

RFQ09242017 - HBBs Legal Services for an Enabling Environment

Questions and Answers

28 September 2017

Question 1: It is the bidder/offeror understanding that all governmental fees and expenses directly associated with the underline Scope of Work for issuance and registration of all permits and licensing will be included within the bidder financial proposal, please confirm.

Answer 1: Only direct administrative costs, attorneys' fees or retainers and other expenses such as transportation are to be included in the financial proposal. Other fees associated with the actual registration and licensing should be covered by the contractor.

Question 2: Please advise if we can apply to this project as a consulting company or only registered law firms are eligible to apply.

Answer 2: You can apply as a consulting company.

Question 3: Does the scope of the work include providing legal representation before courts/tribunals in respect of decisions and actions taken by the relevant authorities in connection with the underlying transactions?

Answer 3: No

Question 4: Does the scope of the work include legal works necessary for preparation of requirements for the grant of the targeted license [e.g. – a lease contract, obtainment of lessor's consent, change of a company's or sole proprietorship's objectives, etc.]?

Answer 4: Yes

Question 5: May the tenderer submit a proposal for services covering only a limited number of Governorates? Or that attendance to works in all the named Governorates is mandatory?

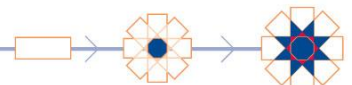
Answer 5: Yes

Question 6: Would it be allowed for a solely-owned law office to participate in the tendering process or that such participation is only open for firms?

Answer 6: It is allowed for solely-owned law offices as long as institutional connections and relationships and ability to have retained credible affiliate in the different governorates is demonstrated

Question 7: Would it be allowed for an unincorporated firm of lawyers (a consortium) to jointly submit a proposal for the targeted services? (Noting that the tendering lawyers will be jointly and severally responsible for the entire project and will name one representative on their behalf for all the relevant matters including contacts with the FHI 360)

Answer 7: In line with point 1 above; the aim is to channel all communication through one entity (one vendor) who then manages the relationships with contracted/retained lawyers. There is no restriction on the approach as long as the administrative structure proves that the vendor is the main contractor for FHI 360 and that the latter has no direct relationship with other lawyers around the governorates.



Question 8: The financial proposal shall be in form of a cost-plus pattern, Please confirm!

Answer 8: Yes

Question 9: For the cost details under items I to VII, nothing in the given details:

a. gives an idea about how the irregularities would be dealt with and priced. As you may anticipate, the work may vary depending on the circumstances of each filing case as some cases may require additional attendance or several field visits above to what a normal course may require!

Answer 9 a.: costing should be made based on regular circumstances and time needed for registration and licensing. Any irregularities that will affect the pricing, can be discussed with the project on case-by-case basis, and appropriate pricing determined based on which, can be reflected through an award modification.

b. addresses the scenario were subcontractors are utilized.

is it allowed -in light of the given reasoning- for the submitted proposals to consider in their cost analysis special types of costs other than those listed in items I to VII?

Answer 9 b.: it is allowed to include other types of costs that are linked to fulfilling the objective and are reasonable in nature.

Question 10: Does the RFQ contain awareness campaign as a part of the Project, to be included for pricing?

Answer 10: No

Question 11: According to the stated Technical Approach (To demonstrate their competencies, vendors are encouraged to indicate a number of HBBs to be registered).

We would like to know what is the mechanism to reach out for these clients?

Answer 11: Irrelevant to the RFQ. This is up to the vendor to adopt the suitable mechanism.

Question 12: Would this project include any privacy or confidentiality requirements or professional concerns as attorneys (client- attorney confidentiality rules)?

Answer 12: It is mandatory for the purposes of this RFQ that attorneys in the different governorate to declare the details of the 'clients' to USAID LENS. This means that for each 'case' of registering and licensing HBBs, attorneys will need to organize comprehensive files and deliver that files to USAID LENS as per the details of the RFQ. We leave it for the vendor to organize the legal basis for such declaration of information; this could possibly be that the attorney has the 'client' HBB signing an authorization form authorizing the attorney to share such information with USAID LENS.

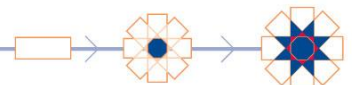
Question 13: Are there any statistics or information for the number of potential HBBs in the different cities?

Answer 13: No. however, different types of information and rich data are available on USAID LENS website under the MSE Survey <http://www.jordanlens.org/>.

Question 14: Is there any study about the expected number of businesses to be registered? And if so, does it include the envisaged distribution/allocation in the various governorates in Jordan?

Answer 14: No

Question 15: Do we need to present continuous geographical presence in each location? Or could we work on gathering two or more locations in one office space?



Answer 15: As explained in the RFQ, we need lawyers appointed in each governorate. It does not necessarily mean that different lawyers in the different governorates will have the equal caseload. However, one of the goals of this RFQ is to actually appoint at least one lawyer in each governorate as explained in the table in the RFQ.

Question 16: Is there a minimum requirement for the envisaged office space?

Answer 16: No.

Question 17: Would the service include any cash amounts to be received or disbursed by the lawyers?

Answer 17: No. All fees and expenses including transportation and attorneys' fees are to be imbedded in the financial offer.

Question 18: Is there a requirement for the electronic system to be in place?

Answer 18: No.

Question 19: This is a specialized project in the know how requirement from the attorneys, should the firm present collective or individual knowledge in the project specifics? Would there be a role in the headquarters transfer of knowhow, or shall we only rely on the specific experience of each one of the team members?

Answer 19: As part of the process, appointed lawyers are obliged to undergo a one-day session at USAID LENS to brief orient them about the new legal framework.

Question 20: Is there a time related target to accomplish official registration and launch of business?

Answer 20: Each case should be treated as priority and should be acted upon in as fast as possible. We aim to utilize the experience of the vendor who will win this bid to demonstrate the time needed for each case to startup and formalize; with a special focus on bureaucracies and time needed to register through license. This is a requirement of the final report expected from each vendor.

Question 21: There are different requirements and existing situations and difficulties in each governorate/municipality? Are they taken into consideration for the assessment of tasking and accomplishment?

Answer 21: Please refer to Answer 20

