbox"/> At Contractor's Location	
Expected duration of work	12 Months	
Target start date	20 June 2022	
Latest completion date	Mid June 2023	
Travels Expected	As indicated in the ToR attached as Annex 2	
Special Security Requirements	N/A	
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	As indicated in the ToR attached as Annex 2	
Implementation Schedule indicating	<input checked="" type="checkbox"/> Required	

breakdown and timing of activities/sub-activities																		
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required																	
Currency of Proposal	<input checked="" type="checkbox"/> US Dollar <input checked="" type="checkbox"/> Thai baht (for Thai local bidders) If needed 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;																	
Value Added Tax on Price Proposal	<input type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes <input checked="" type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes																	
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input checked="" type="checkbox"/> 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.																	
Partial Quotes	<input checked="" type="checkbox"/> Not permitted																	
Payment Terms	<table border="1"> <thead> <tr> <th>Outputs</th> <th>Percentage</th> <th>Timing</th> <th>Condition for Payment Release</th> </tr> </thead> <tbody> <tr> <td>Deliverable 1: Inception Report</td> <td>31 October 2022</td> <td>40%</td> <td rowspan="3"> Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider. </td> </tr> <tr> <td>Deliverable 2: Two (2) Consultations</td> <td>30 April 2023</td> <td>35%</td> </tr> <tr> <td>Deliverable 3: Five (5) issue briefs</td> <td>31 May 2023</td> <td>25%</td> </tr> </tbody> </table>	Outputs	Percentage	Timing	Condition for Payment Release	Deliverable 1: Inception Report	31 October 2022	40%	Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.	Deliverable 2: Two (2) Consultations	30 April 2023	35%	Deliverable 3: Five (5) issue briefs	31 May 2023	25%			
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Deliverable 2: Two (2) Consultations	30 April 2023	35%																
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Person(s) to review/ inspect/ approve outputs/completed services and authorize the	Business and Human Rights Specialist, Business and Human Rights Unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.																	

disbursement of payment	
Type of Contract to be Signed	<input checked="" type="checkbox"/> UNDP Contract for Goods and/or Services https://www.undp.org/procurement/business/how-we-buy
Criteria for Contract Award	<input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criterion and cannot be deleted regardless of the nature of services required. Non-acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	<p>Technical Proposal (70%)</p> <input checked="" type="checkbox"/> Expertise of the Firm- 150 <input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan - 400 <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel - 450 <i>(Passing Threshold in Technical Evaluation is 70% or above)</i> <p>Financial Proposal (30%)</p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p> <p>The following formula will be used to evaluate financial proposal: $p = y (\mu/z)$, where: p=points for the financial proposal being evaluated; y=maximum number of points for the financial proposal; μ=price of the lowest priced proposal; z = price of the proposal being evaluated.</p>
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Service Provider
Contract General Terms and Conditions	<input checked="" type="checkbox"/> General Terms and Conditions for contracts (goods and/or services) Applicable Terms and Conditions are available at: http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html <i>Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.</i>
Annexes to this RFP	<input checked="" type="checkbox"/> Detailed TOR (Annex 2) <input checked="" type="checkbox"/> Form for Submission of Technical Proposal (Annex 3) <input checked="" type="checkbox"/> Form for Submission of Financial Proposal (Annex 4)
Contact Person for Inquiries (Written inquiries only)	Mostaq Ahmed Procurement Analyst; Email: mostaq.ahmed@undp.org Requests for clarifications must be submitted to UNDP by email to the address mentioned above until 3 days before submission deadline. Answers to clarifications will be uploaded to the Procurement Notices Website and on the e-tendering platform.

	<p>This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.</p> <p>Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p>
<p>Required Documents that must be Submitted to Establish minimum Qualification of Proposers</p> <p>(Failure to submit the documents shall result in disqualification)</p>	<p><input checked="" type="checkbox"/> Technical Proposal submission form & Detail Technical Proposal as per the Template Annex 3;</p> <p><input checked="" type="checkbox"/> Password protected Financial proposal Annex 4;</p> <p><input checked="" type="checkbox"/> Company Profile, which should not exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured</p> <p><input checked="" type="checkbox"/> Certificate of Registration of the business, including, Articles of Incorporation, or equivalent document if Bidder is not a corporation;</p> <p><input checked="" type="checkbox"/> Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder;</p> <p><input checked="" type="checkbox"/> Latest Audited Financial Statement (Income Statement and Balance Sheet) including Auditor's Report for the past 3 years (2018, 2019 & 2020 and 2021 if available);</p> <p><input checked="" type="checkbox"/> List of similar projects successfully completed within the last 5 years (the list should include: Project Title, Contract Value, Start and end Date, Client/Organization name and contact details who may be contacted for further information/reference check on those contracts);</p> <p><input checked="" type="checkbox"/> List and Value of ongoing Projects with contact details of clients and current completion ratio of each ongoing project;</p> <p><input checked="" type="checkbox"/> Documents to establish the minimum experience requirement (<u>Reference documents such as: copy of contracts /completion certificates</u>) as below:</p> <ul style="list-style-type: none"> ▪ Minimum 3 (Three) years of experience on human rights issues; ▪ The organization must have a human rights department focusing on business and human rights <p><input checked="" type="checkbox"/> Proposed composition of team structure, and Completed and signed CVs of the proposed key personnel</p> <p><input checked="" type="checkbox"/> Written Self Declaration that bidder is not listed in the removed or suspended vendor list of the UN or other such lists of other UN agencies, nor are associated with, any company or individual appearing on the 1267/1989 list of the UN Security Council</p> <p><input checked="" type="checkbox"/> Any other documents to substantiate eligibility and qualification of the bidder as required in the Terms of Reference</p>
<p>Other Information</p> <p>(e-tendering submission)</p>	<p>Electronic submission through e-Tendering shall be governed as follows:</p> <ul style="list-style-type: none"> • Electronic files that form part of the proposal must be in PDF format; • The Technical Proposal and the Financial Proposal files MUST BE <u>COMPLETELY SEPARATE</u> and each of them must be uploaded individually and clearly labelled; • The Financial Proposal file must be encrypted with a password so that it cannot be opened nor viewed until the password is provided.

	<p>The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose technical proposal has been found to be technically responsive. <u>Failure to provide the correct password may result in the proposal being rejected;</u></p> <p>IMPORTANT NOTE: The amount of the Financial proposal MUST NOT be mentioned anywhere in the submitted documents or in the e-tendering system, other than the Financial Proposal. Failure in compliance with the mentioned condition shall result in rejection of the offer.</p> <p>PLEASE DO NOT PUT THE PRICE OF YOUR PROPOSAL IN THE LINE ITEM IN THE SYSTEM. INSTEAD PUT "1" AND UPLOAD THE FINANCIAL PROPOSAL AS INSTRUCTED ABOVE</p>
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DETAILS OF EVALUATION OF PROPOSALS

Evaluation of Proposal:

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

Minimum Eligibility criteria for the consultancy Firm:

- Submission of signed and stamped Proposal (Technical & Financial) as per the Provided Template and Instructions;
- Acceptance of the UNDP General Terms and Conditions for contracts;
- Bid Validity – 120 days
- Business Licenses – Registration papers;
- Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder;
- Written Self Declaration that bidder is not listed in the removed or suspended vendor list of the UN or other such lists of other UN agencies, nor are associated with, any company or individual appearing on the 1267/1989 list of the UN Security Council;
- Minimum qualifying experience requirement:
 - Minimum 3 (Three) years of experience on human rights issues;
 - The organization must have a human rights department focusing on business and human rights

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

Technical Evaluation:

Summary of Technical Proposal Evaluation Forms		Points Obtainable
1.	Bidder's qualification, capacity and experience	150
2.	Proposed Methodology, Approach and Implementation Plan	400
3.	Management Structure and Key Personnel	450
Total		1000

(Passing Threshold in Technical Evaluation is 70% or above)

1. Bidder's qualification, capacity and experience		Points Obtainable
1.1	Minimum Three years of experience on human rights issues	60
1.2	The organization has a human rights department focusing on business and human rights	70
1.3	Organization presence in Asia-Pacific is an advantage	20
Total		150

2. Proposed Methodology, Approach and Implementation Plan		Points Obtainable
2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail?	75
2.2	Description of the Offeror's approach and methodology meeting or exceeding the requirements of the Terms of Reference	75

2.3	Details on how the different service elements shall be organised, controlled and delivered	75
2.4	Assessment of the implementation plan proposed, including whether the activities are properly sequences and if these are logical and realistic	50
2.5	Quality assurance procedures and risk mitigation measures	50
2.6	The proposed lab is institutionalized in a way that potentially enables sustainability beyond the duration of the contract	75
Total		400

3. Management Structure and Key Personnel		Points Obtainable
3.1	<u>Project Manager, Business and Human Rights Expert</u>	
3.1.1	Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.	50
3.1.2	Work experience on business and human rights in or with at least three of the following four: multilateral organizations, governments, multinational corporations, and CSOs	50
3.1.3	At least 7 years of work experience on business and human rights	40
3.1.4	At least 10 research outputs on business and human rights related issues between 2019 and 2021	40
3.2	<u>Transnational Law Expert</u>	
3.2.1	Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.	30
3.2.2	At least 3 years of research experience on business and human rights, corporate compliance policies and practices, and legislative responses to transnational challenges	20
3.2.3	At least 10 research outputs on business and human rights-related issues between 2019 and 2021	20
3.3	<u>Migration and Refugee Law Expert</u>	
3.3.1	Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.	30
3.3.2	At least 3 years of research experience on migration and/or refugee law and policy	20
3.3.3	At least 3 years of project experience on justice-related issues	20
3.4	<u>Litigation Expert</u>	
3.4.1	Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.	30
3.4.2	At least 3 years of research experience on civil procedure, civil litigation and case management.	20
3.4.3	At least 1 year of project experience on justice-related issues	20
3.5	<u>Environment Expert</u>	
3.5.1	Minimum Master's degree (or equivalent) climate change or environmental law/studies	30
3.5.2	At least 3 years of experience on issues related to environmental protection and climate change	30
Total		450

Terms of Reference

Access to Justice Lab on Business and Human Rights

1) PROJECT DESCRIPTION

The UNDP Asia-Pacific, Bangkok Regional Hub, Business and Human Rights unit (B+HR Asia), is playing a central role in promoting the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in Asia. The regional project “Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships” (B+HR Asia) drives progress on business and human rights and the implementation of the UNGPs through technical advisory, awareness-raising, capacity building support and peer-learning opportunities to governments, businesses, civil society organisations, and national human rights institutions.

The third pillar on access to effective remedy for business-related human rights is a core component of the UNGPs but implementation remains challenging. Considering that rights holders often have limited opportunities, either in law or in practice, to secure effective remedy for business-related human rights abuse, there is an urgent need to map so-called pressure points that can complement state and non-state-based grievance mechanisms and remedies. In this context, UNDP intends to hire an organization to operate an access to justice lab and develop issue briefs on pressure points to promote greater business respect for human rights.

2) SCOPE OF WORK

The contracted organisation will work under the guidance and supervision of the Business and Human Rights Specialist and in collaboration with project team members. Specific results to be achieved by the contractor are listed below.

1. **Develop inception report.** Tasks required to achieve this deliverable include but are not necessarily limited to:
 - Set up the institutional arrangements for the lab and develop a detailed work plan of the clinic;
 - Identify, assess, and document the efficacy of various pressure points that individuals, communities, or CSOs could use to seek remedial mechanisms for corporate human rights abuses;
 - Conduct a brief stakeholder mapping to identify participants in and beneficiaries of the lab;
 - Conduct desk research and develop an implementation plan with envisaged goals, key performance indicators, and potential scenarios for achieving envisaged goals;
 - Secure institutional partners, researchers and students to develop “pressure point” research briefs (see deliverable 3);
2. **Organize two (2) consultations, one with experts and one with rights holders or their representatives, on pressure points to promote greater business respect for human rights.** Tasks required to achieve this deliverable include but are not necessarily limited to:
 - Consult with key stakeholders and gather data required to develop issue brief;
 - Plan and track data in line with the strategic goals and key performance indicators approved by UNDP as part of Deliverable 1.

3. **Developing five (5) issue briefs on pressure points to promote greater business respect for human rights and identify potential next steps (if any) for the lab.** Tasks required to achieve this deliverable include but are not necessarily limited to:
- Engage faculty members, junior researchers and students to develop five issue briefs on pressure points, using the data collected through consultations and conducting additional desk research;
 - Peer-review, copy-edit and design the draft issue briefs for publication;
 - Make the issue briefs publicly available.

3) EXPECTED OUTPUTS AND DELIVERABLES

Deliverables/ Outputs	Target Due Dates
Deliverable 1: Inception report	31 October 2022
Deliverable 2: Two (2) consultations	30 April 2023
Deliverable 3: Five (5) issue briefs	31 May 2023

4) KEY PERFORMANCE INDICATORS AND SERVICE LEVEL

Key performance indicators shall include:

- Number of experts, rights holders and their representatives consulted;
- Number of faculty members and students engaged;
- Number and quality of pressure point briefs developed;

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

- Discussion with UNDP Business and Human Rights Specialist on what can be improved to ensure the respective deliverable(s) is/are met;
- Extension of contract deliverable due dates accompanied by corrective action to ensure deliverables are met.

5) GOVERNANCE AND ACCOUNTABILITY

The contractor will work under the overall guidance of the Business and Human Rights Specialist, Business and Human Rights Unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub. Fortnightly reporting will be required, and each deliverable shall be presented to the Business and Human Rights Specialist for review and approval.

6) FACILITIES TO BE PROVIDED BY UNDP

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

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

The assignment is estimated to commence on 20 June 2022. All deliverables will need to be completed by 15 June 2023 at the latest.

The organisation's presence is not required in Bangkok, Thailand.

The contractor shall set up a schedule to engage with UNDP through video conference and/or other remote communication tools.

8) PROFESSIONAL QUALIFICATIONS OF THE SUCCESSFUL CONTRACTOR AND ITS KEY PERSONNEL

A qualified contractor should possess the following minimum qualification and expertise:

Minimum qualification (experience and track record) requirement for the agency:

- Minimum Three years of experience on human rights issues
- The organization must have a human rights department focusing on business and human rights
- Organization presence in Asia-Pacific is an advantage

Minimum required qualification for the Team:

Project Manager, Business and Human Rights Expert

- Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.
- Work experience on business and human rights in or with at least three of the following four: UN agencies, governments, multinational corporations, and CSOs
- At least 7 years of work experience on business and human rights
- At least 10 research outputs on business and human rights related issues between 2019 and 2021

Transnational Law Expert

- Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.
- At least 3 years of research experience on business and human rights, corporate compliance policies and practices, and legislative responses to transnational challenges
- At least 10 research outputs on business and human rights-related issues between 2019 and 2021

Migration and Refugee Law Expert

- Minimum Master's degree (or equivalent) in law, human rights, public administration or similar.
- At least 3 years of research experience on migration and/or refugee law
- At least 3 years of project experience on justice-related issues

Litigation Expert

- Minimum Master's degree (or equivalent) in law, human rights, public administration or similar
- At least 3 years of research experience on civil procedure, civil litigation and case management
- At least 1 year of project experience on justice-related issues

Environment Expert

- Minimum Master's degree (or equivalent) climate change or environmental law/studies
- At least 3 years of experience on issues related to environmental protection and climate change

9) PAYMENT TERMS

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

Description of deliverables	Due Date	Payment %	Review and approvals required
Deliverable 1: Inception Report	31 October 2022	40%	Business and Human Rights Specialist, Business and Human Rights Unit, Governance and Peacebuilding Team, UNDP Bangkok Regional Hub.
Deliverable 2: Two (2) Consultations	30 April 2023	35%	
Deliverable 3: Five (5) issue briefs	31 May 2023	25%	

TECHNICAL PROPOSAL SUBMISSION FORM

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

[insert: Location].

[insert: Date]

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

Dear Sir/Madam:

We, the undersigned, offer to provide the services for **Access to Justice Lab on Business and Human Rights** in accordance with your Request for Proposal No. **RFP-2022-19** dated: 25 May 2022 and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal (password protected) submitted separately.

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

- a) is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
- b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
- c) do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
- d) have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- e) undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we *embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.*

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

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

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

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

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

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

Name: _____

Title: _____

Date: _____

Signature: _____

Contact:

Telephone: _____

Email: _____

FORMAT OF TECHNICAL PROPOSAL²

A. Qualifications of the Service Provider

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

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

B. Proposed Methodology for the Completion of Services

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

C. Qualifications of Key Personnel

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

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

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

[Designation]

[Date]

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

FORM FOR SUBMITTING FINANCIAL PROPOSAL³**(Must be Password Protected)***(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery)*

[insert: Location].

[insert: Date]

We, the undersigned, offer to provide the services for **Access to Justice Lab on Business and Human Rights** in accordance with your Request for Proposal No. **RFP-2022-19** dated **25 May 2022**. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal (password protected) submitted separately

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

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

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

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

A. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price <i>(Weight for payment)</i>	Price <i>(Lump Sum, All Inclusive)</i>
1	Deliverable 1: Inception Report	40%	
2	Deliverable 2: Two (2) Consultations	35%	
3	Deliverable 3: Five (5) issue briefs	25%	
	Total	100%	

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

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

Table 1: Summary of Overall Prices

	Amount(s)
Professional Fees (from Table 2)	
Other Costs (from Table 3)	

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

Total Amount of Financial Proposal**Table 2: Breakdown of Professional Fees**

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

Table 3: Breakdown of Other Costs

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

Name: _____

Title: _____

Date: _____

Signature: _____

Contact: _____

Telephone: _____

Email: _____