

**DATE: 05/08/2024**

**REQUEST FOR PROPOSAL: No. RFP/GRC/2024/002**

**for the Establishment of a Frame Agreement for the Provision of  
Legal Advisory Services to the Representation of UNHCR in  
Greece**

**CLOSING DATE AND TIME: 09/09/2024 – 23:59, Greek local time**

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**INTRODUCTION TO UNHCR**

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has a mandate to help stateless people.

In more than five decades, the agency has helped tens of millions of people restart their lives. Today, UNHCR now has more than 16,765 personnel in more than 138 countries and has helped more than 50 million refugees to successfully restart their lives. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations, please see <http://www.unhcr.org>.

**1. REQUIREMENTS**

The Office of the United Nations High Commissioner for Refugees (UNHCR) in Greece invites qualified service providers to make a firm offer for the establishment of a Frame Agreement for the provision of Legal Advisory Services for UNHCR in Greece (referred to hereinafter as services).

**IMPORTANT:** Terms of Reference (ToRs) are detailed in **Annex A** of this document

UNHCR may award this service contract with initial duration of (1) year potentially extendable for another year. The successful bidders will be requested to maintain their quoted price model for the duration of the Frame Agreement.

The estimated annual requirement of UNHCR is for different type of Services considering on average 5 hours per month as described in the terms of reference of this document.

Please note that figures have been stated in order to enable bidders to have an indication of the projected requirements. It does not represent a commitment that UNHCR will purchase a minimum quantity of services. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders against the Frame Agreement.

Other United Nations Agencies, Funds and Programmes shall be entitled to the same prices and terms as those contained in the offers of the successful bidders and could

form the basis for a Frame Agreement with other UN Agencies.

**IMPORTANT:**

When a Frame Agreement is awarded, either party can terminate the agreement only upon 30 days' notice, in writing to the other party.

The initiation of conciliation or arbitral proceedings in accordance with article 18 "settlement of disputes" of the UNHCR General Conditions of Contracts for provision of Services shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

It is strongly recommended that this Request for Proposal and its annexes be read thoroughly. Failure to observe the procedures laid out therein may result in disqualification from the evaluation process.

Sub-Contracting: Please take careful note of article 5 of the attached General Terms and Conditions (**Annex E**).

**Note:** this document is not construed in any way as an offer to contract with your firm.

## **2. BIDDING INFORMATION**

### **2.1. RFP Documents**

The following annexes form integral part of this RFP:

- Annex A: Terms of Reference
- Annex B: Case Analysis
- Annex C: Financial Offer Form
- Annex D: UNHCR Vendor Registration Form.
- Annex E: UNHCR General Conditions of Contracts for the Provision of Services – 2018
- Annex F: UN Supplier Code of Conduct
- Annex G: Non-Disclosure and Confidentiality Agreement
- Annex H: eTenderBox Registration Guide
- Annex I: eTenderBox Supplier User Manual

### **2.2 Acknowledgment**

We would appreciate your informing us of the receipt of this RFP by return e-mail to UNHCR Supply Unit at [UNHCR Greece Procurement greatprocure@unhcr.org](mailto:UNHCR_Greece_Procurement_greatprocure@unhcr.org) as to inform us:

- Your confirmation of receipt of this RFP
- Whether or not you will be submitting a proposal

## 2.3 Requests for Clarification

Bidders are required to submit any request for clarification or any question in respect of this RFP by e-mail to UNHCR Supply Unit at **UNHCR Greece Procurement [greatprocure@unhcr.org](mailto:greatprocure@unhcr.org)**. **The deadline for receipt of questions is 27/08/2024 23:59 hrs local.** Bidders are requested to keep all questions concise.

UNHCR will compile the questions received and will respond to these through a Q&A document that will be published on the UNHCR webpage <https://www.unhcr.org/gr/tenders>

**IMPORTANT:**

Please note that Bid Submissions are **NOT** to be sent to the e-mail address above. Failure to comply with this provision may result in disqualification.

## 2.4 Your OFFER

Certificates, Tax and Insurance clearance and any other document issued by the Greek state may be submitted **in Greek**. The rest of the proposal and the offer must be prepared and submitted **in English** as per the tender document.

Please submit your offer using the Annexes provided. Offers not conforming to the requested formats may be not taken into consideration.

**IMPORTANT:**

Inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than the submission e-mail address will result in disqualification of the offer. Please send your bid directly to the address provided in the "Submission of Bid" section 2.6 of this RFP.

Your offer shall comprise the following two sets of documents:

- **Technical offer**, to be submitted by the bidder (signed, stamped and dated)
- **Financial offer**, as per Annex C of the document, to be submitted in pdf format, signed, stamped and dated by the company's legal Representative and in excel format.

**Note:** The two offers should be submitted as separate documents in separate emails.

## 2.4.1 Content of the TECHNICAL OFFER

The Terms of Reference (ToRs) of the services requested by UNHCR can be found in **Annex A**. Your technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

### a) **Description of the company and the company's qualifications (5 %)**

A description of your company with the following documents:

- Company profile: Year founded and headquarters location
- Business registration certificate
- Financial (audit) reports of the last two years
- If multi location company, specify headquarters location
- Business registration documents as described in paragraph 2.5.1 of the present.
- Solemn declaration that the company is not and has not been subject to judgement for fraud, corruption, or any other illegal activity
- Solemn declaration of conformity to all stipulations of Greek Labour Law
- Contact information, including a valid phone number and email address

Any information that will facilitate our evaluation of your company's substantive reliability, financial and managerial capacity to provide the services.

### b) **Past experience and performance record (10%)**

Previous experience in providing similar services to international organizations or similar agencies/companies with comparable requests:

- Minimum four (4) recent reference letters of satisfactory performance including the contact details of the clients
- List of company's current major clients.
- Company's years of experience in similar services to international organizations or similar agencies/companies

### c) **Proposed personnel to carry out the assignment (10%)**

Required and desirable qualifications of the Focal Person servicing UNHCR/ Account Manager and provision of CV in English language that shall describe the below, copy of relevant licenses/ certification to be submitted:

- The assigned Focal Person must be licensed to practice law in Greece as an attorney according to the law (L. 4194/2013, Code for Lawyers, as in force), qualified to represent cases before the Supreme Court (« παρ' Αρείω Πάγω»)
- Description of professional experience in the practicing law as a private attorney-at-law, with a law firm, a government and/or an international organization (min. 6 years)
- Description of knowledge of the Greek framework for aliens residency issues and substantial knowledge on such issues (visa, residence permits etc.)
- Description of specialized experience in:

- Commercial Law (with a specialization in reviewing contracts and leases) and
- Taxation and VAT exemption issues
- Labour law issues
- Languages (Native Greek speaker- excellent command of oral and written Greek, excellent command of oral and written English)
- Specialization (Master's or other advanced degree) in civil and/or commercial, administrative, or international law will be an asset, copies of certificates to be provided
- Experience in the UN system, especially a UN Organization, Fund or Programme, handling legal matters as described for this position.

**(d) Understanding of the requirements for services, proposed approach, solutions, methodology and outputs (15%)**

Any comments or suggestions on the ToR, as well as your detailed description of the manner in which your company would respond to the ToR:

- A description of your organization's capacity to provide the requested services
- A description of the invoicing process
- A description of the response time to UNHCR's requests

**(e) Sample of previous work and analysis of the cases attached to this document in Annex B : (20%)**

- One sample (anonymized) of previous work related to tax law (court submission or legal opinion delivered to client).
- One sample (anonymized) of previous work related to commercial law including handling of lease agreements (court submission or legal opinion delivered to client).
- An analysis of approximately 300 words for each case presented in Annex B

**Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex D**).

**UNHCR General Conditions for Provision of Services-July 2018:** Your technical offer should contain your acknowledgement of the UNHCR General Conditions for Provision of Services by signing **Annex E**.

**Non- Disclosure and Confidentiality Agreement:** Your technical offer should contain your acknowledgement of the UNHCR non-Disclosure/ confidentiality agreement (Annex G)

## 2.4.2 Content of the FINANCIAL OFFER

Your separate **Financial Offer** must contain an overall offer in Euros.

The financial offer must cover all the services to be provided (price “all inclusive”).

The Financial Offer is to be submitted as per the Financial Offer Form (Annex C). Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. In this regard, price has to be given without VAT.

The financial offers will be assessed based on the following hypothetical scenario: The indicative breakdown of working hours per grade/rate would be:

Partner: 5 hours

Senior Associate: internal

Associate: 11 hours

Trainee Lawyer: internal

You are requested to hold your offer valid for 120 days from the deadline for submission. UNHCR will make its best effort to select a company within this period.

UNHCR's standard payment terms are within 30 days after satisfactory implementation and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment. Any activity undertaken or expenses incurred in preparation of a contract before an actual contract is signed shall be borne by the Bidder. An advance notice or information of award is not to be considered as a contract.

UNHCR will not provide any advance payments or payments by letter of credit. The standard payment terms are by bank transfer net thirty (30) days after acceptance of the contractor's invoice and acceptance of the services by UNHCR.

## 2.5 Bid Evaluation

Each proposal from a Bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will not be considered. Previous contracts with UNHCR will not be considered as a preference or guarantee for the award of future solicitations on the same subject.

### 2.5.1 **Supplier Registration**

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents. If your company is not already registered with UNHCR, you should complete, sign and

submit with your technical proposal the Vendor Registration Form (**Annex D**), with all the following supporting documents:

- Tax Registration certificate from “TAXISNET” to state the Tax number, the status of the company and company’s activity codes to provide such services in Greece ;
- Insurance Clearance Certificate, and Tax Clearance Certificate or Certificate of Tax Exemption, if any such privilege is enjoyed by the Bidder
- Status of the company;
- Bank account details (bank account number and beneficiary);
- Any other document attesting commercial capacities and sound management (last audit report and audited financial statements for companies with transactions more than \$150,000), if applicable
- Certificate of Registration of the business in the relevant Chamber
- Official Letter of Appointment as local representative, if Bidder is submitting a Bid on behalf of an entity located outside the country;
- Trade name registration documents, if applicable;

The vendor registration form (**Annex D**) should be signed by the legal representative of the company, as indicated in the status of the company document.

Failure to provide the abovementioned documentation, might lead to disqualification.

## 2.5.2 Technical and Financial evaluation

### Technical Evaluation:

For the award of this project, UNHCR has established evaluation criteria which govern the selection of offers received. Evaluation is made on a technical and financial basis. The percentage assigned to each component is determined in advance as follows:

The **Technical offer** will be evaluated using inter alia the following criteria and percentage distribution: **60%** of the total score.

S.N	Criteria	Percentage
1	Description of the company and the company's qualifications	05
2	Past experience and performance record	10
3	Proposed personnel to carry out the assignment	10
4	Understanding of the requirements for services, proposed approach, solutions, methodology and outputs	15
5	Sample of previous work and analysis of the cases attached to this document in Annex B	20
	<b>Total points</b>	<b>60</b>

The Technical offer score will be calculated according to the percentage distribution for the technical and financial offers.

The cut-off point for submissions to be considered technically-compliant will be **40 points out of 60 points**

### **Clarifications of Proposals:**

To assist in the examination, evaluation and comparison of proposals UNHCR may at its discretion ask the Bidder for clarification about the content of the proposal. The request for clarification and the response shall be in writing and no change in price or substance of the proposal shall be sought, offered or accepted.

The **Financial offer** will use the following percentage distribution: **40%** from the total score.

The financial component will be analyzed only for those suppliers that pass the technical evaluation.

The maximum number of points will be allotted to the lowest price offer that is opened and compared among those invited firms based on a pre-defined financial scenario. All other price offers will receive points in inverse proportion to the lowest price; e.g., [total Price Component] x [EUR lowest] \ [EUR other] = points for other supplier's Price Component.

The final outcome of the evaluation will be a combined scoring between the technical final average financial evaluation.

## **2.6 SUBMISSION OF BID:**

The offers must bear your official letter head, clearly identifying your company.

Bids should be submitted by file upload to eTenderBox, the online bid registration tool of UNHCR.

The eTenderBox can be accessed via the following URL: <http://etenderbox.unhcr.org>

In order to use eTenderBox, registration on the website is required. This registration is exclusively for eTenderBox and does not replace any other registration with UNHCR.

A supplier should have only one registered email account in the system. The supplier must use only that eTenderBox account for managing its offers to UNHCR.

Bids should be submitted by e-mail and all attachments should be in PDF format. (Copies of the PDF format documents may, as an addition, be included in Excel or other formats etc.).

**The Technical and Financial offers shall be clearly separated.**

For further guidance please refer to Annexes A to I.

### **IMPORTANT:**

**The technical offer and financial offer are to be uploaded as separate documents. Failure to do so may result in disqualification.**

**Deadline: 09/09/2024 – 23:59 hrs local Greek time**

Please be aware of the fact that the maximum **size limit per attachment is 10 MB** so it may be necessary to send more attachments for the technical proposals for the whole submission.

Once the deadline for submission is expired, the bid will be automatically closed after which the uploaded files can be reviewed but options for additional upload and deletion of previously uploaded files are not available anymore. In order to ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline.

### **IMPORTANT:**



Any bid received after this date or sent to another UNHCR address may be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

UNHCR will not be responsible for locating or securing any information that is not identified in the bid. Accordingly, to ensure that sufficient information is available, the bidder shall furnish, as part of the bid, any descriptive material such as extracts, descriptions, and other necessary information it deems would enhance the comprehension of its offer.

**IMPORTANT NOTES for the submission:**

1. Offers must be submitted electronically via e-tender box (guidance Annexes H & I);
2. No document downloading links are accepted. All documents must be attached on the submission;
3. The Technical offers and financial offers must be submitted in separate attachments;
4. No pricing information must be included in the technical offer;
5. All files must be free of viruses and not corrupted;
6. UNHCR reserves the right to accept or reject any offers that is not following the email submission instructions;
7. In case of technical issues/query regarding the eTenderBox and your submission, please send an email to the following email address: [greatbid@unhcr.org](mailto:greatbid@unhcr.org);
8. The maximum **size limit per attachment to the eTenderBox is 10 MB**

**2.7 BID ACCEPTANCE:**

UNHCR reserves the right to accept the whole or part of your bid.

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder as part of the finalization of the Purchase Orders for Services.

**Cancellation of Solicitation:** UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that UNHCR is not bound to select any of the firms' submitting bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

**2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS**

Any Purchase Order (PO) issued as a result of this RFP will be made in the currency of the winning offer(s). Payment will be made in accordance with the General Conditions of Contract for the Provision of Services and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by the designated UNHCR business owner.

In addition to any other rights and remedies available to it, UNHCR shall have the right, without prior notice to the Contractor (any such notice being waived by the Contractor), upon any amount becoming due and payable hereunder to the Contractor, to set-off any payment, indebtedness

or other claim (including, without limitation, any overpayment made by UNHCR to the Contractor or any claim for loss or damage to UNHCR property) owing by the Contractor to UNHCR hereunder or under any other agreement between the Parties. UNHCR shall promptly notify the Contractor of such set-off and the reasons therefore, provided, however, that the failure to give such notice shall not affect the validity of such set-off. Should the supplier fail to take steps to refund any amounts due to UNHCR (e.g. VAT waived), UNHCR withholds its right to record such a behavior as a performance matter (low performance under the contract) on the Supplier Performance Evaluation Form based on the Key Performance Indicators (KPIs) and would additionally consider such a performance element with added weight in considering any future awards to the same supplier.

Article 21 of the UNHCR General Conditions for the provision of services/goods (revision July-2018) applies to Tax Exemptions. Additionally, as per local provisions guiding such, upon receipt of the invoice, UNHCR will process it for VAT and tax exemptions according to the applicable regulations. Indicatively (not exhaustively) the currently applicable circulars are “ΠΟΛ” 1268/2011 (ΦΕΚ Β’39/ 20-01-2012) or 1180/2016 (ΦΕΚ 4086 Β’/20-12-2016) and its amendment Decision No. Α. 1094/2022 (ΦΕΚ Β’ 3651/12-07-2022). Upon confirmation of receipt of Goods and/ or Services as per Contract Terms, UNHCR will settle the amounts due. The same process also extends to EU-based suppliers outside Greece.

## **2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF SERVICES - 2018**

Please note that the General Conditions of Contracts (**Annex E**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.

### **2.10 ZERO Tolerance Policy**

Please note that UNHCR strictly follows zero tolerance policy and as such advises its suppliers not to offer any gift, favor, hospitality, etc. to its staff.

### **2.11 The UN Global Compact**

UNHCR supports the UN Global Compact Initiative put forward on 31 January 1999 by UN Secretary-General Kofi Annan that would bring companies together with UN agencies, labour and civil society to support ten principles in the areas of the human rights, labour, environment and anti-corruption.

UNHCR encourages bidders to sign up to this initiative at <https://www.unglobalcompact.org/>

### **2.10 Procurement Debriefs**

Bidders may check the relevant site for information on the process on debriefing process. <https://www.unhcr.org/procurement-debriefs-protests.html>

### **2.11 General Information on UNHCR’s Business Transformation Programme:**

On 18 September 2023, UNHCR successfully switched to the Cloud ERP! The Cloud ERP Project is part of UNHCR’s Business Transformation Programme. The Project replaced

UNHCR's past Enterprise Resource Planning (ERP) system for finance-budget and supply management. Cloud ERP introduces new functionalities for Suppliers.

Suppliers will now do business with UNHCR in a secure online environment, called the Supplier Portal, where you can create and update your profiles as needed, manage orders/contracts, and submit invoices. You may find relevant information using the following link:

<https://www.unhcr.org/get-involved/work-us/become-supplier/how-become-supplier>

At the same time please be informed that your company may be registered on the United Nations Global Marketplace (UNGM).

You may find relevant information using the following link: <https://www.ungm.org/>

Georgios Saragas  
Associate Supply Officer  
UNHCR Greece