



**Elizabeth Glaser
Pediatric AIDS Foundation**
Fighting for an AIDS-free generation

REQUEST FOR PROPOSALS #S026229

Legal Services

in support of

ELIZABETH GLASER PEDIATRIC AIDS FOUNDATION (EGPAF)

Maputo

(Avenida Agostinho Neto 714, Bairro Polana Cimento B, Maputo, Maputo)

Firm Deadline: Wednesday, September 21, 2022

The Elizabeth Glaser Pediatric AIDS Foundation, a non-profit organization, is the world leader in the fight to eliminate pediatric AIDS. Our mission is to prevent pediatric HIV infection and to eliminate pediatric AIDS through research, advocacy, and prevention and treatment programs. For more information, please visit <http://www.pedaids.org>.

BACKGROUND

EGPAF Mozambique is an international non-governmental organization registered in Mozambique with registration at Ministry of Foreign Affairs, registration number 096, operating in Maputo, Gaza and Inhambane provinces of Mozambique.

The Foundation is seeking a qualified company or firm to perform an assessment of the Foundation's compliance with local law in Mozambique, and provide professional guidance on legal matters as required.

SCOPE OF WORK AND CONTRACTOR DELIVERABLES

EGPAF Mozambique requires professional support on legal matters, to include the following:

- 1. DELIVERABLE 1:** Assess the Foundation's compliance with key applicable local laws (labour, retention, taxation, legal registration, expatriate processes and other requirements), and provide a written report. The report will include all areas tested and a full description of the level of compliance of the Foundation in each area. For any non-compliant or partially non-compliant areas, the contractor will provide detailed recommendations on how to correct the areas of non-compliance.
- 2. DELIVERABLE 2:** Ad hoc legal support as requested, which may include, but is not limited to, the following:
 - a. Maintain current expertise on the requirements for EGPAF to operate legally and responsibly in Mozambique, and pro-actively advise the Foundation on laws, regulations and/or requirements that



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affect our business, status, and/or registration. Guidance required will include, but is not limited to, local employment laws and retention of our income tax exemption certificate.

- b. Act as EGPAF's legal advisor in respect of agreements/contracts and attest to those documents as necessary.

- c. Respond to demand notices and other legal correspondences issued against the organization.

- d. Accord EGPAF first priority to represent EGPAF in any Court cases as may be instructed from time to time, subject to prior discussion and agreement with regard to availability of the firm and an agreeable fee subject to rules on Advocates' fees.

FOUNDATION RESPONSIBILITIES:

LOGISTICS:

The activity should be conducted primarily at the Foundation's office located at Maputo office as well as provincial and district offices whenever need be.

KEY CONTRACT TERMS:

The anticipated contract type is Indefinite Quantity Contract. Unless stated otherwise in the statement of the work, the Contractor is responsible for providing equipment and/or supplies required to perform the services.

In recognition of this, a 12 month Indefinite Quantity Contract will result from this solicitation. When a need arises for a particular good/service, the Foundation will then place Task Orders for a particular good/service.

OPTIONAL WORK:

The Foundation also anticipates a need to potentially extend this scope of work for an additional 2 option periods. The anticipated duration of each option period is 12 months. Please indicate any pricing changes for the option periods in response to this RFP.



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EVALUATION CRITERIA AND SUBMISSION REQUIREMENTS:

The Foundation will accept the proposal that presents the best value. All proposals will be evaluated against the following Evaluation Criteria. Each proposal must contain the items listed in the Submission Requirements column in the following chart. Please submit your Submission Requirements in the order that they appear below.

Evaluation Criteria	Submission Requirements	Weight
Proposed Methodology and approach	Maximum 5 page summary of the proposed approach and methodology for completing the assessment.	10.00 %
Past performance of similar work	Professional references letter from similar past projects with telephone number and email contact information and one or more examples of prior similar work.	15.00 %
Qualifications of proposed individuals	CV/Resume of individual(s) who would be assigned to this project: a) 2 professional references for each individual, b) Relevant experience in similar in the following fields: labour, retention, taxation, legal registration and expatriate processes. c) Registered in the lawyers association of Mozambique (Ordem dos Advogados de Moçambique)	40.00 %
Total fixed price	Fixed price for the following: · Completion of the compliance assessment (Deliverable 1) · Hourly (non-retainer) rate for Deliverable 2 support. Monthly retainer rate for Deliverable 2 support. · “Should the monthly retainer rate proposed assume a maximum number of hours per month, unused hours should transfer to the following month without expiration for the life of the contract.”	35.00 %
Total		100.00%

All applicants are required to be registered and authorized to perform the scope of work in the place of performance. A copy of valid registration must be submitted with each proposal.

Additional Instructions:

All applicants are required to be registered and authorized to perform the scope of work in the place of performance. This will be a Pass/Fail criteria.

PROPOSED TIMELINE:



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DATE	ACTIVITY
	Release of RFP
9/12/2022	Submission of Inquiries directed to: procurement mz, EGPAF Mozambique Procurement Dept Email, procurementmz@pedaids.org Any form of canvassing will lead to automatic disqualification of the firm No phone calls please.
9/14/2022	Question and Answer Response Document posted on EGPAF website at http://www.pedaids.org/pages/contracting-opportunities
9/21/2022	Completed proposals must be delivered electronically by the deadline mentioned on page one to: procurement mz, EGPAF Mozambique Procurement Dept Email, procurementmz@pedaids.org
9/29/2022	Final decision announced and Offerors notified
9/30/2022	Contract executed and Services begin.

Please note it is our best intent to comply with the above timeline but unavoidable delays may occur.

KEY SOLICITATION TERMS AND CONDITIONS

The following terms and conditions apply to this solicitation. Preference will be given to bidders who can meet EGPAF terms. Any exceptions to the requirements or terms of the solicitation must be noted in your submission.

1. All submissions and/or communications should be identified by the unique RFQ or RFP Reference Number reflected on the first page of the solicitation document. Failure to comply with this requirement may result in non-consideration of your submission. Late quotes/proposals may be rejected without being considered.
2. Participation in this solicitation is open to all legal vendors that are registered and comply with the laws of doing business in the applicable country where services will be rendered. To be eligible for participation in the bidding procedure, bidders must prove



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to the satisfaction of EGPAF that they comply with necessary legal, commercial, technical, and financial requirements and are able to carry out the resulting work effectively. EGPAF may, at its discretion, require the presumed winner of the procurement to provide a copy of a valid registration certification and/or tax compliance (i.e. VAT) prior to awarding of the final procurement. Failure to provide this information at that time may automatically disqualify a bidder from selection.

3. EGPAF shall use its best endeavors to ensure that funds provided under this solicitation do not provide direct or indirect support or resources to organizations and individuals that are associated with terrorism, promote or advocate the legalization or practice of prostitution or sex trafficking, or provide assistance to drug traffickers. If, during the course of this solicitation, EGPAF discovers any link whatsoever with any organization or individual associated with any or all of these, they shall be excluded or disqualified from the bidding process.
4. EGPAF reserves the right to terminate the final contract should the selected bidder be unable to fulfill its expected obligations.
5. By submitting a bid, you certify that the person(s) involved in the preparation and collation of quotes/proposals were or are in no way associated or have any Conflict of Interests with the initial preparation of the solicitation, the tender documentation, or the subsequent evaluation, assessment, analysis, management, and decision-making process of this solicitation.
6. The solicitation is not an offer to enter into agreement with any party, but rather a request to receive proposals or quotations from person(s) interested in providing the goods/services outlined in the released solicitation document. Such submissions shall be considered and treated by EGPAF as offers to enter into an agreement.
7. Any quotations or proposals not addressing each of the submission requirements listed in the solicitation may be considered non-responsive and disqualify the applicant from final selection. Any exceptions to the requirements or terms of the solicitation must be noted in the final submission. EGPAF reserves the right to consider any exceptions to be non-responsive. EGPAF reserves the right to reject all submissions, in whole or in part, enter into negotiations with any party, and/or award multiple contracts.
8. EGPAF shall not be obligated for the payment of any sums whatsoever to any recipient of the solicitation until and unless a written contract between the parties is executed.
9. Equal Opportunity Notice. The Elizabeth Glaser Pediatric AIDS EGPAF is an Equal Employment Opportunity employer and represents that all qualified bidders will receive consideration without regard to race, color, religion, sex, or national origin.
10. All items or deliverables provided to EGPAF must be furnished for the use of EGPAF without royalties or any additional fees. All Materials will be owned exclusively by EGPAF. Bidder will not use or allow the use of the Materials for any purpose other than bidder's performance of the Contract without the prior written consent of EGPAF.
11. **ETHICAL BEHAVIOR:** As a core value to help achieve our mission, EGPAF embraces a culture of honesty, integrity, and ethical business practices and expects its business partners to do the same. Specifically, our procurement processes are fair and open and allow all vendors/consultants equal opportunity to win our business. We will not tolerate fraud or corruption, including kickbacks, bribes, undisclosed familial or close personal relationships between vendors and EGPAF employees, or other unethical practices. If you experience or suspect unethical behavior by an EGPAF employee, please contact our Fraud Investigations team at fraud@pedaids.org or EGPAF's Ethics Hotline



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at www.reportlineweb.com/PedAids. Any vendor or consultant who attempts to engage, or engages, in corrupt practices with EGPAF will have their bid disqualified and will not be solicited for future work.

12. Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment:

In accordance with Section 889 of the National Defense Authorization Act for Fiscal Year 2019, supplier understands and agrees that if awarded a contract as result of this solicitation, it will not procure or use any equipment, system, or service that uses “covered telecommunications equipment or services” as a substantial or essential component of any system, or as critical technology as part of any system under the resulting contract. “Covered telecommunications equipment or services” includes telecommunications or video surveillance equipment or services (including, but not limited to, cell phones, security cameras, network switches, and routers) manufactured by or with components from these Chinese companies or their subsidiaries or affiliates: (1) Huawei Technologies Company; (2) ZTE Corporation; (3) Hytera Communications Corporation; (4) Hangzhou Hikvision Digital Technology Company; or (5) Dahua Technology Company. In the event the supplier identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, for performance of this agreement for EGPAF, the supplier will notify EGPAF immediately and will be guided to provide the information required by FAR 52.204-25. The supplier agrees to insert the substance of this clause in all of its subcontracts or purchase orders funded by EGPAF.