

Request for Proposals

RFP-UESP-2020-024

Activity Title: “Certification for ISO 37001:2016 standards compliance”

Issuance Date: August 27, 2020

Deadline for Receipt of Questions: September 03, 2020 at 14:00

Closing Date and Time: September 10, 2020 at 14:00

Issuance of this RFP does not constitute an award commitment on the Tetra Tech ES, Inc., nor does it commit to pay for any costs incurred in preparation or submission of comments/suggestions of a proposal. Proposals are submitted at the risk of the offerors. All preparation and submission costs are at the offeror’s expense.

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1. INTRODUCTION

The purpose of this RFP is to solicit proposals for **Certification for ISO 37001:2016 standards compliance** within the Scope of Work (SOW) specified in the Attachment A – Technical Specification within the Energy Security Project implementation funded by the U.S. Agency for International Development (USAID) and implemented by Tetra Tech ES, Inc. (Tetra Tech).

2. OFFEROR'S QUALIFICATIONS

Offeror must provide the following information and references in order to be qualified for the procurement process:

1. Company's information, including official registered title, type of business, address, and contact person information.
2. Organization's DUNS number or evidence of process of registering for DUNS number. Please request instructions for DUNS number registration from UESPprocurement@tetrattech.com if needed. Active DUNS number or evidence of process of registering for DUNS number is required at stage of submitting proposal. DUNS Number shall be active and SAM.gov registration completed before finalization of subcontract agreement.
3. A short description of the company and of past similar experience in providing the services described in the Attached A -Technical Specification.
4. Overall technical approach to fulfill the specifications defined in Attachment A – Technical Specifications.
5. Certification that company is not owned or controlled in total or in part by any entity of any government.
6. The Offeror shall complete and sign the Representation and Certifications found in Attachments C to this document and include them with the Offeror's proposal. Proposals that do not include these certifications will not be considered.
7. Offerors listed in the Excluded Parties List System will not be considered. The Excluded Parties List can be found at <https://www.sam.gov/SAM/pages/public/searchRecords/searchResults.jsf>

3. SOURCE, ORIGIN AND NATIONALITY RESTRICTIONS

The USAID authorized geographic code for the Energy Security Project is 935. Code 935: Consists of any area or country including the cooperating country, but excluding the "prohibited sources"

Reference: USAID ADS Chapter 310, and all its sub-sections. These documents are available on the Internet.

4. SUBMISSION OF PROPOSALS

All proposals are due on **September 10, 2020** by no later than **14:00** local time in Ukraine. Proposals must be submitted via e-mail at the address **UESPprocurement@tetrattech.com** in the following formats: Adobe Acrobat and Microsoft Word and/or Excel.

All proposals must fully respond to the Technical Specifications enclosed as **Attachment A** and must include quotes in the format provided in the **Attachment B - Table 1 – Detailed Budget**. Proposals received after the above-stated due date and time will not be considered for this procurement.

5. QUESTIONS AND CLARIFICATIONS

All questions or clarifications regarding this RFP must be in writing and submitted, in English, to **UESPprocurement@tetrattech.com** on **September 03, 2020** no later than **14:00** local time in Ukraine. Questions and requests for clarification, and the responses thereto, will be circulated to all RFP recipients.

Only written answers from ESP Procurement Office of Tetra Tech will be considered official and carry weight in the RFP process and subsequent evaluation. Any answers received outside the official channel, whether received verbally or in writing, from employees or representatives of Tetra Tech, or any other party, will not be considered official responses regarding this RFP.

6. PROPOSALS PREPARATION INSTRUCTIONS

All Offerors must follow the instructions set forth herein in order to be qualified for the procurement process. If an Offeror does not follow the instructions set forth herein, the Offeror's proposal may be eliminated from further consideration or the proposal may be downgraded and not receive full credit under the applicable evaluation criteria.

Separate Technical and Cost Proposals must be submitted. All proposals should be submitted in English and be signed by Offerors.

I. TECHNICAL PROPOSAL

The technical proposal (excluding CVs) shall not exceed **11** pages. Proposals will be scored on a 100-point scale. Available points for each evaluation factor are given below. Offerors must address each evaluation factor.

The suggested outline for the technical proposal is stated below:

A. Organization's Information (maximum 2 pages)

- Organization's information, including official registered title, type of business, list of offices if applicable, address, telephone, fax and website.
- Organization's DUNS number.
- Authorized point of Contact with phone number(s) and email address.
- Experience of the firm of at least 5 years in the public and private sector

B. Company Technical Capability (maximum 2 pages)

Description of organization, including activities/qualifications carried out like the scope of work requested.

C. Technical Approach (maximum 3 pages)

Present a narrative that describes how the Offeror would implement the tasks identified in the scope of work. This narrative must also include:

- A management approach which describes how the Offeror will manage the delivery of the services and how the Offeror will interact with ESP.

- A draft work plan that outlines the proposed activities over the course of the period of performance.
- Proposed performance indicators to measure the impact of the Offeror’s planned activities and the progress of the Awardees as a result of the Offeror’s assistance.

Information which the Offeror considers proprietary, if any, should be clearly marked “proprietary” next to the relevant part of the text and it will then be treated as such.

D. Proposed Staff (maximum 2 pages, excluding CVs)

Present a narrative that includes the following:

- Team composition (names, specialties/area of expertise, position/role, etc.), with detailed bios, and task assignments to perform the activities described in the SOW.
- Curriculum Vitae (CV) for all labor categories named in the Attachment A. (CVs shall be limited to 3 pages each) that describes their experience and lists the following:
 - Affiliation/Organization
 - Education
 - Years of Professional Experience
 - Relevant Experience to the SOW in this RFP
 - Fluency in English

In addition to presenting the CVs, offerors should complete and include the table below:

Proposed Personnel’s Name, Last Name	Proposed Position Under This Assignment	Qualification	Years of Professional Experience

E. Company Past Performance (maximum 2 pages)

Offerors should provide a summary of relevant studies or other assignments including the Title, Client, Date, and a brief description. The qualifications section is limited to 5 of the most relevant studies or other assignments performed in the last 5 years, presented in the following table format. If the client is confidential, simply list “confidential”.

Project (task) name (title)	Description of the project (task) and services provided	Client name, phone number and email address	Dates of execution

II. FINANCIAL PROPOSAL

a. Detailed Budget

Offeror shall complete the **Table 1 of the Attachment B “Detailed Budget”** in order to allow Tetra Tech ES, Inc. to compare all quotes and make a competitive selection. The budget should be provided in Excel format with unlocked cells and formula.

A price must be provided for each project component to be considered compliant with this request. The price proposal should include the individual line items shown in the template, e.g., fully-burdened daily rates, travel costs, and other direct costs. Offers must show unit prices, quantities, and total price. All items, services, etc. must be clearly labeled and included in the total offered price. The price proposal shall also include a budget narrative that explains the basis for the estimate of every cost element or line item. Supporting information must be provided in sufficient detail to allow for a complete analysis of each cost element or line item. Tetra Tech reserves the right to request additional cost information if the evaluation committee has concerns of the reasonableness, realism, or completeness of an Offeror’s proposed price.

Offeror shall provide unit pricing in **US dollars (USD)**. Prices quoted in this document shall be valid for a 60-day time period, include all taxes and other costs but excluding the VAT tax originated in Ukraine.

b. 1420 Forms for the proposed personnel

For each staff member proposed, the Offeror shall submit a completed and signed USAID 1420 forms.

USAID form 1420 can be downloaded here: <https://www.usaid.gov/forms/aid-1420-17>

c. Proposed Billing Rates Certification

Document on company letterhead certifying the labor rates being proposed are standard rates and have been previously billed to clients for similar work.

d. Representations and Certifications

These documents can be found in Attachments C of this RFP and must be submitted as part of the Cost Proposal.

e. Non-government owned certification

Certification that company is not owned or controlled in total or in part by any entity of any government.

f. Certificate of current cost or pricing data

These documents can be found in Attachments D of this RFP and must be submitted as part of the Cost Proposal.

Under no circumstances may cost information be included in the technical proposal. No cost information or any prices, whether for deliverables or line items, may be included in the technical proposal. Cost information must only be shown in the cost proposal.

7. EVALUATION CRITERIA

Award will be made to the offeror representing the best value in consideration of past performance, qualifications, and price factors. Technical criteria are more important than cost, although prices must be reasonable and will be considered in the evaluation. Offeror are encouraged to provide a discount to their standard commercial rates.

Tetra Tech reserves the right to conduct discussions with selected offeror (s) in order to identify the best value offer. Award of any resulting Subcontract Agreement shall be made by Tetra Tech on a best value basis. Tetra Tech reserves the right to request a test assessment from offerors to assess their qualifications.

The submitted technical information will be scored by an evaluation committee using the following technical evaluation criteria (70 points) and cost proposal (30 points).

Given the specific expertise required to perform the services in question only offers with a technical score of 50 points or more will be considered for evaluation of their cost proposals.

Proposals will be scored on a 100-point scale. Available points for each evaluation factor are given below.

TECHNICAL PROPOSAL (70 POINTS)

Evaluation Criteria for Technical Proposal		Points
I.	Company Technical Capability	10
II.	Technical Approach	30
III.	Proposed Staff	20
IV.	Company Past Performance	10
TOTAL		70

FINANCIAL PROPOSAL (30 POINTS)

The lowest qualified financial proposal will receive the maximum score of 30 points.

The other proposals will be scored inversely proportional to their price and computed as follows:

$$S_f = 30 * F_m / F$$

where

S_f = financial Score of the proposal evaluated

F_m = price of the lowest priced Financial Proposal among those qualified

F = price of the Financial Proposal under consideration

Offeror should submit a Detailed Budget reflecting the cost of completing the scope. Offerors shall complete the Attachment B – Detailed Budget. Labor rates quoted in this document shall be fully-burdened with all indirect costs, taxes and fee, if any. The period of performance is 24 months.

Tetra Tech reserves the right to conduct discussions with selected offeror(s) in order to identify the best value offer. Award of any resulting Subcontract Agreement shall be made by Tetra Tech on a best value basis, with evaluation of proposed price as well as proposed services and implementation schedule.

8. TERMS OF PAYMENT

Payment terms for the awarded Subcontract Agreement shall be forty-five (45) days after satisfactory completion and acceptance and of services and deliverables according to the schedule in the Table 2. Payment shall be made by Tetra Tech ES, Inc. via bank wire transfer in **Ukrainian Hryvnias** per National Bank of Ukraine exchange rate on the effective date of the subcontract **or US dollars**. Any request for advance payment should be stated in the Response.

9. DUNS NUMBER AND SAM.GOV REGISTRATION

Active DUNS number or evidence of process of registering for DUNS number is required at stage of submitting proposal. DUNS Number shall be active and SAM.gov registration completed before finalization of subcontract agreement. All second-tier subcontractors must comply with the requirements outlined in the RFP, including obtaining DUNS and SAM numbers if the proposed second-tier subcontract price is above \$30,000. Only legal entities need DUNS numbers.

Information regarding obtaining a DUNS number may be found here:

<https://fedgov.dnb.com/webform>

10. NEGOTIATIONS

Best offer proposals are requested. It is anticipated that a subcontract will be awarded solely on the basis of the original offers received. However, Tetra Tech reserves the right to conduct discussions, negotiations and/or request clarifications prior to awarding a subcontract.

Furthermore, Tetra Tech reserves the right to conduct a competitive range and to limit the number of offerors in the competitive range to permit an efficient evaluation environment among the most highly-rated proposals. Highest-rated offerors, as determined by the technical evaluation committee, may be asked to submit their best prices or technical responses during a competitive range.

11. MULTIPLE AWARDS/NO AWARD

Tetra Tech ES, Inc. reserves the right to issue multiple awards. Tetra Tech ES, Inc. also reserves the right to issue no awards.

ATTACHMENT A – TECHNICAL SPECIFICATION

SCOPE OF WORK: Certification for ISO 37001:2016 standards compliance

PERIOD OF PERFORMANCE: 24 months

PLACE OF PERFORMANCE: Kyiv, Ukraine

1. Background

Market Operator is responsible for the organization of selling and buying of electricity on the Day-Ahead Market and the Intraday Market, which assists in balancing demand and supply at the electricity market of Ukraine. According to the Law of Ukraine “On Prevention of Corruption», the company has implemented an anti-corruption policy. An Authorized Person has been appointed to be responsible for compliance with the requirements of the enterprise’s anti-corruption program. Many internal normative documents regulating anti-corruption activities have been developed and approved by orders. The second stages are to introduction of the Anti-Corruption Management System (“ACMS”) and certification according to the international standard ISO 37001 (Anti-bribery management systems).

2. Objectives

Introduction of the Anti-Corruption Management System (“ACMS”) and certification according to the international standard ISO 37001 (Anti-bribery management systems)

3. Scope of Work

The successful offeror will perform the following tasks:

- In close cooperation with Market Operator providing the preliminary by analyzing the documentation provided. All non-conformities and audit results must be substantiated for successful certification.
- Initial Certification which includes:
 - ✓ Preparation of the Audit Plan
 - ✓ First and Second Stage of Certification Audit
 - ✓ Preparation «Corrective actions» form (if non-conformities are detected)
 - ✓ Evaluating the corrective actions expediency (if necessary)
 - ✓ Preparation Audit Report
 - ✓ Preparation a Certificate (if corrective action is deemed appropriate)
- First and second surveillance audit. Conducting a periodic (no later than 12 months after the initial certification audit) Surveillance audit to confirm that the Customer meets the stated requirements.

4. Deliverables and Due Dates

The successful offeror shall deliver to Tetra Tech the following, in accordance with the schedule set forth below.

Deliverable 1: Preliminary audit report (WORD and PDF formats, electronic and hard copy with company seal). The report indicates general information (audited, auditors, audit dates, audit

plan, audit criteria) and recommendations to Certification Audit and correction of non-compliance with the standard.

Deliverable 2: Certification Audit Report (WORD and PDF formats, electronic and hard copy with company seal (if need)). The Certification Audit Report indicates general information (audited, auditors, audit dates, audit plan, audit criteria), audit actions performed, list of interviews, audit results (compliance or non-compliance for each requirement of the standard), identified nonconformities, corrective actions for identified nonconformities and recommendations for certification (or non-certification)

Deliverable 3: Certificate (electronic version in PDF format and hard copy). Valid for 3 years.

Deliverable 4: First surveillance audit report (WORD and PDF formats, electronic and hard copy with company seal (if need)). The First surveillance audit report on the company's compliance with the requirements of the Certificate, identified nonconformities and recommendations.

Deliverable 5: Second surveillance audit report (WORD and PDF formats, electronic and hard copy with company seal (if need)). The Second surveillance audit report on the company's compliance with the requirements of the Certificate, identified nonconformities and recommendations.

Deliverable Number	Deliverable Name	Due Date
1	Preliminary audit report	3 weeks after the subcontract signing.
2	Certification Audit Report	5 weeks after the subcontract signing.
3	Certificate	6 weeks after the subcontract signing.
4	First surveillance audit report	12 months after the subcontract signing.
5	Second surveillance audit report	24 months after the subcontract signing.

ATTACHMENT B – DETAILED BUDGET
PROPOSED DETAILED BUDGET
TABLE 1 – Overall Subcontract Detailed Budget

	unit cost/вартість ь одиниці	Total units/Кількість одиниць	cost/вартість
Total Direct Labor/Прямі витрати - персонал			
LABOR (rate; level of effort; total)/Персонал (ставка; рівень зусиль; загалом)			
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Title, Labor Category - Name, Last Name (Full time / Short Term)/ Назва позицій - ім'я, прізвище (повний робочий день / короткостроковий контракт)	\$0.00	days	\$ -
Subtotal Direct Labor			\$ -
Travel, Transportation & Per Diem/Подорожі, транспорт та суточні			
Airfare/Авіанпереліт	\$0	0 trips	\$ -
Per Diem Meal/Харчування	\$0	0 days	\$ -
Per Diem Lodging/Проживання	\$0	0 days	\$ -
Travel Miscellaneous/Подорожі різне	\$0	0 trips	\$ -
Insurance/Страхування	\$0	0 people	\$ -
Local Ground Transportation/Місцевий наземний транспорт	\$0	0 days	\$ -
Communications/Зв'язок	\$0	0 trips	\$ -
Subtotal Travel, Transportation & Per Diem/Вартість подорожей, транспорту та суточних			\$ -
Other Direct Costs/Інші прямі витрати			
Subtotal Other Direct Costs/Вартість інших непрямих витрат			\$ -
TOTAL ESTIMATED COST/ЗАГАЛЬНА ВАРТІСТЬ			\$ -

*LOE = Level of Efforts, budgeted number of days assigned for the work

Rate = fully loaded daily rate

Prices quoted must be valid for 60 days, and account for ALL remuneration, per diem, travel, communications, report reproduction and other out-of-pocket expenses, taxes and other costs,

but excluding the VAT tax that may be originated in **Ukraine**. On this basis Tetra Tech will issue a **Fixed Price Subcontract**, and payment shall be based upon acceptance of services and deliverables described in the Table 2.

TABLE 2 – Payment schedule

Offeror Deliverable	Expected Due Date	Fixed Price Payment Amount
1. Preliminary audit report	...	[20%]
2. Certification Audit Report	...	[20%]
3. Certificate		[30%]
4. First surveillance audit report		[15%]
5. Second surveillance audit report		[15%]

ATTACHMENT C – REPRESENTATIONS AND CERTIFICATIONS

Offeror Representations and Certifications

1. Organizational Conflict of Interest Representation

The offeror represents, to the best of its knowledge and belief, that this award:

does [] or does not [] involve an organizational conflict of interest.

Please see FAR 52.209-8 for further explanation.

2. Data Universal Numbering System (DUNS) Number *(required if cost proposal is more than USD \$30,000)*

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(please use one box per number or dash)

3. Source and Nationality of Goods and Commodities

(i) This is to certify that the Offeror is:

- a. an individual who is a citizen or legal resident of _____.
- b. a corporation of partnership organized under the laws of _____.
- c. a controlled foreign corporation of which more than 50% of the total combined voting power of all classes of stock is owned by United States shareholders; or
- d. a joint venture or incorporated association consisting entirely of individuals, partnerships or corporations. If so, please describe separately the citizenship or legal status of the individuals, the legal status of the partnership or corporations, and the percentage (%) of voting power of the corporations.

(ii) This is to certify that the **Source** (the country from which a commodity is to be shipped from) of the Equipment to be supplied under this Order is:

name of country or countries

By signing below, the Offeror certifies that the representations and certifications made, and information provided herein, are accurate, current and complete.

Signature: _____ Date: _____

Name of and title of authorized signature: _____



ATTACHMENT D – CERTIFICATE OF CURRENT COST OR PRICING DATA

This is to certify that, to the best of my knowledge and belief, the cost or pricing data (as defined in section 2.101 of the Federal Acquisition Regulation (FAR) and required under FAR subsection 15.403-4) submitted, either actually or by specific identification in writing, to Tetra Tech in support of [Firm/Organization] are accurate, complete, and current as of [DATE]. This certification includes the cost or pricing data supporting any advance agreements and forward pricing rate agreements between the offeror and the Government that are part of the proposal.

Firm: _____

Signature: _____