

## Procurement Solicitation

### Section 1 – General Information

<b>Solicitation Number:</b>	RFP- FFPr-Rwanda-2024-002	
<b>Solicitation Type:</b>	Request for Proposals (RFP)	
<b>Procurement Description:</b>	Local Legal Council	
<b>Anticipated Period of Performance:</b>	November 1, 2024- November , 2025, with the possibility of renewal for following years based on satisfactory performance as determined by CNFA.	
<b>Place of Performance:</b>	Rwanda	
<b>Contracting Party:</b>	CNFA Under: USDA Food for Progress Rwanda Project	
<b>Release Date:</b>	October 4 <sup>th</sup> , 2024	
<b>Point of Contact for Questions and Offers:</b>	Name:	CNFA USDA Food for Progress Rwanda Procurement Team
	Title:	N/A
	Email:	<a href="mailto:procurement@cnfa-rwanda.org">procurement@cnfa-rwanda.org</a>
<b>Questions:</b>	<b>Question Deadline: October 09<sup>th</sup>, 2024</b> <b>Instructions:</b> Questions must be submitted in writing; phone calls will not be accepted. Only CNFA’s written answers will be considered official and carry weight in the solicitation and subsequent evaluation. Verbal information received from CNFA or any other entity should not be considered an official response to any questions.	
<b>Offers:</b>	<b>Offer Deadline: October 18<sup>th</sup>, 2024</b> <b>Via:</b> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Hard copy <input type="checkbox"/> Email or Hard copy <b>Instructions:</b> Reference the Solicitation Number in any response to this solicitation. Offers received after the specified time and date will be considered late and considered only at CNFA’s discretion. Offerors must strictly follow the deadlines provided in this solicitation to be considered for award.	
<b>Offer Validity:</b>	Offers must remain valid for not less than 60 calendar days after the offer deadline.	
<b>Award:</b>	Award will be made to the offeror who is determined to be the best offeror per the evaluation criteria and methodology provided herein. CNFA will not issue an award to different offerors, entities, or third-parties other than the selected offeror(s) which submits an offer in response to this solicitation. CNFA anticipates awarding a Legal Services Agreement to the selected offeror(s).	
<b>Terms and Conditions:</b>	The resultant award is subject to CNFA’s standard Terms and Conditions as stipulated in Section 6.	

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### Section 2 – Scope of Procurement

**1. Introduction:** CNFA is an international agricultural development organization that specializes in the design and implementation of sustainable, enterprise-based agricultural initiatives. CNFA implements the USDA Food for Progress Project in Rwanda a USDA Food for Progress funded Project with the objective to improve agricultural production and expand the trade of agricultural products by ensuring the adoption of international science-based food safety standards, improving the ease of trade and flow of goods, enhancing food security, and increasing agricultural productivity by adopting climate-smart technologies.

The purpose of this Solicitation is to solicit the services of local legal counsel to advise the organization in setting up operations in Rwanda including but not limited to registration, guidance on the labor law, review of labor contracts, review of policy manuals, and guidance on tax exemption requirements. This Solicitation contains requirements for Items/Services (hereinafter “Items”) to be procured.

**2. Scope of Work:** CNFA requires the services of local legal counsel to advise the organization in setting up operations in Rwanda including but not limited to registration, guidance on the labor law, review of labor contracts, review of policy manuals, and guidance on tax exemption requirements.

**2.1 Tasks:** The selected offeror will provide the following services through in-person meetings in Kigali, phone calls, email, virtually, and/or in writing as requested by CNFA:

- Provide guidance on the registration requirements for an international non-profit organization, process, required documentation, and anticipated timeline.
- Review registration documentation for compliance with requirements and facilitate the submission of the completed registration application.
- Advise on and directly conduct as needed any follow-up on the registration application to ensure timely approval.
- Advise on tax exemption requirements, if applicable, for international non-profit organizations.
- Provide an overview of key requirements of the labor law for long term employees and consultants such as labor categories, severance, leave policies, 13<sup>th</sup> month bonuses, probation and termination procedures, salary increases, other fringe benefits (required vs. industry norms), etc.
- Review CNFA’s long term employment agreement and consultant agreement and provide recommendations.
- Review CNFA’s Field Office Manual (employee policy manual) and provide comments and recommendations for revisions to adhere to local labor law and/or industry standards.
- Other tasks as requested and assigned by CNFA.

### Section 3 – Evaluation Methodology and Criteria

CNFA will use a Weighted Trade-Off Analysis, Including Cost Criteria evaluation methodology for this solicitation. Weighted Trade-Off Analysis selects the offeror providing the best overall value to CNFA, considering both price and technical factors, according to the assigned weights provided in the evaluation criteria. The Technical Evaluation Committee (TEC) will assess offer acceptability in accordance with the following criteria:

Evaluation Criteria	Criteria Description	Maximum Points
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<b>Technical Approach and Demonstrated Knowledge</b>		
Technical Approach	Technical approach: Offeror should describe approach to providing legal guidance, contract law, USAID/ US Government Compliance as well as local legal firmaeoworks and other relevant considerations. Offerors may laos highlight work with past international development projects and clearly outline . Offeror will also be evaluated based on responses to “Technical Approach” questions in Annex 1 – Part 2 Technical Proposal	12
Demonstrated Knowledge	Demonstrated Knowledge: Offeror will also be evaluated based on responses to Demonstrated knowledge” questions in Annex 1 – Part 2 Technical Proposal	13
<b>Personnel</b>		
Personnel	Offeror should describe qualifications of personnel proposed for carrying out scope of work. Offeror will be evaluated based on responses to "Personnel" questions in Annex 1 – Part 2 Technical Proposal	25
<b>Past Performance</b>		
Past Performance Criteria 1	Offeror should describe relevant experience and share at least 3 relevant reference contacts. Offeror will be evaluated based on responses to "Past Performance” questions in Annex 1 – Part 2 Technical Proposal	25
<b>Cost Proposal</b>		
Cost Criteria 1	Reasonableness of price in relation to services provided	25

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	Offerors are required to submit their proposed payments terms as part of the cost proposal. Please refer to Annex 1 – Part 2 Cost Proposal	
<b>TOTAL OFFER POINTS</b>		100

Best-offer proposals are requested. It is anticipated that award will be made solely on the basis of these original proposals. However, CNFA reserves the right to conduct any of the following:

- CNFA may conduct negotiations with and/or request clarifications from any offeror prior to award;
- While preference will be given to offerors who can address the full technical requirements of this RFP, CNFA may issue a partial award or split the award among various suppliers, if in the best interest of the USDA Food for Progress Rwanda Project;
- CNFA may cancel this RFP at any time.

Award will be issued only to the entity which submits a proposal in response to this RFP. CNFA will not issue an award to different offerors, entities, or third-parties other than the selected offeror(s). CNFA anticipates awarding a service agreement to the successful offeror.

### Section 4 – Offer Format Instructions

Offers in response to this solicitation must comply with the following instructions:

- a. Submissions will be accepted in the following language(s): English
- b. Include the following in the offer footer:
  1. Offeror name
  2. Solicitation Number
  3. Page Numbers
- c. Offer in the format provided in Annex 1

### Section 5 – Complete Offer

A complete offer must include the following documents:

- a. Completed Annex 1 – Offer Template
- b. Copy of the Offeror’s business license – if an individual, a copy of personal identification
- c. Cover letter on company letterhead, signed by an authorized representative of the offeror (see Part 1 for template)
- d. Technical Proposal (see part 2)
- e. Cost Proposal (See part 2)
- f. Copy of offeror’s registration or business license, or, for individuals, a copy of his/her identification card
- g. 3 contacts for references from organizations/individuals for which the offeror has successfully performed similar work

### Section 6 – CNFA Terms and Conditions

**1. Ethical and Business Conduct:** CNFA is committed to integrity in procurement, and only selects offerors based on objective business criteria such as price and technical merit. CNFA does not tolerate fraud, collusion among offerors, falsified proposals/bids, bribery, or kickbacks. Any organization or individual violating these standards will

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be disqualified from this solicitation, barred from future procurement opportunities, and may be reported to both CNFA's Client – as applicable – and the appropriate Office of the Inspector General.

Employees and agents of CNFA are strictly prohibited from asking for or accepting any money, fee, commission, credit, gift, gratuity, object of value or compensation from current or potential vendors or suppliers in exchange for or as a reward for business. Employees and agents engaging in this conduct are subject to termination and will be reported to CNFA's Client – as applicable – and the appropriate Office of the Inspector General. In addition, CNFA will further inform these agencies of any Offerors' offers of money, fee, commission, credit, gift, gratuity, object of value or compensation to obtain business.

Please contact the designated Point of Contact on the Solicitation Cover Page with any questions or concerns regarding the above information or to report any potential violations. Potential violations may also be reported directly to CNFA's Fraud Hotline in writing via email at [FraudHotline@cnfa.org](mailto:FraudHotline@cnfa.org) or you may make an anonymous report by phone, text, or WhatsApp to the CNFA Global Fraud Hotline at 202-991-0943.

**2. Terms and Conditions:** This Solicitation is subject to CNFA's standard terms and conditions. Any resultant award will be governed by these terms and conditions; a copy of the full terms and conditions is available upon request. Please note the following terms and conditions will apply:

- (a) CNFA's standard payment terms are 30 calendar days after receipt and acceptance of any commodities or deliverables. Payment will only be issued to the entity submitting the offer in response to this Solicitation and identified in the resulting award; payment will not be issued to a third party.
- (b) No commodities or services may be supplied that are manufactured or assembled in, shipped from, transported through, or otherwise involving any of the following countries: Cuba, Iran, North Korea, Syria.
- (c) Any international air or ocean transportation or shipping carried out under any award resulting from this Solicitation must take place on U.S.-flag carriers/vessels unless otherwise approved by CNFA.
- (d) United States law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. The selected offeror under any award resulting from this Solicitation must ensure compliance with these laws.
- (e) United States law prohibits engaging in any activities related to Trafficking in Persons. The selected offeror under any award resulting from this Solicitation must ensure compliance with these laws.
- (f) The title to any goods supplied under any award resulting from this Solicitation shall pass to CNFA following delivery and acceptance of the goods by CNFA. Risk of loss, injury, or destruction of the goods shall be borne by the offeror until title passes to CNFA.
- (g) The offeror is prohibited from providing certain telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system, produced by the following covered companies, and their subsidiaries and affiliates, in the performance of any resulting award: Huawei Technologies Company; ZTE Corporation; Hytera Communications Corporation; Hangzhou Hikvision Digital Technology Company; Dahua Technology Company; and any other company as determined by the United States Government. The offeror certifies it will not provide covered telecommunications equipment or services to CNFA in performance of the resulting award. If covered telecommunications equipment or services are offered, the offeror must disclose it.

**3. Disclaimers:** This is a Solicitation only. Issuance of this Solicitation does not in any way obligate CNFA, its project(s), or its Client(s) to make an award or pay for costs incurred by potential offerors in the preparation and submission of an offer. In addition:

- (a) Offerors are responsible for ensuring their offers are received by CNFA in accordance with the instructions, terms, and conditions described in this Solicitation; failure to adhere to instructions may lead to disqualification
- (b) CNFA may cancel the Solicitation and not award at any time

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- (c) CNFA may reject any or all responses received
- (d) Issuance of the Solicitation does not constitute award commitment by CNFA
- (e) CNFA reserves the right to disqualify any offer based on offeror failure to follow the Solicitation instructions
- (f) CNFA will not compensate offerors for response to the Solicitation
- (g) CNFA reserves the right to issue award based on initial evaluation of offers without further discussion
- (h) CNFA may negotiate with offerors for their best and final offer and/or request clarifications from any offeror prior to award
- (i) CNFA reserves the right to increase or decrease its order for quantities or units with the selected offeror
- (j) CNFA may reissue the Solicitation or issue formal amendments revising the original Solicitation specifications and evaluation criteria before or after receipt of proposals
- (k) CNFA may modify the specifications without issuing a formal notice to all offerors when the revisions are immaterial to the scope of the Solicitation
- (l) CNFA may choose to award only part of the activities in the Solicitation, or issue multiple awards, if in the best interest of CNFA
- (m) CNFA reserves the right to waive minor offer deficiencies that can be corrected prior to award determination to promote competition
- (n) Offerors understand that CNFA's Client(s) is not a party to this Solicitation and the offeror agrees that any protest hereunder must be presented – in writing with full explanations – to CNFA for consideration. CNFA's Client(s) will not consider protests regarding procurements carried out by CNFA. CNFA, at its sole discretion, will make a final decision on any protest for this procurement.

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### Annex 1 – Offer Template

*The following cover letter must be placed on letterhead – if applicable – and completed/signed/stamped by a representative authorized to sign on behalf of the offeror:*

#### PART 1 – COVER LETTER

To: CNFA Food for Progress Rwanda Procurement Team  
1828 L St. NW, Washington DC, 20036

Reference: Solicitation no. RFP- FFPr-Rwanda-2024-002

To Whom It May Concern:

We, the undersigned, hereby provide the attached offer to perform all work required to complete the activities and requirements as described in the above-referenced Solicitation. Please find our offer attached.

We hereby acknowledge and agree to all terms, conditions, special provisions, and instructions included in the above-referenced Solicitation. We further certify that the below-named organization—as well as the organization’s principal officers and all commodities and services offered in response to this Solicitation—are eligible to participate in this procurement under the terms of this solicitation and under the applicable regulations.

Furthermore, we hereby certify that, to the best of our knowledge and belief:

- We have no close, familial, or financial relationships with any CNFA, its project staff members, or its Client (as applicable);
- We have no close, familial, or financial relationships with any other offerors submitting proposals in response to the above-referenced Solicitation;
- We and our principal offerors are not debarred, suspended, or otherwise considered ineligible for receiving US Government funds. We understand that CNFA will not make any award to an entity that is debarred, suspended, or considered ineligible by the US Government;
- The prices in our offer have been arrived at independently, without any consultation, communication, or agreement with any other offeror or competitor for the purpose of restricting competition;
- All information in our proposal and all supporting documentation is authentic and accurate;
- We understand and agree to CNFA’s prohibitions against fraud, bribery, and kickbacks;
- We understand and agree to CNFA’s prohibitions against funding or associating with individuals or organizations engaged in terrorism or trafficking in persons activities.

We hereby certify that the enclosed representations, certifications, and other statements are accurate, current, and complete:

<b>For:</b>	<b>Offeror Name:</b>	<i>Offerors must provide entity name, if applicable, here</i>
<b>Submitted By:</b>	<b>Name:</b>	<i>Offerors must print name of the authorized person who completed this offer here</i>
	<b>Title:</b>	<i>Offerors must provide title of the authorized person who completed this offer here</i>
	<b>Signature:</b>	<i>Offerors must provide signature of the authorized person who completed this offer here</i>
	<b>Date:</b>	<i>Offerors must indicate the date this offer was completed here</i>

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<b>Organization Information:</b>	<b>Phone:</b>	<i>Offerors must provide phone number for contact if selected for negotiation or award here</i>
	<b>Email:</b>	<i>Offerors must provide email for contact if selected for negotiation or award here</i>
	<b>Address:</b>	<i>Offerors must provide address for contact if selected for negotiation or award here</i>
	<b>Website:</b>	<i>Offerors must provide organization website, if applicable, here</i>
	<b>Country of Nationality:</b>	<i>Offerors must indicate their country of legal organization, ownership, citizenship, or lawful permanent residence here</i>
	<b>Registration or Taxpayer ID Number:</b>	<i>Offerors must provide registration and/or taxpayer ID number here</i>

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### PART 2 – OFFER

Offerors are instructed to complete this form and place it on the Offeror's letterhead. Once completed, this form serves as the binding proposal in response to this solicitation and is valid for the period identified on the cover page of this Solicitation. Failure to submit the information required herein may lead to disqualification of the offer.

#### 1. Technical Proposal

Please include the sections below and information in your firm's technical proposal. Please keep responses to the technical proposal to a **maximum of 10 pages**. To the maximum extent practical, **please reference specific sections of the relevant local law** to support your responses:

1. **Technical Approach – 12 points**
  - a. If the offeror represents a firm, describe the firm's organization, size, structure, areas of practice, and office location(s). If the offeror is an individual, please provide areas of practice and location.
  - b. offeror should describe approach to providing legal guidance. What internal process will the successful offeror follow to review, understand, and respond to the client request for legal guidance?
2. **Demonstrated Knowledge – Please provide answers to the questions listed below: 13 points**
  - a. **Registration:**
    - i. What are the laws and regulations applicable to non-profit organizations that plan to work in a country short term (1-5 years)?
    - ii. What type of registration or legal entity status is the organization required to have in order to carry out activities in the country?
    - iii. What are the implications for not registering?
    - iv. From the time the law firm receives all requested documents, how long does it typically take for registration to be granted?
  - b. **Employment:**
    - i. Please provide a brief explanation of the firms experience managing employment agreements, severance, and employment termination.
    - ii. **Tax and Banking Considerations:**
    - iii. Please provide a brief explanation of the firm's experience managing tax exemptions for an international development organization.
    - iv. **Personnel** - Describe the qualifications of attorneys/lawyers to be assigned to the representation-**25 points**

Descriptions should include:

  - c. Professional and educational background of each attorney;
  - d. Overall supervision to be exercised over the assigned attorneys;
  - e. Prior experience of the individual attorneys with respect to the required experience listed above.
3. **Past Performance - 25 points** - Describe relevant experience conducting the tasks in section 1.4 for internationally funded NGOs or other USAID/ USDA implementers.
- 4.

#### 2. Cost Proposal

The offeror's cost proposal should include the hourly billing rates of each attorney or other legal staff who are expected to work on this representation as well as the estimated amount of time/hours the offeror anticipates completing the Scope of Work and Tasks required.

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CNFA reserves the right to negotiate with the offerors on the structure of the cost proposal and payment terms.

**Note: Proposed payment terms and payment schedule must be included in the cost proposal.**

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### 2.1. Budget

Offerors are instructed to complete boxes highlighted in gray. Pricing must be presented in Rwandan Francs. The cost proposal must match the degree of sophistication of the technical proposal. CNFA reserves the right to negotiate the proposed budget or request clarification at its discretion. Offerors are instructed to complete boxes highlighted in gray. The cost proposal must match the degree of sophistication of the technical proposal. CNFA reserves the right to negotiate the proposed budget or request clarification at its discretion.

The offerors' cost proposals should include the hourly billing rates as well as an estimated amount of time/hours the offeror anticipates to complete the Scope of Work and Tasks required.

The below table may be customized as needed by offerors to provide an all-inclusive quotation.

Cost Category/Task	Unit (Hours/Days)	Unit Price	Total Price (FCFA)	Budget Notes
<i>Offerors must propose line-items within the Cost Category; repeat for as many line-items as necessary</i>	<i>Offerors must provide the unit price here</i>	<i>Offerors must quote the unit price here</i>	<i>Offerors must provide the total price (unit x quantity x unit price) here</i>	<i>Offerors must describe the purpose of the cost and basis for price here</i>
<b>TOTAL</b>				

### 3. Tax Considerations

Offerors are made aware of CNFA's tax status in Rwanda. (Currently not exempt from taxes.). Offers submitted must comply with these tax considerations.

### 4. Bank Account

Offerors are instructed to complete boxes highlighted in gray:

Does the Offeror have an active bank account?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the Offeror name associated with the Bank Account if selected for eventual award.	<i>Offerors must provide the name associated with their Bank Account, if applicable, here</i>

### 5. References

Offerors are instructed to complete the boxes highlighted in gray:

Reference No.	Reference Name	Contact Information	Affiliation
1	<i>Offerors must provide name of reference (organization or individual) provided here</i>	<b>Name:</b> <b>Phone:</b> <b>Email:</b> <b>Address:</b>	<i>Offerors must describe relationship with reference here</i>
<i>Etc.</i>	<i>Offerors must provide name of reference (organization or individual) provided here</i>	<b>Name:</b> <b>Phone:</b> <b>Email:</b>	<i>Offerors must describe relationship with reference here</i>

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		<b>Address:</b>	
<i>Etc.</i>	<i>Offerors must provide name of reference (organization or individual) provided here</i>	<b>Name:</b> <b>Phone:</b> <b>Email:</b> <b>Address:</b>	<i>Offerors must describe relationship with reference here</i>