

DATE: 21 NOVEMBER 2022

REQUEST FOR PROPOSAL: No. RFP/AZE/014/2022

**FOR THE PROVISION OF LEGAL AID AND COUNSELLING TO IDP AND OTHER
CONFLICT-AFFECTED INDIVIDUALS IN AZERBAIJAN**

CLOSING DATE AND TIME: 12 DECEMBER 2022 – 23:59 HRS BAKU TIME

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has a mandate to help stateless people.

In more than seven decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 17,324 people in more than 135 countries continues to help about 79.5 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environments, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR) in Baku, Azerbaijan invites qualified bidders to submit proposals for Legal Aid and Counselling to IDPs and other conflict-affected individuals in Azerbaijan. The goal of this activity is providing IDP from Karabakh and seven adjacent districts with an access to legal aid and counselling services.

The aspiring bidders that will submit bid for this RFP should be registered with the relevant authorities in Azerbaijan for providing such services **as commercial entities**. Please submit your registration certificate under the technical offer. **Offers without such certificates may be disqualified.**

IMPORTANT: ONLY COMMERCIAL ENTITIES CAN APPLY TO THIS RFP.

UNHCR may award Service Contract with initial duration of 1 one year, potentially extendable for a further period of 1 (one) year. The successful bidders will be requested to maintain their quoted price model for the duration of agreement.

The estimated annual requirement of UNHCR is specified in Annex A.

Please note that figures have been stated in order to enable bidders to have an indication of the projected requirements. It does not represent a commitment that UNHCR will purchase a minimum quantity of services. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders against the Service Contract.

IMPORTANT:

When a Service Contract is awarded, either party can terminate the agreement only upon 30 days' notice, in writing to the other party.

The initiation of conciliation or arbitral proceedings in accordance with **article 19** "settlement of disputes" of the UNHCR General Conditions of Contracts for provision of Goods and Services shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

It is strongly recommended that this Request for Proposal and its annexes be read thoroughly. Failure to observe the procedures laid out therein may result in disqualification from the evaluation process.

Sub-Contracting: Please take careful note of article 5 of the attached General Terms and Conditions (Annex D).

Note: this document is not construed in any way as an offer to contract with your firm.

2. BIDDING INFORMATION:**2.1. RFP DOCUMENTS**

The following annexes form integral part of this Request for Proposal:

- Annex A: Terms of Reference (TOR)
- Annex B: Financial Offer Form
- Annex C: Vendor Registration Form
- Annex D: UNHCR General Conditions of Contracts for the Provision of Services – 2018
- Annex E: UNHCR Supplier Code of Conduct

2.2 ACKNOWLEDGMENT

We would appreciate your informing us of the receipt of this RFP by return e-mail to azebabid@unhcr.org as to:

- Your confirmation of receipt of this RFP
- Whether or not you will be submitting a bid

IMPORTANT:

Failure to send the above requested information may result in disqualification of your offer from further evaluation.

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any request for clarification in respect of this ITB by e-mail to Reyhan Talibova, Supply Associate both at azebabid@unhcr.org and talibova@unhcr.org.

The deadline for receipt of questions is 23:59 hrs BAKU time on 29 November 2022.

IMPORTANT:

Please note that Bid Submissions are **not** to be sent to the e-mail addresses above. Failure to comply with this provision may result in disqualification.

For the purpose of closer familiarization with the requirement and the selection process, UNHCR would like to organize an information session related to addressing questions about Terms of Reference, tender submission and implementation modalities. Interested bidders/companies should register their interest by sending email to the mailbox

(azebabid@unhcr.org and talibova@unhcr.org) with a subject line: “RFP/AZE/014/2022 Info session+ [name of your company]” by 29th of November 2022. In the email please indicate the full name, position and email address of your representative that would like to participate in the information session.

Info session will take place online through MS TEAMS platform. Exact date and time will be communicated to interested and registered parties in advance.

In addition to the session described above, bidders are required to submit any request for clarification or any question in respect of this RFP by e-mail to azebabid@unhcr.org and talibova@unhcr.org.

Bidders are requested to keep all questions concise. UNHCR will share the answers to such questions with all interested and known bidders, especially those that will registered for the Question and Answer’s session. Deadline for receipt of questions via email is COB 29th of November 2022.

2.4 **YOUR OFFER**

IMPORTANT:

Cancellation of Solicitation: UHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

Your offer shall be prepared in English.

Please submit your offer using the Annexes provided. Offers not conforming to the requested formats may be not taken into consideration.

IMPORTANT:

Inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than through the submission modality may result in disqualification of the offer. Please upload your bid directly through the address provided in the “Submission of Bid” section 2.6) of this RFP.

Your offer shall comprise the following two sets of documents:

- Technical offer
- Financial offer

2.4.1 **Content of the TECHNICAL OFFER**

The Terms of Reference (TOR) of the services requested by UNHCR can be found in **Annex A**.

Your technical offer shall be prepared in English, while the officially issued supporting documents by the authorities of Azerbaijan(1.1) can be submitted in Azerbaijani language in an ordinary scanned photocopy form. The selected bidder will have to provide a Certified Copy or original document on a later stage. There is no need to submit original documents at this stage.

1. The technical component of your proposal should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

a) *Description of the Entity and qualifications*

A brief description and an outline of recent experience or projects of a similar nature. You must also provide references, and any information that will facilitate our evaluation of your substantive reliability and managerial capacity to provide the services within the proposed timeframe.

b) *Understanding of the Requirements for Services, incl. Assumptions*

Include any assumptions as well as comments on the requirements as indicated in the TOR, or as you may otherwise believe to be necessary.

c) *Proposed Approach, Methodology, Timing and Outputs*

Any comments or suggestions on the TOR, as well as your detailed description of the manner in which your entity would respond to the TOR.

d) *Proposed personnel to carry out the assignment*

The proposed candidate(s), with their qualifications and experience. UNHCR may meet with your personnel prior to making a final decision. The CVs of the proposed candidates have to be submitted in English for the purpose of evaluation

2. **UNHCR General Conditions for Provision of Services:** Your technical offer should contain your acknowledgement of the UNHCR General Conditions for Provision of Services by signing **Annex D**.

However, please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions for Provision of Services.

3. **Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex C**).

Important notes:

- **A supplier visit may be required to complement the narrative of the technical evaluation.**
- **Including pricing information in your technical offer will disqualify your bid**

2.4.2 Content of the FINANCIAL OFFER

Your separate **Financial Offer** must contain an overall offer in AZN.

The financial offer must cover all the services to be provided (price "all inclusive").

The financial offer shall include the following information:

- a) All-inclusive rates
- b) Other costs, if any (indicating nature and breakdown).
- c) Any assumption made for the provision of the estimates without compromising the delivery of services.
- d) A proposed schedule of payments, all of which must be expressed, and will be affected in the currency of the proposal.

The Financial Offer is to be submitted as per the Financial Offer Form (**Annex B**). Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. With this regards, price has to be given without VAT.

You are requested to hold your offer valid for [90] days from the deadline for submission. UNHCR will make its best effort to select a company within this period.

UNHCR's standard payment terms are within 30 days after satisfactory implementation and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment.

2.5 BID EVALUATION:

Each proposal from a Bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will be not considered. Award of a previous contract with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject.

2.5.1 Supplier Registration:

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents. The investigation involves consideration of several factors such as:

- Financial standing;
- Core business;
- Track record;
- Contract capacity.

Failure to provide the abovementioned documentation, might lead to disqualification.

2.5.2 Technical and Financial evaluation:

The technical offers will be evaluated first. The minimum passing scoring for the technical offers is 50% (30 points) of the total obtainable points under the technical component. Offers which technical offers will not meet the passing threshold will be returned to the bidder without opening the financial offers.

Your submissions will be evaluated through a combined system evaluating the quality of the proposal 60% and the financial offer 40%. A point system will be used in evaluating the technical offer (quality) of the proposals, taking into consideration the technical expertise and experience of the personnel assigned and price proposed. The number of points assigned to each component will be determined based on the following criteria:

Component	Maximum Points	Score breakdown
Approach/Methodology	20	Highest points will be awarded to the proposal with best evaluated methodology while the other proposals will receive points in reversal.
Qualification of Personnel	20	Highest points attributed to the professional/ experienced personnel based on the information provided in the CVs. Please submit maximum 10 CVs in English for the key personnel for the project.
Prior experience in the project area of legal assistance to vulnerable and marginalized groups.	20	Highest points attributed to the best performance record and relevant experience. The years of relevant experience will be evaluated based on: a) Registration Certificate b) CV of the proposed Project Manager c) CVs of the proposed key personnel . d) reference letters from your past clients/donors in the area of legal assistance to vulnerable and marginalized groups

Financial Offer and Evaluation

The Financial Offers shall be clearly separated by uploading them to the appropriate category in the system. **Including pricing information in your technical offer will disqualify your bid**

The financial offer should be printed, signed and stamped by your side.

Also please upload the financial offer in an excel format to enable smoother comparisons of offers.

The **Financial offer** will use the following percentage distribution: **40%** from the total score.

Methodology: The maximum number of points will be allotted to the lowest price offer that is opened and compared among the other submitted bids. All other price offers will receive points in inverse proportion to the lowest price; e.g., [total Price Component] x [AZN lowest] \ [AZN other] = points for other supplier's Price Component.

The financial component will be analyzed only for those suppliers that pass the technical evaluation.

Clarifications of Proposals:

To assist in the examination, evaluation and comparison of proposals UNHCR may at its discretion ask the Bidder for clarification about the content of the proposal. The request for clarification and the response shall be in writing and no change in price or substance of the proposal shall be sought, offered or accepted.

2.6 SUBMISSION OF BID:

Bids should be submitted by file upload to eTenderBox, the online bid registration tool of UNHCR.

The eTenderBox can be accessed via the following URL: <https://etenderbox.unhcr.org> In order to use the eTenderBox, registration on the website is required. The registration is exclusively for eTenderBox and does not replace any other registrations for UNHCR applications. One Supplier should have only one registered e-mail account in the system. Therefore, the Supplier must use only one eTenderBox account for managing its offers to UNHCR. In case the password is forgotten, that account cannot be used anymore and new registration is required. Registration Guide and User Manual of eTenderBox are available at the above URL.

IMPORTANT:

The Technical and Financial Offers shall be clearly separated by uploading them to the appropriate category in the system.

Allowed extensions for files to upload are .doc, .docx, .xls, .xlsx, .rtf, .png, .jpg, .jpeg, .pdf, .txt, .zip, .ppt, .pptx, .bmp, .rar, .gif, .tif and .tiff. Executable files (.exe, .bat, .cmd... etc.) should not be uploaded. The maximum size limit per file is 10MB.

Uploaded files can be amended by the Supplier while the tender is open. The selected files for upload are submitted when the 'Save & Submit' button is clicked on. Therefore, this button has to be clicked before the deadline expires. If done so, the selected files will be submitted and uploaded successfully even if the deadline expires during the file upload. It is the Supplier's responsibility to ensure that all files of the final offer are submitted by the expiration deadline.

Once the deadline for submission is expired, the bid will be automatically closed after which

the uploaded files can be reviewed but options for additional upload and deletion of previously uploaded files are not available anymore.

In order to ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline.

Deadline for submission of bids is: 12 December 2022, 23:59 hrs Baku time.

IMPORTANT:

The system will not allow to upload any bid after this date. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

IMPORTANT:

The Financial offer will only be opened for evaluation if the supplier's technical part of the offer has passed the technical evaluation and has been accepted by UNHCR as technically compliant.

UNHCR will not be responsible for locating or securing any information that is not identified in the bid. Accordingly, to ensure that sufficient information is available, the bidder shall furnish, as part of the bid, any descriptive material such as extracts, descriptions, and other necessary information it deems would enhance the comprehension of its offer.

2.7 BID ACCEPTANCE:

UNHCR reserves the right to accept the whole or part of your bid, or allow split or partial awards on this project.

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder as part of the finalization of the Purchase Orders for Services.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that UNHCR is not bound to select any of the firms submitting bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS

Any Purchase Order (PO) issued as a result of this RFP will be made in the currency of the winning offer(s). Payment will be made in accordance to the General Conditions for the Provision of Goods and Services and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by UNHCR business owner.

2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF GOODS AND SERVICES

Please note that the General Conditions of Contracts (**Annex D**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.



Reyhan Talibova
Supply Associate
UNHCR Baku