***Request for Quotations (RFQ)***

**“RFQ#09242017 - HBBs: Legal Services for an Enabling Environment”**

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| **RFQ#**  | 09242017 |
| **Issue Date:** | **September 24th, 2017** |
| **Deadline for Questions:** | Questions or clarification requests shall be submitted via email to **rfp@jordanlens.org**, subject line: “RFQ#09242017 - HBBs: Legal Services for an Enabling Environment”Deadline to accept questions or clarification requests is 3:00 p.m. on 26 September, 2017 Telephone inquiries are not accepted |
| **Announcement of Answers:** | Questions received and Answers will be published on the project website, under the solicitation link:<http://jordanlens.org/work-with-us/solicitations> On 28 September, 2017. |
| **Offer Submission Deadline:**  | Offers shall be submitted by 3:00 p.m. Jordan time, on 10 October, 2017, via email rfp@JordanLens.org subject line: “RFQ#09242017 - HBBs: Legal Services for an Enabling Environment”Quotes received after the deadline will not be considered. |
| **Submit Bid to:** | **rfp@jordanlens.org** |
| **Award Type:** | Single or Multi-Award under Firm Fixed Price Purchase Order |
| **Expected Award:**  | **November 2017** |
| **Expected Performance:** | **Contract duration is 90 days** |

1. **Organizational Overview:**

FHI 360 is a nonprofit human development organization dedicated to improving lives in lasting ways by advancing integrated, locally driven solutions. FHI 360 staff includes experts in health, education, nutrition, environment, economic development, civil society, gender equality, youth, research and technology — creating a unique mix of capabilities to address today's interrelated development challenges.

FHI 360 is implementing the USAID Jordan Local Enterprise Support Project (LENS), which is a five-year project to encourage the long-term economic growth and development potential of underserved Jordanian communities. USAID LENS brings local governments, business owners, and key community groups to collaborate on initiatives that will boost economic development and create jobs in their communities. These initiatives are focused on supporting the growth of micro and small enterprises (MSEs) and inclusive of women, youth and low-income groups.

1. **Purpose Statement**

At a policy level, the USAID LENS project has been engaged with the Ministry of Municipal Affairs (MOMA), Ministry of Industry, Trade and Supplies (MOITS) and Greater Amman Municipality (GAM), to amend and expand the existing GAM model and formalize licensing Home Based Businesses (HBBs) across Jordan. As of August 2017, the new bylaws for licensing HBBs was approved and synchronized between GAM and other governorates/municipalities in Jordan.

USAID LENS will launch a country-wide awareness campaign with the purpose of raising public awareness on what constitutes a home-based business, and what types of businesses people can operate from their home. The awareness campaign is expected to reach at least 5,000 people through on-the-ground awareness events by partnering with local authorities/Business service providers/NGOs/CBOs/universities and mass media in their specific roles to organize awareness events or participate in other larger events or bazaars. It is expected that interested micro-enterprises operating informally will formalize and startups will be encouraged to register as HBBs. Please see attachment G and H, Home Based Business – MOMA instructions and GAM Instructions.

USAID LENS is soliciting quotations from vendors to complement the awareness campaign and assist Home-Based Businesses (HBBs) to formalize their businesses and new startups by providing legal services to register and license.

1. **Objective**

The main objective of this RFQ is to identify and deploy 20 licensed Jordanian lawyers to provide legal services for HBBs wishing to formalize and/or register in the different governorates.

Names and contact details of each of the lawyers will be publicized during the awareness campaign, anticipated to take place between beginning of November 2017 and end of January 2018 through the various means including social media, websites and municipalities.

**Targeted Micro and Small Enterprises**

For this RFQ, Home-Based Business are defined as businesses with the primary function of providing knowledge-based services, handcrafts, simple food products and domestic assistance. Specifically, HBBs are those professions listed in the Attachment I of GAM Instructions on licensing businesses from home of 2017 as well as those listed in sub-article 4/c/3/a of MOMA amending Regulations on zoning no. 69 for the year 2017.

1. **Scope of Work**

The vendor is expected to deliver the following:

* 1. Facilitate legal representation

Identify lawyers in each governorate of Jordan to function as a reference and be responsible for legally representing HBBs (as defined above) to undertake the process of registration and licensing (including registering at Chamber, taxation file, etc…). The vendor is responsible for ensuring that beneficiaries from the legal services sign an informed consent statement specifying that key personal information of clients (name, contact info, etc.) will be shared with the donor and implementing partner.

* 1. Attend a one-day orientation session

Selected lawyers will undergo a one-day orientation session held by USAID LENS, to raise the awareness on the new regulatory framework, the new procedures, and the coordination mechanism for registering HBBs. USAID LENS has developed awareness material that will be disseminated during the orientation.

In addition to the process elaborated in 4.3 below, lawyers are expected to provide legal advice to clients seeking more understanding of the new legal framework on HBBs.

* 1. Registration and Licensing of HBBs

Undertake the process of registration through licensing of HBBs. This will include:

* Power of Attorney authorizing the lawyer to both to register HBB and license that HBB on behalf of the owner(s)
* National ID card or valid passport of the business owner
* Obtain a letter from MOITS if the economic objective requires pre-approvals from related authorities.
* Lease agreement for the owner(s) house certified by the Municipality with a no objection letter from the owner. Or property tittle deed if the business owner owns the house from which the business will operate Public works permit (vocational license)
* Chambers membership- when needed
* Social Security file,
* Income Tax file.
	1. Number of registered HBBs

To demonstrate their competencies, vendors are encouraged to indicate a number of HBBs to be registered. The proposed number of HBBs to registered will impact the evaluation criteria in section 8 below.

1. **Criteria and Specifications**
	1. Region: the vendor should cover all governorates of Jordan by deploying lawyers proportionate to anticipated needs as below:

|  |  |
| --- | --- |
| Governorate | Number of lawyers |
| Irbid | 3 |
| Ajloon | 1 |
| Jerash | 1 |
| Zarqa | 3 |
| Amman | 4 |
| Balqa | 2 |
| Madaba | 1 |
| Tafilah | 1 |
| Karak | 1 |
| Mafraq | 1 |
| Maan | 1 |
| Other governorates \* |  |

\*Vendor has the authority to pick other governorates excluding the ones already listed to reach their targets.

* 1. Monitoring and control

USAID LENS will supervise the program by:

* **Orientation Session:** An advance one-day training will be provided to the selected vendor(s) and their identified lawyers before the start of the program in order to unify training approach and refresh training material.
* **Documents and Certificates**: copies of the original documentation of each registered and licensed HBB must be sent to USAID LENS. Each registration should be treated as an individual case and should have a file prepared for it by the lawyer(s) who handled the process. The file should include HBB owners ID card, lawyers’ representation papers, tile deed and or lees agreement, no-objection letter by the owner, registration at MOITS (Sole Proprietorship or Company), registration at the Chambers, taxation file number and Vocational Licensing as HBB.
* **USAID LENS staff visits:** assigned USAID LENS technical team will follow up with the lawyers at any time to check on process progress
1. **Deliverables**
2. Monthly reporting for each appointed lawyer and the number of HBBs registered. The structure of the report should include key achievements, consultations, efforts and times invested for each case and challenges faced. The structure of the report to be approved by USAID LENS after award is made.
3. Individual file for each case of HBB that is successfully registered. This should include:
	1. Power of attorney,
	2. Copy of business owner ID,
	3. Tile deed and/or lease agreement certified by the municipality,
	4. Business registration certificate,
	5. Chamber registration if needed, and
	6. Vocational license certificate.
4. **Submission Instructions**

This section contains general and specific requirements for submitting the technical and cost proposals. Please ensure the following forms are completed and submitted with your proposal:

* **Evidence of Responsibility and Independent Price Determination (Attachment A)**
* **Copy of your legal registration**

Failure to submit these forms will result in disqualification from consideration.

1. This RFQ is open to all interested, qualified, and eligible firms and organizations registered in Jordan. The lead staff involved in this activity and those communicating with USAID LENS must be fluent in both English and Arabic. Jordanian firms or international firms registered in Jordan are encouraged to apply. If the Offeror includes a group of firms and/or subcontractors, one lead organization or firm must be clearly identified and is responsible for handling all reporting and coordination with USAID LENS. The Offeror must also propose a Project Manager that serves as the primary Point of Contact (POC) for USAID LENS. The authorized USAID geographic code for this RFQ and any resulting award is Code 937 (the United States, Jordan, and developing countries other than advanced developing countries). Thus, the order of preference for this award is Geo Code 937, and the initial evaluation will only include bids from Geo Code 937 countries.
2. The Offeror is requested to submit a proposal directly responsive to the tasks, terms, and conditions of this RFQ. The overall proposal shall consist of two (2) physically separated parts: Technical Proposal and Cost Proposal. Technical Proposals shall not make reference to cost or pricing details.
3. Alternative proposals will not be considered. Proposals not conforming to this solicitation may be categorized as unacceptable and eliminated from further consideration.
4. Offerors are allowed to submit one proposal. If an Offeror participates in more than one proposal, all proposals involving the Offeror will be rejected.
5. Proposals shall be written in English. Cost proposals shall be presented in Jordanian Dinar.
6. Proposals must remain valid for a minimum of **sixty (60) days**. The Offeror may submit its proposal by the following means:
	* Electronically - Internet email with attachments compatible with MS WORD, Excel, and Adobe Acrobat in a MS Windows environment to: RFP@jordanLENS.org.
7. The person signing the Offeror’s proposal must have the authority to commit the Offeror to all the provisions of the Offeror’s proposal.
8. The Offeror shall submit its best proposal initially as FHI 360 intends to evaluate proposals and make an award without discussions. However, FHI 360 reserves the right to conduct discussions should FHI 360 deem it necessary.
9. Proposals must be clearly and concisely written and must describe and define the Offeror’s understanding and compliance with the requirements contained in the PURPOSE STATEMENT/DELIVERABLES/SCOPE OF WORK. All pages must be sequentially numbered and identified with the name of the Offeror and the RFQ number.

**PART A: TECHNICAL PROPOSAL**

The Technical Proposal shall be straightforward and concise describing how the Offeror intends to carry out and satisfy the tasks/activities described above. No cost or pricing information is to be included in the technical proposal.

Technical proposals are **limited to 10 pages** in total, **not including** the Organizational Information, CVs of proposed personnel and attachments. **Pages in the Technical Proposal in excess of 10 pages will not be read or evaluated.**

The technical proposal shall be formatted using the following sections:

1. **Organizational Information (not part of page limit):**
* Organization’s legal name
* Contact name and position or title
* Organization’s e-mail address, physical address and telephone number
* Evidence of Responsibility and Independent Price Certification Form (***Attachment A*** - includes confirmation that firm is a USAID-designated Geo Code 937 country – meaning Jordan, the US, and other developing countries other than advanced developing countries)
* Copy of legal registration authorizing organization to do business in Jordan
1. **Technical Approach – narrative not to exceed five (5) pages.**

The Offeror shall demonstrate its understanding, ability and overall approach to performing the requirements described in the RFQ, by presenting its implementation methodology and information flow. The offeror should submit a clear management structure and methodology for follow up with each lawyer in each governorate. (some governorates might require more than one lawyer). This management structure should describe information flow between lawyers in the governorates and the main office of the vendor as well as ability to present a snapshot of work progress at any given time within the three months.

The technical approach should also reference the proposed number of HBBs to be registered.

1. **Capability Statement - narrative not to exceed two (2) pages.**

The Offeror shall demonstrate its specialized competence with regards to the requirements of the tasks/activities. The Offeror shall demonstrate it has the necessary organizational systems, vendors, and personnel to successfully comply with the contract requirements and accomplish the deliverables. Do not reference past performance examples in this section; instead provide an overview of the firm’s experience in similar work from a capability and competence angle.

The offeror shall also present within its plan, the number proposed of HBBs to register and license. This at a minimum should meet the number stated in 4.3and 4.4 above.

1. **Past Performance – Narrative not to exceed three (3) pages. (Not included in page count.)**

The Offeror shall provide at least three (3) examples of past performance of implementing similar work in Jordan or the region as being requested in this RFQ. The past performance examples must be within the last five (5) years and shall be similar to what is being requested in this RFQ. The Offeror must provide references for each example, including the name, title, phone number and email address of the reference so that we may contact them. (***Attachment E – Past Performance Reference template***).

1. **Personnel/Staffing – narrative not to exceed three (3) pages.**

The Offeror shall identify, in summary format of 2-3 sentences each, the names and anticipated positions and role of the team leaders, key staff, and lawyers proposed to perform the requirements of this scope of work. Lawyers proposed should must have at least 5 year of experience in economic growth, legal revision, livelihoods, working with the underprivileged and poor communities. The narrative in this section should address for the key team members their qualifications, experience, technical certifications or expertise, examples of similar work in the past, and their role in this specific project. A Project Manager must be identified that will serve as the primary Point of Contact with USAID LENS and will manage logistics, staffing, invoicing and other administrative functions to ensure the activity is well managed.

The Offeror must also include the CVs of key staff members involved in the Project, in addition to the Bar Association practice license for each lawyer proposed. Each CV should not exceed three (3) pages. (Note: CVs do not count towards the page limit for the technical proposal.)

**PART B: COST PROPOSAL**

The Offeror shall propose realistic and reasonable costs for this work in accordance with the Offeror’s technical approach. The Offeror shall provide a complete budget based on cost elements described below using ***Attachment B – Budget Template***. Offerors are allowed to make necessary changes to the attached Budget Template.

The detailed cost proposal for implementing the work should include all costs necessary to implement the work. The Offeror must include the following in their cost proposal:

* + 1. Proposed unloaded staff, rates, number of days needed to accomplish the work.
		2. Fringe rates for which the organization or firm has an established, written policy. If the Offeror proposes a fringe benefit rate on salaries, it must be supported by an established written policy. Please provide a detailed explanation in the budget narrative.
		3. Costs of local travel, detailed with # of trips, estimated mileage.
		4. If per diem is budgeted, it shall be based on the organization’s internal written policy and in compliance with USAID and USG Per Diem policy.
		5. Cost of supplies and other direct costs not captured above.
		6. Vendors and costs for equipment and supplies
		7. Fee: The Offer may propose a profit fee that is justifiable, reasonable and consistent with the market rates.
		8. **No Indirect Costs will be accepted. The Offeror must propose all indirect costs as direct costs.**

**Please note that no international travel will be funded through this award so all Offerors must propose staff based in Jordan.**

A concise description and justifications for each line item must be included in the Budget Narrative. The budget narrative shall be presented in such a way to succinctly and sufficiently explain each cost from the proposed budget so FHI 360 may review the proposed budget for reasonableness, allocability and allowability. (***Attachment D – Budget Narrative Template.***

Biodata forms (***Attachment C***) must be completed for proposed personnel.

All projected costs must be in accordance with the organization’s standard practices and policies.

Offers including budget information determined to be unreasonable, incomplete, unnecessary for the completion of the proposed project or based on a methodology that is not adequately supported, may be deemed unacceptable.

**Additional Guidelines:**

1. Cost proposals shall be presented in Jordanian Dinar.
2. Cost proposal must be exclusive of any taxes. Please note that USAID LENS is exempt from VAT.
3. Staff rates should be based on hourly or daily rates
4. Other Direct Costs – Itemize and provide complete details of other direct costs, including unit prices that may be incurred as aligned to the categories noted above.

# **Evaluation Criteria**

This solicitation is open to all interested, qualified, and eligible firms and organizations registered in Jordan offering legal services. Proposed key staff, including the Project Manager, must be fluent in English and Arabic. The selected Offeror will be responsible for designing and executing all activities outlined in this Request for Proposal in cooperation with USAID LENS.

Proposals will be evaluated based on a Trade-Off Methodology assessing non-cost and cost factors. In order for proposals to be evaluated for technical merit, proposals must meet the mandatory requirements as follows:

* Be legally registered to do business in Jordan; Offeror must provide a copy of registration document
* Submitted the Evidence of Responsibility and Independent Price Determination
* Nationality of Offeror meets USAID Geographical Code 937 requirement.

Proposals meeting the mandatory requirements will be then evaluated for technical merit based on criteria in the below chart. **Those proposals scoring 65 points or higher (out of 80 points) will be considered for cost effectiveness.**

The Cost Evaluation, worth 20 points, will include a cost comparison to other offerors, cost reasonableness (noting that low offers may be deemed unrealistic or unreasonable to accomplish the intended results of this RFQ), and sufficient explanation of budget items and notes.

|  |  |  |
| --- | --- | --- |
| **Section** | **Description** | **Maximum Points** |
| **Technical Approach** | * Management structure and communication between the main office and the governorates (20 points)
* Number proposed of HBBs to register and license (10 points)
 | **30** |
| **Capability Statement** | * Demonstration of specialized competence with regards to the requirements of the tasks/activities, necessary organizational systems, vendors, and personnel to successfully comply with the contract requirements and accomplish the deliverables. (25 points)
 | **25** |
| **Past Performance** | * Inclusion of at least 3 relevant past performance examples of similar work in Jordan or the region. (5 points)
* References provided by past clients for these examples and their evaluation of the Offeror’s ability to deliver on time and within quality and budget expectations. (5 points)
 | **10** |
| **Personnel/Staffing** | * Qualifications and past relevant experience of the Project Manager and lawyers proposed to perform the requirements of this scope of work. (15 points)
 | **15** |
| **Technical Evaluation Threshold** | ***Only offers that receive a technical evaluation score above 65 points (out of 80) will be considered for cost evaluation.*** | **80** |
| **Cost Evaluation** | * Details and clarity of the actual costs proposed. (5 points)
* Comparison of the Offeror’s cost to other Offerors for Cost Evaluation. (5 points)
* Cost Realism to consider whether the proposed costs and human and other resources are sufficient to effectively carry out the stated tasks. (10 points)

Please use the attached Cost Template to prepare the budget.  | **20** |
|  |
| **Total Points** |  | **100** |

**COMPETITIVE RANGE** – If FHI 360 determines that discussions are necessary, FHI 360 may establish a Competitive Range composed of only the most highly rated proposals. FHI 360 may exclude an offer from the competitive range if it is so deficient that it does not meet the requirements of this RFQ, and/or if the price is so unreasonable that the Offeror would not be able to complete the work for that price. FHI 360 may exclude an offer that would require extensive discussions, a complete re-write, or major revisions such as to allow an Offeror unfair advantage over those more competitive offers.

**Oral presentations:**

The selection committee reserves the right to require shortlisted applicants to present key parts of their submitted applications to the committee.

The Offer that scores the highest will be determined the most responsive to the RFQ and the Project’s needs.

FHI 360 reserves the right to award one or more contracts under this RFQ on the basis of initial offers without discussions or without establishing a competitive range.

***NOTE:*** *FHI 360 will not compensate the company for its presentation of response to this RFQ nor is the issuing of this RFQ a guarantee that FHI 360 will award a contract.*

# GENERAL TERMS AND CONDITIONS

1. Any proposal received in response to this solicitation will be reviewed **strictly** as submitted and in accordance with Section VI, Evaluation Criteria.
2. **EXECUTIVE ORDER 13224 ON TERRORIST FINANCING**

Offerors are informed that FHI 360 complies with U.S. Sanctions and Embargo Laws and Regulations including Executive Order 13224 on Terrorist Financing, which effectively prohibit transactions with persons or entities that commit, threaten to commit or support terrorism. Any person or entity that participates in this bidding process, either as a prime or sub to the prime, must certify as part of the bid that he or it is not on the U.S. Department of Treasury Office of Foreign Assets Control (OFAC) Specially Designated Nationals (SDN) List and is eligible to participate. FHI 360 shall disqualify any bid received from a person or entity that is found to be on the List or otherwise ineligible. Firms or individuals that are included on the Excluded Parties List System ([www.epls.gov](http://www.epls.gov/)) shall not be eligible for financing and shall not be used to provide any commodities or services contemplated by this RFQ.

1. **CONTRACT MECHANISM**

FHI 360 anticipates to award a fixed price purchase order to the Offeror whose proposal will be evaluated based on the evaluation criteria described previously.

1. **WITHDRAWALS OF PROPOSALS**

Offerors may withdraw proposals by written notice via email received at any time before award. Proposals may be withdrawn in person by an Offeror or his/her authorized representative if the representative’s identity is made known and if the representative signs a receipt for the proposal before award.

1. **RIGHT TO SELECT/REJECT**

FHI 360 reserves the right to select and negotiate with those firms it determines, in its sole discretion, to be qualified for competitive proposals and to terminate negotiations without incurring any liability. FHI 360 also reserves the right to reject any or all proposals received without explanation.

1. **DISCLAIMER**

This RFQ represents only a definition of requirements. It is merely an invitation for submission of proposals and does not legally obligate FHI 360 to accept any of the submitted proposals in whole or in part, nor is FHI 360 obligated to select the lowest priced proposal. FHI 360 reserves the right to negotiate with any or all firms, but with respect to price, costs and/or scope of services. FHI 360 has no contractual obligations with any firms based upon issuance of this RFQ. It is not an offer to contract. Only the execution of a written contract shall obligate FHI 360 in accordance with the terms and conditions contained in such contract.

1. **REQUEST FOR PROPOSAL FIRM GUARANTEE**

All information submitted in connection with this RFQ will be valid for 60 (sixty) days from the RFQ due date. This includes, but is not limited to, cost, pricing, terms and conditions, service levels, and all other information. If your firm is awarded the contract, all information in the RFQ and negotiation process is contractually binding.

1. **OFFER VERIFICATION**

FHI 360 may contact Offerors to confirm contact person, address, bid amount and that the bid was submitted for this solicitation.

1. **FALSE STATEMENTS IN OFFER**

Offerors must provide full, accurate and complete information as required by this solicitation and its attachments.

1. **CONFLICT OF INTEREST**

Offerors must provide disclosure of any past, present or future relationships with any parties associated with the issuance, review or management of this solicitation and anticipated award in or outside of Jordan. Failure to provide full and open disclosure may result in FHI 360 having to reevaluate selection of a potential Offeror.

1. **RESERVED RIGHTS**

All RFQ responses become the property of FHI 360, and FHI 360 reserves the right in its sole discretion to:

* To disqualify any offer based on offeror failure to follow solicitation instructions.
* FHI 360 reserves the right to waive any deviations by Offerors from the requirements of this solicitation that in FHI 360’s opinion are considered not to be material defects requiring rejection or disqualification, or where such a waiver will promote increased competition.
* Extend the time for submission of all RFQ responses after notification to all Offerors.
* Terminate or modify the RFQ process at any time and reissue the RFQ to whomever FHI 360 deems appropriate.
* FHI 360 reserves the right to issue an award based on the initial evaluation of offerors without discussion.
* FHI 360 reserves the right to award only part of the activities in the solicitation or issue multiple awards based on solicitation activities.
* FHI 360 will not compensate offerors for preparation of their response to this RFQ.
* Issuing this RFQ is not a guarantee that FHI 360 will award a contract.
* FHI 360 may choose to award a purchase order to more than one offeror for specific parts of the activities in the RFQ.
1. **ATTACHMENTS**
* Attachment A: Evidence of Responsibility and Independent Price Determination Form
* Attachment B: Budget Template
* Attachment C: Biodata Form
* Attachment D: Budget Narrative Template
* Attachment E: Past Performance Reference template
* Attachment F: Regulations on zoning no. 69 for the year 2017
* Attachment G: MOMA Instructions on HBBs issued by virtue of article 5 of the Regulations on Zoning no. 136 for the year 2016
* Attachment H: GAM Instructions on HBBs issued by virtue of articles 5 and 6 of the Vocational Licenses Act for the Greater Amman Municipality no. 20 for the year 1985 and article 28 of the regulations on Zoning for the Greater Amman Municipality no. 67 for the year 1979.
* Attachment I: HBB Manual produced by LENS (will be provided once contracted).

**[END OF RFQ]**