

December 21, 2010

**Subject: Request for Proposals (RFP) N° PTD/11/002 for the provision of professional consultancy services for the development of an ERP (Enterprise Resource Planning) portfolio vision and high level conceptual design**

Dear Madam or Sir,

1. We are pleased to invite you to submit a proposal for the provision of professional consultancy services for the development of an ERP (Enterprise Resource Planning) portfolio vision and high level conceptual design for 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 shall incorporate WIPO's mandatory conditions for the purchase of goods and services as per the attached Annex II.

If you have any questions concerning WIPO's mandatory conditions, these questions should be submitted as queries in accordance with paragraphs 14, 15 and 16 below.

3. To enable you to submit a proposal, please find attached:

- (a) Annex I: Terms of Reference (TOR) and its Appendices ;
- (b) Annex II: WIPO's General Conditions;
- (c) Annex III: Response Requirements;
- (d) Annex IV: Price Schedule;
- (e) Annex V: Officials-Not-to-Benefit and Third-Party Declaration;
- (f) Annex VI: Non-disclosure Agreement for Non-Treaty Data Access by Member States and External Users.
- (g) Annex VII: Information Security Agreement
- (h) Annex VIII: Acknowledgement Form

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

**I. RFP SUBMISSION: INSTRUCTIONS FOR COMPLETION**

4. Your proposal shall be prepared in **English**.

Proposal Submission Format and Date

5. 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 proposal shall govern.
6. 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° PTD/11/002: Provision of professional consultancy services for the development of an ERP portfolio vision and high level conceptual design**

**CONFIDENTIAL - NOT TO BE OPENED**

Mrs. Bérénice Bessiere  
Director  
Procurement and Travel Division  
World Intellectual Property Organization (WIPO)  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland

7. 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.

8. **Proposals must be received by WIPO at the above address on or before Monday, January 31, 2011. 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 9 below.

**Facsimile proposals, e-mail proposals or proposals that are not duly signed are not acceptable and will not be considered.**

RFP amendments

9. 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.

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

10. 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.

11. In light of the above, please sign and return Annex V - 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 10 and 11.

Required Validity of Proposal

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

13. 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

14. Queries concerning the technical, legal or commercial aspects of this RFP should be sent by e-mail, indicating as the subject "RFP N° PTD/11/002" to the following address:

**[procurementSP@wipo.int](mailto:procurementSP@wipo.int)**

15. Queries must be received by WIPO at the above addresses **on or before Monday, January 11, 2011**. A consolidated and anonymous list of all queries received, together with WIPO's answers, will be published on WIPO's Procurement website (<http://www.wipo.int/procurement/en/pcs.html>). Please check this website regularly.

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

Acknowledgment Form and Intent to Bid

17. 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 VIII - Acknowledgement Form and returning it to us by fax at +41 (0)22 338 8210 or by email to the following address:

**[procurementSP@wipo.int](mailto:procurementSP@wipo.int)**

## II. CONTENT OF THE PROPOSAL AND EVALUATION CRITERIA

Technical Component

18. Please refer to **Annex III – Response Requirements** which contains detailed instructions on the form and content of your proposal.

Financial Component

19. Your financial offer must be quoted in **Swiss francs** (excluding VAT) and in accordance with the attached **Annex IV – Price Schedule**. Your 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).

20. Your financial offer shall have a cover letter wherein your firm/institution's authorized representative confirms the financial offer and the period of its validity. The financial offer should clearly provide a breakdown of all costs including but not limited to all one time costs (such as initial set up, training etc), recurrent annual costs, ad hoc costs, etc.

21. Please note that WIPO does not accept contracts or other form of undertaking which require a payment or payments on account, in advance of the delivery of products or the performance of services, except where normal commercial practice or the interests of WIPO so require. Should your offer include any form of advanced payment a specific justification would be required.

Evaluation Criteria

22. 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 understanding of the requirements and the proposed approach and methodology for carrying out the tasks related to WIPO requirements ;

(b) The quality and years of relevant experience of the proposed resources who will be involved in executing the contract. Detailed CVs of the Contractor's personnel must be attached to your proposal. Kindly note that if the proposed resources have not worked on your referenced projects, you are requested to provide at least one specific customer reference for each resource proposed. These references must be provided with complete contact details furnished along with the proposal and the authorization for WIPO to contact them directly and independently.

(c) Your firm's qualification and financial stability, evaluated on the basis of:

1. customer references for your company for relevant projects (modules currently being used by WIPO, other products from Oracle's diverse range which WIPO may use are some factors that will be used to assess relevance) must be provided along with the proposal. Please ensure that all contact details and the authorization for WIPO to contact them directly are included in the proposal.
2. prior experience, knowledge and understanding of the financial and budgetary control business processes and results based management working methods within the United Nations (UN) and its specialized agencies; prior experience of PeopleSoft related projects within the UN and its specialized agencies. This criterion will be assessed at the company level and the individual resource level;
3. financial stability - kindly provide WIPO with any information you may deem relevant for WIPO to evaluate your firm's financial stability. WIPO reserves the right to gather information on the financial stability of your firm from any other source it may deem necessary.

(d) Measurement of the costs associated with the bidders proposal, as well as their financial terms and conditions; and

(e) Overall risk assessment

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

23. Submissions to this request for proposal will be evaluated using a two step process:

- (1) WIPO will evaluate all qualified proposals, based on the evaluation criteria described above; and
- (2) Shortlisted vendors will be invited to WIPO to present their proposal and WIPO reserves the right to interview and assess the proposed resources;

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

### **III. ELIGIBILITY TO SUBMIT A PROPOSAL**

24. WIPO kindly informs companies that are (or were) involved in or assisting WIPO in the preparation of the terms of reference or any other documents related to this tender exercise, are not eligible to submit a proposal in response to this RFP.

### **IV. CONTRACT AWARD CONDITIONS**

25. 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.

26. The Contract will be on a time and material basis. WIPO does not guarantee any minimum amount of work. Likewise, WIPO does not guarantee that it will use or keep engaged all resources over the life of this contract.

27. The Contract will be for an initial term of one year, with a possibility of consecutive annual extensions up to a maximum period of 5 years.

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. 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.

### **V. TAX EXEMPTION**

30. 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

31. Your proposal shall be disqualified if:
- (a) Your proposal is late;
  - (b) Your proposal is sent by fax or E-mail;
  - (d) Your proposal is not signed<sup>\*</sup>;
  - (e) Your proposal did not include the *Officials-Not-to-Benefit and Third-Party* declaration, or the declaration was unsigned<sup>\*</sup>;
  - (f) Your proposal did not include a formal requirement that was stipulated in the tender<sup>\*</sup>.
  - (g) Your company is not eligible to submit a proposal, as per paragraph 24 of this RFP.

## VII. REJECTION OF PROPOSAL

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

## VIII. CANCELLATION

33. 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]*

Bérénice Bessiere

Director

Procurement and Travel 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.

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<sup>\*</sup> Disqualification will occur if bidder refuses to promptly reply to notice from WIPO that the proposal or its Annexes were not signed.