

REQUEST FOR PROPOSAL

TO:

Interested candidates

--

Date of issue:	24.02.2022
RFP no.:	CP2022001
Contract title:	Consultancy: A Global Convention on Tax and Financial Transparency
Closing date:	10.03.2022. 1200 CET
Contracting Authority:	Norwegian Church Aid Postboks 7100, St. Olavs Plass 0130 Oslo Contact person: Anne Marte Sundnes Skaland Tel: +47 97 57 35 17 Email: amss@nca.no
Proposals should be sent to amss@nca.no quoting the above RFP number. Any questions regarding the RfP can be directed to Anne Marte Sundnes Skaland.	

NORWEGIAN CHURCH AID (NCA) INVITES YOU TO SUBMIT A PROPOSAL FOR WRITING A REPORT WITH THE TOPIC: A GLOBAL CONVENTION ON TAX AND FINANCIAL TRANSPARENCY.

Dear Sir/Madam,

The Service is required for writing a report with the topic: *A Global Convention on Tax and Financial Transparency*, an intervention supported by Norwegian Church Aid. Please find enclosed the following documents which constitute the Request for Proposal:

A – Instructions

Annex 1: Terms of Reference

Annex 2: Organisation and Methodology Form (to be completed by the Candidate)

Annex 3: Proposal Submission Form (to be completed by the Candidate)

If this document is a PDF format, upon request, a complete copy of the above documents can be forwarded in a WORD format for electronic completion. It is forbidden to make alterations to the text.

We should be grateful if you would inform us by email of your intention to submit or not a proposal.

A. INSTRUCTIONS

In submitting a proposal the Candidate accepts in full and without restriction the special and general conditions including annexes governing this Contract as the sole basis of this procedure, whatever his own conditions of services may be, which the Candidate hereby waives. The Candidates are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this Request for Proposal.

A.1. Scope of services

The Services required by the Contracting Authority are described in the Terms of Reference in Annex 1.

The Candidate shall offer the totality of the Services described in the Terms of Reference. Candidates offering only part of the required Services will be rejected.

A.2. Cost of proposal

The Candidate shall bear all costs associated with the preparation and submission of his proposal and the Contracting Authority is not responsible or liable for these costs, regardless of the conduct or outcome of the process.

A.3. Eligibility and qualification requirements

Candidates are not eligible to participate in this procedure if they are in one of the situations listed in article 33 of the General Terms and Conditions for Service Contracts.

Candidates shall in the Proposal Submission Form attest that they meet the above eligibility criteria. If required by the Contracting Authority, the Candidate whose proposal is accepted shall further provide evidence satisfactory to the Contracting Authority of its eligibility.

Candidates are also requested to certify that they comply with the Code of Conduct for Contractors.

A.4. Exclusion from award of contracts

Contracts may not be awarded to Candidates who, during this procedure:

- (a) are subject to conflict of interest
- (b) are guilty of misrepresentation in supplying the information required by the Contracting Authority as a condition of participation in the Contract procedure or fail to supply this information

A.5. Documents comprising the Request for Proposal

The Candidate shall complete and submit the following documents with his proposal:

- a. Proposal Submission Form (Annex 3) duly completed and signed by the Candidate
- b. Organisation and Methodology using the structure in Annex 2
- c. CV. highlighting the Candidate's experience in the specific field of the Services and his/her specific experience in the country/region where the Services are to be performed;

The proposal and all correspondence and documents related to the Request for Proposal exchanged by the Candidate and the Contracting Authority must be written in the language of the procedure, which is English.

A.6. Financial proposal

The Financial Proposal shall be presented as an amount in Norwegian kroner in the Proposal Submission Form in Annex 3. The remuneration of the Candidate under the Contract shall be determined as follows:

Global price: The Candidate shall indicate in his/her proposal his/her proposed global remuneration for the performance of the Services. The Candidate shall be deemed to have satisfied himself as to the sufficiency of his/her proposed global remuneration, to cover both his/her fee rate, including overhead, profit, all his/her obligations, sick leave, overtime and holiday pay, taxes, social charges, etc. and all expenses (such as transport, accommodation, food, office, etc.) to be incurred for the performance of the Contract. The proposed global remuneration shall cover all obligations of the successful Candidate under the Contract (without depending on actual time spent on the assignment) and all matters and things necessary for the proper execution and completion of the Services and the remedying of any deficiencies therein.

VAT and/or any sales tax applicable to the purchase of services shall be indicated separately in the proposal.

A.7. Candidate's proposed personnel

In the Organisation and Methodology Form, Annex 2, the Candidate shall include a detailed description of the role and duties of each of the key experts or other non-key experts, which the Candidate proposes to use for the performance of the Services. The key experts are those whose involvement is considered instrumental in the achievement of the contract objectives. The CV of each key expert shall be provided highlighting his/her experience in the specific field of the Services and his/her specific experience in the country/region where the Services are to be performed. The Candidate whose proposal is accepted shall provide, if so requested by the Contracting Authority, copies of diplomas and employers' certificates or references proving the key experts' education, professional experience and language proficiency.

In the Proposal Submission Form, Annex 3, the Candidate shall provide detailed information about key experts' actual availability for the performance of the Contract.

If, before the signing of the Contract, a key expert proposed in the proposal is no longer available the Candidate shall inform the Contracting Authority immediately and the proposal will in such case be considered invalid.

A.8. Subcontractors

If the Consultant intends to use subcontractors, the Consultant shall state in the Organisation and Methodology Form, Annex 2, their names, qualifications, role and duties in the performance of the Contract and the Consultant shall specify the parts of the Services which will be executed by the subcontractors, which may not exceed 30% of the Contract. Provisions of article "Candidate's proposed personnel" concerning the Candidate's personnel and the article concerning eligibility and qualification requirements shall apply to the subcontractors or the subcontractor's personnel.

A.9. Validity

Proposals shall remain valid and open for acceptance for 30 days after the closing date.

A.10. Submission of proposals and closing date

Proposals must be sent at the email address mentioned on the front page not later than the closing date and time specified on the front page.

A.11. Evaluation of Proposals

The evaluation method will be the quality and cost based selection. A two-stage procedure shall be utilised in evaluating the Proposals; a technical evaluation and a financial evaluation.

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights of 80% for the Technical Proposal; and 20% for the offered price. Each proposal's overall score shall therefore be: $St \times 80\% + Sf \times 20\%$.

Technical evaluation

For the evaluation of the technical proposals, the Contracting Authority shall take the following criteria into consideration, with the indicated weights:

Technical evaluation		Maximum Points
1	Extensive knowledge of international law, and negotiation of international conventions/treaties in particular.	25
2	Knowledge of international tax issues.	20
3	Proven ability to write well-researched reports with a clear, succinct message for a general audience.	20
4	Does the proposal give solutions to the tasks described in the ToR?	35
Total Technical Score		100

Interviews

The Contracting Authority reserves the right to call to interview the Candidates having submitted proposals determined to be substantially responsive.

Financial evaluation

Each proposal shall be given a financial score. The lowest Financial Proposal (Fm) will be given a financial score (Sf) of 100 points. The formula for determining the financial scores shall be the following:

$Sf = 100 \times Fm/F$, in which

Sf is the financial score

Fm is the lowest price and

F is the price of the proposal under evaluation

Negotiations

The Contracting Authority reserves the right to contact the Candidates having submitted proposals determined to be substantially and technically responsive, in order to propose a negotiation of the terms of such proposals. Negotiations will not entail any substantial deviation to the terms and conditions of the Request for Proposal, but shall have the purpose of obtaining from the Candidates better conditions in terms of technical quality, implementation periods, payment conditions, etc.

Negotiations may however have the purpose of reducing the scope of the services or revising other terms of the Contract in order to reduce the proposed remuneration when the proposed remunerations exceed the available budget.

A.12. Award criteria

The Contracting Authority will award the Contract to the Candidate whose proposal has been determined to be substantially responsive to the documents of the Request for Proposal and which has obtained the highest overall score.

A.13. Signature and entry into force of the Contract

Prior to the expiration of the period of the validity of the proposal, the Contracting Authority will inform the successful Candidate in writing that its proposal has been accepted and inform the unsuccessful Candidates in writing about the result of the evaluation process.

Within 5 days of receipt of the Contract, not yet signed by the Contracting Authority, the successful Candidate must sign and date the Contract and return it to the Contracting Authority. On signing the Contract, the successful Candidate will become the Contractor and the Contract will enter into force once signed by the Contracting Authority.

If the successful Candidate fails to sign and return the Contract within the days stipulated, the Contracting Authority may consider the acceptance of the proposal to be cancelled without prejudice to the Contracting Authority's right to claim compensation or pursue any other remedy in respect of such failure, and the successful Candidate will have no claim whatsoever on the Contracting Authority.

A.14. Cancellation for convenience

The Contracting Authority may for its own convenience and without charge or liability cancel the procedure at any stage.

A.15. Data Protection and Privacy

The Contracting Authority may collect and process personnel data such as names, addresses, telephone numbers, email addresses, banking details and CVs. Such data will be used for the sole purpose of managing the procurement process and any subsequent Contract issued as a result of the procurement process, including transmission to bodies charged with monitoring and or inspecting procurement processes, in accordance with applicable EU, international and national law on data protection. Data may be stored for as long as a legitimate reason remains for its storage and up to a period of seven years.

Submission of any bid, proposal, quotation or offer and acceptance of any subsequent Purchase Order or Contract signifies the bidders consent to such data collection and its processing

The General Terms and Conditions provide reference to the specific rights, and regulations related to the data that is stored.

ANNEX 1: TERMS OF REFERENCE

BACKGROUND INFORMATION

Tax avoidance and tax evasion drains states of enormous amounts of tax income. This is a problem for most countries, and especially poor countries with a small tax base and limited capacity to prevent illicit financial flows. International legal conventions are very often a part of the solution to international problems. The idea of a UN convention on tax has been recommended by states and civil society for a long time, and in 2021 it was one of the recommendations from the UN's FACTI panel. The political platform of Norway's current Government includes two sentences in this context: "The Government will [...] ensure that Norway plays a leading role in the international work to combat illegal capital flows and tax evasion" and "work for an international convention on financial transparency". NCA is intensifying its efforts to address tax avoidance and tax evasion, and, with a view to strengthening the scientific and analytical basis for these efforts, is issuing a call for tenders on a report to assess, in a comprehensive manner, the merits and feasibility of a possible new convention on tax and financial transparency.

Target groups

The main target groups for the report are policy makers, diplomats, international organizations and NGOs with an interest in the issue of tax evasion and tax avoidance.

- **CONTRACT PURPOSE AND EXPECTED RESULTS**

Overall objective:

The main objective of the report is to strengthen the scientific and analytical basis for the proposal for a new international convention on tax and financial transparency.

- The report should assess the merits and feasibility of a tax convention, including by considering its possible scope and parameters, and the extent to which a new convention can be expected to contribute towards tackling tax avoidance and tax evasion.
- The report should serve as a practical resource and a guide to the issue for policy makers, diplomats, international organizations, civil society, and other relevant stakeholders.

Purpose:

In assessing the merits and feasibility of a new international convention on tax and financial transparency, the report should *inter alia* seek to respond to the following questions:

- How should the issue of tax avoidance and tax evasion be understood in the context of international law? To what extent is the issue already regulated? Is there a legal gap, or is the problem that existing law is not universalized and implemented? And is there really a need for a legally binding response, or would a voluntary/political framework be sufficient?
- To what extent could a new convention be expected to add value compared to a business-as-usual scenario?

- What would be required to develop and put in place a new international convention on tax and financial transparency? Where would a decision to start negotiations be taken? What are the options?

- **SCOPE OF THE SERVICES**

Language: The report should be written in English. The content should be easily understood by the reader.

Length of paper: 20-50 pages, excl. graphs, figures, and annexes.

The contract holder within NCA is Anne Marte Sundnes Skaland. Any questions during the course of the contract should be directed to her.

- **TIMING, LOGISITICS AND FACILITIES**

The Contract starts upon signing the contract by both parties.

The report should be delivered within September 1st 2022, COB.

The project has a cost limit of 150,000-250,000 NOK inc VAT.

- **QUALIFICATION REQUIREMENTS**

- Extensive knowledge of international law, and negotiation of international conventions/treaties in particular.
- Knowledge of international tax issues.
- Experience writing well-researched reports with a clear, succinct message for a general audience.