



Request for Quotation (RFQ): Legal Services

RFQ Number: RFQ-AR-2024-011

Date Published: 3 June 2024

Deadline for offers: 18 June 2024 at 17:00 Yerevan time

Deadline for questions: 10 June 2024 at 17:00 Yerevan time

Description: Request for Quote for BPA for Legal Services

For: Civil Society in Action (CSA) Activity

Funded by: United States Agency for International Development (USAID), Cooperative Agreement No. 72011123CA00001

Implemented by: Counterpart International, Inc.

Number of planned purchases: Multiple

Counterpart International is an international non-governmental development organization that empowers people and communities to implement innovative and sustainable solutions to social, economic and environmental challenges. For 50 years, Counterpart has partnered with communities in need to solve complex issues related to economic development, food security and nutrition, and good governance. The aim of the Civil Society in Action Activity is to enhance civil society's financial viability, capacity, and policy engagement.

Section 1: Instructions to Bidders

- Purpose:** The purpose of this request for quotation (RFQ) is to solicit offers from eligible suppliers for ad hoc legal services. As a result of this RFQ, CSA provides for the issuance of a blanket purchase agreement (BPA), or possibly multiple BPAs, to establish specific price levels and parameters to have these legal services. This will allow the CSA project to issue specific purchase order documents, as required, for the purchase of these services over the next 12 months. The Provider shall provide the services described in the order documents issued by Counterpart pursuant to the BPA. Counterpart is only obliged to pay for the services ordered by ordering the Purchase Orders issued under the BPA and delivered by the Provider in accordance with the terms/conditions of the BPA.

Bidders are responsible for ensuring that their bids are received by Counterpart in accordance with the instructions and conditions described in this RFQ. Failure to comply with the instructions described in this RFQ may lead to disqualification of an offer from consideration.



2. **Offer deadline and Protocol:** Quotes must be received by 18 June 2024, no later than 17:00, Yerevan time. Bidders must submit bids via email to: procurement.csa@counterpart.org.

Please refer to the quote request number for any response to this quote request. Quotes received after this time and date will be considered late and will only be considered only at discretion of Counterpart.

3. **Questions:** Questions regarding the technical or administrative requirements of this request for quotation may be submitted in writing to procurement.csa@counterpart.org no later than 10 June 2024 at 17:00 Yerevan time. Questions and requests for clarification and answers on this subject that Counterpart considers to be of interest to other bidders will be distributed to all RFQ recipients who have expressed interest in bidding.

Only written responses issued by Counterpart will be considered official and carry weight in the solicitation process and subsequent evaluation. Any verbal information received from employees of Counterpart or any other entity should not be considered an official response to any questions regarding this request for quotation.

4. **Specifications:** Section 3 contains the technical specifications of the services that can be ordered under the BPA. All services in response to this RFQ must be available.

At this time, the specific services to be purchased under any BPA resulting from this RFQ are unknown. Specific services will depend on CSA needs. Individual order documents will be issued under the BPA agreement, as required.

5. **Quotation:** The price per service in quotations in response to this request for quotation must be evaluated at a fixed price, including all charges, including communications or all other costs. Prices must be presented in Armenian Dram (AMD), with applicable taxes indicated separately. Offers must remain valid for at least 60 calendar days after the Offer Deadline.

In addition, suppliers responding to this solicitation are requested to submit the following information:

- The address and name and telephone number of a contact person for this submission.
- The administrative file including a copy of the legal statutes, a copy of the Tax Identification and a copy of the National Identity Card of the legal representative of the submitting law firm.
- Proof of eligibility of the lawyers of the submitting firm to practice the profession of lawyer in Armenia.
- Performance history information: Include three to five recent and relevant contacts for the same or similar services (including international NGOs). Information should include phone numbers and email addresses of references. Bidders will also need to provide permission to contact these references.
- Written presentation in English of the firm and its lawyer(s) who will work with Counterpart, focusing on expertise, skills and areas of intervention over the past two years, including the Curriculum Vitae of the lawyers who will work with Counterpart.
- Financial offer. Bidders are requested to provide a quote in AMD following the format presented in Section 3.1.



6. **Delivery:** The place of delivery for the reports for the ordered services described in this request for quotations is Counterpart International-Armenia.
7. **Source/Nationality/Manufacturing:** All goods and services offered in response to this RFQ or provided under a resulting contract must comply with USAID Geographic Code 937 in accordance with United States Code of Federal Regulations (CFR), 22 CFR §228. The cooperating country for this RFQ is Armenia.
8. **Taxes and VAT:** All prices must be presented with applicable taxes, duties and VAT stated separately.
9. **Eligibility:** By submitting a bid in response to this RFQ, the Bidder certifies that the Bidder and its principal officers are not excluded, suspended, or otherwise considered ineligible for award by the U.S. Government. Counterpart will not award any contract to any company that is excluded, suspended, or deemed ineligible by the U.S. Government.

Proposers also certify that they are licensed firms. Failure to comply with these eligibility requirements will result in disqualification of the offer.

10. **Evaluation and Award:** The award will be made to a responsible bidder whose bid follows the instructions in the RFQ, meets the eligibility requirements, meets or exceeds the minimum required specifications and technical requirements (Section 3) and is judged according to the benchmarking to offer the best value based on the following criteria:

Selection criteria	Points
<p>Professional experience</p> <p>Technical expertise: Does the Offeror have the technical capacity to provide legal interpretation of laws and regulations affecting areas such as labor, taxation, insurance, finance and banking, civil engagement, etc., particularly in the case of NGOs? Does the Offeror have the technical expertise to provide the services described in Section 3 of this RFQ? Does the Offeror demonstrate these capabilities in English and Armenian by demonstrating strong communication skills and effectively communicating the services to be provided?</p> <p>Staff qualifications: Do staff CVs demonstrate a team experienced in providing legal services to international NGOs working in Armenia and in Labor Code?</p>	30
<p>Financial offer</p>	45
<p>Reputation/References</p> <p>Does the Offeror have a well-established and successful history of providing similar services? Has the Offeror provided evidence of its ability to provide legal services through references that can affirm its technical qualifications?</p>	25
TOTAL	100



Please note that if there are significant deficiencies in responsiveness to the requirements of this RFQ, an offer may be considered "unanswered" and, therefore, disqualified. Counterpart reserves the right to waive intangible breaches at its discretion.

Quotes for the best offer are requested. It is expected that the award will be made solely on the basis of these original submissions. Any additional materials or information submitted after the deadline may not be considered in the final decision-making process. However, Counterpart reserves the right to do any of the following:

- Counterpart may conduct negotiations with and/or seek clarification from a bidder prior to award.
- While preference is given to the bidder who meets the full technical requirements of this RFQ, Counterpart may issue a partial price or split the price among the different suppliers, in the best interest of the CSA project.
- Counterpart may cancel this RFQ at any time.
- Counterpart may reject any and all offers, if such action is deemed to be in Counterpart's best interests.

Please note that by submitting a response to this RFQ, the Bidder understands that USAID is not a party to this RFQ, and the Bidder agrees that any protest presented below must be made – in writing with full explanations – to the CSA project for consideration. USAID will not consider procurement events conducted by implementing partners. Counterpart, in its sole discretion, makes a final decision on the protest for this market.

- 11. Terms and Conditions:** This is only a request for a quote. The issuance of this RFQ does not in any way obligate Counterpart, the CSA Activity or USAID to award or pay the costs incurred by potential suppliers in preparing and submitting a bid.

This solicitation is subject to Counterpart's standard terms and conditions. Any resulting compensation shall be governed by these terms and conditions. A copy of the full terms and conditions is available upon request. Please note that the following terms and conditions will apply:

- a) Counterpart Armenia's standard payment terms are 30 days after receipt and acceptance of the requested work reports. Payment for the order of services issued under any BPA resulting from this RFQ will only be issued to the entity submitting the offer in response to such RFQ and identified in the corresponding purchase order price; Payment will not be issued to a third party.
- b) Any price resulting from this solicitation will be in the form of a BPA. The CSA project provides for the issuance of a BPA (or several BPAs) under which specific order documents can be issued - as needed - at the price levels established in the BPA. If required for the services described in the BPA, CSA will issue a purchase order document to the BPA holder. If there are multiple BPA holders as a result of this request, the order document will be issued to the BPA holder that has the best value for that specific order, depending on the price and delivery time. Any BPA issued as a result of this solicitation will have a duration of 12 months. The Provider must provide the services described in the order documents issued by CSA under the BPA. The CSA Activity is only required to pay for



services to the extent that the order documents are delivered under any BPA resulting from this order request.

- c) No product or service may be provided that is manufactured or assembled, shipped, transported or otherwise involving any of the following countries: Burma (Myanmar), Cuba, Iran, North Korea, Sudan, and Syria.
- d) Any international air or ocean transportation or shipping made as part of a reward arising from this order must take place on United States flag carriers/ships.
- e) United States law prohibits transactions and the provision of resources and support to persons and organizations associated with terrorism. Provider, by virtue of any reward arising from this order, must ensure compliance with such laws.
- f) Title to any goods supplied as part of a reward arising from this auction shall pass to Counterpart upon delivery and acceptance of the goods by Counterpart. The risk of loss, injury or destruction of the goods shall be borne by the offeror until title passes to Counterpart.

12. Quotation Preparation Costs: The Bidder assumes all costs associated with the preparation and submission of bids until the final award of the contract. Counterpart International shall not be liable in any way for such costs, regardless of the conduct or outcome of the procurement process.

Section 2: Offer Checklist

To assist bidders in preparing proposals, the following checklist summarizes the documentation to include a bid in response to this RFQ:

- Cover letter, signed by an authorized representative of the offeror (see Section 4 for template)
- Official price offer, including specifications of the services offered (see Section 3 for format)
- Additional company information (see Section 1.5 for details on the information requested), either:
 - The administrative file including a copy of the legal statutes, a copy of the Tax Identification and a copy of the National Identity Card of the legal representative of the submitting law firm;
 - Proof of eligibility of the lawyers of the submitting firm to practice the profession of lawyer in Armenia;
 - The written presentation of the firm and its lawyer(s) who will work with Counterpart, focusing on expertise, skills and areas of intervention over the past two years, including the Curriculum Vitae of the lawyers who will work with Counterpart.
 - Performance history information: three to five recent contact names relevant to the same or similar services (including international NGOs), to include phone numbers and email addresses).



Section 3: Specifications and Technical Requirements

1. Specifications and Price Offer

- a. Counterpart is seeking a law firm to provide legal services for its project in Yerevan, Armenia as shown in the table below. Bidders are asked to provide quotes per unit containing the above information on official letterhead or official quote format and submit a signed/stamped version to Counterpart:

Service	Description of Services	Unit	Price excluding tax (AMD)	VAT (AMD)	Total price all taxes included (AMD)
Employment contract	Review and provide guidance on employment contracts used by Counterpart and ensure that these contracts comply with Armenia's labor laws	1 contract (price for the revision of a contract)			
Consulting contract	Review and provide guidance on Consulting contracts used by Counterpart and ensure that such contracts comply with Armenia's labor laws	1 contract (price for the revision of a contract)			
Counterpart Employee Handbook	Review and provide guidance on the Counterpart Employee Handbook (~26 pages) and ensure that the manual complies with Armenia's labor laws	1 manual (price for revision of the manual)			
Grant agreement	Review and provide guidance on Grant Agreements used by Counterpart and ensure that such agreements comply with Armenia's laws	1 agreement (price for revision of an agreement)			
Blanket purchase agreement	Review and provide guidance on Blanket purchase agreement used by Counterpart and ensure that such agreements comply with Armenia's laws	1 agreement (price for revision of an agreement)			



<p>Review of other documents/contracts</p>	<p>On request as needed:</p> <ul style="list-style-type: none"> • Review and evaluate the various legal documents used by Counterpart and ensure that they comply with Armenia’s laws and requirements; • Other related tasks that involve reviewing and providing guidance on Counterpart's contracts and agreements 	<p>1 contract/document of 15 pages or less (price for the revision of a contract or document)</p>			
<p>Preparation of other documents/contracts</p>	<p>As required, draft the various legal documents used by Counterpart and ensure that they comply with the laws and requirements of Armenia</p>	<p>Per hour</p>			
<p>Legal advice</p>	<p>As required:</p> <ul style="list-style-type: none"> • Provide legal advice and guidance directly to Counterpart the framework of Armenian laws); • Provide Counterpart with legal advice in English and related legal provisions regarding immigration, labour and taxes, among others, as required and throughout the lifecycle of Counterpart Armenia’s projects, as requested by Counterpart; • Provide legal advice and guidance to ensure that Counterpart complies with tax, financial and labor obligations required by Armenia’s national laws 	<p>Per hour</p>			



Legal representation	<p>As required:</p> <ul style="list-style-type: none"> • Represent Counterpart in all legal formalities and proceedings; • Negotiate on behalf of and at the request of Counterpart; • Represent Counterpart in contentious cases; and • Manage, in a timely manner, any legal deposits with appropriate government agencies on behalf of Counterpart 	Per hour			
Other Legal Services		Per hour			

Note: If the seniority of the legal counsel affects the hourly or fixed rate, please include the prices for each level of advisor.

2. Functional Conditions / Service Level Agreements: Indicate and describe your ability to meet the following minimum standards:

- The initiator must be a firm licensed in Armenia to provide legal services.
- The initiator must be ready and able to accept full payment for each service via bank transfer after delivery of the report/services.
- The initiator must be able to transmit the report of the requested services within the deadlines set out in the order form.
- The lawyer, or individual lawyers representing a firm working with Counterpart, will need to have the following qualifications:
 - Holds a Bachelor's degree and preferably a Master's degree in law.
 - Minimum of ten (10) years of experience in the practice of law in Armenia.
 - Five (5) years of experience providing legal advice to international non-governmental organizations, or foreign entities, focused on administrative, business and labor law in Armenia.
 - Experience in representing international organizations before local courts in Armenia would be an asset (administrative registration, court cases, etc.).
 - Excellent mastery and proven knowledge of the legal framework of Armenian non-profit organizations.,
 - Proven experience in conflict management.
 - Possibility to develop strategies, including the implementation of emergency procedures and/or precautionary measures, to reach the resolution of a dispute as soon as possible.
 - Excellent analytical skills and demonstrated ability of successful negotiations.
 - Good knowledge of the working environment of U.S. and/or foreign international NGOs; that of Counterpart would be an asset.
 - Full speaking and written proficiency in Armenian and English is required.



Section 4: Offer Cover Letter

The following cover letter must be placed on letterhead and completed/signed/stamped by a representative authorized to sign on behalf of the bidding firm:

A: Counterpart International

Reference: RFQ-AR-2024-011

To whom it is entitled:

We, the undersigned, provide the attached offer to perform all work necessary to complete the activities and requirements described in the above-mentioned Request for Quotes. Please find our offer attached.

We hereby acknowledge and accept all terms, conditions, special provisions and instructions contained in the above-mentioned RFQ. We further certify that the firm below, as well as the principal officers of the company and all products and services offered in response to this request for quotation, are eligible to participate in this offer under this request and USAID regulations.

In addition, we certify that, to the best of our knowledge and belief:

- We do not have close, family or financial relationships with Counterpart or CSA project staff;
- We do not have close, family or financial relationships with other suppliers who submit proposals in response to the request for quotations mentioned above; and
- The prices of our offer arrived independently, without any consultation, communication or agreement with another offeror or competitor with a view to restricting competition.

We hereby certify that the attached statements, certifications and other representations are accurate, current and complete.

- Signature authorized:
- Name and title of signatory:
- Date:
- Name of firm:
- Practice Address:
- Company phone and website (if applicable):
- Company registration or tax identification number:
- Does the company have an active bank account (Yes / No)?
- Official name associated with the bank account (for payment):