

## Request for Proposals n° PTD/10/006

### Annex II - Submission requirements and additional information

#### **A. Requirements for the submission of your proposal**

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

#### **Officials-Not-to-Benefit Declaration**

2. 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.

3. In light of the above, please sign and return Annex VI - 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 paragraphs 2 and 3.

#### **Required Validity of Your Proposal**

4. 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.

5. 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.

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## **Tax Exemption**

6. 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.

## **B. Additional Information**

### **RFP Amendments**

7. WIPO reserves the right to modify and/or amend this RFP in any way it may deem necessary. RFP amendments, if any, will be communicated to all invited bidders via fax and e-mail and/or regular post mail.

### **Evaluation Criteria**

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

- (a) Your firm's qualifications 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 contractor's personnel 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.

## Contract Award

9. Please note that WIPO is not bound to select any of the firms submitting proposals. The procurement contract shall be awarded to the qualified bidder whose proposal, all factors considered, including value for money, is evaluated to be the most responsive to the requirements set forth in the solicitation documents.

10. The Contract will be on a time and material basis. WIPO does not guarantee that it will meet or exceed the periods described in the Terms of Reference. Likewise, WIPO does not guarantee that it will use or keep engaged all available clerical resources over the life of this contract.

11. The Contract will be for an initial term of one year, with a possibility of consecutive annual extensions up to a maximum period of 3 years.

12. The contract will be executed according to WIPO's working days and taking into consideration WIPO's official holidays (i.e. in 2010, January 1, April 2, 5, May 13, 24, September 9, November 16, December 24, 27, 30-31).

13. WIPO reserves the right to split the award between two or more companies in any way that may be deemed necessary.

14. 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 personnel, together with his/her passport details; and
- (c) The expected duration of the appointment.

15. Personnel who will work within WIPO premises in connection with the execution of the contract will be asked to sign a non-disclosure agreement and an information security agreement (see Annexes VII and VIII, respectively) before beginning work at WIPO.

## **Disqualifications of Proposals**

16. 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 Officials-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 its Annexes were not signed.

## **Rejection of Proposals**

17. WIPO reserves the right to reject any or all proposals that are not in conformity with the requirements described in this document.

## **Cancellation**

18. WIPO procedures for procurement allow WIPO the right to cancel the tender at any time before the award of the contract. All participants in the tender will be informed if cancellation occurs.