



REQUEST FOR PROPOSAL

Improving RTI Regulatory Framework

1. INTRODUCTION

1.1 Purpose

The purpose of this Request for Proposal (RFP) is to invite prospective parties and individuals to submit a proposal to conduct a review of the processes, procedures and regulations of the Right to Information (RTI) legal framework and provide recommendations to better facilitate access to information.

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 corruption's 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 | 13 September 2020 |
| Questions from Service Providers Due Questions and requests for clarification related to this RFP are to be directed in writing to: Hassan Hamoodh hamoodh@transparency.mv | 19 September 2020, 11pm |
| Answers from TM will be provided in the online document – https://bit.ly/32nqXE7 | 20 September 2020, 5pm |
| RFP Closes – All Bids Due | 22 September 2020, 5pm |

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 an 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 the 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.

3.3 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.

3.3.1 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:

Hassan Hamoodh

hamoodh@transparency.mv

3.3.2 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.

3.3.3 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.

3.4 Proposal Submission

It is mandatory for Service Providers to send a Technical and Financial proposal as separate documents in electronic copy via email to hamoodh@transparency.mv on or prior to 5pm on 22 September 2020, with the subject line, Proposal: Improving RTI Regulatory Framework.

3.5 Criteria for Selection

TM will evaluate proposals based on the following criteria:

| Selection Criteria | | Points |
|--|-----------------------|------------|
| 1. Technical Proposal | | 70% |
| 1.1 Service Provider Experience The following aspects will be considered strongly under experience and Service Providers are requested to provide references to support their previous work undertaken if possible: <ul style="list-style-type: none"> • Experience in drafting, reviewing and finalizing bills and regulations in the field of human rights, corruption, press freedom/media regulation, or similar area of governance • Direct/specific experience in drafting, reviewing and finalization of the RTI Act and regulation • Translation work undertaken with regard to the Act and regulations of any of the above subject matter • Consideration for the number of bills and regulations drafted, finalized, and translated (in any other subject area) | 25% 5% 5% 5% | 40% |
| 1.2 Candidate Qualification (Following criteria will be considered strongly in weighing qualifications for individuals) <ul style="list-style-type: none"> • Undergraduate degree in law | 15% | 30% |

| | | |
|--|----------------------|-------------------|
| <ul style="list-style-type: none"> • Postgraduate degree in law or other social science degree preferably specializing in human rights, policy and governance • Relevant short term trainings or professional qualifications <p>Additional Notes: For firms, qualification will be assessed based on the combination of the proposed team. Ideally, the team should possess a combination of legal and policy/research experts in the subject area and the team leader should possess a minimum LLB (Masters qualification in law/governance, specializing in human rights, policy and governance is highly desirable).</p> <p>In addition to educational qualification, short-term trainings in the subject area (right to information, governance, human rights etc) will also be considered.</p> <p>Service Providers are requested to submit educational certificates (with transcripts) to support their merit and list relevant short-term trainings undertaken.</p> | <p>10%</p> <p>5%</p> | |
| <p>2. Financial Proposal</p> | | <p>30%</p> |

3.6 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 strengthen the existing RTI legal framework established in 2013.

Responsibilities of the Service Provider:

- Research the existing Maldivian RTI legal framework and international best practices on RTI.
- Meet with stakeholders to identify challenges under the existing legal framework.
- Review current processes, procedures and regulations of the RTI legal framework.
- Provide recommendations to improve the processes, procedures and regulations of the RTI legal framework.

5. FUNCTIONAL REQUIREMENTS

Service Providers are expected to start the assignment during September 2020 for a duration of four (4) months.

6. FORM/CONTENT OF THE RESPONSE

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 Financial 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 shall 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 Service Provider, 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 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, 3.4 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) |
|--|---------------------------------|
| Review current processes, procedures and regulations of the RTI legal framework. | |
| Provide recommendations to improve the processes, procedures and regulations of the RTI legal framework. | |
| 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 | | | | |
| Subtotal A | | | | | |
| B | Administrative Costs | | | | |
| 1 | Interviews | | | | |
| 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