

Annex II – Submission requirements and tender conditions

Request for Proposals n° PTD/10/006

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 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 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.

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.

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 published on WIPO's Procurement Web site (<http://www.wipo.int/procurement/en/pcs.html>). Please check this Web site regularly.

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;
- b. Your firm's understanding of the requirements for services;
- c. Proposed tool(s) for carrying out WIPO's requirements and validation through the proof-of-concept;
- d. Overall risk analysis;
- e. Price and other financial terms and conditions.

9. The above criteria are provided for information purposes only and are not ranked by importance. The submissions to this request for proposals will be evaluated using a two step process:

- WIPO will evaluate all qualified proposals, based on the evaluation criteria listed above; and
- Shortlisted vendors will be invited to present their solutions at WIPO

Please be sure to fill out and submit the Letter of Acknowledgement (Annex X) in order to receive the data you will need to complete the proof-of-concept assignment.

Please note that all expenses associated with a bidder's participation in the above two steps, including any transport and accommodation costs, are to be borne by the bidder.

Contract Award

10. Please note that WIPO is not bound to select any of the firms submitting proposals. The procurement contract shall be awarded to the most qualified bidder 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.

11. Should your firm be awarded a contract following this RFP, it will be required to sign a contract which shall incorporate WIPO's mandatory conditions found in the attached Annex VI.

12. 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.

Disqualifications of Proposals

13. 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

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

Cancellation

15. 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.