



## REQUEST FOR PROPOSAL (RFP) (For Low-Valued Services)

NAME & ADDRESS OF FIRM	DATE: May 27, 2022
	REFERENCE: MyRFP2022-007

Dear Sir / Madam:

We kindly request you to submit your Proposal **to conduct a National Baseline Assessment (NBA) on Business and Human Rights in Malaysia.**

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

Proposals may be submitted on or before **Friday, June 10, 2022** and via email, to the address below:

**United Nations Development Programme**  
**Menara PJH, Level 10, No 2, Jalan Tun Abdul Razak, Precinct 2, 62100 Putrajaya**  
procurement.my@undp.org

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

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. If you are submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files.

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

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

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

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

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

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

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

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

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

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

[https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unsccl/co\\_nduct\\_english.pdf](https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unsccl/co_nduct_english.pdf)

Thank you and we look forward to receiving your Proposal.

Sincerely yours,  
Patrick Pee  
Asst. Resident Representative (O)  
5/27/2022

## Description of Requirements

Context of the Requirement	<p>As a key regional development partner, Malaysia plays a central role in promoting the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in Asia.</p> <p>The Human Rights Council, in its resolution 17/4 of 16 June 2011, unanimously endorsed the United Nations Guiding Principles on Business and Human Rights (UNGPs) for implementing the United Nations “Protect, Respect and Remedy” Framework. The endorsement effectively established the UNGPs as the main authoritative set of guidelines for states and businesses to prevent, address and remedy any adverse impacts of business activities on human rights. The UNGPs are grounded on three key pillars, which are: (i) the State duty to protect human rights, (ii) the corporate responsibility to respect human rights and (iii) access to remedy. These core requirements of the corporate responsibility to respect human rights are increasingly embedded in international standards, national regulations, investor and customer expectations, industry codes, and civil society benchmarks.</p> <p>Subsequently, the UN Human Rights Council urged states to develop National Action Plans (NAPs) on Business and Human Rights (BHR) that would define how implementation of the UNGPs would be taken forward. At present, 43 governments and non-state actors (such as national human rights institutions) across Europe, the Americas, Africa and Asia have launched NAPs or NAP-related processes to implement the UNGPs. In Asia, three countries—Thailand, Japan and Pakistan—have successfully launched their NAP, while India, Indonesia, South Korea and Malaysia are in the active process of developing these policy initiatives.</p> <p>Malaysia’s rapid economic growth has led to significant reductions in poverty and new opportunities for decent work. However, growing concerns over rising inequality, human rights abuses and a host of environmental challenges, are focusing attention on the inherent risks and costs of growth. Exploitation of labour, land rights violations and seemingly irreversible environmental harms, among other impacts, are now recognized for the negative, long-term implications these risks pose to people, the planet and renewed levels of prosperity.</p> <p>The business and human rights agenda is not foreign to Malaysia and since the last several years efforts have been made by the Malaysian government towards the development of Malaysia’s National Action Plan on Business and Human Rights (NAPBHR). In 2015, the Human Rights Commission of Malaysia (SUHAKAM) published the Strategic Framework on a National Action Plan on Business and Human Rights, articulating a set of policy objectives and related recommendations based on the UN Guiding Principles for the Government’s consideration in developing its NAP BHR. Following this, on 20 June 2019, the</p>
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	<p>Malaysian Cabinet officially agreed to place the human rights agenda under the portfolio of the Minister in the Prime Minister's Department (Parliament and Law), supported by the Legal Affairs Division (BHEUU). On 24 June 2019, a national high-level dialogue on business and human Rights, "Towards A Malaysian National Action Plan on Business and Human Rights," was organized by BHEUU in partnership with UNDP and SUHAKAM as the national level follow-up to Malaysia's participation at the inaugural 2018 UN South Asia Forum on Business and Human Rights. Subsequently, on 6 December 2019, the Cabinet agreed to develop a National Action Plan on Business and Human Rights.</p> <p>To further leverage Malaysia's strong commitment towards developing a NAP, BHEUU and UNDP initiated multistakeholder engagements in 2020 with relevant government ministries and agencies, regulatory and enforcement bodies, the Human Rights Commission of Malaysia (SUHAKAM), the business community as well as civil society organizations (CSOs) to socialize the aims of the NAP, set up the necessary governance structures and mechanisms and formulate a roadmap leading to the development of a zero draft of the NAP BHR. Against this backdrop, on 6 July 2021, the Malaysian government conducted its first National Steering Committee on the NAP BHR, chaired by YB Datuk Seri Takiyuddin bin Hassan, Minister in the Prime Minister's Department (Parliament and Law), to formally kick-start this NAP process.</p> <p>As a next key step, a comprehensive data collection process – the National Baseline Assessment – needs to be conducted to ensure the scope and overall parameters of the NAP BHR are well understood. This NBA process is an initiative for the collection and evaluation of reliable data from various stakeholders on topical and critical issues of business and human rights prior to development of NAP. To ensure that the NBA effectively identifies key national issues, it is essential that adequate resources are assigned for this activity. The task to develop the baseline assessment should be allocated to a body with relevant expertise and competence and which is viewed as independent from political affiliation or special interests. The outcome of the baseline assessment should be published and made accessible to all stakeholders once finalized to align with principles of transparency. The NBA shall be conducted by independent consultants and/or experts and the results and findings will be presented to the Steering Committee and Technical Working Committees of the NAP BHR within the stipulated time frame.</p>
Implementing Partner of UNDP	Legal Affairs Division, Prime Minister's Office
Brief Description of the Required Services <sup>1</sup>	The primary objective of the National Baseline Assessment is to assess the current level of implementation of the UNGPs across Malaysia (Peninsular Malaysia and the Borneo States). It brings together an analysis of legal and policy gaps in UNGP implementation; documenting the adverse human rights impacts of business operations and identifying the most salient human rights

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

	<p>issues in a given context. In this way, it serves to inform the formulation and prioritization of actions in the NAPBHR.</p> <p>The <u>three areas of priority</u> for the NAPBHR are:</p> <ol style="list-style-type: none"> <li>1. Labour</li> <li>2. Environment</li> <li>3. Governance</li> </ol> <p>Cross-cutting issues will also feature in the assessment, and these may include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Gender and non-discrimination</li> <li>2. Children's rights</li> <li>3. Digital rights</li> </ol> <p>Embarking on an NBA is also an opportunity to build capacity of stakeholders involved in the research process, and to contribute to transparency and accountability in relation to the specific actions adopted in the NAP. The NBA should subsequently be used to monitor and evaluate whether these adopted actions have had the desired effect.</p>
<p>List and Description of Expected Outputs to be Delivered</p>	<p>The activity will support the following outcomes and deliverables:</p> <p><b><u>Outputs (Deliverables)</u></b></p> <p><b>1. To produce an <u>Inception Report</u>. This result comprises the following major tasks:</b></p> <ol style="list-style-type: none"> <li>a. Create a research approach and structure, and outline the specific activities to be undertaken, suitable to accomplish the deliverables 2 and 3 listed below;</li> <li>b. Conduct preliminary desk research and key interviews with a sample of stakeholders to identify key data points, themes and references;</li> <li>c. Based on preliminary research, propose the different chapters to be included in the NBA and outline their contents;</li> <li>d. Develop a full list of key stakeholders and a plan for interviews. This should include: <ul style="list-style-type: none"> <li>○ Federal and State governments, including all relevant ministries and agencies;</li> <li>○ Regulatory and enforcement agencies;</li> <li>○ Businesses, including those representing the largest sectors within the country, small and medium enterprises (SMEs), and business associations including chambers of commerce;</li> <li>○ The National Human Rights Institution;</li> </ul> </li> </ol>

- Complaint bureaus;
- General society, including groups facing specific Business and Human Rights risks of particular concern within the national context:

General Description	Proposed Focus Groups/Communities for Consultations
General community	Women/gender, Sexual Orientation, Gender Identity and Expression (SOGIE) , People with Disabilities, children, Indigenous, religious and others
Communities at-risk	Migrants, refugees, asylum seekers, undocumented persons, stateless persons and others
Business community	Businesses, MSMEs, MNCs, suppliers, employers, employees, associations, lobby groups and others
Civil society	Civil society organisations, activists, Human Rights Defenders (HRDs) and others

- International and regional actors, including representatives of UN institutions such as UNDP, UNICEF, ILO, IOM, UNHCR, OECD and the World Bank as well as representatives of ASEAN and South Asia.
- e. Draft and finalize an Inception Report that includes a timeline and expected findings.

**2. To produce an Interim Report. This result comprises the following major tasks:**

- Provide context and background on Malaysia's Business and Human Rights landscape and the legal international and national frameworks that govern the priority areas of the NAP BHR;
- Reference sources of information on Business and Human Rights that includes:
  - Relevant international instruments and standards i.e., 2030 Agenda, UNGPs, OECD guidelines, human rights conventions, etc.;
  - Policy studies by government agencies;
  - Reports and findings by National Human Rights Institutions (NHRIs) or similar organizations;
  - Relevant statistics and compiled and maintained by the Department of Statistics and other relevant ministries or

	<p>agencies;</p> <ul style="list-style-type: none"> <li>• Research by higher learning institutions and other research institutions;</li> <li>• Other ongoing National Action Plans of BHEUU or other related government agencies such as the National Human Rights Action Plan (2018), National Action Plan for Trafficking in Persons (2021-2025), National Anti-Corruption Plan (2019-2024), National Policy on the Environment (2002), National Action Plan on Forced Labour (2021-2025), etc.;</li> <li>• Related Acts, regulations, enactments, guidelines, etc.;</li> <li>• Case laws and other judicial precedents.</li> </ul> <p>c) Review, analyze and synthesize related information, existing programmes, actions and commitments by the Government;</p> <p>d) Conduct comprehensive engagements with all relevant stakeholders ensuring meaningful participation of affected or potentially affected rights-holders during all stages of the assessment process (scoping, data collection through interviews or surveys, baseline development and impact analysis, where possible). Engagement and consultation processes must be inclusive, gender-sensitive and consider the needs of at-risk individuals and groups;</p> <p>e) Provide an analysis of the current human rights situation as it relates to business (those that have been properly addressed and those can be improved);</p> <p>f) Provide an analysis the of latest developments and industry practices that cause adverse human rights and environmental impacts, backed up by evidence and referenced through bibliography and/footnotes;</p> <p>g) Produce at least six (6) case studies, per thematic area, to be integrated into the final report;</p> <p>h) Present clearly defined list of critical challenges facing Malaysia's vulnerable populations, backed up by quantitative and qualitative data;</p> <p>i) Propose impact mitigation measures and remedies based on:</p> <ul style="list-style-type: none"> <li>a) Identified gaps and priorities;</li> <li>b) Feasible benchmarks or minimum standards to be attained;</li> <li>c) Comparative analysis with other selected jurisdictions;</li> <li>d) Amendments to related laws and legislations, state enactments, regulations and related policies;</li> </ul> <p>j) Provide a preliminary set of recommendations for state and non-state actors that promote the protection of human rights,</p>
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	<p>environmental conservation and sustainable business, based on the UNGPs and other relevant international instruments such as Goals 8 and 16 of the SDGs;</p> <p>k) Present the report to the NAPBHR Working Group on a date to be specified by UNDP.</p> <p><b>3. Validate research findings and complete the <u>final Assessment Report</u>. This result comprises the following major tasks:</b></p> <p>a) Validate research findings through a multistakeholder peer review;</p> <p>b) Produce notes (including visual evidence where possible) from all interviews;</p> <p>c) Finalise the report;</p> <p>d) Present the report to the NAPBHR Working Group on a date to be specified by UNDP.</p>
Person to Supervise the Work/Performance of the Service Provider	Business and Human Rights Specialist
Frequency of Reporting	Bi-monthly updates should be planned in consultation with the NAPBHR Working Group comprising the Legal Affairs Division (Prime Minister's Department), SUHAKAM and UNDP. Updates may also be requested as and when required.
Progress Reporting Requirements	<p>a) <b>Activity updates</b> Bi-monthly updates should be planned in consultation with the NAPBHR Working Group that includes the Legal Affairs Division (Prime Minister's Department), SUHAKAM and UNDP. Updates may also be requested as and when required.</p> <p>b) <b>Inception Report</b> Submitted as the first deliverable, by 15 July 2022.</p> <p>c) <b>Interim Baseline Assessment Report</b> Submitted as the second deliverable, by 15 October 2022, followed by a presentation to the NAPBHR Working Group.</p> <p>d) <b>Draft Baseline Assessment Report (V1)</b> Submitted as the third deliverable, by 19 December 2022.</p> <p>e) <b>Final Baseline Assessment Report (V2)</b> Submitted as the fourth deliverable, by 4 January 2023 (barring any extensions), followed by a presentation to the NAPBHR Working Group.</p> <p>f) <b>Final Presentations</b></p>



	Present findings of the Final Baseline Assessment Report (V2) to the NAPBHR Steering and Technical Committees on 18 January 2023, or a date/dates to be determined by UNDP or the Working Group.							
Location of work	<input checked="" type="checkbox"/> At Contractor's Location							
Expected duration of work	Approx. 7 months							
Target start date	1 July 2022							
Latest completion date	15 February 2023 with a possibility for an extension, subject to approval by UNDP and should not exceed 3 months.							
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required							
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required							
Currency of Proposal	<input checked="" type="checkbox"/> Local Currency (Malaysian Ringgit)							
Value Added Tax on Price Proposal <sup>2</sup>	<input checked="" type="checkbox"/> Must be inclusive of VAT and other applicable indirect taxes							
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input checked="" type="checkbox"/> 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 <sup>3</sup>	The breakdown of the payment terms is as below: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Outputs</td> <td style="width: 25%; text-align: center;">Percentage</td> <td style="width: 25%; text-align: center;">Timing</td> <td style="width: 25%; text-align: center;">Condition for Payment Release</td> </tr> </table>				Outputs	Percentage	Timing	Condition for Payment Release
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<sup>2</sup> VAT exemption status varies from one country to another. Pls. check whatever is applicable to the UNDP CO/BU requiring the service.

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

	Upon submission and acceptance of deliverable 1	10%	15 July 2022	Within thirty (30) days from the date of meeting the following conditions: a) UNDP’s written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.
	Upon submission and acceptance of deliverable 2	30%	17 October 2022	
	Upon submission and acceptance of deliverable 3	30%	19 December 2022	
	Upon submission and acceptance of deliverable 4	20%	4 January 2023	
	Upon submission and acceptance of deliverable 5	10%	18 January 2023	
Person(s) to review/inspect/ approve outputs/complete d services and authorize the disbursement of payment	Business and Human Rights Specialist, reviewed by the Programme Analyst, Governance for Development Unit.			
Type of Contract to be Signed	<input checked="" type="checkbox"/> Contract for Professional Services			
Criteria for Contract Award	<input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criterion and cannot be deleted regardless of the nature of services required. Non-acceptance of the GTC may be grounds for the rejection of the Proposal.			
Criteria for the Assessment of Proposal	<b><u>Technical Proposal (70%)</u></b> <input checked="" type="checkbox"/> Expertise of the Firm 20% <input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan 40% <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel 10%  <b><u>Financial Proposal (30%)</u></b> To be computed as a ratio of the Proposal’s offer to the lowest price among the proposals received by UNDP.			
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Service Provider			

Contract General Terms and Conditions <sup>4</sup>	<input checked="" type="checkbox"/> General Terms and Conditions for de minimis contracts (services only, less than \$50,000)  Applicable Terms and Conditions are available at: <a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a>
Annexes to this RFP <sup>5</sup>	<input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2) <input checked="" type="checkbox"/> Detailed TOR
Contact Person for Inquiries (Written inquiries only) <sup>6</sup>	<b>Procurement Team</b> <a href="mailto:procurement.my@undp.org">procurement.my@undp.org</a>  Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.
Other Information	N/A

<sup>4</sup> 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.

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

<sup>6</sup> This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

**Terms of Reference**  
**Request for services to conduct a National Baseline Assessment (NBA) on Business and Human Rights in Malaysia**

**1. BACKGROUND INFORMATION AND DESCRIPTION**

As a key regional development partner, Malaysia plays a central role in promoting the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in Asia.

The Human Rights Council, in its resolution 17/4 of 16 June 2011, unanimously endorsed the United Nations Guiding Principles on Business and Human Rights (UNGPs) for implementing the United Nations “Protect, Respect and Remedy” Framework. The endorsement effectively established the UNGPs as the main authoritative set of guidelines for states and businesses to prevent, address and remedy any adverse impacts of business activities on human rights. The UNGPs are grounded on three key pillars, which are: (i) the State duty to protect human rights, (ii) the corporate responsibility to respect human rights and (iii) access to remedy. These core requirements of the corporate responsibility to respect human rights are increasingly embedded in international standards, national regulations, investor and customer expectations, industry codes, and civil society benchmarks.

Subsequently, the UN Human Rights Council urged states to develop National Action Plans (NAPs) on Business and Human Rights (BHR) that would define how implementation of the UNGPs would be taken forward. At present, 43 governments and non-state actors (such as national human rights institutions) across Europe, the Americas, Africa and Asia have launched NAPs or NAP-related processes to implement the UNGPs. In Asia, three countries—Thailand, Japan and Pakistan—have successfully launched their NAP, while India, Indonesia, South Korea and Malaysia are in the active process of developing these policy initiatives.

Malaysia’s rapid economic growth has led to significant reductions in poverty and new opportunities for decent work. However, growing concerns over rising inequality, human rights abuses and a host of environmental challenges, are focusing attention on the inherent risks and costs of growth. Exploitation of labour, land rights violations and seemingly irreversible environmental harms, among other impacts, are now recognized for the negative, long-term implications these risks pose to people, the planet and renewed levels of prosperity.

The business and human rights agenda is not foreign to Malaysia and since the last several years efforts have been made by the Malaysian government towards the development of Malaysia’s National Action Plan on Business and Human Rights (NAPBHR). In 2015, the Human Rights Commission of Malaysia (SUHAKAM) published the Strategic Framework on a National Action Plan on Business and Human Rights, articulating a set of policy objectives and related recommendations based on the UN Guiding Principles for the Government’s consideration in developing its NAP BHR. Following this, on 20 June 2019, the Malaysian Cabinet officially agreed to place the human rights agenda under the portfolio of the Minister in the Prime Minister’s Department (Parliament and Law), supported by the Legal Affairs Division (BHEUU). On 24 June 2019, a national high-level dialogue on

business and human Rights, “Towards A Malaysian National Action Plan on Business and Human Rights,” was organized by BHEUU in partnership with UNDP and SUHAKAM as the national level follow-up to Malaysia’s participation at the inaugural 2018 UN South Asia Forum on Business and Human Rights. Subsequently, on 6 December 2019, the Cabinet agreed to develop a National Action Plan on Business and Human Rights.

To further leverage Malaysia’s strong commitment towards developing a NAP, BHEUU and UNDP initiated multistakeholder engagements in 2020 with relevant government ministries and agencies, regulatory and enforcement bodies, the Human Rights Commission of Malaysia (SUHAKAM), the business community as well as civil society organizations (CSOs) to socialize the aims of the NAP, set up the necessary governance structures and mechanisms and formulate a roadmap leading to the development of a zero draft of the NAP BHR. Against this backdrop, on 6 July 2021, the Malaysian government conducted its first National Steering Committee on the NAP BHR, chaired by YB Datuk Seri Takiyuddin bin Hassan, Minister in the Prime Minister’s Department (Parliament and Law), to formally kick-start this NAP process.

As a next key step, a comprehensive data collection process – the National Baseline Assessment – needs to be conducted to ensure the scope and overall parameters of the NAP BHR are well understood. This NBA process is an initiative for the collection and evaluation of reliable data from various stakeholders on topical and critical issues of business and human rights prior to development of NAP. To ensure that the NBA effectively identifies key national issues, it is essential that adequate resources are assigned for this activity. The task to develop the baseline assessment should be allocated to a body with relevant expertise and competence and which is viewed as independent from political affiliation or special interests. The outcome of the baseline assessment should be published and made accessible to all stakeholders once finalized to align with principles of transparency. The NBA shall be conducted by independent consultants and/or experts and the results and findings will be presented to the Steering Committee and Technical Working Committees of the NAP BHR within the stipulated time frame.

## 2. OBJECTIVES

The primary objective of the National Baseline Assessment is to assess the current level of implementation of the UNGPs across Malaysia (Peninsular Malaysia, Sabah and Sarawak). It brings together an analysis of legal and policy gaps in UNGP implementation; documenting the adverse human rights impacts of business operations and identifying the most salient human rights issues in a given context. In this way, it serves to inform the formulation and prioritization of actions in the NAPBHR.

The three areas of priority for the NAPBHR are:

1. Labour
2. Environment
3. Governance

Cross-cutting issues will also feature in the assessment, and these may include, but are not limited to:

1. Gender and non-discrimination
2. Children's rights
3. Digital rights

Embarking on an NBA is also an opportunity to build capacity of stakeholders involved in the research process, and to contribute to transparency and accountability in relation to the specific actions adopted in the NAP. The NBA should subsequently be used to monitor and evaluate whether these adopted actions have had the desired effect.

### 3. SCOPE OF WORK

The NBA is to be completed within a six (6) month period commencing **1 July 2022**. Any extension will be subjected to the approval by UNDP and should not exceed 3 months. An inception report is required at the beginning of the NBA process, and an interim report is required at the three-month mark.

The overall findings of the NBA will be compiled into a full report by **4 January 2023**, unless an extension has been granted. The findings of the NBA shall be presented to the NAP BHR Working Group or other committees as appropriate, on a specified date to be determined and the assessment will be completed by **15 February 2023**. Thus, the **total duration of the assignment is an estimated seven (7) months (barring any extensions)**.

The scope of work includes, but is not limited to, the following:

#### 4. To produce an Inception Report. This result comprises the following major tasks:

- a) Create a research approach and structure, and outline the specific activities to be undertaken, suitable to accomplish the deliverables 2 and 3 listed below;
- b) Conduct preliminary desk research and key interviews with a sample of stakeholders to identify key data points, themes and references;
- c) Based on preliminary research, propose the different chapters to be included in the NBA and outline their contents;
- d) Develop a full list of key stakeholders and a plan for interviews. This should include:
  - Federal and State governments, including all relevant ministries and agencies;
  - Regulatory and enforcement agencies;
  - Businesses, including those representing the largest sectors within the country, small and medium enterprises (SMEs), and business associations including chambers of commerce;
  - The National Human Rights Institution;
  - Complaint bureaus;
  - General society, including groups facing specific Business and Human Rights risks of

particular concern within the national context:

General Description	Proposed Focus Groups/Communities for Consultations
General community	Women/gender, Sexual Orientation, Gender Identity and Expression (SOGIE) , People with Disabilities, children, Indigenous, religious and others
Communities at-risk	Migrants, refugees, asylum seekers, undocumented persons, stateless persons and others
Business community	Businesses, MSMEs, MNCs, suppliers, employers, employees, associations, lobby groups and others
Civil society	Civil society organisations, activists, Human Rights Defenders (HRDs) and others

- International and regional actors, including representatives of UN institutions such as UNDP, UNICEF, ILO, IOM, UNHCR, OECD and the World Bank as well as representatives of ASEAN and South Asia.
- e) Draft and finalize an Inception Report that includes a timeline and expected findings.

**5. To produce an Interim Report. This result comprises the following major tasks:**

- a) Provide context and background on Malaysia's Business and Human Rights landscape and the legal international and national frameworks that govern the priority areas of the NAP BHR;
- b) Reference sources of information on Business and Human Rights that includes:
  - Relevant international instruments and standards i.e., 2030 Agenda, UNGPs, OECD guidelines, human rights conventions, etc.;
  - Policy studies by government agencies;
  - Reports and findings by National Human Rights Institutions (NHRIs) or similar organizations;
  - Relevant statistics and compiled and maintained by the Department of Statistics and other relevant ministries or agencies;
  - Research by higher learning institutions and other research institutions;
  - Other ongoing National Action Plans of BHEUU or other related government agencies such as the National Human Rights Action Plan (2018), National Action Plan for Trafficking in Persons (2021-2025), National Anti-Corruption Plan (2019-2024), National Policy on the Environment (2002), National Action Plan on Forced Labour (2021-2025), etc.;
  - Related Acts, regulations, enactments, guidelines, etc.;
  - Case laws and other judicial precedents.
- c) Review, analyze and synthesize related information, existing programmes, actions and commitments by the Government;
- d) Conduct comprehensive engagements with all relevant stakeholders ensuring meaningful participation of affected or potentially affected rights-holders during all stages of the

assessment process (scoping, data collection through interviews or surveys, baseline development and impact analysis, where possible). Engagement and consultation processes must be inclusive, gender-sensitive and consider the needs of at-risk individuals and groups;

- e) Provide an analysis of the current human rights situation as it relates to business (those that have been properly addressed and those that can be improved);
- f) Provide an analysis of the latest developments and industry practices that cause adverse human rights and environmental impacts, backed up by evidence and referenced through bibliography and/footnotes;
- g) Produce at least six (6) case studies, per thematic area, to be integrated into the final report;
- h) Present a clearly defined list of critical challenges facing Malaysia's vulnerable populations, backed up by quantitative and qualitative data;
- i) Propose impact mitigation measures and remedies based on:
  - a) Identified gaps and priorities;
  - b) Feasible benchmarks or minimum standards to be attained;
  - c) Comparative analysis with other selected jurisdictions;
  - d) Amendments to related laws and legislations, state enactments, regulations and related policies;
- j) Provide a preliminary set of recommendations for state and non-state actors that promote the protection of human rights, environmental conservation and sustainable business, based on the UNGPs and other relevant international instruments such as Goals 8 and 16 of the SDGs;
- k) Present the report to the NAPBHR Working Group on a date to be specified by UNDP.

**6. Validate research findings and complete the final Assessment Report. This result comprises the following major tasks:**

- a) Validate research findings through a multistakeholder peer review;
- b) Produce notes (including visual evidence where possible) from all interviews;
- c) Finalise the report;
- d) Present the report to the NAPBHR Working Group on a date to be specified by UNDP.

The schedule of deliverables is outlined under section 5.

#### **4. APPROACH AND METHODOLOGY**

National Baseline Assessments, as a methodology of evaluation, are commonly conducted using a combination of quantitative and qualitative methods. Quantitative methods include surveys to generate new data or, where resources are scarce or reliable data already exists, to extract secondary data, ideally with support from statisticians or specialists. Qualitative methods, such as interviews or focus groups, can be used to gather complementary information about values, opinions, behaviour, and context, such as social and cultural factors.



The method of assessment to be adopted are as follows:

1. Quantitative and qualitative methods which include data-collection and interviews with stakeholders from government ministries or agencies, business entities (by sector), civil society organizations (CSOs), non-governmental and intergovernmental organizations (NGOs), international organizations, Human Rights Defenders and groups affected by adverse human rights impacts of business operations;
2. Public or focus group consultations that **cover all zones in Malaysia i.e., Northern, Central, Southern and East Coast Peninsular, as well as Sabah and Sarawak;**
3. Investigating and adopting collaborative impact monitoring processes as and where appropriate;
4. Involving all relevant State and non-State actors in the assessment, directly including, where possible, vulnerable communities and direct beneficiaries, as appropriate.

Given the context of the ongoing COVID-19 pandemic, all outreach, consultations and data collection measure may be undertaken virtually or in hybrid mode, where possible. This is to ensure the safety of all those involved and to mitigate any other potential risks related to the pandemic.

## 5. DELIVERABLES AND EXPECTED OUTPUTS

The assignment will directly contribute to the fulfilment of deliverables outlined as follows:

Deliverable	Breakdown with Details	Breakdown of Payment	Expected Timeline
<b>D1:</b>	Submit an <b>Inception</b> Report which includes the research approach and structure, and outlines the specific activities to be undertaken.	10%	15 July 2022 (est. 2 weeks)
<b>D2:</b>	Submit an <b>Interim Baseline Assessment Report</b> that provides context and background on Malaysia's Business and Human Rights landscape. The Interim Report is to be presented to the NAPBHR Working Group.	30%	17 October 2022 (est. 3 months)
<b>D3:</b>	Submit a <b>Draft Baseline Assessment Report (V1)</b> that includes a set of recommendations for state and non-state actors.	30%	19 December 2022 (est. 2 months)
<b>D4:</b>	Submit the <b>Final Baseline Assessment Report (V2)</b> complete with all components and incorporating all comments from the NAPBHR Working Group and other relevant groups identified by UNDP.	20%	4 January 2023 (est. 2 weeks)
<b>D5:</b>	Present findings of the <b>Final Baseline Assessment Report (V2)</b> to the NAPBHR	10%	18 January 2023

	Steering and Technical Committees on a date to be determined by UNDP or the Working Group.		(or a date to be determined by the Working Group)
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## 5. EVALUATION CRITERIA

### **Evaluation Criteria**

Offers received will be evaluated using a Combined Scoring method, where the qualifications and proposed methodology will be weighted 70%, and combined with the price offer, which will be weighted 30%.

### **Criteria to be used for rating the qualifications and methodology:**

#### Technical evaluation criteria (total 70 points)

Expertise of the Firm: 20 marks

Proposed methodology: 40 marks

Management structure and qualification of key personnel: 10 marks

Only firms/candidates obtaining a minimum of 49 points in the Technical Evaluation will be considered for the Financial Evaluation.

#### Financial evaluation (total 30 points)

All technically qualified proposals will be scored out 30 based on the formula provided below. The maximum points (30) will be assigned to the lowest financial proposal. All other proposals receive points according to the following formula:  $p \cdot y / (z)$

Where:

- $p$  = points for the financial proposal being evaluated
- $y$  = maximum number of points for the financial proposal price of the lowest priced proposal
- $z$  = price of the proposal being evaluated

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

## 6. GOVERNANCE AND ACCOUNTABILITY

The performance of service will be evaluated based on the quality of deliverables, the relevance to areas of scoping described, applicability of insights and resource mobilization strategy advised during the interventions. If the service provider does not meet the required service level, UNDP will not certify payments for the deliverable i.e., no payment will be made until UNDP certifies and accepts the deliverables. Eventually, if the deliverables are not met as per specifications, the contract may be terminated as per UNDP Procurement rules and regulations.

The service provider is required to work closely with Business and Human Rights Specialist and relevant partners. The overall assignment will be supervised and provided oversight by UNDP's Business and Human Rights Specialist, Governance Team, Research Team and UNDP's BHR Regional Team.

Updates and reports will be submitted in line with the Scope of Work and Deliverables unless otherwise requested by designate. The Service Provider may be requested to present or report on activities to the Country Office and/or Management Team.

The Service Provider will maintain direct communication with the Business and Human Rights Specialist and Governance Team members, and/or other staff in UNDP, in order to ensure delivery of high-quality services tailored for specific audiences.

Final approval on undertaking of specific activities remains with UNDP Malaysia as mentioned above.

## 7. FACILITIES TO BE PROVIDED BY UNDP

The UNDP Team will be available to transfer the specific knowledge needed with regards to the Business and Human Rights Asia project which can be useful for the Service Provider. The UNDP Team will consist of:

- Business and Human Rights Specialist
- Business and Human Rights Regional Team
- Governance Team Members
- Research Team Members
- Management Team

UNDP will support the Service Provider in gaining access to relevant and needed information. If required, the service provider will identify the need for the meetings and will conduct the consultation meetings in collaboration with UNDP.

The implementation of this activity does not foresee support personnel or logistic support to be provided by UNDP at any stage of implementation.

## 8. EXPECTED DURATION OF THE CONTRACT

The timeframe for delivering services under this Terms of Reference begins with the date of the signature and ends an estimated seven (7) months upon date of signature with the possibility of extension of a maximum of three (3) months, depending on needs, satisfactory performance, and budget availability.

The assignment is estimated to commence **1 July 2022**. The assignment will need to be completed by **15 February 2023** at the latest, unless otherwise agreed upon with UNDP and partners.

## 10. PROFESSIONAL QUALIFICATIONS OF THE SUCCESSFUL SERVICE PROVIDER AND KEY PERSONNEL

In order to ensure delivery of high-quality capacity building services, the successful Service Provider is expected to have strong and proven experience in conducting comprehensive baseline assessments or evaluations in the country and/or around the region, familiarity with key international BHR frameworks and systems, as well as the understanding and ability to relate to any / all of the cultures / targeted audiences in the country.

Required qualifications for the registered organization
<ul style="list-style-type: none"> <li>• Minimum 3 years of experience in human rights, business and human rights, responsible business conduct, social or environmental law, labour rights, governance, or closely related disciplines;</li> <li>• Minimum 3 years of quantitative and qualitative research and data collection experience in the field of human rights, business and human rights, responsible business conduct, social or environmental law, labour rights, governance, or related disciplines;</li> <li>• Proven track record of producing high quality research and analysis reports;</li> <li>• Experience working with the Government of Malaysia is desirable;</li> <li>• UN experience with sound understanding of UN systems and of UNDP mandates is an asset.</li> </ul>

The successful Service Provider is expected to establish a team with the following professional experience of key staff. The assembled team must have **joint expertise in all of the three priority areas – labour, environment and governance – as well as law/legal frameworks**. Any combination is sufficient as long as the team meets this overall requirement.

Below **serves as a guide**; however, experiences and number of persons are not limited to the following:

Position	Qualifications
<b>Research Consultant (Lead)</b>	<ul style="list-style-type: none"> <li>• Master's degree or equivalent in law/human rights/ international relations/development studies/ business studies/social science or any other related field;</li> <li>• At least 6 years of experience working on issues related to human rights and/or labour rights, responsible business conduct, business and human rights, social, labour or environmental law, governance or related topics;</li> <li>• Experience in conducting large-scale research or assessments;</li> <li>• Experience working with CSOs, NGOs, INGOs or any UN agencies is desirable;</li> <li>• Fluency in English and Bahasa Malaysia.</li> </ul>
<b>Research Consultants (Team Members)</b>	<ul style="list-style-type: none"> <li>• Bachelor's degree or equivalent in law/human rights/ international relations/development studies/ business studies/social science or any other related field;</li> </ul>

	<ul style="list-style-type: none"> <li>• At least 4 years of experience working on issues related to human rights and/or labour rights, responsible business conduct, business and human rights, social or environmental law, governance or related topics;</li> <li>• Experience in conducting large-scale research assessments is desirable;</li> <li>• Experience working with CSOs, NGOs, INGOs or any UN agencies is desirable;</li> <li>• Fluency in English and Bahasa Malaysia.</li> </ul>
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### **Corporate Competencies**

- Displays cultural, gender, religion, race, nationality, and age sensitivity and adaptability;
- Demonstrates diplomacy and tact in dealing with sensitive and complex situations;
- Strong communication, team building, interpersonal, analysis, and planning skills.

### **Professionalism**

- Demonstrates professional competence and mastery of the subject matter;
- Demonstrated ability to negotiate and apply good judgment;
- Shows pride in work and in achievements;
- Is conscientious and efficient in meeting commitments, observing deadlines and achieving results.

### **Planning & Organizing**

- Organizes and accurately completes multiple tasks by establishing priorities while taking into consideration special assignments, frequent interruptions, deadlines, available resources and multiple reporting relationships;
- Plans, coordinates and organizes workload while remaining aware of changing priorities and competing deadlines;
- Establishes, builds and maintains effective working relationships with staff, partners and beneficiaries to achieve the planned results.

## **11. REPORTING**

Reporting is considered as the formal presentation of relevant indicators / information and is related to service delivery under these Terms of Reference. The Consultant(s) is/are expected to provide updates or reports for approval by the designate representatives. Following updates or reports are required:

### **g) Activity updates**

Bimonthly updates should be planned in consultation with the NAPBHR Working Group that includes the Legal Affairs Division (Prime Minister's Department), SUHAKAM and UNDP. Updates may also be requested as and when required.

### **h) Inception Report**

Submitted as the first deliverable, by 15 July 2022.

i) **Interim Baseline Assessment Report**

Submitted as the second deliverable, by 15 October 2022, followed by a presentation to the NAPBHR Working Group.

j) **Draft Baseline Assessment Report (V1)**

Submitted as the third deliverable, by 19 December 2022.

k) **Final Baseline Assessment Report (V2)**

Submitted as the fourth deliverable, by 4 January 2023 (barring any extensions), followed by a presentation to the NAPBHR Working Group.

l) **Final Presentations**

Present findings of the Final Baseline Assessment Report (V2) to the NAPBHR Steering and Technical Committees on 18 January 2023, or a date/dates to be determined by UNDP or the Working Group.

The breakdown of the payment terms is as below:

1. Upon submission and acceptance of deliverable 1: 10%
2. Upon submission and acceptance of deliverable 2: 30%
3. Upon submission and acceptance of deliverable 3: 30%
4. Upon submission and acceptance of deliverable 4: 20%
5. Upon submission and acceptance of deliverable 5: 10%

Payments will be made based on successful achievement delivery of the deliverables as indicated in the TOR under “Deliverables and Expected Outputs” ‘with written acceptance by UNDP.

**Remark:** UNDP holds the right to reject development or implementation of some of assignment tasks or to reduce the scope of assignment tasks. In that case, the price of the rejected or reduced tasks would be subtracted from the total price.

TECHNICAL PROPOSAL SUBMISSION FORM<sup>7</sup>

*(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery<sup>8</sup>)*

[insert: Date]

To: UNDP Malaysia

Dear Sir/Madam:

We, the undersigned, offer to provide **Proposal to conduct a National Baseline Assessment (NBA) on Business and Human Rights in Malaysia** in accordance with your Request for Proposal No. **MyRFP2022-007** dated: **27 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.*

<sup>7</sup> Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

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.

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: \_\_\_\_\_



## FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL<sup>9</sup>

***(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery<sup>10</sup>)***

[insert: Location].

[insert: Date]

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

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date], and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

### A. Qualifications of the Service Provider

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

- a) Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;*
- b) Business Licenses – Registration Papers, 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.*

<sup>9</sup> This serves as a guide to the Service Provider in preparing the Proposal.

<sup>10</sup> Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

### 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;*
- d) Sample(s) of repository or knowledge management websites (e.g., for libraries, archives, museums, think tanks, development organisations, and the like).*

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

*[Designation]*

*[Date]*

**(MUST BE PASSWORD PROTECTED)**  
**FORM FOR SUBMITTING FINANCIAL PROPOSAL**  
**Ref: MyRFP2022-007**

[insert: *Date*]

We, the undersigned, offer to provide the services for We, the undersigned, offer to provide **Proposal to conduct a National Baseline Assessment (NBA) on Business and Human Rights in Malaysia**.in accordance with your Request for Proposal No. **MyRFP2022-007 dated: 27 May 2022** and our Proposal. 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]

**Cost Breakdown per Deliverable\***

**Table 1: Breakdown of Price per Deliverables/Activity**

<b>No.</b>	<b>Deliverables [list them as referred to in the RFP]</b>	<b>Percentage of Total Price (Weight for payment)</b>	<b>Price- (Lump Sum, All Inclusive) MYR</b>
1	Upon submission and acceptance an Inception Report which includes the research approach and structure, and outlines the specific activities to be undertaken.	10%	
2	Upon submission and acceptance an Interim Baseline Assessment Report that provides context and background on Malaysia's Business and Human Rights landscape. The Interim Report is to be presented to the NAPBHR Working Group.;	30%	
3	Upon submission and acceptance of a Draft Baseline Assessment Report (V1) that includes a set of recommendations for state and non-state actors.	30%	
4	Upon submission and acceptance of the Final Baseline Assessment Report (V2) complete with all components and	20%	

	incorporating all comments from the NAPBHR Working Group and other relevant groups identified by UNDP.		
5	Upon submission and acceptance of present findings of the Final Baseline Assessment Report (V2) to the NAPBHR Steering and Technical Committees on a date to be determined by UNDP or the Working Group.	10%	
Total		100%	

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

**Table 2: Cost Breakdown by Cost Component**

Name	Position	No. of Personnel	Fee Rate (MYR)	No of Days	Total Amount
			A	B	C=A*B
	Lead Research Consultant				
	Team Members				
	Subtotal Professional Fees:				

**Table 3: Breakdown of Other Cost**

Description	UOM	Quantity	Unit Price (MYR)	Total Amount (MYR)
Transportation	1	Lumpsum		
Other Costs (Communication, internet, Survey, study tools, equipment, and requirements, etc.) please specify				
Subtotal Other Costs				

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

*[Designation]*

*[Date]*