

**REQUEST FOR APPLICATIONS  
FOR COMPETITIVE SELECTION OF  
AN IMPLEMENTING PARTNER  
FOR  
PROJECT: LEGAL ADVICE CENTRES FOR SME**

**No. RFA/AZE/02/2013**

**BAKU, AZERBAIJAN**



Organization for Security and  
Co-operation in Europe  
**Office in Baku**

**Office in Baku  
Fund Administration Unit**

The Landmark III, 96 Nizami St., AZ1010 Baku, Azerbaijan

Date: 18 January 2013

**Request for Applications  
No. RFA/AZE/02/2013  
Implementing partner for  
LEGAL ADVICE CENTRES FOR SMES**

The Office in Baku of the Organization for Security and Co-operation in Europe (hereinafter called “the OSCE”) invites sealed applications from non-governmental, not-for-profit organizations legally registered in Azerbaijan for the purpose of finding an implementing partner for the Project: **LEGAL ADVICE CENTRES FOR SMES** (hereinafter called “the Implementing Partner”), to be located in Baku and in a region of Azerbaijan.

The Request for Applications documentation includes:

- Section I: **Legal Advice Centres for SMEs - Outline**
- Section II: **Terms of Reference**
- Section III: **How to apply and the procedures to follow**
- Section IV: **Evaluation and Selection of Applications**
- Annex I: **OSCE Project Proposal Template**
- Annex II: **Budget**
- Annex III: **Certificate of Compliance for Potential Implementing Partner**
- Annex IV: **Standard form of the Implementing Partner Agreement (for reference purposes only)**

Any Agreement reached as a result of this Request for Applications shall be bound by the enclosed standard form of the Implementing Partner Agreement.

Applications shall be delivered at the following address:

**Organization for Security and Co-operation in Europe (OSCE)  
Office in Baku  
Attn: Ms. Irina Krapivina  
Fund Administration Unit  
The Landmark III, 96 Nizami St.  
AZ1010 Baku, Azerbaijan**

Applications shall be delivered **by 4 February, 2013, 12:00 hrs (GMT+4)** in a sealed envelope marked with “**RFA/AZE/02/2013– Implementing partner for the Legal Advice Centres for SMEs - Do Not Open before 4 February 2013, 12:00 hrs (GMT+4)**”.

To ensure procurement integrity, OSCE will not accept applications sent by e-mail and fax.

The application shall be submitted in English language using the standard OSCE project proposal template. All costs shall be quoted in AZN. Please submit complete application packages.

The OSCE reserves the right to accept or reject any Application, and to annul, in whole or in part, or to suspend the selection process and reject all applications at any time and without reason prior to award, without thereby incurring any liability to the affected Applicant or Applicants.

A complete set of the Request for Applications documentation may be obtained at <http://www.osce.org/baku/84066>. Please address all your queries or questions in writing at the e-mail addresses given below and kindly refrain from any telephone calls or personal visits.

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## **SECTION I: THE OSCE LEGAL ADVICE CENTRES FOR SME**

### **1.1 BACKGROUND**

The Economic and Environmental Dimension focuses on fostering sustainable economic development and good governance in Azerbaijan. Within its mandate, the OSCE Office in Baku (OiB) founded in 2010 two Legal Advice Centres for SMEs, with the aim to strengthen the SMEs' capacity to handle regulatory and legal issues, to promote economic good governance and foster a business-enabling environment through providing legal counselling and conducting capacity building. The project has operated for three years. In 2012 only, the Legal Advice Centres assisted more than 1,609 entrepreneurs, conducted training courses on corporate law, tax and customs regulations as well as social and labour relations and organized round tables for facilitating dialogue between SMEs and Government. With the current project, the Office aims to continue providing legal counseling to SMEs through the Implementing Partner which will be selected as a result of the competition.

### **1.2 OVERALL OBJECTIVES OF PROJECT**

The project objective is to increase the Small and Medium Enterprises' (SMEs) capacity to operate their businesses through two Legal Advice Centres. The Legal Advice Centres will assist SMEs in settling legal challenges they face in operating their businesses. They will also raise the local government officials' capacity for handling anti-corruption cases. For SMEs, workshops on business ethics standards and relevant legal and regulatory framework will be conducted, too. One of the Legal Advice Centres shall be located in Baku and another one in a region of the country.

### **1.3 PROJECT OUTPUTS**

The expected output is a successful delivery of legal advice and relevant training programme, serving towards achieving the objective of the OSCE Project no. 4300246 "Legal Advice Centres for SMEs – Phase 4".

As a result of the project:

- SMEs will receive advice on legal and business development matters;
- the capacity of SMEs in dealing with legal issues related to good governance independently will be enhanced;
- relevant authorities will have an increased awareness of problems faced by the private sector in relation to good governance and increased capacity to process respective complaints.

## 1.4 FINANCIAL ALLOCATION AND TIMEFRAME

### 1.4.1. Financial Allocation

OSCE will allocate limited funds to support the project activities which will cover the project staff and direct operational costs of the Implementing Partner.

The OSCE Office in Baku will not fund the equipment necessary for the operation of the implementing partner. The Implementing Partner is therefore required to provide an in-kind contribution in this regard.

### 1.4.2. Time Frame

The project is designed for **10.5 months** starting from 15 February 2013 and ending on 31 December 2013:

- February: Selection of the implementing partner.
- February-December: Services to be provided by the partner
- December: Final reporting.

Activities/Time	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Bidding Process												
Identification of the IP and Contracting the selected IP												
Project Implementation												
Report Section						Interim						Final

## SECTION II: TERMS OF REFERENCE

The OSCE Office in Baku seeks Implementing Partners to carry out this Project, in line with the above-mentioned project's objectives and outputs. While applicants may formulate additional specific objectives, these shall be in accordance with and support the overall objective and project outputs.

### 2.1 TASKS AND RESPONSIBILITIES OF IMPLEMENTING PARTNER

The tasks and responsibilities of the implementing partner(s) will include the following:

- Overall coordination of the project's implementation and fund administration, including all logistical issues, such as maintaining the Legal Advice Centres' premises and their equipment. The project implementation is to be carried out under the guidance and overall supervision of the OSCE Office in Baku;
- Facilitating the provision of free legal advice to SMEs in Baku and in a selected region through at least two qualified lawyers, to be selected in consultation with the OSCE Office in Baku: The Legal Advice Centres will provide legal advice to SMEs on registering and operating their businesses as well as on ensuring their effective access to justice when they experience obstacles to the full enjoyment of their rights. The Legal Advice Centres will function five days per week during normal working hours.
- The Legal Advice Centres will provide business development advice: preparing simple business plans, support access to credit and facilitate access to others facilities for SMEs sponsored by Government institutions and international partners. The Implementing Partner will provide these services in line with partnerships set up by the OSCE Office in Baku.
- Establishing an 8-hour, five-day per week call-line that will be staffed by the LACs' lawyer for registration of complaints and for legal counselling.
- Conducting six capacity building and awareness raising activities: the Legal Advice Centres will organize training sessions on issues directly related to problems met by entrepreneurs. Those may include tax compliance, corporate and labour laws and legal procedures, licensing and permitting, business development and marketing for SMEs. The Centres will also facilitate roundtables for business community and authorities: in order to provide open forum for discussion on existing challenges for SMEs and finding out possible solutions for them.
- Reporting to the Office on the number and nature of the complaints monthly, and on the status of the project's implementation and financial administration in accordance with the Agreement.

### 2.2 CRITERIA FOR ELIGIBILITY

In order to be eligible as an Implementing Partner for this Project, the applicant must be a non-governmental and not-for-profit organization having at least three years project management experience and a demonstrated capacity to manage activity in the scale corresponding to the size of the Project.

Additionally, the following criteria constitute assets:

- Prior experience running one or several centers providing legal advice or other types of related services, in Baku and in the regions;
- Prior experience working in the field of small and medium enterprise development;
- Knowledge of regulation applicable to small and medium enterprises;
- Knowledge of the institutional framework of available support for small and medium enterprises.

See the evaluation matrix in section III for more details on selection criteria.

### **2.3 IN-KIND CONTRIBUTIONS**

The successful selected implementing partner(s) must include in the project budget its in-kind contribution. The proposition about the in-kind contributions shall include, but shall not be limited to:

- (a) At least three (3) desktop computers or laptops;
- (b) A photocopying machine;
- (c) A fax machine;
- (d) Telecommunication equipment for the functioning of the hotline;
- (e) Equipment to furnish the premises of the Legal Advice Centers, including two working tables, two conference tables), four (4) desks and book shelves (filling a space of at least 20 sq.m.)

As the OSCE Office in Baku is outsourcing the delivery of the training and counselling programme on an all-inclusive basis, an exhaustive list of the required inputs from the successful Applicant cannot be presented. The Applicants should understand that they are supposed to sort out, at their own expense, also possible unforeseen issues that may arise in connection with the delivery of the legal counselling services and training programme.

**ALL IN-KIND CONTRIBUTIONS MUST BE IN GOOD WORKING CONDITIONS!**

## SECTION III: HOW TO APPLY AND THE PROCEDURES TO FOLLOW

### 3.1 OSCE STANDARD PROJECT PROPOSAL TEMPLATE AND SUPPORTING DOCUMENTS

An applicant shall submit the following documents:

#### 1. Project Proposal (*See Annex I*)

The project proposals shall be submitted using the standard **OSCE Project Proposal Template**. Applicants shall comply with the project proposal format and fill in the form as explained in the template. The project proposal should be formulated carefully and the respective forms should be filled as clearly as possible, so that the received project proposal can be assessed. The received application and the related material should be precise and provide enough detail to ensure the clarity of the project proposal. This concerns particularly the project background and justification, how will the set objectives be achieved, the description of the anticipated results, that of the benefits gained and their relevance to the programme's objectives, as well as to the key activities and timescale.

#### 2. Budget (*See Annex II*)

This Project allocates limited funds to support the project activities which will cover the project staff and direct operational costs of the implementing partner. The OSCE Office in Baku will not fund the equipment necessary for the operation of the implementing partner. The Implementing Partner is therefore required to provide an in-kind contribution in this regard. All costs shall be quoted in AZN.

#### **Please note that:**

**The OSCE annual budget for 2013 has not been approved yet by the OSCE Permanent Council and on January 3 the OSCE Office in Baku received a Provisional Budget Allotment until March 31, 2013. Therefore, the initial Implementing Partner Agreement for this project may only be signed with the selected organization until March 31, 2013 and it may be signed only in the amount required for the project activities through this period, i.e. until March 31, 2013, subject to further extension(s)/amendment(s) up to the full duration and the total project amount.**

**Therefore, please indicate in your Budget against each budget line how much funding is being requested until 31 March 2013.**

#### 3. The applicant should fill in the **Certificate for Compliance** (*See Annex III*)

The Certificate of Compliance will affirm that the Project is not funded by other donors, or identify the donor(s) and amounts where there is co-funding. It will also contain a declaration of compliance with the laws of Azerbaijan, or an explanation of problems encountered in complying with specific laws.

#### 4. Copy of Certificate of the State Registration

#### 5. Copy of the official Statute/Charter

#### 6. A list of all key management personnel of the organization

#### 7. CVs of all proposed project staff

#### 8. Evidence of a legally registered bank account



9. List of previous projects, carried out by the applicant, including information about the donor, implementation period and respective values;
10. If applicable, support letters from organisations, i.e. institutions (letters of cooperation).

The applicant should also consider the **Form of Agreement** (*See Annex IV*), which will govern the agreement to be signed between the OSCE and the applicant. As part of the Agreement, the applicant will agree to submit original invoices to the OSCE and allow the OSCE to stamp them as paid and that all significant procurement activities will be conducted by the OSCE.

**Please note!**

**Project proposal, including budget, but excluding other required attachments, should not exceed ten (10) pages.**

**All documents, except for requested copies of official documents No. 4, 5 and 8 above and No. 10, must be submitted in English language.**

**Hand-written applications will not be accepted.**

**Please submit complete application packages.**

### **3.2 WHERE AND HOW TO SEND THE APPLICATIONS**

Organizations wishing to apply for the Project should submit before the relevant deadline a complete application package, i.e. OSCE Standard Project Proposal Template, Budget and the above-listed supporting documents. The applications must be received in a sealed envelope by mail or by hand-delivery to the following address:

Fund Administration Unit  
OSCE Office in Baku  
Att: Ms. Irina Krapivina  
Fund Administration Unit  
Landmark 3, 2<sup>nd</sup> Floor  
96 Nizami Street  
Baku AZ1010, Azerbaijan

**Please note! Applications sent by any other means (e.g. by fax or by e-mail) or delivered at other addresses other than the one above will be automatically rejected.**

The outer envelope must bear the:

- full name of the applicant;
- address of the applicant; and
- marked with “**RFA/AZE/02/2013– Implementing partner for Legal Advice Centre for SMEs - Do Not Open before 4 February 2013, 12:00 hrs (GMT+4)**”.

### **3.3 DEADLINE FOR RECEIPT OF APPLICATIONS**

The deadline for receiving applications is 4 February 2013, at 12:00 hrs (GMT+4).

**Please note! Any application received after the deadline will automatically be rejected.**

#### **3.4 FURTHER INFORMATION**

For any further information please address your queries by e-mail, not later than 28 **January 2013** to the following address: Ilgar Hasanov, [ilgar.hasanov@osce.org](mailto:ilgar.hasanov@osce.org) with a copy to Emmanuel Huntzinger [emmanuel.huntzinger@osce.org](mailto:emmanuel.huntzinger@osce.org), indicating clearly the reference Request for Applications.

## SECTION IV: EVALUATION AND SELECTION OF APPLICATIONS

Applications will be examined and evaluated by the OSCE. The submitted applications will be assessed according to the following steps and criteria.

### 4.1 APPLICATION OPENING SESSION AND ADMINISTRATIVE CHECK

#### *Eligibility of applicants*

At the application opening session an administrative check will be conducted. Namely, it will be verified whether that applicant is eligible according to the criteria as set out in this Request for Applications.

**Please note! If the application does not meet the criteria as set out in section 2.2 and does not include all documentation required in section 3.1, it will be automatically rejected.**

The application will also be automatically rejected if:

- the application is received after the closing date;
- the application does not comply with the requirements for minimum or maximum amounts or minimum or maximum duration;
- the project proposal is not submitted in English language using the OSCE Standard Project Proposal Template (*Annex I*);
- the project budget is not submitted in the requested format (*Annex II*).

### 4.2 QUALITY EVALUATION OF THE PROPOSALS

All applications will be subjected to quality evaluation by the OSCE, except those dismissed following the administrative check.

Quality evaluation of the proposal, including the proposed budget, will be carried out in accordance with the evaluation criteria set out in the Evaluation Matrix below.

### Evaluation Matrix

<b>1. Operational Capacity and Professional Resources</b>	<b>35</b>
Does the applicant have sufficient experience of project management?	5
Does the applicant have sufficient management capacity? (including staff, equipment and ability to handle the budget for the action)	5
Do the proposed key staff have experience in delivering legal advice, and conducting trainings for SMEs?	5
Does the applicant have sufficient technical expertise? (notably knowledge of the issues to be addressed and good working relations with local authorities and relevant state agencies)	5
Does the applicant have prior experience running a Centre for free legal and/or business services?	10
Does the applicant have experience and capacity in facilitation and delivery of trainings for SMEs?	5

<b>2. Project Implementation and Methodology</b>	<b>30</b>
Does the project proposal provide clear description of what the project will do to produce the expected outputs and achieve the project objectives?	5
Are the activities proposed appropriate, realistic in terms of timeframe, practical, and consistent with the objectives and expected results?	5
Will the proposed regional focus contribute to the diversification of the economy	5
Does the project address gender aspects and aim for a gender-balanced participation?	5
Is the action plan clear and feasible (does it reflect the analysis of the problems involved, take into account external factors and anticipate an evaluation to track progress and results? )	5
Does the proposal contain objectively verifiable indicators for the outcome of the action?	5

<b>3. Sustainability</b>	<b>5</b>
Are the expected results of the proposed action sustainable?	5

<b>Maximum total score</b>	<b>70</b>
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**Only those proposals that receive a score higher than 60 points out of the maximum 70 will be considered for award. The final selection will be based on the evaluation of the budget and cost effectiveness, as follows:**

<b>4. Budget and cost effectiveness</b>	
Are the proposed expenditures appropriate and in line with market prices?	
Are the proposed expenditures necessary for the implementation of the project activities?	
Are the proposed expenditures cost effective and adequate?	
Are the proposed expenditures detailed and transparent?	
Are the proposed in-kind contributions relevant and sufficient?	

Please note the following important information:

#### *Scoring*

The evaluation criteria are divided into sections and subsections. Each subsection must be given a score between 1 and 5 in accordance with the following guidelines: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good. The applications with the highest scores will be given priority when grants are awarded.

**Costs incurred for the preparation of the application will not be covered by the grant and will not be included in the budget.**

#### **4.3 APPLICATION CHECK LIST**

Prior to sending the Application, check if you have all the needed documentation:

- Stamped project proposal<sup>1</sup> (*Annex I*)
- Stamped budget (*Annex II*) – **budget should be submitted on a separate page from the proposal** as it will be evaluated separately;
- Stamped and signed Certificate of Compliance (*Annex III*);
- Copy of Certificate of the State Registration;
- Copy of the Statute/Charter in the original language and in English;
- A list of all key management personnel of the organization;
- CVs for all proposed project staff;
- Evidence of a legally registered bank account;
- List of previous projects (in English), carried out by the applicant, including information about the donor, implementation period and respective values;
- If applicable, support letters from organisations, i.e. institutions (letters of cooperation).

**NB:** *it is in applicant's interest to provide the OSCE with accurate contact details, preferably an e- mail address.*

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<sup>1</sup> Project proposal, including budget should not exceed ten (10) pages.