

WORLD INTELLECTUAL PROPERTY
ORGANIZATION

世界知识产权组织

ORGANIZACIÓN MUNDIAL
DE LA PROPIEDAD INTELECTUAL



ORGANISATION MONDIALE
DE LA PROPRIÉTÉ INTELLECTUELLE

المنظمة العالمية للملكية الفكرية

ВСЕМИРНАЯ ОРГАНИЗАЦИЯ
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ

September 10, 2008

Subject: Request for Proposals (RFP) N° PCD/08/016 – Commercial
Financial Services for the World Intellectual Property Organization
(WIPO)

Dear Madam, Sir,

1. We are pleased to invite you to submit a proposal for the provision of commercial financial services for 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 contract, which must incorporate WIPO's **General Conditions for the Purchase of Services** contained in the attached Annex II. Your submission of a proposal in reply to this tender will be taken to mean that you are in agreement with the said General Conditions for the Purchase of Services. In case you have any question(s) concerning the said General Conditions for the Purchase of Services, these must be sent to WIPO during the period provided for **Vendor Queries** (see paragraphs 15 to 17 below).
3. To enable you to submit a proposal, please find attached the following documents:
 - (a) Annex I: Terms of Reference (TOR), containing a description of WIPO's requirements for which competitive commercial financial services are being sought;

/...

- (b) Annex II: WIPO General Conditions for the Purchase of Services;
- (c) Annex III: Price/Fee Schedule;
- (d) Annex IV: Information Security Agreement;
- (e) Annex V: Non-disclosure Agreement for Non-Treaty Data Access by Member States and External Users;
- (f) Annex VI: Officials Not to Benefit and Third-Party Declaration; and
- (g) Annex VII: Acknowledgement Form.

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

I. SUBMISSION OF PROPOSAL: MANDATORY INSTRUCTIONS

- 5. Your proposal shall be prepared in **English**.
- 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 specify the following address label:

**RFP N° PCD/08/016: Commercial Financial Services for
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 Wednesday, October 29, 2008. 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, Email 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 notified to all firms that have sent to WIPO a duly filled Letter of Acknowledgement in accordance with paragraph 18 below, and will be published in WIPO's procurement website:

<http://www.wipo.int/procurement/en/notices.html>

This website should be visited frequently by all interested bidders especially during the active solicitation period of this tender to ensure they have up-to-date information.

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 signed declaration 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; and

(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 VI - Officials-Not-to-Benefit and Third-Party Declaration as part of your proposal. **WIPO reserves the right to reject proposals that are not in conformity with this requirement.**

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 exert 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, including questions relating to WIPO's **General Conditions for the Purchase of Services**, should be sent by E-mail, indicating as the subject "**RFP N° PCD/08/016**" to the following address: procurementON@wipo.int

16. Queries must be received by WIPO at the above addresses **on or before Monday, September 29, 2008**. A consolidated and anonymous list of all queries received, together with WIPO's answers, will be forwarded by E-mail or by facsimile to all firms that sent a query or queries, and will be published in WIPO's procurement website:

<http://www.wipo.int/procurement/en/notices.html>.

This website should be visited frequently by all interested bidders especially during the active solicitation period of this tender to ensure they have up-to-date information.

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 attached Annex VII - Letter of Acknowledgement - and returning it to us by fax at +41-22 338 82 10 or by e-mail at the address:

procurementON@wipo.int

II. CONTENT OF THE PROPOSAL AND EVALUATION CRITERIA

Content of the Proposal

19. Your proposal, duly signed by an authorized representative of your firm, 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 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.
- (ii) References to recent experiences on projects of a similar nature. This must include a summary listing of similar projects undertaken for other organizations or clients and, as appropriate, the firm's experience in undertaking such projects in the private sector, public sector and within the UN system and its specialized agencies.

You should also provide information that will facilitate our assessment 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 (3) years (balance sheets, financial statements, etc). WIPO reserves the right to gather the same information from any other source it may deem relevant.

(b) Your firm's understanding of the requirements for services as described in the Terms of Reference in Annex I and other annexes.

This should be a summary of the firm'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, methodology, timing and outputs for carrying out the tasks related to WIPO requirements.

You should describe the general methodology and/or process for performing the required tasks or services. Such methodologies should be appropriately documented in the form of annexes to the proposal as necessary.

- (d) Proposed Team Structure.

The composition of the team that you would propose to provide and the responsibilities (including supervisory) that would be assigned to each.

- (e) Other relevant information as appropriate.

Please provide all the above information in such manner that it could be related directly to, and evaluated fully for merits in accordance with, WIPO's requirements as described in the Terms of Reference in Annex I.

19.2 Financial Component:

Financial Proposal

(a) Your financial proposal must be quoted in **Swiss francs** (excluding VAT) in accordance with the attached Annex III – Price/Fee Schedule. The said financial proposal 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 Annex I - Terms of Reference. WIPO reserves the right to reject all proposals that are not in conformity with this requirement. **In addition, your financial proposal should have a cover letter wherein your firm/institution's authorized representative confirms by way of his/her signature the financial proposal and the period of its validity.**

(b) The financial proposal shall be provided fulfilling the attached Annex III – Price/Fee Schedule. The invited companies are free to adapt the price/fee schedule to their own commercial price structure. However, WIPO requests a clear breakdown of all cost-elements and indication of the overall project costs.

(c) 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 to 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 the competing firms in their respective proposals.

20.1 WIPO will evaluate the technical and commercial aspects of all proposals on the basis of the following general evaluation criteria and those specifically described under Section 3.2 (“Selection Criteria”) of the Terms of Reference in Annex I:

- (a) the firm's qualifications and financial stability;
- (b) the firm's understanding of the requirements for services;
- (c) proposed approach and methodology for carrying out the tasks/services related to WIPO’s requirements;
- (d) evaluation of the proposed contractor’s personnel who will be involved in executing the contract;
- (e) quality of the proposal and overall conformity with WIPO requirements;
- (f) overall risk analysis; and
- (g) prices/fees and other financial terms and conditions of the proposal.

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

III. TERMS OF THE CONTRACT

21. This contract is expected to commence during the 4th quarter of 2008. The contract would be awarded for an initial period of one year, renewable on annual basis, up to a total contract length of five years, including the initial term.

IV. ADDITIONAL INFORMATION

22. WIPO reserves the right to split the contract award in any way it may deem necessary in its best interest to any number of firms.

23. WIPO is not bound to select any of the firms submitting proposals. The procurement contract shall be awarded to the qualified firm or firms whose proposal, all factors considered, including value for money, is/are evaluated to be the most responsive to the requirements set forth in the solicitation documents.

V. TAX EXEMPTION

24. 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

25. 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 required in Annex VI, or the declaration was unsigned*;
- (f) your proposal did not include a formal requirement that was stipulated in the tender.

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

VII. REJECTION OF PROPOSAL

26. WIPO reserves the right to reject any or all proposals that are not in conformity with the requirements described in the solicitation documents.

VIII. CANCELLATION OF TENDER

27. 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.

Yours sincerely,

[Signature on file]

Jaime Sevilla
Director
Procurement and Contracts Division

NOTICE OF CONFIDENTIALITY

This Request for Proposal 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.