



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

DATE: 25 April 2024

REQUEST FOR PROPOSAL: No. RFP/CAI/001/24

**FOR THE ESTABLISHMENT OF A FRAME AGREEMENT
FOR THE PROVISION OF LEGAL SERVICES TO UNHCR-EGYPT**

CLOSING DATE AND TIME: 19 May 2024 – 23:59 hrs Egypt 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 coordinate 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 five decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 6,600 people in more than 110 countries continues to help about 34 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), UNHCR-Egypt Operation, invites qualified suppliers to make a firm offer for the establishment of one (1) or more Frame Agreement(s) for the provision of legal services.

IMPORTANT:

The Terms of Reference (ToR) are detailed in **Annex A** of this document.

UNHCR may award Frame Agreement(s) with an initial duration of 2 (two) years, 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 the agreement.

The estimated annual requirement of UNHCR is for a minimum 1,000 and a maximum of 4,000 legal cases.

Please note that these figures have been stated in order to enable bidders to have an indication of the projected requirements. They do not represent a commitment that UNHCR will purchase a minimum quantity of the services. The actual volume of the needs may vary and will depend on the confirmed requirements and funds available regulated by the issuance of individual Purchase Orders against the Frame Agreement.

Other United Nations Agencies, Funds and Programmes shall be entitled to the same prices and terms as those contained in the offers of the successful bidders and could form the basis for a Frame Agreement with other UN Agencies.

IMPORTANT:

When a Frame Agreement 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 18** "Settlement of Disputes" of the UNHCR General Conditions of Contracts for the Provision of 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 Conditions of Contract (**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: Technical Offer Form;
- Annex C: Financial Offer Form;
- Annex D: UNHCR General Conditions of Contracts for the Provision of Services – *July 2018 Revision*;
- Annex E: UN Supplier Code of Conduct;
- Annex F: Statement on non-inclusion in the UN and EU vendor ineligibility lists;
- Annex G: UNHCR Vendor Registration Form;
- Annex H: e-TenderBox Supplier Registration Guide;
- Annex I: e-TenderBox Supplier User Manual.

2.2 ACKNOWLEDGMENT

We would appreciate your informing us of the receipt of this RFP by return e-mail to ARECASUP@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 or any question in respect of this RFP by e-mail to ARECASUP@UNHCR.ORG. *Please reflect the tender reference no. **RFP/CAI/001/24** in your email subject field; failure to do so may leave your query non-responded.* **The deadline for receipt of questions is on 08 May 2024 23:59 hrs. Egypt time.** Bidders are requested to keep all questions concise.

All questions asked by bidders and their answers will be timely sent to all those email IDs from where questions were received as well as these will be uploaded on the same websites where the tender documents are made available.

IMPORTANT:

Please note that Bid Submissions are **NOT** to be sent to the e-mail address above. Bids should be sent **ONLY** via the e-TenderBox tool.

2.4 **YOUR OFFER**

IMPORTANT:

Cancellation of Solicitation: UNHCR 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 the submission e-mail address will result in disqualification of the offer.

Please upload your bid directly to e-Tenderbox as explained in the “Submission of Bid” section 2.6 of this 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**

IMPORTANT:

No pricing information should be included in the Technical Offer. Failure to comply may risk disqualification. The technical offer should contain all information required.

The Terms of Reference (ToR) of the services requested by UNHCR can be found in **Annex A**. Clearly state and disclose any discrepancies with the specifications given.

Your technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

- **Description of the company and the company’s qualifications**
Description of your company with the following documents:
 - Company’s profile;
 - Company’s business registration certificate;
 - Year founded;
 - If multi-location company, specify headquarters location;
 - Number of similar and successfully completed projects;
 - Number of similar projects currently underway;
 - Size and structure of the company (preferably in a form of an organigram);
 - Valid BAR association certificate;
 - Total number of clients;

- References from major clients.

Include any information that will facilitate our evaluation of your company's substantive reliability, financial and managerial capacity to provide the services.

- **Understanding of the requirements for the offered services.**

- Submit narrative information and supporting documents to demonstrate that the company thoroughly comprehends the objectives and scope of the activities for which it is bidding;
- Identify any constraints or assumptions which have been made in interpreting the requirements, as well as any potential risks associated with these;
- Indicate how your proposed solution to fulfil the requirement aligns with the requirements specified in the ToR and how they plan to meet or exceed these requirements;
- Articulate how their proposed solution adds value and addresses UNHCR needs expressed in the ToR (**Annex A**) effectively.

- **Proposed personnel to carry out the assignment**

The composition of the team you propose to provide.

- Curriculum Vitae of core staff.

- **Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your Technical Office the Vendor Registration Form (**Annex G**).

If your company is already registered with UNHCR, please submit an empty Vendor Registration Form clearly indicating your UNHCR Vendor ID.

- **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.

- **UN Supplier Code of Conduct:** Your Technical Offer should contain your acknowledgement of the UN Supplier Code of Conduct (CoC) by signing **Annex E**. However, please note that submitting an offer is deemed as full acceptance of the UN Supplier CoC.

2.4.2 Content of the FINANCIAL OFFER

Your separate **Financial Offer** must contain an overall offer in a single currency, either in US Dollars or in Egyptian Pounds.

The Financial Offer must cover all the services to be provided (price "all-inclusive").

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

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. Any activity undertaken or expenses incurred in preparation of a contract before an actual contract is signed shall be borne by the Bidder. An advance notice or information of award is not to be considered as a contract.

UNHCR will not provide any advance payments or payments by letter of credit. The standard payment terms are by bank transfer net thirty (30) days after acceptance of contractor's invoice and delivery of the goods to the and/or acceptance by UNHCR of the services.

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 ongoing 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.

For the award of the Frame Agreement(s), UNHCR has established evaluation criteria which govern the selection of offers received. Evaluation is made in three (3) steps (Pre-qualification, Technical and Financial), as described below.

2.5.1 **Pre-qualification**

A prerequisite for any supplier to be deemed eligible for an award of contract is, that the company is not, or not associated with a company or individual, under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Consolidated United Nations Security Council list of ineligible vendors and the EU sanctions list.

The qualified supplier(s) will be added to the UNHCR Vendor Database after investigation of suitability based on the submitted Vendor Registration Form (**Annex G**) and supporting documents.

The following are the criteria based on which UNHCR decides if a company has pre-qualified to be considered for further evaluation:

Pre-qualification Criteria	Merit
1. Availability of valid business (commercial) company registration certificate	Pass/Fail
2. Evidence of providing legal services in Egypt during the past 3 years from the closing deadline of this tender	Pass/Fail
3. Valid BAR Association license to perform legal services in Egypt	Pass/Fail
4. Valid Tax ID	Pass/Fail
5. The personnel proposed for the assignment is represented by males and female	Pass/Fail
6. Acknowledgment of the UNHCR General Conditions of Contract for the Provision of Services	Pass/Fail
7. Acknowledgment for the UN Supplier Code of Conduct	Pass/Fail
8. Confirmation on vendor's non-inclusion in the UN and EU vendor ineligibility lists	Pass/Fail

Only the bidder passing the above pre-qualification will be recommended for further evaluation.

2.5.2 Technical and Financial Evaluation:

For the award of this project, UNHCR has established evaluation criteria which govern the selection of offers received. Evaluation is made on a technical and financial basis. The percentage assigned to each component is determined in advance as follows:

The **Technical Offer** will be evaluated using inter alia the following criteria and percentage distribution: **60%** from the total score:

Weighted Technical Evaluation	Minimum Score	Maximum Score
1. Legal framework		
1.1 Understanding the requirement	0	100
1.2. Responsiveness of the offer vis-a-vis the tendered requirements stated in the ToR (completeness of information and supporting documentation)	100	200
2. Company's Capacity, Experience and Proposed Personnel		
2.1. Relevant expertise in the provision of similar services to other clients (determined through presentation of copies of relevant contracts, purchase orders/work orders)	100	200
2.2. Qualifications and experience of the personnel proposed for the assignment (copies of CVs required)	150	300
2.3. Size and structure of the company	0	100
2.4. References from major clients for similar services	0	100
TOTAL	350	1,000

The cut-off points for submissions to be considered technically compliant will be a total of 350 points from the total maximum obtainable of 1,000 points. Offers attaining lower-than-minimum scores for any one of the above-listed criterion will not be considered for further evaluation and award.

The Technical Offer (TO) Rating will be determined by calculating 60% rasion from the total points obtained for the technical offer, i.e. [TO Rating] x [Weight for TO, i.e. 60%].

The **Financial Offer** (FO) will use the following percentage distribution: **40%** of the total score.

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

The maximum number of points will be allotted to the lowest price offer that is opened and compared among those invited firms. All other price offers will receive points in inverse proportion, as follows: [Lowest Priced Offer / Price of the Offer Being Evaluated] x 40 [i.e. Weight of FO].

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.

For evaluation purposes only, the offers submitted in currency other than US Dollars will be converted into US Dollars using the United Nations rate of exchange in effect on the date the submissions are due.

The award will be made to the highest overall scorer.

2.6 SUBMISSION OF BID:

The offers must bear your official letterhead, clearly identifying your company.

Bids should be submitted by uploading the offers to the e-TenderBox tool
(URL: [HTTP://ETENDERBOX.UNHCR.ORG](http://ETENDERBOX.UNHCR.ORG)).

IMPORTANT:

The Technical Offer and Financial Offer are to be uploaded as separate documents. Failure to do so will result in disqualification. Bids submitted by other means or sent to any UNHCR email address will result in disqualification of the offer.

In order to use e-TenderBox, registration on the website is required. This registration is exclusively for e-TenderBox and does not replace any other registration with UNHCR.

A supplier should have only one registered email account in the system. The supplier must use only that e-TenderBox account for managing its offers to UNHCR. In case the password is forgotten that account cannot be used anymore, and new registration is required. The e-TenderBox Registration Guide and Use Manual are available at the above URL and provided as Annexes G and H to this ITB.

Allowed extension for files to upload are .doc, .docx, .xls, .xlsx, .rtf, .png, .jpg, .jpeg, .pdf, .txt, .zip, .ppt, .pptx, .mbp, .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 must 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 bidder's responsibility to ensure that all files of the final offer are submitted by the tender expiration deadline.

SUBMISSION DEADLINE: 19 May 2024 at 23:59 hrs. Egypt time.

IMPORTANT:

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. To ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

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 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 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.

Signature _____ pp _____

**Asmaa Boukhait
Supply Officer
UNHCR CO Cairo**