



Date: 15 May, 2020

Request for Proposal (RFP) No. 7000004244

Dear Sir/Madam,

The United Nations Industrial Development Organization (UNIDO) hereby invite you to submit a written proposal for the provision of services described herein below by applying the concept and approach as defined in the Terms of Reference (Appendix 1) and related documents attached hereto.

| UNIDO Terms of Reference |
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| Technical guidance and support to conduct a technology needs assessment and a technology action plan for the Democratic Republic of the Congo CTCN request reference number: 2019000037 |
| UNIDO Contact Details |
| UNIDO official dealing with this request: Aymen AHMED |
| e-mail: A.Ahmed@unido.org |
| Address: UNIDO HQ, Vienna, Austria |

To ensure consideration, your complete, detailed proposal should be submitted via the UNIDO eProcurement portal by **2020-06-26 17:00:00** at the latest. **Proposals received after the submission deadline will be invalidated.**

It is your sole responsibility of the vendor to ensure that the proposal is submitted via the UNIDO eProcurement portal in compliance with the terms and conditions of this RFP and by the submission deadline indicated above.

In order to enable you to submit a proposal, this RFP contains the following sections:

Section I: Instructions to Bidders

Section II: Terms of Reference

Section III: Proposal Submission Form(s): System fields and online forms to be completed (found in the Questions tab and Notes & Attachment tab of RFP event in eProcurement portal)

Section IV: Model Contract

Annex A: UNIDO General Conditions of Contract

Annex B : Facilities, Privileges and Immunities Section

Annex C: Instructions for the Dispatch of Reports

This RFP is for the provision of a complete package of technical services and supply with necessary supervision, backstopping and training. It covers a total organizational responsibility as required by the Terms of Reference, dated 15 May, 2020 which are attached hereto as Section II.

The terms and conditions set forth in this RFP will form a part of any contract should UNIDO accept your proposal. Any such contract will require compliance with all factual statements and representations made in the proposal, subject to any modifications to the proposal agreed to by UNIDO in the context of negotiations, in the event that negotiations have been entered into.

Your proposal must be comprehensive and detailed. It must include information in sufficient scope and detail to allow UNIDO to consider whether your company/organization has the necessary capability, experience, knowledge, expertise, financial strength and capacity to perform the specified services satisfactorily. Your proposal shall clearly and concisely respond to all points set out in this RFP. Any proposal which does not fully and comprehensively address this RFP may be rejected.

You should strictly adhere to all requirements of this RFP. No changes, substitutions or other alterations to the technical specifications or to the requirements stipulated in this RFP will be accepted unless approved in writing by UNIDO.

Nothing in or relating to this RFP shall be deemed a waiver, express or implied, of any of the privileges and immunities of UNIDO.

You are invited, immediately after downloading the RFP, to advise UNIDO whether you intend to submit a proposal under this RFP.

In case you have any queries or comments (“requests for clarification”) about this RFP, please upload your requests directly in the eProcurement portal for consideration by UNIDO. In case you have informed via UNIDO's eProcurement portal of your intention to submit a proposal, you will be kept informed throughout the bid submission period of any clarification or amendment notes issued in respect of this RFP.

If you receive information about this RFP from any other source than UNIDO's eProcurement portal, your proposal may be disqualified.

This RFP is not to be construed in any way as an offer to contract with your company/organization.

In this project, time is of the essence. Your ability to commence the services and complete it strictly in accordance with the time frame contained in this RFP will be an important factor in awarding a contract.

We look forward to receiving your proposal.

With kind regards

UNIDO Procurement Services Division
Aymen AHMED/KP

SECTION I - INSTRUCTIONS TO BIDDERS

1. UNIDO'S EPROCUREMENT SYSTEM GUIDANCE

A step-by-step system guide (“UNIDO eProcurement system guide”) for the preparation and submission of proposals by bidders can be downloaded from UNIDO's procurement web site at www.unido.org/procurement. Bidders are strongly encouraged to use UNIDO's eProcurement portal for the preparation and submission of proposals. In the event that a bidder nevertheless wishes to prepare and submit his proposal in hard-copy documents, the provisions of Section I, Instructions to Bidders, shall also apply mutas mutandis in such cases. Please also refer to www.unido.org/procurement.

2. SCOPE OF SERVICES

In response to this RFP, UNIDO invites proposals for the provision of the following services further described in detail in the Terms of Reference, Section II:

| Description of Services | | | |
|-------------------------|-----------------------------|-----------------|----------|
| UNSPSC Code | Item Description | Unit of Measure | Quantity |
| | Technology Needs Assessment | AU | 1.000 |

3. ACKNOWLEDGING PARTICIPATION BY THE BIDDER

Prospective bidders are kindly requested to inform UNIDO whether their company/organization intends to submit a proposal before the deadline specified in the cover letter of this RFP. For this purpose, Please follow the steps described in the UNIDO eProcurement system guide.

4. RFP DOCUMENTS

4.1 Bidders are expected to examine all corresponding instructions, forms, terms and specifications contained in the RFP documents. Failure to comply with these documents will be at the bidders' risk and may affect the evaluation of their proposals.

4.2 A prospective bidder requiring any clarification of the RFP documents may notify UNIDO by uploading his request for clarification in UNIDO's eProcurement portal. UNIDO shall endeavour to reply via the portal to any request for clarification that UNIDO receives not later than one (1) week before the deadline for the submission of proposals. Written copies of the response (including an explanation of the query but without identifying the source of inquiry) will be made available in the portal to all prospective bidders that acknowledged their intention to participate in the RFP.

4.3 No later than one week prior to the deadline for submission of proposals, UNIDO may for any reason, whether at its own initiative or in response to a clarification requested by a prospective bidder, amend the RFP documents. All prospective bidders that have received the RFP documents will be notified in writing of any amendments. In order to afford prospective bidders reasonable time to take the amendments into account in preparing their proposals, UNIDO may, at its discretion, extend the deadline for the submission of proposals.

5. GENERAL ELIGIBILITY AND QUALIFICATION REQUIREMENTS

5.1 UNIDO requires that bidders provide professional, objective, and impartial advice and technical assistance, and at all times hold UNIDO 's interests paramount, without any consideration for future work, and strictly avoid conflicts with

other assignments or their own corporate interests. Bidders shall not be hired for any assignment that would be in conflict with their prior or current obligations to UNIDO, or that may place them in a position of not being able to carry out the assignment in the best interest of UNIDO. All bidders found to have a conflict of interest may be disqualified.

5.2 Without limitation on the generality of the above paragraph, a bidder shall not be eligible to participate in this procurement or be considered for any eventual contract if the bidder, or any employee, executive, manager or director thereof, is associated, or have been associated in the past, directly or indirectly, with a firm or any of its affiliates which have been engaged by UNIDO to provide consulting services for the preparation of the technical specifications, terms of reference or any other substantive documents to be used for the procurement of the services under this RFP.

5.3. Bidders may be requested to provide such evidence of their continued eligibility to UNIDO, as and when UNIDO shall reasonably request.

5.4. Eligibility and qualification will also be based on the bidder meeting the below stated minimum qualification requirements regarding the bidder's general and particular experience, personnel and equipment capabilities, and financial position, as demonstrated by the bidder on relevant forms and templates attached to his proposal:

Qualification Requirements [should be read and completed in conjunction with the requirements specified in the terms of reference and on the "Questions" tab in the system].

| | |
|--------------------------------|---|
| Operational | |
| ABILITY & READINESS | Please confirm your company/organization's ability and readiness to execute an eventual PO in accordance with this tender requirement. Any deviation shall be clearly expressed in your offer. |
| CERTIFICATE OF INCORPORATION | Please confirm that: a) you are registered as a legal entity in accordance with the laws of your country b) You have attached the Certificate to the offer. |
| COMPANY DESCRIPTION/ STRUCTURE | Please confirm that you have included a short company description if available, the organizational structure. |
| CAPACITY OF OPERATIONS | Please confirm your company/organization's capacity of provision of good/ services/works similar to the ones described under this tender. |
| Experience | |
| EXPERIENCE | Please confirm that your company/organization pursues the required experience in the TechSpecs/TOR. |
| REFERENCES | Please confirm that your company has attached references of similar projects to the offer. |
| Ethics | |
| CONFLICT OF INTEREST | Please confirm that none of the bidder's key personnel is associated - financial, family, employment wise - with concerned UNIDO officials, UNIDO experts/ consultants recruited under the relevant project or with UNIDO's counterparts. |

| | |
|--------------------------------|--|
| CONFLICT OF INTEREST STATEMENT | Please confirm that your Company/organization has no conflict of interest as defined in the UNIDO Procurement Manual, sub-chapter 8.3.1, para. 184. |
| Financial | |
| FINANCIAL STATEMENTS | Please confirm that you have enclosed a certified copy of the financial statement for the last 2-3 years of business as well as completed UNIDO Proposer Financial Statement Form. |
| Personnel | |
| CVs | Please confirm that you have attached the CVs of the key staff assigned for provision of goods/services/works under this tender. |

6. PREPARATION OF PROPOSALS

6.1 Cost

The bidder shall bear any and all costs related to the preparation and/or submission of the proposal, regardless of whether his proposal was selected or not. UNIDO shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.

6.2 Language of the Proposal

Unless otherwise specified, the proposal prepared by the bidder and all correspondence and relevant documents exchange with UNIDO relating to the RFP shall be written in English language. Any printed literature furnished by the bidder may be written in another language so long as accompanied by an English translation of its pertinent passages in which case, for purposes of interpretation of the proposal, the English translation shall govern.

6.3 Documents Comprising the Proposal

The proposal shall comprise the following information documents:

- (a) Responses to all qualification requirements directly submitted via UNIDO's eProcurement portal;
- (b) Substantive evidence that the bidder meets all requirements of the RFP. For this purpose, the bidder shall upload duly completed and signed proposal submission form(s) (Section III) in UNIDO's eProcurement portal, including documentation to demonstrate that the bidder meets all requirements of the RFP;
- (c) Proposal price(s) and/or rate(s), directly uploaded in UNIDO's eProcurement portal.

The bidder shall upload in UNIDO's eProcurement portal both the electronic and pdf versions of all duly completed, stamped and signed proposal submission form(s) and the cost-breakdown template. All signatures shall be effected by a duly authorized representative of the bidder.

6.4 Proposal Submission Form(s)

Subject to the detailed Terms of Reference contained in each RFP, the bidder shall structure the technical and commercial part of his proposal by following the specific guidance contained in the proposal submission form(s) which have been uploaded in UNIDO's eProcurement portal (including but not limited to the UNIDO Budget Allocation template, Proposer Financial Statement Form, Bank Information Form).

The operational and technical part of the proposal should not contain any pricing information on the services offered. In addition, the bidder is asked to use the own format when preparing the technical proposal.

It is advisable that the bidder's proposal numbering system corresponds with the numbering system used in the Terms of Reference, Section II of the RFP, as well as the price schedule numbering in UNIDO's eProcurement portal. All references to descriptive material and brochures should be included in the appropriate response paragraph, though material/documents themselves may be provided as separate attachments uploaded in the portal.

Information which the bidder considers proprietary, if any, should be clearly marked "proprietary" next to the relevant part of the text and all efforts will be made to treat it accordingly.

When the bidder intends to obtain from sub-contractors highly specialized and substantive inputs essential for the execution of the contract under consideration, all details required from the bidder shall also be provided for each such proposed sub-contractor.

Other information/documentation requested in this RFP or which the bidder deems relevant for submission may be uploaded as an attachment to his proposal in UNIDO's eProcurement portal.

6.5 Proposal Price(s)

The bidder must upload s eProcurement portal his proposed price(s) and/or fee(s) in the relevant price fields which have been designated for this RFP. Depending on the RFP, a separate price schedule or cost-breakdown template may be attached in the portal for completion by bidders.

All price(s) and fee(s) shall be quoted in USD.

By uploading commercial and/or price related information on UNIDO's eProcurement portal, the bidder agrees and accepts the following terms and conditions:

- a As total consideration for the services offered, the bidder's best firm fixed price in USD to complete the proposed services (please refer to UNIDO's eProcurement system guide). Discounts, if any, which the bidder may wish to grant to UNIDO and the terms of such discounts shall be indicated separately in the appropriate field in the portal.
- b A detailed cost breakdown of the firm, fixed price referred to in sub paragraph a) above, highlighting the costs foreseen to perform the different activities, divided by main categories (e.g. personnel, travel and local costs, materials, other related costs broken down by items, etc.) in accordance with the below instructions and the attached cost breakdown template (excel format).

In addition to the cost breakdown template, the bidder shall, in good faith, submit any additional data, supporting document and information, which are reasonably required in order to allow UNIDO to perform a proper examination and evaluation of all proposed prices. Failure to furnish all information requested on the cost breakdown template may render a proposal non-responsive.

If a cost is included in a particular item, do not duplicate the cost or any portion thereof in another item on the form.

For professional services please state the names and position titles of each proposed member of key professional staff who is expected to perform substantive part(s) under the contract, the number of man-months, man-weeks or man-days each will perform and the proposed unit and total costs. For each member, the assignment should be segregated into work performed within the relevant project area (work to be performed in the area covered by the project and/or outside the contractor's office; if applicable) and at the home office (work performed in the contractor's office; if applicable). All costs relating to social security, taxation, overhead, travel, profit, etc should be included in the unit and total costs figures.

Travel costs (if applicable), in connection with the execution of the services shall include information such as: round or one way trip; origin and destinations; mode of transportation (air, train, car, etc.); cost per trip including airfare amounts. Air travel shall be shown at the economy class rates and/or similar.

6.6 Validity

Proposals shall remain valid for sixty (60) days after the deadline for submission of proposals. A proposal valid for a shorter period may be rejected by UNIDO on the grounds that it is non-responsive.

In exceptional circumstances, UNIDO may solicit the bidder's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. A bidder granting the request will not be required nor permitted to modify his proposal.

7. WITHDRAWAL AND MODIFICATION OF PROPOSALS

The bidder may withdraw his proposal after the proposal's submission, provided that written notice of the withdrawal is received by UNIDO prior to the deadline prescribed for submission of proposals. Please refer to the UNIDO eProcurement system guide for guidance.

No proposal may be modified subsequent to the deadline for submission of proposals.

No proposal may be withdrawn in the interval between the deadline for submission of proposals and the expiration of the period of proposal validity specified by the bidder in his proposal.

8. FORMAT AND SIGNING OF PROPOSAL

The proposal must be submitted directly via the UNIDO eProcurement portal.

By uploading the proposal in UNIDO'S eProcurement portal, the bidder (i) confirms that his proposal has been approved by a duly authorized representative of the bidder and (ii) agrees and acknowledges to be bound by the terms and conditions of the RFP.

9. OPENING AND EVALUATION OF PROPOSALS

9.1 Opening of Proposals

All proposals submitted prior to the prescribed deadline for submission of proposals will be opened for access by UNIDO'S authorized staff at a preset opening date specified in UNIDO'S eProcurement portal.

Any proposal received by UNIDO after the deadline may be rejected and returned unopened to the bidder.

9.2 Clarification of Proposals

To assist in the examination, evaluation and comparison of proposals, UNIDO may at its discretion ask the bidder for clarification of his proposal. The request for clarification and the response thereto shall be in writing and no change in price or substance of the proposal shall be sought, offered or permitted. Failure of any bidder to timely and duly respond to a request for clarification may result in the rejection of his proposal.

9.3 Preliminary Examination

UNIDO will examine the proposals to determine whether they are complete, whether any computational/arithmetical errors have been made, whether the documents have been properly signed, and whether the proposals are generally in order.

Arithmetical errors will be rectified on the following basis: If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If the bidder does not accept the correction of errors, his proposal will be rejected. If there is a discrepancy between words and figures the amount in words will prevail.

Prior to the detailed evaluation, UNIDO will determine the substantial responsiveness of each proposal to the qualification requirements and mandatory technical and commercial evaluation criteria specified for this RFP. For the purpose of this clause, a substantially responsive proposal is one which conforms to all the terms and conditions of the RFP without material deviations. UNIDO 's determination of a proposal's responsiveness is based on the contents of the proposal itself without recourse to extrinsic evidence.

A proposal determined as not substantially responsive will be rejected by UNIDO and may not subsequently be made responsive by correction of the non-conformity.

9.4 Evaluation and Comparison of Proposals

A two-stage procedure is utilised in evaluating the proposals, with evaluation of the technical parts of the proposals being completed prior to the price-related parts of the proposals being reviewed.

In the first stage, UNIDO will evaluate the technical parts of the proposals on the basis of their responsiveness to the Terms of Reference in particular and the RFP in general, applying the following evaluation criteria:

| Technical Evaluation Criteria [should be read and completed in conjunction with the requirements specified in the Terms of Reference and on the "Questions" tab in the system]. | |
|--|--|
| LANGUAGE REQUIREMENTS | Please confirm that your proposed members of Key Personnel posses the required language qualifications specified in the ToR. |
| TIMELINE | Please confirm your ability to provide the good/services/works in accordance with the timeline indicated in the bidding documents. |
| TECHNICAL REQUIREMENTS | Please confirm compliance with and understanding of the Terms of Reference/ Technical Specifications/Statement of Works. |
| Commercial Evaluation Criteria [should be read and completed in conjunction with the requirements specified in the Terms of Reference and on the "Questions" tab in the system]. | |
| CTCN MEMBERSHIP | Please confirm if you are not a member of the CTC Network that you have submitted your completed application for the CTC Network by submission date. |
| MODEL CONTRACT & GCC | Please confirm that you have read and agree to the UNIDO Model Contract including its General Conditions of Contract. |

As part of the evaluation process, UNIDO reserves the right to waive minor deviations from the requirements and criteria, if they do not materially affect the capability and/or capacity of a bidder to perform the contract under consideration.

Each responsive proposal will at the first stage be technically evaluated. A proposal shall be rejected at this stage if it fails to meet the technical requirements.

In the second stage, the price-related parts of all proposals, which were found to be substantially responsive and technically acceptable, will be compared.

10. SELECTION CRITERIA

In due consideration of UNIDO's procurement principles namely, best interest of the organization and best value for money, the contract shall be awarded to the qualified bidder whose proposal has been found substantially responsive, technically acceptable and offering the lowest cost to UNIDO.

11. CONTRACT AWARD

The contract will be awarded subject to (i) where relevant, successful negotiations of the contract, and (ii) approval of contract award by the relevant authorized official of UNIDO.

UNIDO will notify the successful bidder in writing that his proposal has been accepted. Following the signature of the contract with the successful bidder, UNIDO will notify unsuccessful bidders.

12. RETENTION OF PROPOSALS

Following submission of the proposals and final evaluation, UNIDO will retain the proposals of both the successful and unsuccessful bidders.

13. TYPE OF CONTRACT

A firm, fixed price is contemplated for the contract under consideration, covering all inputs required by the contractor as stated in the Terms of Reference (Section II) and the model contract (Section IV) of the RFP.

14. NO COMMITMENT

This RFP does not commit UNIDO to award a contract. UNIDO reserves the right to accept or reject any proposal(s), or to annul this RFP and reject all proposals, at any time prior to award of contract, without thereby incurring any liability to the affected bidder(s) or any obligation to inform the affected bidder(s) of the reasons for UNIDO action.

UNIDO also reserves the right to negotiate and award only a portion of the requirement; to negotiate and award separate or multiple contracts for the elements covered by this RFP in any combination it may deem appropriate, in its sole discretion; to add new considerations, information or requirements at any stage of the procurement process, including during negotiation with bidders; and reject the proposal submitted by any bidder that has previously failed to perform properly or on time contracts of a similar nature, or of a vendor that, in the opinion of UNIDO, is not in a position or is not sufficiently qualified to perform the contract.

This RFP contains no contractual proposal of any kind; any proposal submitted will be regarded as a proposal by the bidder and not as an acceptance by the bidder of any proposal by UNIDO. No contractual relationship will exist except pursuant to a written contract document signed by the authorized official of UNIDO and by the successful bidder(s) chosen by UNIDO.

15. SIGNING OF CONTRACT

After the successful bidder's acceptance of the UNIDO contract award, UNIDO will send the bidder the contract documents incorporating all agreements between the parties. The successful bidder shall sign and date the contract and return one original set of the contract documents to UNIDO no later than two (2) weeks of the receipt of the contract documents.

16. CONTRACT BASIC TERMS AND CONDITIONS

Except as otherwise required by the circumstances of the case, the contract for the proposed services will be based upon the terms and conditions of the attached Model Contract, Section IV, of the RFP.

17. PAYMENT

Payment will normally be made in accordance with the terms specified in the Model Contract. The Financial Regulations and Rules of UNIDO preclude payment by letters of credit. Such provision in a proposal will be prejudicial to its evaluation by UNIDO. The normal terms of payment by UNIDO are 30 days upon satisfactory delivery of goods or performance of services and the acceptance thereof by UNIDO, whichever is later. Progress payments may be allowed upon agreement between the parties. Bidders must therefore clearly specify in their proposals if they offer payment terms different from those specified by UNIDO.

18. CONFIDENTIALITY

It is understood that this RFP is confidential and proprietary to UNIDO, contains privileged information, part of which may be copyrighted, and is received by bidders on the condition that no part thereof or any information concerning it may be copied, exhibited, or furnished to others without the prior written consent of UNIDO. This condition may be exempted to the extent that the bidder may exhibit part or parts of the RFP to prospective sub-contractors for the sole purpose of obtaining proposals from them. Notwithstanding any other provisions in this RFP, bidders will be bound by the contents of this Article whether or not their company submits a proposal or responds in any other way to this RFP.

Information relating to the examination, evaluation, and comparison of proposals, and the recommendation of contract award shall not be disclosed to bidders or any other persons not officially concerned with such process.

Any effort by a bidder to influence UNIDO in the examination, evaluation and comparison of the proposals or contract award decisions may result in the rejection of his proposal.

From the time the proposals are opened to the time the contract is awarded, if any bidder wishes to contact UNIDO on any matter related to his proposal, he should do so in writing to the address indicated in the cover note of this RFP.

19. EXTENDED DESCRIPTION

UNIDO will notify the successful bidder in writing that his [bid/proposal] has been accepted. Upon signature of the [purchase order/LTA] with the successful bidder, UNIDO will notify each unsuccessful bidder of the outcome of the [ITB/RFP]. For awards exceeding EUR 200,000 (or equivalent) in value, award notices will be published on the UNGM (www.ungm.org) and UNIDO (www.unido.org) websites, providing information on the [ITB/RFP] number, brief description of the services/goods procured, date and amount of the award, name of the contractor, and beneficiary country.