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**Cardno Emerging
Markets USA Ltd.**

**USAID Business
Enabling Project (BEP)**

Request for Proposals
USAID BEP RFP-2016-02
For the Provision of
**Trainings for Professional Enforcement Officers on Financial Management, Mediation
and Effective and Efficient Enforcement Process**

Project:
Business Enabling Project

Contracting Entity:
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Funded by:
United States Agency for International Development (USAID)

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Request for Proposals

Cardno Emerging Markets USA, Ltd., the Contractor, acting on behalf of the U.S. Agency for International Development (USAID) as implementer of the Business Enabling Project, is soliciting offers from qualified, legally registered U.S. or Serbian, non-profit or for-profit companies and organizations, and non-governmental organizations (NGOs) to submit proposals to carry out *Trainings for Professional Enforcement Officers on Financial Management, Mediation and Effective and Efficient Enforcement Process*.

This Request for Proposals (RFP) consists of the following sections:

1. Section 1 – Background and Scope of Work
2. Section 2 – Detailed Instructions
3. Section 3 – Proposal Submission and Preparation Information
4. Section 4 – Evaluation and Award Information
5. Section 5 – Administration Information
6. Annexes

Cardno Emerging Markets USA, Ltd /USAID's Business Enabling Project (Cardno/USAID BEP) is soliciting proposals from qualified offerors interested in providing the services as described in detail in Section 1 Funding Opportunity Description under Scope of Work, of this RFP. The successful bidder will be responsible for ensuring achievement of specified deliverables.

The Offeror may NOT subcontract or enter into joint ventures or other agreements with other organizations under any resultant subcontract without prior Cardno approval. Should there be a need for the Offeror to subcontract to another organization, the Offeror must perform a substantial portion of the activities (including program management and operations, and delivery of required services.)

The Offeror may not submit more than one proposal per RFP. The Offeror may not be a partner in another proposal at the same time. The partner must satisfy the eligibility criteria as applicable to the main Offeror himself as per section 2.1.

Subcontract Award: Cardno/USAID BEP intends to award one Firm Fixed Price subcontract up to \$30,000 in USD (US Dollars), payable in RSD (Serbian dinars), in funding to be allocated over a 6 month period. The anticipated period of performance of the subcontract is expected to start from on or about September 1, 2016. All tasks should be completed no later than six months after the award of the subcontract. Cardno/USAID BEP anticipates awarding one Firm Fixed Price subcontract under this RFP. Under a Firm Fixed Price subcontract all payments will be a fixed-sum, payable upon completion of deliverables. Deliverables and payment amounts and dates will be defined in detail during negotiations.

Cardno/USAID BEP will select the proposal that offers the best value based upon the evaluation criteria stated in this RFP. This RFP in no way obligates USAID BEP, Cardno, or USAID to execute a subcontract nor does it commit USAID BEP, Cardno, or USAID to pay any cost incurred in the preparation and submission of proposals.

Submission and deadline of proposals: Offerors are responsible for ensuring that their signed technical and cost proposals are received in accordance with the instructions stated in

this RFP, and received no later than the closing time and date. Cardno/USAID BEP cannot guarantee that late offers will be considered. Offerors shall submit their offers electronically only. Emailed offers must be received by 16:00 (4 pm) CET (Local Belgrade Time) on August 19, 2016 at subcontracts@bep.rs.

Validity Period

Offerors' proposals must remain valid for 90 calendar days after the proposal submission deadline.

Written Questions and Clarifications. Upon receipt of this RFP, Offerors should carefully review the entire document. Offerors should submit any questions concerning this RFP in writing via email to subcontracts@bep.rs. The deadline for receipt of requests for clarifications/explanations is July 29, 2016 by 16:00 hours Local Belgrade Time. No questions will be accepted after this date.

Organizations invited by Cardno/USAID BEP to submit proposals for the services described in this RFP are under no obligation to do so. At the same time Offerors will not be reimbursed for any costs incurred in connection with the preparation and submissions of their bids.

Section 1 – Background and Scope of Work

1.1. Background

The United States Agency for International Development (USAID) has awarded a contract to Cardno Emerging Markets USA, Ltd. for the USAID Business Enabling Project in Serbia (USAID BEP). The purpose of USAID BEP is to help the Government of Serbia (GoS) improve the competitiveness of the Serbian economy and its private sector businesses. The overall objective is to assist GoS policy makers, business representatives, experts, and others to improve the business enabling environment and macroeconomic framework. USAID BEP provides technical assistance and training to improve the business enabling environment, support macroeconomic stability, further develop financial markets, and improve and increase business and financial management capacities within government and business. The Business Enabling Project is made up of three components:

Component 1, Business Regulation and Economic Governance, streamlines laws, regulations, and institutions; improves regulators' capacity to implement laws; and improves analysis and public-private dialogue.

Component 2, Macroeconomic Policy and Public Financial Management, helps the Government implement new budget and fiscal responsibility laws, improve budgeting, increase public disclosure and transparency, strengthen public debt management, and improve economic analysis and forecasting.

Component 3, Financial Market Development, works on improving regulatory frameworks for non-bank institutions, develop capacity to strengthen and expand capital markets, and improve conditions for access to finance for small and medium enterprises.

USAID BEP's activities in Components 1, 2, and 3 are described in more detail on USAID BEP's website: <http://bep.rs/> and www.policycafe.rs

To accomplish reforms in each of these areas USAID BEP helps the Government of Serbia work closely with the private sector and outside experts to make reforms that improve business competitiveness.

Under Component 3, the Project provides support to improve the financial market and the business environment for finance in Serbia in order to improve access to finance for micro, small and medium-sized enterprises and sole proprietors (MSMEs).

1.2. Activity Purpose, Description and Scope of Work

The RFP supports Component 3 (Financial Market Development), Objective 4 (Improving Access to Finance for Small and Medium Enterprises and Entrepreneurs), Task 6 "Strengthen In-Court and Out of Court Credit Enforcement", of USAID BEP.

The purpose of this RFP is to solicit proposals to build capacities of the professional enforcement officers through trainings in areas necessary for an effective and efficient enforcement process. The assistance should help implementation of Law on Enforcement and Security and help improve overall performance of professional enforcement officers conducting the enforcement process.

1.2.1. Background

The Law on Enforcement and Security, enacted in May 2011 with the assistance from USAID, introduced a number of substantial changes aimed at reducing the time it takes to collect a claim. The most important element of the law was the establishment of a system of professional, out-of-court, enforcement officers, coexisting in parallel with the court base enforcement officers.

The 2011 law led to some improvements. 239 enforcement professional officers were trained, passed their professional examinations, and were appointed. These professional enforcement officers have so far resolved 543,056 enforcement cases in total (318,040 in 2015 alone). USAID BEP's Annual Survey of Businesses found that perception of the enforcement of judgments improved significantly from 2011 to 2015 as a result of the reforms of the enforcement system. Businesses have noted progress in the enforcement system, with 45 percent rating the framework as good, very good, or excellent last year, compared to a positive rating of only 15 percent in 2011.

But inefficient credit enforcement continues to be a major constraint to trade and access to finance. The continuing inefficiency of the system for enforcement of judgments is reflected by the World Bank's Doing Business rankings for Serbia in Enforcing Contracts¹ and the fact that lenders still lament how difficult it is to collect debts. Better credit enforcement is necessary to achieve wide-scale sustainable improvements in access to finance. This entails both in-court and out-of-court enforcement. The debt collection process remains unpredictable. This directly impact the lending and trade credit, as banks and trade creditors cannot count on an effective and efficient and fair collection process. Costs associated with credit enforcement and collection (staffing, management time, legal resources, etc.) are usually high in relation to the average MSME loan. Lenders build those risks into their pricing, they are selective in taking collateral, they over-collateralize, and they underwrite against very low thresholds of default risk – all of which translates into higher costs and less access for many small businesses.

USAID BEP has been providing assistance to improving enforcement since 2011, often in cooperation with the Rule of Law and Enforcement Project, which was funded by the EU and implemented by GIZ. In relation to the implementation part of the 2011 Law on Enforcement and Securities, major activities included:

- Developing the curriculum and methodology and drafting training manuals and materials for education of professional enforcement officers; and providing an electronic version of the Professional Enforcement Officers Practice Manual (with developed materials, the trainings were easily replicable to ensure that all new entrants to the profession have necessary qualifications).
- Organizing together with the Chamber of Enforcement Officers several rounds of training sessions on the practical aspects of the enforcement officer profession and the supervision of enforcement officers.

¹ According to the World Bank Doing Business Survey, the issues relate primarily to: (i) duration of the procedure (average of 635 days in Serbia, and in Europe and Central Asia 480.7 or 538.3 OECD) and (ii) costs of the procedure (average of 34% in Serbia, while in Europe and Central Asia 26.2% and OECD high income countries, 21.1%).

- Providing one international workshop for the Ministry of Justice on oversight of the profession. This helped improve the quality and functionality of enforcement system.
- Facilitating dialogue between professional enforcement officers and bankers to build a stronger working relationship and improve the efficiency of the enforcement process.

On December 18, 2015, the National Assembly adopted the new Law on Enforcement and Security, which mandates the usage of out-of-court professional enforcement officers in enforcing all commercial claims. The first part of the Law entered into legal force on May 1, 2016, and the remaining part entered into legal force on July 1, 2016.

Our previous research² has shown that further actions are necessary:

- Place renewed attention on use of professional enforcement officers to improve enforcement of judgments. Businesses do not appear to be benefitting sufficiently from the professional enforcement officers. Most cases have been for utility bill collection, though banks are starting to use professional enforcement officers more frequently, with success.
- Accelerate the training of qualified professional enforcement officers and build capacity within the enforcement officer chamber and the Ministry of Justice to oversee and regulate enforcement officers.
- Strengthen court-led enforcement by accelerating implementation of the Law on Enforcement and Security, reducing inconsistencies in court procedures, enforcing statutory deadlines, and building court capacity in credit related matters.
- Strengthen the institutional capacity of courts to efficiently apply the Law on Enforcement and Security and administer enforcement cases through training of judges, court staff, and enforcement officer on the new enforcement law, different security interests and other banking and credit-related disciplines.

USAID BEP's efforts help to sustain its legacy of support, decrease lending risk, and lower the cost of enforcement which can lower the cost of financing in general.

1.2.2. Objectives and Purpose

The objective of the procurement is to enable the professional enforcement officers to increase their effectiveness and efficiency in conducting the enforcement process.

The purpose of this procurement is to solicit Proposals to support Cardno/USAID BEP by providing assistance in delivering trainings for professional enforcement officers on financial management, mediation and effective and efficient enforcement process.

The objectives and purpose will be achieved through development and implementation of a training program and relevant materials, based on the needs identified by the conducted research and practice to date, and through a series of trainings, which will be conducted by

² Studies include: USAID BEP "FINANCING THE GROWTH OF SMALL AND MEDIUM SIZED ENTERPRISES – Critical Issues and Recommendations for Serbia", 2012; USAID'S BUSINESS ENABLING PROJECT ANNUAL BUSINESS SURVEY: SERBIA 2011 – 2015;

experts and consultants in the areas of finance, mediation and related issues (such as communication skills and “soft skills” coaching). As the result, the activity will create a pool of skilled professional enforcement officers that will enable successful implementation of the Law on Enforcement and Security, and ensure sustainability of the project. By engaging leading experts and practitioners, and by implementing an innovative training methodology that will focus both on programmatic knowledge and practical skills, the activity will contribute to improvement of the enforcement system and overall business environment in Serbia.

1.2.3. Project Description

The project is specifically targeted at increasing professional capacities of professional enforcement officers as the most critical stakeholders for the efficiency of enforcement process.

The Project consists of the following elements:

- 1) Providing financial management trainings to the professional enforcement officers. This will lead to their increased knowledge and understanding on financial skills, specific tools and techniques necessary for successful financial management of their offices and better cooperation with businesses, business associations and banks. The trainings will include training on financial and accounting issues so that the PEOs can better find debtors’ assets;
- 2) Providing mediation and “soft-skills” trainings to professional enforcement officers. This will lead them to obtaining specific tools and techniques, necessary for effective communication, encouraging the parties in conflict to a dialogue and effective negotiations whenever possible, to resolve differences or conflict between them in order to find a mutually acceptable solution that meets their real interests and needs.
- 3) Providing `Train the trainers` program for the training of selected group of professional enforcement officers on mediation and “soft-skills.”

1.3. Scope of Work

1.3.1. Tasks

The subcontractor will:

1. Identify and propose detailed topics which should be covered during the trainings. The trainings should be designed and structured to provide the attendees with appropriate practical expertise on:
 - Financial management for professional enforcement officers and their businesses, including business models, strategic financial management, accounting standards and domestic practice, controlling financial planning and budgeting, strategic relationship between banks and enterprises, etc.);
 - Mediation, including advanced communication and negotiation skills, mediation in financial restructuring, mediation in commercial disputes, conflict management, preparation and mediation, introduction to the skills and techniques of mediation procedure, conducting practical exercises, etc.);
 - Conducting effective and efficient enforcement processes and procedures, including overview and discussion of best Serbian and international practices;

2. Identify and propose practical methods for training delivery;
3. Develop and deliver training agendas, outlines and training materials. Training materials should entail simple paper and electronic documents. Electronic documents should be posted on the web sites of USAID BEP, Chamber of Enforcement Officers, and Judicial Academy;
4. Provide adequate trainers in the areas of financial management, mediation, effective and efficient enforcement and related issues, banking, business and financial matters, communication skills `soft skills` coaching;
5. Deliver:
 - Financial management trainings for at least 125 professional enforcement officers. The trainings should last at least two days and should be held in four cities (Belgrade, Novi Sad, Kragujevac, Niš), in groups of 25 participants;
 - Mediation trainings for at least 125 professional enforcement officers. The trainings should last at least two days and should be held in four cities (Belgrade, Novi Sad, Kragujevac, Niš), in groups of 25 participants;
 - Training skills and techniques trainings (`Train the trainers`) for a selected group of at least 10 professional enforcement officers. The trainings should last at least two days. The Offeror should develop criteria for selecting, and select these trainers based on their interests, potentials and performance expressed during the mediation and “soft” skills training sessions;
6. Certify the attendees on completion of training and acquired knowledge and skills.

The target group of the trainings are professional enforcement officers. Attendees from various regions of the Republic of Serbia should participate in the trainings. The Offeror will define selection criteria and select the professional enforcement officers that will undergo trainings in cooperation with the Chamber of Enforcement Officers (roles, rights and responsibilities of the Offeror and Chamber of Enforcement Officers will be subject to the separate agreement) and/or Judicial Academy.

Methods for trainings should be appropriate for the target audience, and should maximize the impact of the trainings. Trainings will include in-person presentations and discussions, simulations, case studies, examples and other practical hands-on training. All trainings should be practical, with focus on the efficient implementation of the provisions of the Law on Enforcement and Security and achieving high-quality, consistency and effectiveness and efficiency of the enforcement process.

By the conclusion of trainings, participants should have the knowledge and skills to understand the core financial management and mediation principles, tools and techniques, and properly implement them in their daily work.

Trainers should be practitioners with experience in financial management, mediation, effective and efficient enforcement and related issues, banking, business and financial matters, communication skills and `soft skills` coaching. Trainers should include Serbian experts. The program will include both female and male participants.

The trainings will be held over the period of 5 (five) months starting from mid-September 2016 to mid-February 2017.

The Offeror is required to consult and cooperate with USAID BEP's Chief of Party, Deputy Chief of Party, Task Managers, and other staff in developing, conducting and reporting on the trainings.

1.3.2. Staffing

The Offeror should propose a staffing plan that should include the following staffing:

1. Project Manager

The project manager is in charge of the overall implementation of the project. The project manager coordinates engagement and monitors performance of other team members and service providers, oversees realization of activities and makes sure the time schedule is respected. The project manager is in charge of financial realization and reporting to USAID BEP. In addition, the project manager's task is to ensure the cooperation with the selected stakeholders. The project manager will also be involved in supporting the project team in all the proposed activities.

Desired qualification: At least 5 years' of professional experience in managing projects that include professional trainings.

2. Expert in Finance

The expert in finance will be in charge of developing educational materials and delivering the trainings in accordance with the proposed activity description (financial management). The expert will be in charge of preparing and delivering training sessions for professional enforcement officers in accordance with the training curriculum the expert has developed.

Desired qualification: At least 8 years' of professional experience in financial management, accounting, MSME financing and banking with proven track records of working with entrepreneurs and/or MSMEs in at least mid-level management positions. In addition, the expert must possess experience in curriculum and training development, as well as substantial experience in delivering training to entrepreneurs and/or MSMEs in Serbia.

3. Expert in Mediation

The expert in mediation will be in charge of developing educational materials and delivering the trainings in accordance with the proposed activity description (mediation). The expert will be in charge of preparing and delivering the training sessions for professional enforcement officers in accordance with the training curriculum the expert has developed.

Desired qualification: At least 10 years' of professional experience in mediation and soft-skills, communication and negotiation skills, training techniques and methodologies coaching. In addition, the expert must possess experience in curriculum and training development, as well as substantial experience in delivering trainings in effective communication (how to make a first contact with conflicting parties and establish a relationship of trust, elements and techniques of active listening), communication in high-tension situations, overcoming obstacles in communication, managing "difficult" types of individuals and personalities. Possession of mediation license issued by the Ministry of Justice, and/or international mediation licences will be considered as an advantage.

The Offeror is required to propose the staffing plan or to describe the recruiting plan in the Proposal. Project Manager, Expert in Finance and Expert in Mediation should be considered "key personnel" in the Technical Proposal. The entire staff should be fluent in Serbian and English.

The Offeror will provide the costs for the equipment and software necessary to provide all listed deliverables.

1.3.3. Deliverables

The following are the specific deliverables, which upon Cardno acceptance of the deliverable, will also serve as milestones for payments (the date of signing of the agreement will be hereinafter referred to as "Contracting date"):

1. Final Work Plan and Schedule
2. Organization and logistics of the program
3. Developed draft training modules, including agendas, course outline, handouts and other applicable materials
4. Trainers provided
5. Trainings in financial management and mediation for 125 professional enforcement officers
6. Train the trainers for a selected group of at least 10 professional enforcement officers
7. Training reports submitted
8. Evaluation of the trainings prepared
9. Final report

All written deliverables must be submitted in Serbian language, with the exception of the Final Report that must be produced in English language.

1.3.4. Deliverables Schedule

The Subcontractor shall submit the deliverables for payment described above in accordance with the following Deliverables Schedule:

Deliverable No.	Deliverable Name	Due Date	Delivery Instructions
1.	Final Work Plan and Schedule	September 10, 2016	MS Word document
2.	Organization and logistics of the program	September 10, 2016	MS Word document
3.	Developed draft training modules, including agendas, course outline, handouts and other applicable materials	September 15, 2016	MS Word document, Printed handouts, PowerPoint presentations, Excel annexes, other

			appropriate formats
4.	Trainers provided	September 15, 2016	MS Word document
5.	Trainings in financial management and mediation for around 125 professional enforcement officers	February 1, 2017	23 or more training events
6.	Train the trainers for a selected group of at least 10 professional enforcement officers conducted	February 7, 2017	One or more training events
7.	Training reports submitted	February 15, 2017	MS Word document
8.	Evaluation of the trainings prepared	February 15, 2017	MS Word document
9.	Final report	February 22, 2017	Delivered in English, MS word

Section 2 - Detailed Instructions

2.1. Eligibility Information

Eligible Offerors shall be able to comply with and achieve the proposed Program Description, Tasks, and Results and have a satisfactory performance record and record of integrity and business ethics.

Eligible Offerors include legally registered US and Serbian non-for-profit and for-profit organizations, and non-governmental organizations (NGOs).

Prior to the award of services provided by this RFP, the successful vendor will be required to sign a Certification Regarding Terrorist Financing certifying that the Vendor does not provide and has never provided assistance to terrorists for terrorist activities. The successful Vendor may also be required to sign other Certifications as applicable to the award. The Certifications are attached as Annex 1 of this RFP.

Ineligible Offerors include:

- Entities that have misused USAID funds in the past, organizations that advocate, promote or espouse anti-democratic policies or illegal activities;
- Political parties or institutions;
- Organizations that intend to use the contract for religious objectives;
- Organizations that are on the list of parties excluded from federal procurement and non-procurement programs or the United Nations Security Sanctions Committee.

2.2. Source of Funding, Authorized Geographic Code, and Source and Nationality

Any subcontract resulting from this RFP will be financed by USAID funding and will be subject to U.S. Government and USAID regulations. The authorized USAID geographic code for this RFP and any resulting subcontract is Code 937. Code 937 is defined as developing countries other than advanced developing countries, but excluding any country that is a prohibited source. A list of developing countries, advanced developing countries, and prohibited sources, is available in USAID's Automated Directives System, ADS 310 (<http://www.usaid.gov/policy/ads/300/310.pdf>). All commodities and services supplied under any subcontract resulting from this RFP must meet this geographic code in accordance with the US Code of Federal Regulations (CFR), 22 CFR §228.

Section 3 - Proposal Submission and Preparation Information

The deadline for the submission of proposals is **August 19, 2016 by 4 p.m. CET** via email to subcontracts@bep.rs. Late proposals will not be considered. The email subject line item must contain the reference number of the RFP.

All Proposals in response to this RFP shall consist of a technical proposal and a cost proposal. The technical proposal must not be longer than 25 pages in length, and pages submitted that exceed 25 pages will not be reviewed. Supporting documents and CVs of the proposed key staff members will not be counted toward the 25 pages limit. The cost proposal shall be submitted as a separate file from the technical proposal. Offerors are advised to fill in the budget form as detailed as possible.

The Offerors must submit the proposal electronically with attachments (10 MB limit per email) compatible with MX Word, MS Excel, readable format, or Adobe Portable Document (PDF) format in a Microsoft XP environment. Those pages requiring original manual signatures should be scanned and sent in PDF format as an email attachment.

The submitted proposal shall follow the format as described below.

1. An identifiable tab sheet shall precede each section for easy reference.
2. All pages, except pre-printed technical inserts, shall be sequentially numbered.
3. The Offeror may include any additional information considered pertinent.
4. All proposals shall include a Technical Proposal and a Cost Proposal.
5. All proposals shall be submitted in English.

All materials submitted in response to this RFP shall become the property of Cardno and may be returned only at Cardno's option. .

3.1. Requirements for Proposal Format

The required format for Proposals is listed below:

1. Cover Letter

The Offeror's cover letter shall include the following information:

- i. Name of the company or organization
- ii. Type of company or organization
- iii. Address
- iv. Telephone
- v. Fax
- vi. E-mail
- vii. Full names of members of the Board of Directors and Legal Representative (as appropriate)
- viii. Taxpayer Identification Number and DUNS number
- ix. Reference Number of the RFP
- x. Other required documents that shall be included as attachments to the cover letter:

3.2. Technical Proposal

The technical proposal shall comprise the following parts:

Part 1: Technical Approach, Methodology and Draft Detailed Work Plan. This part shall not exceed 15 pages.

Present a narrative that demonstrates understanding, creativity and added value for the tasks identified in the scope of work. This section should demonstrate the Offeror's approach,

providing a detailed description of the activities, tools, methodologies, management, logistics, resource requirements (non-financial), and a draft work plan for conducting trainings.

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. The Offeror is required to propose a detailed time-line for proposed activities.

Part 2: Management, Personnel, and Staffing Plan. This part shall be between 2 and 5 pages long, but may not exceed 5 pages. CVs for key personnel may be included in an annex to the technical proposal and will not count against the page limit. The Offeror shall determine, define and propose a team that has the appropriate range of skills and personnel positions necessary to implement the scope of work. The roles and responsibilities of each team member should be described.

The Offeror will provide a listing of staff that will be engaged on this project and their CVs.

The Offeror will also designate key personnel, who should include the Project Manager.

Part 3: Corporate Capabilities, Experience, and Past Performance. This part shall be between 2 and 5 pages long, but may not exceed 5 pages. This section should provide a brief description of the Offeror’s past and present activities. It should focus on services related to the proposal.

Part 3 must include a description of the company and organization, with appropriate reference to any parent company and subsidiaries. Offerors must include details demonstrating their experience and technical ability in implementing the technical approach/methodology to conducting the feasibility study and the detailed work plan. Additionally, Offeror must include 3 past performance references of similar work (under contracts or subcontracts) previously implemented as well as contact information for the companies for which such work was completed. Contact information must include at a minimum: name of point of contact that can speak to the Offeror’s performance, name and address of the company for which the work was performance and email and phone number of the point of contact.

Cardno/USAID BEP reserves the right to check additional references not provided by an Offeror.

The sections of the technical proposal stated above must respond to the detailed information set out in Section II of this RFP, which provides the background, states the scope of work, describes the deliverables, and provides a deliverables schedule.

A sample proposal format is provided in Annex 3 of this RFP.

3.3. Cost Proposal

All bids must include proposed costs to complete the tasks described in the project Scope of Work. The cost proposal is used to determine which proposals represent the best value and serves as a basis of negotiation before award of a subcontract.

The price of the subcontract to be awarded will be an all-inclusive fixed price. No profit, fees, taxes, or additional costs can be added after award.

Offerors should present their firm fixed price offer and complete Annex 3, Proposal Cost Summary. This cost summary shall be the basis for firm fixed price cost proposal evaluation of all offerors deliverable prices.

In addition, for the purpose of the proposal, Offerors must provide a detailed budget showing major line items, e.g. salaries, allowances, travel costs, other direct costs, indirect rates, etc., as well as individual line items, e.g. salaries or rates for individuals, different types of allowances, rent, utilities, insurance, etc. Bidders must show unit prices, quantities, and total price. All items, services, etc. must be clearly labeled and included in the total offered price. All cost information must be expressed in US Dollars.

The cost proposal shall also include a budget narrative that explains the basis for the estimate of every cost element or line item.

Cardno/USAID BEP 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 cost.

If it is the bidder's regular practice to budget indirect rates, e.g. overhead, fringe, G&A, administrative, or other rate, bidders must explain the rates and the rates' base of application in the budget narrative. Cardno/USAID BEP reserves the right to request additional information to substantiate a bidder's indirect rates.

In addition, Offerors must provide LoE table presenting the level of effort of the key experts / personnel proposed.

Responsibility Determination: Offerors should submit any additional evidence for responsibility deemed necessary for Cardno to make a determination of responsibility. The information submitted should substantiate that the Offeror:

- a) Has adequate financial resources or the ability to obtain such resources as required during the performance of the agreement;
- b) Has the ability to comply with the agreement conditions, taking into account all existing and currently prospective commitments of the Offeror, nongovernmental and governmental;
- c) Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance;
- d) Has a satisfactory record of integrity and business ethics;
- e) Is otherwise qualified and eligible to contract an agreement under applicable laws and regulations.

Templates for LoE table and Responsibility Determination are included in the RFP tender dossier.

Information on the Offerors DUNS - Offerors must provide their Data Universal Number System (DUNS) number to Cardno/USAID BEP. If an Offeror does not have a DUNS

number, they must demonstrate that they will be able to receive and provide the DUNS number to Cardno before any subcontract can be awarded. Cardno may not make an award to any entity unless the entity has provided its DUNS number to Cardno.

Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently +1 866-705-5711) or the Internet (currently at fedgov.dnb.com/webform).

Information on the Offerors Executives – Offerors must indicate if in the Offerors preceding fiscal year, the Offeror received:

- a. 80 percent or more of its annual gross revenues from US Government sources; and
- b. \$25,000,000 or more in annual gross revenues from US Government sources

If the Offeror answers yes to either of the criteria above, they Offeror must provide the names and total compensation of each of the Offeror's five most highly compensated executives for the Offeror's preceding completed fiscal year.

Please note that the Offeror should also submit the following supporting documents:

- A copy of your organization's Articles of Incorporation or other documentation which substantiates the legal character/registration of the organization.
- Copies of the Offeror's financial reports for the previous three-year period, which have been audited by a reputable certified public accounting firm.

Section 4 – Evaluation and Award Information

4.1 Evaluation Criteria

Proposals will be evaluated in accordance with the criteria set forth below. The criteria have been tailored to the requirements of this RFP. Proposals should note that these criteria serve to: (a) identify the significant matters which Offerors should address in their proposals; and (b) set the standard against which all proposals will be evaluated.

To the extent necessary, Cardno/USAID BEP may request clarification and supplemental materials from Offerors whose proposals have a reasonable chance of being selected for a subcontract. The entry into discussion is to be viewed as part of the evaluation process and shall not be deemed as indicative of a decision or commitment upon the part of Cardno / USAID BEP to contract the selected Offeror with whom discussions are being held.

The Evaluation Committee will evaluate all proposals on responsiveness to RFP requirements, quality and cost. If an Offeror's proposal fails to fulfill requirements of the RFP in any respect, contains an irregularity, or contains a deviation from the requirement, it will be considered non-responsive and may be rejected.

Proposals will be evaluated by the Evaluation Committee on the basis of 100 possible points. The weighting of various sections will be as follows:

Category	Maximum Points (100 Total)
Technical Approach	30
Management, Personnel, and Staffing Plan	30
Organizational Capabilities, Experience, and Past Performance	30
Cost proposal	10
Total Possible Points	100

1. Technical Approach (30 points):

- Problem Statement – (5 points)
Demonstrated understanding of roles, capacities and capabilities of enforcement officers, and the challenges they face in their work. Does the Offeror demonstrate a clear understanding of the problems/key issues that the proposed RFP activity will address?
- Approach and Methodology – (10 points)
 - Comprehensive proposed program approach, including detailed activities and a timeline for fulfilling all requirements of the Scope of Work in an effective and efficient manner. The methodology should clearly explain how the applicant will complete the work and include a detailed work plan.
- Knowledge – (15 points)
 - Demonstrated knowledge of financial management, mediation, effective and efficient enforcement and related issues, banking, business and financial matters, communication skills and `soft skills` coaching.

- Demonstrated knowledge and understanding of training programs. Does applicant demonstrate clear approach to trainings?

2. Management, Personnel, and Staffing Plan (30 points)

Personnel Qualifications – The Offeror should describe their overall staffing capability and capacity to undertake work in this area. A detailed description of proposed team members’ qualifications and relevant experience to carry out the Scope of Work should be included. As a whole, the proposed team should reflect an understanding of financial management, mediation, effective and efficient enforcement and related issues, banking, business and financial matters, communication skills and `soft skills` coaching, training methodologies and techniques.

3. Corporate Capabilities, Experience, and Past Performance (30 points)

Offeror’s experience and capabilities in undertaking similar activities and trainings should be detailed here, including references and certifications (if relevant). If desired, applicants may share website links to relevant examples for consideration. Offerors may also consider capacity and capabilities of relevant staff and/or consultants when describing their organizational capabilities.

4. Cost proposal (10 points):

Cost effectiveness, including resources provided for the proposed cost. Cost realism including whether the price offered is within the cost range that Cardno/USAID BEP should realistically expect to pay for the proposed effort. Consistency of the proposed costs with the technical approach. Is the proposed budget realistic, well-thought out, and in line with the proposed activities? Are the proposed costs reasonable, allowable and allocable to the award?

The selection of the Offeror for award will be made by the Cardno/USAID BEP Evaluation Committee based on the evaluation criteria above.

4.2. Award process

The Successful Offeror will receive written notice from the Subcontracts Manager informing the Offeror that the Cardno /USAID BEP either intends to award a subcontract to the Offeror solely on the basis of the original bids received, or that the Cardno/USAID BEP intends to engage the Offeror in further negotiations with respect to a potential award prior to awarding a subcontract, during which details of the subcontract will be discussed including a review of budget and work plans proposed by a Offeror. Negotiations conducted after the receipt of a bid do not constitute an obligation on the part of Cardno/USAID BEP to award a subcontract.

Following the negotiation process, USAID Business Enabling Project will request a written approval from USAID prior to executing the subcontract, if required under the terms of the prime contract. Any resultant subcontract will be subject to the applicable terms and conditions of the Prime Contract for the USAID’s Business Enabling Project. Unsuccessful Offerors will be notified in writing by the Subcontracts Manager.

Section 5 – Administration Information

5.1. Contracting Office

The Office is:

Predstavnistvo Cardno Emerging Markets USA Ltd. /USAID's Business Enabling Project
6/IV fl. Francuska Street
Belgrade, Serbia
Phone: +381 11 73 44 317
Fax: +381 11 73 44 421

5.2. Technical Representative

The Cardno Technical Representative is Mr. Joe Lowther, Chief of Party (jlowther@bep.rs).

All communication should be copied also to Tatjana Stojkovic, Finance and Operations Manager, at tstojkovic@bep.rs, and Dragana Stanojevic, Deputy Chief of Party at dstanojevic@bep.rs

Phone: +381 11 73 44 317, 73 48 481
Fax: +381 11 73 44 421

5.3. Paying Office

Invoices should be submitted to:

Predstavnistvo Cardno Emerging Markets USA Ltd. /USAID's Business Enabling Project
6/IV Francuska Street
Belgrade, Serbia
Phone: +381 11 73 44 317
Fax: +381 11 73 44 421

5.4. Technical Directions / Relationship with Cardno

- (a) Technical Directions are defined to include:
 - (1) Written directions to the vendor that fill in details, suggest possible lines of inquiry, or otherwise facilitate completion of work;
 - (2) Provision of written information to the vendor that assists in the interpretation of specifications, or technical portions of the work statement or subcontract;
 - (3) Review and, where required, provide written approval of technical reports, specifications, or technical information to be delivered.
- (b) Cardno is authorized by designation to take any or all action with respect to the following, except any action specifically prohibited by the terms of this subcontract:
 - (1) Assure that the vendor performs the technical requirements of the subcontract in accordance with the subcontract terms, conditions, and specifications.
 - (2) Perform or cause to be performed, inspections necessary in connection with (a1) above and require the vendor to correct all deficiencies; perform acceptance for Cardno.
 - (3) Maintain all liaison and direct communications with the Vendor.
 - (4) Monitor the Vendor's production or performance progress.

5.5. Payment

The Vendor will be paid upon vendor completion and Cardno/ USAID BEP acceptance of project milestones and submitted deliverables.

The Subcontractor shall submit invoices in accordance with the subcontract payment schedule. A proper invoice must clearly indicate the following information.

Vendor Name and Address
Invoice Date and Invoice Number
Subcontract Number
Description of deliverables for which payment is being claimed
Payment address/bank account number.

Each copy of the invoice shall contain the certification below. An authorized representative of the Vendor's organization must sign this certification. Failure to provide the required invoice information will result in the invoice being returned to the Vendor for correction.

The undersigned hereby certifies that (1) this voucher and any attachments have been prepared from the books and records of the Vendor in accordance with the terms of the purchase order between Cardno Emerging Markets USA, Ltd. and Vendor, and to the best of my knowledge and belief that they are correct, that the amount claimed is proper and due, that all daily rates claimed are for actual days (or fractions thereof) which have been satisfactorily provided/performed, that other costs claimed are allowable and are actual direct costs incurred in performance of the Subcontract, and have been paid by the Vendor, that the quantities and amounts involved are consistent with the requirements of the Purchase order, that all required approvals have been obtained, and (2) appropriate refund shall be made to Cardno Emerging Markets USA, Ltd. promptly upon request in the event of disallowance.

(Name, Title, Date)

For all properly submitted and approved invoices, and upon acceptance by Cardno/USAID BEP of the required deliverables, Cardno / USAID BEP will pay the Vendor within thirty (30) business days after receipt and approval of the Vendor's invoice.

Vendor is required to submit its final invoice, appropriately marked as such, under this subcontract no later than ninety (90) calendar days after completion of the subcontract, or any longer period as may be mutually agreed between the parties. Cardno/USAID BEP will be under no obligation to pay any invoice received after that date.

Notwithstanding any other provision of this subcontract, the maximum liability of Cardno/ USAID BEP at any given point in time shall not exceed the total amount remaining to be paid under the subcontract.

All taxes of every nature and kind, including occupation, or property taxes, shall be the responsibility of the Vendor; and Cardno/USAID BEP, without limitation, franchise, net or gross income, license, shall have no obligation to the Vendor therefore. The Vendor shall report and pay, as an independent subcontractor, all taxes applicable to amounts received from Cardno/USAID BEP hereunder. However, Cardno/USAID BEP will exempt each pro forma invoice, submitted by the Vendor, from VAT (value added tax).

5.6. Assignment / Delegation

The subcontract may not be assigned or delegated, in whole or in part, by the Vendor without the written consent of Cardno/USAID BEP, by which consent shall not be unreasonably withheld. In the absence of such consent, any assignment is void.

Section 6 – Annexes

Annex 1

Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Cooperative Agreement, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, subcontract, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, subcontract, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subsubcontracts, and contracts under subcontracts, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

“The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.”

Certification of Recipient

By signing below the recipient provides certifications and assurances for the Certification Regarding Lobbying above.

RFQ/APS No. _____
Quote No. _____
Date of Application/Quote _____
Name of Recipient _____
Typed Name and Title _____
Signature _____
Date _____

Certification Regarding Terrorist Financing, Implementing Executive Order 13224

By signing and submitting this application, the prospective recipient provides the certification set out below:

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.

2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:

a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website : <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.

b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.

c. Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.

d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.

3. For purposes of this Certification-

a. "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."

- b. "Terrorist act" means-
 - (i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: <http://untreaty.un.org/English/Terrorism.asp>); or
 - (ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; or
 - (iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.
- c. "Entity" means a partnership, association, corporation, or other organization, group or subgroup.
- d. References in this Certification to the provision of material support and resources shall not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.
- e. The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a vendor or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

This Certification is an express term and condition of any agreement issued as a result of this application, and any violation of it shall be grounds for unilateral termination of the agreement by USAID prior to the end of its term.

Certification of Recipient

By signing below the recipient provides certifications and assurances for the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above.

RFQ/APS No. _____
 Application/Quote No. _____
 Date of Application /Quote _____
 Name of Recipient _____
 Typed Name and Title _____
 Signature _____
 Date _____

Other Statements of Recipient

1. Authorized Individuals

The recipient acknowledges that the following persons are authorized to negotiate on its behalf with the USAID Business Enabling Project and to bind the recipient in connection with this Award or Contract:

Name Title Telephone No. Facsimile No.

2. Taxpayer Identification Number (TIN)

If the recipient is a U.S. organization, or a foreign organization which has income effectively connected with the conduct of activities in the U.S. or has an office or a place of business or a fiscal paying agent in the U.S., please indicate the recipient's TIN:

TIN: _____

3. Data Universal Numbering System (DUNS) Number

(a) In the space provided at the end of this provision, the recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the recipient's name and address exactly as stated in the proposal.

(b) The DUNS is a 9-digit number assigned by Dun and Bradstreet Information Services. If the recipient does not have a DUNS number, the recipient should call Dun and Bradstreet directly at 1-800-333-0505. A DUNS number will be provided immediately by telephone at no charge to the recipient. The recipient should be prepared to provide the following information:

- (1) Recipient's name.
- (2) Recipient's address.
- (3) Recipient's telephone number.
- (4) Line of business.
- (5) Chief executive officer/key manager.
- (6) Date the organization was started.
- (7) Number of people employed by the recipient.
- (8) Company affiliation.

(c) Recipients located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at <http://www.dbisna.com/dbis/customer/custlist.htm>. If an offeror is unable to locate a local service center, it may send an e-mail to Dun and Bradstreet at globalinfo@dbisma.com.

The DUNS system is distinct from the Federal Taxpayer Identification Number (TIN) system.

DUNS: _____

4. Type of Organization

The recipient, by checking the applicable box, represents that -

(a) If the recipient is a U.S. entity, it operates as a corporation incorporated under the laws of the State of, an individual, a partnership, a nongovernmental nonprofit organization, a state or local governmental organization, a private college or university, a public college or university, an international organization, or a joint venture; or

(b) If the recipient is a non-U.S. entity, it operates as a corporation organized under the laws of _____ (country), an individual, a partnership, a nongovernmental nonprofit organization, a nongovernmental educational institution, a governmental organization, an international organization, or a joint venture.

Annex 2

H.1 Executive Order on Terrorism Financing (Feb 2002)

The Subcontractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the responsibility of the subcontractor/recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all subcontracts/subawards issued under this subcontract/agreement.

H.2 USAID Disability Policy – Acquisition (December 2004)

(a) The objectives of the USAID Disability Policy are (1) to enhance the attainment of United States foreign assistance program goals by promoting the participation and equalization of opportunities of individuals with disabilities in USAID policy, country and sector strategies, activity designs and implementation; (2) to increase awareness of issues of people with disabilities both within USAID programs and in host countries; (3) to engage other U.S. government agencies, host country counterparts, governments, implementing organizations and other donors in fostering a climate of nondiscrimination against people with disabilities; and (4) to support international advocacy for people with disabilities. The full text of the policy paper can be found at the following website: <http://www.usaid.gov/about/disability/DISABPOL.FIN.html>.

(b) USAID therefore requires that the subcontractor not discriminate against people with disabilities in the implementation of USAID programs and that it make every effort to comply with the objectives of the USAID Disability Policy in performing this contract. To that end and within the scope of the subcontract, the Subcontractor's actions must demonstrate a comprehensive and consistent approach for including men, women and children with disabilities.

H.3 Implementation of Executive Order No. 13224

The Subcontractor is reminded that U. S. Executive Orders and U.S. Law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Subcontractor to ensure compliance with these Executive Orders and Laws. This provision must be included in all second tier Subcontracts issued under this Subcontract.

H.4. Publicity

Unless written consent of Cardno shall be first obtained, the Subcontractor shall not at any time, notwithstanding the expiration of the Term or the termination of this Subcontract, or in any manner advertise or publish or release for publication any statement mentioning Cardno or the fact that the Subcontractor is furnishing or has furnished or contracted to furnish services to Cardno.

H.5 Confidentiality of Information

- A. The Vendor shall hold in trust for the sole benefit of Cardno any materials, information or ideas that are provided to or otherwise made available to the Vendor by Cardno, whether before or after the date hereof ("Proprietary Information"). The Vendor shall not use, reproduce or disclose any Proprietary Information except to the extent necessary to perform the Services and as

authorized by Serbia BEP COP. In any event, except as authorized by COP the Vendor shall not disclose any Proprietary Information to any person other than individuals within Cardno who have a need to know such Proprietary Information. "Proprietary Information" includes materials, information and ideas of or about Cardno, and clients, vendors, licensors and other persons, that are not generally known to the public, including, without limitation, materials, information and ideas relating to business, plans, operations, products, services, methods, procedures, clients, equipment and systems, whether in written, oral or any other form.

- B. The Vendor shall use best efforts to prevent the disclosure and the unauthorized reproduction or use of the Proprietary Information, which efforts shall be no less than those used by the Subcontractor to protect the Subcontractor's own confidential information.
- C. The restrictions set forth above shall apply, notwithstanding the expiration of the Term or the termination of this Subcontract.

H.6 Ownership of Work Product

- A. The Subcontractor hereby assigns, and agrees to assign, to USAID and/or Cardno, without additional compensation, all right, title and interest in and to all creations, inventions, ideas, designs, copyrightable materials, trademarks, and other technology and rights (and any related improvements or modifications), whether or not subject to patent or copyright protection (collectively, "Creations"), that are conceived or developed by the Subcontractor, alone or with others, in connection with performance of the Services, whether or not conceived or developed during regular business hours. Such Creations shall be the sole property of USAID and/or Cardno and, to the maximum extent permitted by applicable law, shall be deemed works made for hire.
- B. The Subcontractor shall promptly inform Cardno of any such Creations. The Subcontractor shall (whether during or after the period of the Services) execute such written instruments and do other such acts as may be necessary in the opinion of Cardno to obtain a patent, register a copyright, or otherwise enforce Cardno rights in such Creations (and the Subcontractor hereby appoints Cardno as the Subcontractor's attorney in fact to undertake such acts in the Subcontractor's name).
- C. The Subcontractor shall not use any preexisting work or materials without the express written approval in advance by USAID BEP Chief of Party. To the extent, if any, that the Subcontractor may retain any right, title or interest with respect to any creations that are delivered to Cardno or relate to the Services, whether under copyright, trademark, unfair competition, defamation, right of privacy, contract, tort or other legal theory, the Subcontractor hereby subcontracts to Cardno an irrevocable, fully-paid, transferable, sub licensable, worldwide right and license to reproduce, distribute, modify, perform and display (publicly or otherwise), and otherwise exploit such Creations, and hereby waives any rights with respect thereto.

H.7 Audit

The accounting records, as well as other records maintained by the Vendor in the performance of this award, shall be subject, at all reasonable times, to audit by an independent public accounting firm selected by Cardno and to audit pursuant to any request or action of any agency of the United States Government. In addition, Cardno may have such an audit performed at any time within three (3) years following the completion or termination of work specified herein.

Contract Clauses

This subcontract will incorporate the following listed clauses by reference with the same force and effect as if they were given in full text. Upon request, the Cardno Contract Administrator will make their full text available. Where the term “Contractor” is used, insert in lieu thereof the term “Vendor,” and where the term “Government” is used, insert in lieu thereof “Cardno.” Reference to the Head of Agency, Head of Contracting Activity or Secretary shall mean Cardno. All such substitutions of terms shall apply except where the context requires otherwise.

52.202-1 DEFINITIONS JUL 2004

52.203-3 GRATUITIES APR 1984

52.203-5 COVENANT AGAINST CONTINGENT FEES APR 1984

52.203-6 RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT
SEP 2006

52.203-7 ANTI-KICKBACK PROCEDURES OCT 2010

52.203-8 CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR
ILLEGAL OR IMPROPER ACTIVITY JAN 1997

52.203-10 PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY
JAN 1997

52.203-12 LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL
TRANSACTIONS OCT 2010

52.204-1 APPROVAL OF CONTRACT DEC 1989

52.204-3 TAX PAYER IDENTIFICATION OCT 1998

52.204-4 PRINTED OR COPIED DOUBLE-SIDED ON RECYCLED PAPER AUG 2000

52.204-7 CENTRAL CONTRACTOR REGISTRATION APR 2008

52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS JAN 2011

52.204-9 PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL
JAN 2011

52.204-10 REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER
SUBCONTRACT AWARDS JUL 2010

52.209-6 PROTECTING THE GOVERNMENT'S INTEREST WHEN
SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR
PROPOSED FOR DEBARMENT DEC 2010

52.215-2 AUDIT AND RECORDS—NEGOTIATION, OCT 2010 ALTERNATE II APR
1998

52.215-8 ORDER OF PRECEDENCE--UNIFORM CONTRACT FORMAT OCT 1997

52.215-10 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA OCT 2010

52.215-11 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING
DATAMODIFICATIONS
OCT 2010

52.215-14 INTEGRITY OF UNIT PRICES OCT 2010

52.215-15 PENSION ADJUSTMENTS AND ASSET REVERSIONS OCT 2010

52.215-18 REVERSION OR ADJUSTMENT OF PLANS FOR POSTRETIREMENT
BENEFITS OTHER THAN PENSIONS (PRB) JUL 2005

52.215-19 NOTIFICATION OF OWNERSHIP CHANGES OCT 1997

52.219-4 NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZone SMALL
BUSINESS CONCERNS JAN 2011

52.222-1 NOTICE TO THE GOVERNMENT OF LABOR DISPUTES FEB 1997

52.222-26 EQUAL OPPORTUNITY MAR 2007

52.222-35 EQUAL OPPORTUNITY FOR VETERANS SEP 2010

52.222-38 COMPLIANCE WITH VETERANS' EMPLOYMENT REPORTING
REQUIREMENTS SEP 2010

52.222-50 COMBATING TRAFFICKING IN PERSONS MAR 2015

52.227-2 NOTICE AND ASSISTANCE REGARDING PATENT DEC 2007 AND
COPYRIGHT INFRINGEMENT

52.227-14 RIGHTS IN DATA--GENERAL DEC 2007

52.228-3 WORKERS COMPENSATION INSURANCE APR 1984

52.228-7 INSURANCE--LIABILITY TO THIRD PERSONS MAR 1996

52.232-9 LIMITATION ON WITHHOLDING OF PAYMENTS APL 1984

52.232-17 INTEREST OCT 2010

52.232-20 LIMITATION OF COSTS APR 1984

52.232-22 LIMITATION OF FUNDS APR 1984

52.232-23 ASSIGNMENT OF CLAIMS JAN 1986

52.233-3 PROTEST AFTER AWARD, AUG 1996 ALTERNATE I JUN 1985

52.233-4 APPLICABLE LAW FOR BREACH OF CONTRACT CLAIM OCT 2004

52.233-6 DRUG-FREE WORKPLACE MAY 2001

52.237-3 CONTINUITY OF SERVICES JAN 1991

52.242-1 NOTICE OF INTENT TO DISALLOW COSTS APR 1984

52.242-3 PENALTIES FOR UNALLOWABLE COSTS MAY 2001

52.242-13 BANKRUPTCY JUL 1995

52.243-1 CHANGES--FIXED PRICE AUG 1987 ALTERNATE II APR 1984

52.243-7 NOTIFICATION OF CHANGES APR 1984

52.245-9 USE AND CHARGES AUG 2010

52.246-4 INSPECTION OF SERVICES—FIXED PRICE AUG 1996

52.246-25 LIMITATION OF LIABILITY--FIXED PRICE FEB 1997

52.249-14 EXCUSABLE DELAYS APR 1984

52.253-1 COMPUTER GENERATED FORMS JAN 1991

AIDAR 48 CFR Chapter 7

752.202-1 DEFINITIONS JAN 1990

752.209-71 ORGANIZATION CONFLICTS OF INTEREST DISCOVERED AFTER
AWARD JUN 1993

752.211-70 LANGUAGE AND MEASUREMENT JUN 1992

752.225-70 SOURCE AND NATIONALITY REQUIREMENTS FEB 2012

752.228-3 WORKER'S COMPENSATION INSURANCE

752.228-70 MEDICAL EVALUATION (MEDEVAC) SERVICES JUL 2007

752.227-14 RIGHTS IN DATA – GENERAL OCT 2007
752.228-7 INSURANCE-LIABILITY TO THIRD PERSONS
752.242-70 PERIODIC PROGRESS REPORTS OCT 2007
752.7003 DOCUMENTATION FOR PAYMENT NOV 1998
752.7006 NOTICES APR 1984
752.7010 CONVERSION OF U.S. DOLLARS TO LOCAL CURRENCY APR 1984
752.7011 ORIENTATION AND LANGUAGE TRAINING APR 1984
752.7013 CONTRACTOR-MISSION RELATIONSHIPS OCT 1989
752.7014 NOTICE OF CHANGES IN TRAVEL REGULATIONS JAN 1990
752.7018 HEALTH AND ACCIDENT COVERAGE FOR USAID PARTICIPANT
TRAINEES JAN 1999
752.7023 REQUIRED VISA FORM FOR USAID PARTICIPANTS APR 1984
752.7034 ACKNOWLEDGEMENT AND DISCLAIMER DEC 1991
752.7035 PUBLIC NOTICES DEC 1991

Annex 3

TECHNICAL PROPOSAL FORM (Cover letter)

RFP Title and Number	RFP-2016-02
Full legal name of Offeror (business name):	
Acronym (where applicable):	
VAT registration number (where applicable):	
Taxpayer Identification Number & DUNS	
Date of registration:	
Legal status of the organization	
Official address:	
Postal address:	
Contact person:	
Telephone number:	
Fax number:	
E-mail address:	
Website:	
Total revenue for 2014 financial year	
Total revenue for 2015 financial year	

Head of organization:

Date _____ Signature _____

1. Executive Summary

Provide a brief description of the scope of services to be provided by the Offeror (including the title, duration, and the total budget).

Part 1: Technical Approach, Methodology and Draft Detailed Work Plan

Part 2: Management, Personnel, and Staffing Plan

Part 3: Corporate Capabilities, Experience, and Past Performance

2. Proposal Cost Summary

All cost price proposals must be presented in USD. All prices should be net of VAT.

Professional Enforcement Officers on Financial Management, Mediation and Effective and Efficient Enforcement Process			
Deliverables	Items	Costs	Justification
Deliverables 1			
<i>Subtotal 1</i>			
Deliverables 2			
<i>Subtotal 2</i>			
Deliverables 3			
<i>Subtotal 3</i>			
Deliverables 4			
<i>Subtotal 4</i>			
Deliverables 5			
<i>Subtotal 5</i>			

Deliverables 6			
<i>Subtotal 6</i>			
Deliverables 7			
<i>Subtotal 7</i>			
Deliverables 8			
<i>Subtotal 8</i>			
Deliverables 8			
<i>Subtotal 9</i>			
Total			