



**BIDDING DOCUMENTS
FOR IMPLEMENTING PARTNER OF
LEGAL RESOURCE CENTRES IN THE REGIONS**

No. 08/2008

BAKU, AZERBAIJAN



Organization for Security and Co-operation in Europe

Office in Baku

Fund Administration Unit

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

Date: 4 December 2008

Invitation to Bid

No. 08/2008

Implementing partner for Legal Resource Centres in the Regions

The Office in Baku of the Organization for Security and Co-operation in Europe (hereinafter called "the OSCE") invites sealed bids for the purpose of finding an implementing partner for its Legal Resource Centres in the Regions (hereinafter called "the Implementing Partner"), to be located at Sumgayit, Ganja and Masally/Lenkoran, including the regions of Khanlar, Goranboy, Dashkesan, Nabi-Aghali, Shamkir, Kazakh, Tavuz, Masally, Lenkoran, Jalilabad and Astara.

In addition to this Invitation to Bid, the Bidding Documents also include:

- Section I: The OSCE Legal Resource Centres in the Regions - 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: Form of Agreement

Any Agreement reached as a result of this Invitation to Bid shall be bound by the Form of Agreement contained in the Bidding Documents.

Bids must be delivered at the following address:

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

Bids must be delivered on or before **30 December 2008, 12:00 hrs (GMT+4)** in a sealed envelope marked with **"No. 08/2008 – Implementing partner for Legal Resource Centres in the Regions - Do Not Open Before 30 December 2008, 12:00 hrs (GMT+4)"**.

Bids sent by e-mail and fax will not be accepted. The bid prices shall be quoted in AZN.

The OSCE reserves the right to accept or reject any Bid, and to annul, in whole or in part, or to suspend the bidding process and reject all Bids at any time and without reason prior to award, without thereby incurring any liability to the affected Bidder or Bidders.

A complete set of the Bidding Documents may be obtained at the OSCE web site (<http://www.osce.org/tenders/>). Please address all your queries or questions in writing at the address given below and kindly refrain from any telephone calls or personal visits.

Office in Baku

Rule of Law Programme

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

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SECTION I: THE OSCE LEGAL RESOURCE CENTRES IN THE REGIONS

1.1 BACKGROUND

The Rule of Law programme within the OSCE focuses on strengthening the justice sector in Azerbaijan, including the relevant institutions, legislation and procedures guaranteeing fair trial standards. While fostering the effective implementation of the applicable legislation in accordance with international standards, the programme also aims at enhancing the capacity of the judiciary and legal professionals through training activities.

One of the ways for the Programme to actively support training activities for judges and legal professionals in the regions was the establishment of legal resource centres throughout the country. These centres have also provided free legal advice and assistance to the local population with a view to foster fair trial guarantees, thus enhancing their access to justice. Currently, two legal resource centres, supported by the OSCE Office in Baku, operate in Sumgayit and in Masaly, providing their services to the population of the surrounding regions. In the coming year, the Rule of Law Programme seeks to foster the operation of these centres and the establishment of further legal resource centres, including one in Ganja.

1.2 OVERALL OBJECTIVES OF THE LEGAL RESOURCE CENTRES IN THE REGIONS

The overall purpose of the project is to address the lack of sufficient legal resources in the regions, notably with regard to the population's access to free legal advice. The Centres will be located at Sumgayit, Ganja and Masally/Lenkoran, including the regions of Khanlar, Goranboy, Dashkesan, Nabi-Aghali, Shamkir, Kazakh, Tovuz, Masally, Lenkoran, Jalilabad and Astara.

By supporting Legal Resource Centres in the regions providing free legal aid, the Office will assist the population at large to handle all kinds of legal matters. This will therefore also foster equality of arms and the suspect/accused's right to effective legal representation.

The Centres will also strengthen the professionalism and capacity of judges and legal professionals in the regions by supporting training activities, as required, on a case by case basis in view of the actual needs. This will include *inter alia* preparatory training for lawyers' candidates to the Collegium as well as specialised training activities for practicing lawyers, judges and prosecutors on civil, criminal procedure and substantive law and European standards. The judicial training programme of the OSCE Office in Baku will support the work of the legal resource centres in this regard. The implementation of this project will therefore enhance the professional skills of practicing lawyers, defence counsel, judges and prosecutors, both with regard to criminal and civil litigation, as well as with compliance with relevant international standards.

A special hotline will also be established in the Centres to facilitate prompt legal assistance via telephone to the population in remote areas.

The Centres will also serve as a rule of law/legal resource facility, including a legal library and computer/internet facilities for the benefit of the legal community in the aforementioned regions.

Information about the existence of the centres and their activities will be broadly disseminated amongst the population and legal professionals in the above mentioned regions.

1.3 PROJECT OUTPUTS

- Strengthen the capacity of practicing lawyers, defense counsel, judges and prosecutors in the regions with regard to applicable national laws and proceedings as well as to relevant international fair trial and human rights standards.
- Deliver free legal advice and assistance on procedural and substantive aspects of the applicable laws and/or applicable international fair trial and human rights standards to the population in the regions.

1.4 FINANCIAL ALLOCATION AND TIME FRAME

1.4.1. Financial Allocation

This Project allocates limited funds of 83,000 AZN¹ to establish and maintain all three (3) Legal Resource Centres. This will cover contracted services, training and operational costs (including office rent) of these Legal Resource Centres.

The OSCE Office in Baku will not fund the equipment necessary for the operation of the Centres. The Implementing Partner is therefore required to provide an in-kind contribution in this regard (see details below).

1.4.1. Time Frame

The Project is designed for a thirteen (13) months implementation period.

Activities	2008		2009											
	December	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Bidding Process														
Identification of Centres’ Location														
Contracting Selected IP/s, Legal Personnel														
Daily Legal Services			176 working hours per month/per Centre											
Training Activities			(to be identified upon conducting a needs assessment)											
Reporting			1 st quarter reporting											
			2 nd quarter reporting				3 rd quarter reporting				AUDIT			

¹ Pending the approval of the OSCE 2009 Budget by the Permanent Ministerial Council.

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 two overall objectives. Organizations wishing to be considered as an implementing partner may apply for managing either one, or several Centres.

2.1 TASKS AND RESPONSIBILITIES OF IMPLEMENTING PARTNER(S)

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 Centres' premises and their equipment. The project implementation is to be carried out under the supervision of the OSCE Office in Baku;
- Facilitating the provision of free legal advice of all kinds to the local population in the regions through adequately qualified lawyers, to be selected in cooperation with the OSCE Office in Baku;
- Facilitating training activities, in cooperation with the OSCE Office in Baku, to candidates to the bar, the judiciary and the prosecution as well as to practicing defense counsel, judges and officials within the prosecutor's office, including investigators in the country's aforementioned regions. The training topics are to be defined on a case by case basis in view of the actual needs, being a priori criminal and civil substantive and procedural law related issues as well as European standards and the case law of the European Court of Human Rights;
- Establishing a special hotline in the Centres to facilitate prompt legal assistance via telephone to the population in remote areas. Hotline services should be available 8 (eight) hours per day during working days.
- Establishing a legal library in the Centres to provide the legal community in the regions with free access to books on law, legal materials, legal databases, regional and municipal legislation, acts of the executive authorities, and municipal authority decisions;
- Reporting to the Office on the status of the project's implementation and fund administration. Narrative and financial reports should be submitted quarterly, not later than 20th day of last month of each quarter.

2.2 CRITERIA FOR ELIGIBILITY

In order to be eligible as implementing partner for this project, the applicant must be a non-governmental and non-profit organization having at least one year project management experience and a demonstrated capacity to manage the activity in the scale corresponding to the size of the project.

Necessary qualifications include the following:

- The applicant shall have a legal background as well as proved knowledge of the Azerbaijani legal and judicial system, including both substantive and procedural issues;
- Prior experience as practicing lawyers, judges or prosecutors before any jurisdiction (civil, criminal and administrative) will be an asset;
- Prior experience running legal clinics or a centre for free legal services will be an asset;
- Proved knowledge of international fair trial and human rights standards will also be an asset.

In addition to this, applicants must submit the following documents:

- Copy of Certificate of the State Registration;
- Copy of the Mission Statement in the original language and in English;
- Copy of the official Statute/Charter in the original language and in English;
- A listing of and CVs for all the Board Members;
- A list of all key management personnel;
- CVs for the proposed project staff;
- Copies of the most recent financial statement;
- Evidence of a legally registered bank account;
- Either confirmation that the project is not funded by other donors, or identification of the donor(s) and amounts where there is co-founding;
- Agreement that the applicant will submit original invoices to the OSCE and allow the OSCE to stamp them as paid;
- Agreement that all significant procurement activities will be conducted by the OSCE;
- A declaration of compliance with the laws of Azerbaijan, or an explanation of problems encountered in complying with specific laws.

2.2 IN-KIND CONTRIBUTIONS

The successful selected implementing partner(s) must include in the project 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) Book shelves to fill a space of at least 20 sq.m.

SECTION III: HOW TO APPLY AND THE PROCEDURES TO FOLLOW

3.1 OSCE STANDARD PROJECT PROPOSAL TEMPLATE AND SUPPORTING DOCUMENTS

The project proposals must be submitted using the standard **OSCE Project Proposal Template** (*See Annex I*). Applicants should strictly 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, timescale and **budget** (*See Annex II*).

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

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.

Please note! The project proposal must be submitted in English language using the standard OSCE project proposal template.

Please note! Hand-written applications will not be accepted. Please submit complete application packages.

Applications must be accompanied by the supporting documents listed under section 2.2.

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:

Mrs. Sandra Milosavljevic
OSCE Office in Baku
Landmark 3, 2nd 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.

3.3 DEADLINE FOR RECEIPT OF APPLICATIONS

The deadline for receiving applications is **30 December 2008, 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 22 December 2008 to the following addresses: Fiorentina.Azizi@osce.org and/or Zhala.Azizova@osce.org, indicating clearly the reference Programme.

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 sections 2.2 and 2.3.

Please note! If the application does not meet the criteria as set out in sections 2.2 and 2.3, 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 FMMS, 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

1. Operational Capacity and Professional Resources	35
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
Does the applicant have a legal background and proven substantial knowledge of the Azerbaijani legal and judicial system (proven knowledge of international fair trial and human rights standards would be an asset)?	5
Do the relevant representatives of the applicant have prior experience as practicing lawyers, defence counsels, judges or prosecutors?	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 legal clinic or a centre for free legal services?	5
Does the applicant have experience and capacity in facilitation and delivery of trainings for legal professionals?	5
2. Project Implementation and Methodology	30
Does the project proposal adequately address both project objectives, i.e. provision of free legal advice to the population, as well as strengthening the capacity of judges and legal professionals?	5
Are the activities proposed appropriate, practical, and consistent with the objectives and expected results?	5
How coherent is the overall design of the action? (in particular, 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 project proposal address the needs of the target groups and the final beneficiaries appropriately?	5
Is the action plan clear and feasible?	5
Does the proposal contain objectively verifiable indicators for the outcome of the action?	5
3. Budget and cost effectiveness	25
Are the proposed expenditures appropriate and in line with market prices?	5
Are the proposed expenditures necessary for the implementation of the project activities?	5
Are the proposed expenditures cost effective and adequate?	5
Are the proposed expenditures detailed and transparent?	5
Are the proposed in-kind contributions relevant and sufficient?	5
4. Sustainability	5
Are the expected results of the proposed action sustainable?	5
5. Technical Presentation	5
Are the submitted documents in line with the bidding requirements?	5
Maximum total score	100

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.

APPLICATION CHECK LIST

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

- Stamped project proposal² including budget (*Annex I and Annex II*);
- Stamped and signed Certificate of Compliance (*Annex III*);
- Copy of Certificate of the State Registration;
- Copy of the Mission Statement in the original language and in English;
- Copy of the Statute in the original language and in English;
- Listing of and CVs for all the Board Members;
- A list of all key management personnel;
- CVs for proposed project staff;
- Copies of the most recent financial statement;
- Evidence of a legally registered bank account;
- Either confirmation that the project is not being funded by other donors, or an indication of the donor(s) and amounts where there is co-funding;
- List of previous projects (in English), carried out by the applicant, including information about the donor, implementation period and respective values;
- Information on membership in any umbrella organizations or other networks;
- Support letters from organisations i.e. institutions (letter of cooperation).

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

² Project proposal, including budget should not exceed ten (10) pages.