

REQUEST FOR PROPOSAL

Drafting an Asset Declaration Bill for the Maldives

1. INTRODUCTION

1.1 Purpose

The purpose of this Request for Proposal (RFP) is to invite prospective parties and individuals to submit a technical and financial proposal to draft an Asset Declaration Bill for the Maldives in Dhivehi and English. The RFP provides Service Providers with the relevant operational and performance requirements.

1.2 Coverage & Participation

Transparency Maldives (TM) reserves the right not to enter into any contract, to add and/or delete elements, or to change any element of the coverage and participation prior to the award without prior notification at any time without any liability or obligation of any kind or amount.

2. GENERAL INFORMATION

2.1 The Organization

Transparency Maldives (TM) is a non-partisan organization that endeavors to be a constructive force in society by promoting collaboration and discussion on corruption, transparency, and accountability. TM seeks to engage with stakeholders from all sectors (government, business, political and civil society, among others) to raise awareness of corruptions' detrimental effects on development and society, improve transparency and accountability in governance, and eliminate corruption from the daily lives of people.

Transparency Maldives received formal government registration in 2007, and is the National Chapter of Transparency International in the Maldives.

2.2 Schedule of Events

The following tentative schedule will apply to this RFP, but it may change in accordance with TM's needs or unforeseen circumstances. Changes will be communicated by email to all Service Providers.

| Event | Date |
|---|---------------------|
| Release of RFP | 19 July 2020 |
| Questions from Service Providers Due | 23 July 2020, 11pm |
| Questions and requests for clarification related to this RFP are to be directed in writing to: Leena Ziyad leena@transparency.mv | |
| Answers from TM will be provided in the online document: shorturl.at/nvL35 | 27 July 2020, 5pm |
| RFP Closes – All Bids Due | 9 August 2020, 5 pm |

3. PROPOSAL PREPARATION INSTRUCTIONS

3.1 Service Providers' Understanding of the RFP

In responding to this RFP, Service Providers accept full responsibility to understand the RFP in its entirety, and in detail, including making any inquiries to TM as necessary to gain such understanding. TM reserves the right to disqualify any Service Provider who demonstrates less than such understanding. Further, TM reserves the right to determine, at its sole discretion, whether Service Providers have demonstrated such understanding. Such disqualification shall be at not fault, cost, or liability whatsoever to TM.

3.2 Good Faith Statement

All information provided by TM in this RFP is offered in good faith. Individual items are subject to change at any time. TM makes no certification that any item is without error. TM is not responsible or liable for any use of the information or for any claims asserted there from.

3.1 Communication

Verbal communication shall not be effective unless formally confirmed in writing by a TM staff in charge of managing this RFP process. In no case shall verbal communication govern over written communication.

3.1.1 Service Providers' Inquiries

Applicable terms and conditions herein shall govern communications and inquiries between TM and Service Providers as they relate to this RFP. Inquiries, questions and requests for clarification related to this RFP are to be directed in writing to:

Leena Ziyad
leena@transparency.mv

3.1.2 Formal Communications shall include, but are not limited to:

- Questions concerning this RFP must be submitted in writing.
- Service Providers shall recommend to TM any discrepancies, errors, or omissions that may exist within this RFP. With respect to this RFP, Service Providers shall recommend to TM any enhancements, which might be in TM's best interests.
- Inquiries about technical interpretations must be submitted in writing.

3.1.3 Addenda

TM will make a good-faith effort to provide a written response to the questions or request for clarification that requires addenda per the Schedule of Events in 2.2.

3.2 Proposal Submission

It is mandatory for Service Providers to send a Technical and Financial proposal as separate documents in electronic copy via email to leena@transparency.mv on or prior to 5 pm on 9 August 2020.

The subject line must read "Legal Consultancy" and the attachments must read "Technical proposal" and "Financial proposal". Proposals that do not meet this submission requirement will not be considered for evaluation.

3.3 Criteria for Selection

TM will evaluate bids based on the following criteria:

| | |
|--|------------|
| 1. Technical Proposal | 70% |
| 1.1 Service Provider Experience <ul style="list-style-type: none"> • Experience in legislative drafting (20%) • Experience in legal translation work (Dhivehi and English) (5%) • Demonstrated experience in undertaking research (10%) • List of similar projects and reference contacts (5%) | 40% |
| 1.2. Candidate Qualifications <ul style="list-style-type: none"> • Undergraduate degree in law (15%) • Postgraduate degree in law (10%) • Other training in legal drafting (5%) | 30% |
| 2. Cost Proposal | 30% |

3.4 Selection & Notification

Service Providers determined by TM who possess the capacity to compete for this contract will be selected. The selected Service Provider will be notified via email. Those Service Providers not selected for the negotiation phase will also be notified via email.

4. SCOPE OF WORK & GUIDELINES

Transparency Maldives is seeking a Service Provider to draft an Asset Declaration Bill for the Maldives based on a draft international model law. The Bill must be in English and Dhivehi, and include commentary on the provisions.

Responsibilities of the Service Provider:

- Research the existing Maldivian asset declaration legal framework.
- Conduct stakeholder interviews to identify challenges under the existing legal framework.
- Research international good practices on asset declaration and disclosure legal framework.
- Draft Asset Declaration Bill that is in line with international good practices.
- Conduct consultation workshop with relevant stakeholders.
- Incorporate comments from TM and stakeholders and produce the final draft of the Bill in Dhivehi and English with commentary on the provisions.

Materials Delivered by Service Provider to TM (via email):

- Provide a stakeholder list for both stakeholder interviews and consultation workshop.
- Notes from stakeholder interviews.
- List of sources used to conduct research on international good practices.
- Asset Declaration Bill in Dhivehi and English.
- Commentary in Dhivehi on the provisions in the Asset Declaration Bill.

Assistance and Materials Provided by TM (via email):

- TM's publications on asset declaration.
- Draft international model law on asset declaration.
- Technical input to the process of drafting the bill.
- Assistance in arranging stakeholder interviews, if needed.
- Assistance in arranging consultation workshop, if needed.

5. FUNCTIONAL REQUIREMENTS

Service Providers are expected to start the assignment during August 2020 for a duration of two (2) months.

6. FORM/CONTENT OF THE PROPOSAL

Service Providers must provide the following information in order for their proposal to be considered. Both individuals or teams may submit proposals.

6.1 Details about the Service Provider

- Provide a brief description of the Service Provider, the services provided, and a statement explaining how key team members meet the knowledge and skills needs of the assignment.
- Evidence of successful completion of projects of similar size and complexity. Please provide a list of projects and reference contacts.

6.2 Cost Proposal

- Please see Annex 1 of this RFP.

6.3 Conflict of Interest Declaration

- The Service Provider must provide a conflict of interest declaration with details of potential conflict of interest and how to mitigate them. Failure to declare conflict of interest may result in disqualification of the Service Provider's proposal.

7.ADDITIONAL TERMS & CONDITIONS

7.1 Non-Disclosure Agreement

TM reserves the right to require any respondent to enter into a non-disclosure agreement.

7.2 Costs

The RFP does not obligate TM to pay for any costs, of any kind whatsoever, which may be incurred by a Service Provider or any third parties, in connection with the proposal.

7.3 Intellectual Property

Service Providers should not use any intellectual property of TM including, but not limited to, all logos, registered trademarks, or trade names of TM, at any time without the prior approval of TM, as appropriate.

7.4 Service Provider's Proposals

All proposals and supporting documentation shall become the property of TM, subject to claims of confidentiality in respect of the proposal and supporting documentation.

7.5 Partial Awarding

TM reserves the right to accept all or part of the quotation when awarding the Contract.

7.6 No Liability

TM reserves the right to accept or reject any quotation or stop the procurement process at any time, without assigning any reason or liability.

TM shall not be liable to any respondent, person, or entity for any losses, expenses, costs, claims or damages of any kind:

- Arising out of, by reason of, or attributable to, the Service Provider responding to this RFP; or
- As a result of the use of any information, error, or omission contained in this RFP document or provided during the RFP process.

7.7 Entire RFP

This RFP, any addenda to it, and any attached schedules, constitute the entire RFP.

ANNEX 1: FINANCIAL PROPOSAL

Service Providers are required to prepare a Financial Proposal following the below format and submit as a separate document from the Technical Proposal (see Section 3, 3.2 of the RFP for submission guidelines). Proposals will be disqualified if they are not submitted using this price template.

Pricing must be in Maldivian Rufiyaa.

Bid Title:

Date:

A: Cost Breakdown per Deliverable

| Deliverables (as per RFP) | Price (Lump Sum, All Inclusive) |
|---|------------------------------------|
| Asset Declaration Bill in Dhivehi | |
| Asset Declaration Bill in English | |
| Commentary in Dhivehi on the provisions in the Asset Declaration Bill | |
| Total | |

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

B: Cost Breakdown by Component

| No. | Activities | Quantity | Rate | No. of Days | Total Amount |
|------------|-----------------------------|----------|------|-------------|--------------|
| A | Key Human Resources | | | | |
| 1 | Eg: Legal experts | | | | |
| 2 | Eg: Translators etc. | | | | |
| Subtotal A | | | | | |
| B | Administrative Costs | | | | |
| 1 | Interviews | | | | |
| 2 | Consultation workshops etc. | | | | |
| Subtotal B | | | | | |
| C | Total A+B | | | | |
| D | GST (6%) if applicable | | | | |
| E | Grand Total (C+D) | | | | |

N. B. Administrative and other associated costs, if any, should be built into the above headings proportionately.

Name:

Designation:

Signature:

End of RFP