



April 11, 2007

Subject: Request for Proposal (RFP) N° PCD/07/022 for the provision of
IT Consultancy Services to the PCT Information Systems Division of
WIPO

Dear Madam or Sir,

1. You are hereby requested to submit a proposal for the provision of IT Consultancy Services to the PCT Information Systems Division of the World Intellectual Property Organization (WIPO) as described in the attached Terms of Reference (Annex I).
2. Your proposal could form the basis for a contract between your firm and WIPO. Should your proposal be selected, your firm will be required to sign a time and material contract, which shall be based on the example contract contained in the attached Annex II.

Any agreement with WIPO must incorporate all of WIPO's General Conditions for the Purchase of Services as per Annex III.

3. To enable you to submit a proposal, please find attached:
 - (a) Annex I: Terms of Reference (TOR) for the IT Consultancy Services for the PCT Information Systems Division, containing a description of WIPO requirements for which these services are being sought;
 - (b) Annex II: An example of the contract under which the services would be performed;
 - (c) Annex III: WIPO General Conditions for the Purchase of Services;
 - (d) Annex IV: Price Schedule for the Contract;
 - (e) Annex V: Information Security Agreement;

/...

- (f) Annex VI: Non-disclosure Agreement for Non-Treaty Data Access by Member States and External Users;
- (g) Annex VII: Officials-Not-to-Benefit and Third-Party Declaration; and
- (h) Annex VIII: Letter of Acknowledgement.

4. This RFP is not to be construed in any way as an offer to contract with your firm/institution.

I. RFP SUBMISSION; MANDATORY INSTRUCTIONS

Content of Your Proposal

5. Your proposal shall be prepared in English.

Proposal Submission Format and Date

6. Your proposal shall be prepared in **duplicate** with one marked "Original" and the other marked "Copy". In the event of any discrepancy between them, the original shall govern.

7. The original and the copy may be put together in one envelope. The proposal shall be sealed in one outer envelope, as detailed below. The outer envelope must be addressed as follows:

RFP N° PCD/07/022: Provision of IT Consultancy Services to the PCT Information Systems Division of WIPO

CONFIDENTIAL - NOT TO BE OPENED

Mr. Jaime Sevilla
Director
Procurement and Contracts Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

8. **Please note that for security reasons all envelopes that are not addressed in accordance with the above-mentioned instructions are likely to be opened by WIPO security and, consequently, in such event, WIPO disclaims any responsibility for maintaining the confidentiality of the bid.**

9. **Proposals must be received by WIPO at the above address on or before Tuesday, May 22, 2007. Any proposal received after the deadline will not be considered.** WIPO may, at its discretion, extend the deadline for the submission of proposals in accordance with paragraph 10 below. **Facsimile proposals, E-mail proposals or proposals that are not duly signed are not acceptable and will not be considered.**

RFP amendments

10. WIPO reserves the right to modify/amend this RFP in any way it may deem necessary. RFP amendments, if any, will be published in WIPO's Procurement Web site (<http://www.wipo.int/procurement/en/pcs.html>). Please check this Web site regularly.

Officials-Not-to-Benefit and Third-Party Declaration

11. WIPO's Financial Rules and Regulations and WIPO's Procurement Procedures require that bidders shall provide a declaration of undertaking stating the following :

(a) no official of WIPO has received or will be offered by the Contractor any direct or indirect benefit arising from the contract or the award thereof;

(b) no third party has received or will be offered any improper benefit arising from the contract or the award thereof;

(c) the Contractor has not engaged the services of a third party to obtain improper influence within the tender process;

(d) the Contractor is aware of and agrees that the non respect of these clauses will be considered a fundamental violation of the contract giving WIPO the right to declare the contract void and take any other appropriate legal action.

12. In light of the above, please sign and return Annex VII - Officials-Not-to-Benefit and Third-Party Declaration as part of your offer. WIPO reserves the right to reject offers that are not in conformity with paragraph 11 above, and this paragraph 12.

Required Validity of Proposal

13. You are requested to hold your proposal valid at least for 90 days from the deadline for submission. WIPO will make its best effort to select a firm within this period.

14. Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable, nor can it be included as a direct cost of the assignment.

Vendor Queries

15. Queries concerning the technical, legal or commercial aspects of this RFP should be sent by E-mail, indicating as the subject “**RFP N° PCD/07/022**” to the following address:

procurementGF@wipo.int

16. Queries must be received by WIPO at the above addresses **on or before Tuesday, May 1st, 2007**. A consolidated and anonymous list of all queries received, together with WIPO’s answers, will be published in WIPO’s Procurement Web site (<http://www.wipo.int/procurement/en/pcs.html>). Please check this Web site regularly.

17. Due to the tight time schedule WIPO will not be in a position to respond to a second round of queries.

Letter of Acknowledgment and Intent to Bid

18. We would appreciate it if you could inform us of the following:

- (a) whether or not you intend to submit a proposal, and
- (b) name, fax number and E-mail address of a contact person,

by completing the Annex VIII - Letter of Acknowledgement and returning it to us by fax at (+41-22) 338 82 10 or by E-mail at the address:

procurementGF@wipo.int

II. CONTENT OF THE PROPOSAL AND EVALUATION CRITERIA

Content of the Proposal

19. Your proposal should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

19.1 Technical Component

- (a) Your Firm's Qualifications, Experience and Financial Stability:

A brief description of your firm’s experiences and qualifications providing:

(i) A description of your experience in carrying out assignments of a similar nature. This must include overall credentials in the areas of software development and maintenance services.

(ii) References to recent experiences on projects of a similar nature. This must include a summary listing of similar projects undertaken for other organizations and, as appropriate, the bidder's experience of undertaking such projects in the private sector, public sector and within the UN, its specialized agencies and intellectual property offices.

You should also provide information that will facilitate our evaluation of your firm's substantive reliability and financial and managerial capacity to provide the services. This must include a summary financial position of your firm over the last three years. WIPO reserves the right to gather same information from any other source that may be deemed relevant.

(b) Your Firm's Understanding of the Requirements for Services:

This should be a summary of the bidder's understanding, in its own words, of the objectives and deliverables.

Include any assumptions, as well as comments on the definition of tasks, support documentation and proposed time schedules as indicated in the Terms of Reference and other annexes, or as you may otherwise believe to be necessary.

(c) Proposed approach and methodology for carrying out the tasks related to WIPO requirements.

(d) Proposed expert(s) who will be involved in executing the contract:

This section must include a description of the team that the bidder proposes for the project. It must provide detailed CVs for the team members proposed, including qualifications, experience, language skills and specific client references for the individual consultants if these are different from the client references and contacts provided in the subparagraph on credentials and qualifications above.

Please provide all the above information, and those requested in the attached Annex I – Terms Of Reference.

19.2. Financial Component

Financial Offer

19.2.1 Your financial offer must be quoted in **Swiss francs** (excluding VAT) and be based on a total inclusive fixed daily rate (including per diem expenses, travel costs, etc.) and be in accordance with the Annex IV - Price Schedule.

19.2.2 Per diem, travel costs and travel time to and from WIPO Headquarters shall be covered by the quoted fixed daily all-inclusive rates and may not be subject to additional cost claims. A working day corresponds to 8 hours worked.

19.2.3 Bidders shall also advise on the savings (if applicable) as a percentage of the daily rate if the consultant were to work off-site from WIPO, such as at the company site or from home. Please provide this information by filling out the column E of Annex IV – Price Schedule.

19.2.4 The said financial offer should not contain any clause linking those prices to any future fluctuation of the exchange rate between the Swiss francs and another currency for the services indicated under the Terms of Reference (see Annex I). WIPO reserves the right to reject all offers that are not in conformity with this requirement.

19.2.5 The financial offer, duly signed, shall be provided, fulfilling the Annex IV – Price Schedule. The invited firms are free to adapt the price schedule to their own commercial price structure. However, WIPO requests a clear breakdown of all cost-elements.

19.2.6 Please note that WIPO will not accept any form of advance and/or progress payment unless it is guaranteed by a first demand performance bond or an equivalent guarantee issued by a financial institution that is considered acceptable by WIPO.

Evaluation Criteria

20. The evaluation of the proposals received will be conducted on the basis of all the information requested in this RFP and of the customer reference checks based on information provided by service providers in their respective proposal.

21. The key criteria on which the evaluation of the proposals will be based upon are:

- (a) Your Firm's Qualifications, Experience and Financial Stability;
- (b) Your Firm's Understanding of the Requirements for Services;

(c) Proposed approach and methodology for carrying out the tasks related to WIPO requirements;

(d) Evaluation of the proposed expert(s) who will be involved in executing the contract;

(e) Overall risk analysis; and

(f) Price and other financial terms and conditions.

The above criteria are provided for information purposes only and are not ranked by importance.

III. TERMS OF THE CONTRACT

22. The time and material contract will be for an initial period of one year, renewable annually, up to a maximum period of five years, subject to WIPO exigencies, and complete and satisfactory performance of Contractor's services.

ADDITIONAL INFORMATION

23. Please note that WIPO is not bound to select any of the firms submitting proposals.

24. WIPO reserves the right to split the award in any way it may deem necessary. Therefore, time and material contracts may be awarded to more than one bidder.

25. WIPO estimates a workload of both a medium term (e.g. 3 to 6 months) and the occasional short-term (5 days up to 3 months) for development services.

26. WIPO also estimates a total annual workload of 2,420 days distributed among three categories of consultants as shown in Annex IV – Price Schedule. However, WIPO does not guarantee that this estimate will be met nor that it will be exceeded. The estimate is made solely to assist invited firms to make their financial offer.

27. WIPO is unable to anticipate the exact level of usage, but as a gauge only, the bidder should consider a minimum of zero to a maximum of 15 concurrent consultants at any given time. It is likely that the initial volume of work would be 11 consultants. Since contracts may be awarded to more than one bidder, the volumes mentioned could be distributed over more than one bidder. Billing is expected to be performed every month. No billing occurs if no days were consumed in one month.

28. Bidders shall provide details on the working permit arrangements and on how quickly the proposed consultants can be available for working on-site at WIPO.

29. Bidders shall also provide general details on the working permit arrangements and details on how quickly the unlisted consultants would normally become available for working on-site at WIPO, for example when replacement consultants are needed, or new assignments are requested.

30. Please also note that should your firm be awarded a contract following this RFP, it shall be responsible for requesting and obtaining all visas, authorizations or permits that may be required for the personnel your firm proposes to work within WIPO premises in connection with the execution of the contract. WIPO will assist you, on request, in providing an individual "Attestation" indicating the following information:

- (a) The number of the awarded contract and the name of the awarded firm;
- (b) The name(s) of each consultant, together with his/her passport details; and
- (c) The expected duration of the appointment.

31. Please also refer to paragraph 16 of the Annex I – Terms of Reference.

V. TAX EXEMPTION

32. Please also note that WIPO is one of the specialized agencies of the United Nations system of organizations with which Switzerland has reached a headquarters agreement allowing fiscal exemption from value added tax (VAT), as well as taxes and custom duties. The relevant documents will be sent to the selected firm at the time of awarding the contract.

VI. DISQUALIFICATION OF PROPOSALS*

33. Your proposal shall be disqualified if:

- (a) Your proposal is late;
- (b) Your proposal is sent by fax;
- (c) Your proposal is sent by E-mail;

- (d) Your proposal is not signed*;
- (e) Your proposal did not include the Official-Not-to-Benefit Declaration or the Declaration was unsigned*;
- (f) Your proposal did not include a formal requirement that was stipulated in the tender.

*Disqualification will occur if bidder refuses to promptly reply to notice from WIPO that the proposal or Annex was not signed.

VII. REJECTION OF PROPOSAL

34. WIPO reserves the right to reject any or all proposals that are not in conformity with the requirements of this RFP.

VIII. CANCELLATION OF TENDER

35. WIPO reserves the absolute right to cancel all calls for tender up to the moment of the award of the contract. All invited firms will be informed if cancellation occurs.

Yours sincerely,

[Signed by Jaime Sevilla
Director of
the Procurement and Contracts Division]

NOTICE OF CONFIDENTIALITY

This Request for Proposals contains WIPO information that is confidential, and is intended strictly for the use by the Officials of WIPO and/or the named recipient hereof. ANY UNAUTHORIZED DISCLOSURE, COPYING, DISTRIBUTION OR OTHER USE OF THE INFORMATION HEREIN IS STRICTLY PROHIBITED. If you have erroneously received this document, please notify WIPO immediately. Thank you.