

**REQUEST FOR PROPOSAL**  
**Drafting RTI Regulation**

## **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 draft Right to Information (RTI) Regulation 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.

<b>Event</b>	<b>Date</b>
Release of RFP	7 March 2021
Questions from Service Providers Due	14 March 2021, 11pm
Answers from TM	16 March 2021, 5pm
RFP Closes – All Bids Due	18 March 2021, 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 Rushdhan Mohamed Arif

[procurement@transparency.mv](mailto:procurement@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 proposal in electronic copy via email to [procurement@transparency.mv](mailto:procurement@transparency.mv) on or prior to 5pm on 18 March 2021, with the subject line, Proposal: Drafting RTI Regulation

### 3.5 Criteria for Selection

TM will evaluate proposals based on the following criteria:

<b>Selection Criteria</b>	<b>Points</b>
<b>1. Technical Proposal</b>	<b>70%</b>
<p>Service Provider's Experience</p> <p>The following aspects will be considered strongly under experience and service providers are requested to provide references to support their previous works undertaken if possible:</p> <ul style="list-style-type: none"> <li>• 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 (25%)</li> <li>• direct/specific experience in drafting, reviewing and finalizing of RTI Act and regulation (5%)</li> <li>• translation works undertaken with regard to the Act and regulations of any of the above subject matter (5%)</li> <li>• Consideration for the number of bills and regulations drafted, finalized and translated (in any other subject area) (5%)</li> </ul>	40%
<p>Service Provider's Qualification</p> <p>The following criteria will be considered strongly in weighing qualifications for individuals:</p> <ul style="list-style-type: none"> <li>• Undergraduate degree minimum LLB qualification (15%)</li> <li>• Masters qualification in law or other social science degree preferably specializing in human rights, policy and governance (10%)</li> <li>• Relevant short-term trainings or professional qualifications (5%)</li> </ul> <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 specializing in human rights, policy or governance is highly desirable). 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 and transcripts to support their merit and list relevant short-term trainings undertaken.</p>	30%
<b>2. Cost Proposal</b>	<b>30%</b>

### 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**

### **4.1 Details of the Assignment**

Transparency Maldives is seeking a Service Provider to re-draft the RTI Regulation to strengthen the existing RTI legal framework which was established in 2014.

### **4.2 Responsibilities of the Service Provider:**

- Draft new RTI Regulation that is in line with international best practices and based on the recommendations of the legal review of the RTI regulatory framework.
- Consult Information Commissioner's Office (ICOM) and relevant stakeholders during the drafting process.
- Incorporate comments from TM and ICOM and produce final draft of the Regulation in Dhivehi.
- Provide English translation of the draft Regulation.
- Provide commentary on the provisions of the Regulation.
- Conduct validation workshop with TM and ICOM

## **5. FUNCTIONAL REQUIREMENTS**

Service Providers are expected to start the assignment during March 2021 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: COST PROPOSAL

Service Providers are required to prepare a Cost 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)
RTI Regulation in Dhivehi	
RTI Regulation English Translation	
Commentary on the provisions of the Regulation	
<b>Total</b>	

*\*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	Eg: 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***