



Organization for Security and  
Co-operation in Europe

**REQUEST FOR QUOTATION**

**Ref. No.**

**RFQ/SKP/636710/2022**

**BIDDING DOCUMENTS**

**for design and development of multiyear strategy and action plan for the purposes of the  
Academy for Judges and Public Prosecutors (AJPP)**

for OSCE MISSION TO SKOPJE

**April 2022**

The OSCE Mission to Skopje (OMSK) seeks a company for:

**“Design and development of multiyear strategy and action plan for the purposes of the Academy for Judges and Public Prosecutors (AJPP) “.**

Therefore, we invite interested companies to submit a quotation.

**SUMMARY:**

Request for Quotation Ref. No. :	<b>RFQ/SKP/636710/2022</b>
Publication Date :	<b>07 April 2022</b>
Subject / Description :	<b>Design and development of multiyear strategy and action plan for the purposes of the Academy for Judges and Public Prosecutors (AJPP)</b>
Clarifications	<b>Bidders who want to seek clarifications related to this RFQ shall submit their written request to <a href="mailto:nenad.gjorgjevikj@osce.org">nenad.gjorgjevikj@osce.org</a></b>
Deadline for submitting /Closing Date and Time :	<b>21 April <del>19-April</del> 2022 at 12:00 CEST</b>
Deadline for request for clarification :	<b>15 April <del>13-April</del> 2022 at 16:00 CEST</b>
Price terms / Currency	<b>Prices shall be quoted in MKD excluding VAT</b>
Payment terms	<b>30 days net</b>
Offer Validity Duration minimum :	<b>60 days</b>
Quotation delivery address:	<b>Via secure e-mail address: <a href="mailto:Tenders.MK@osce.org">Tenders.MK@osce.org</a></b> <i>Vendors who are not registered with OSCE need to complete the Vendor Registration Form <a href="https://procurement.osce.org/vendor-registration">https://procurement.osce.org/vendor-registration</a> and to submit it together with supporting documents (copy of business registration).</i>
Bidding documents include:	<b>INSTRUCTIONS TO BIDDERS</b> <b>ANNEX 1_ TERMS OF REFERENCE (TOR)</b> <b>ANNEX 2_ TECHNICAL QUOTATION FORMS</b> FORM 1_ LETTER OF COMPLIANCE FORM 2_ QUALIFICATION INFORMATION FORM FORM 3_ RELEVANT SERVICES FORM 4_ TEAM COMPOSITION AND TASK ASSIGNMENTS FORM 5_ DETAILED PROJECT TIMELINE FORM 6_ METHODOLOGY OF WORK <b>ANNEX 3 _ FINANCIAL QUOTATION FORM</b> <b>ANNEX 4 _ DRAFT CONTRACT</b>
OSCE Mission to Skopje does not bind itself to accept the lowest or any other offer and is not under any obligation to inform any Bidder of the reasons for non-acceptance of a Quotation.	
Any Contract or Purchase Order will be subject to the OSCE General Conditions of Contract hereby attached or can be viewed at <a href="https://procurement.osce.org/key-procurement-documents">https://procurement.osce.org/key-procurement-documents</a> .	

## INSTRUCTIONS TO BIDDERS

### 1. DEFINITIONS

1.1 Throughout this Request for Quotation and any resulting Contract, unless the context otherwise requires, the following definitions shall apply:

- (a) “**Closing Date**” means the time and the date referred to in the RFQ summary, which is the deadline for submission of Quotation.
- (b) “**Request for Quotation**” means the invitation to participate in this RFQ and comprises all the RFQ documents referred to in the RFQ summary.
- (c) “**Quotation / Bid**” mean the submissions made by Bidders in response to the Request for Quotation.
- (d) “**Quotation / Price**” means the total price stated in the Price breakdown form for the provision of the services required under this Request for Quotation.
- (e) “**Bidders**” mean the companies invited to submit Quotation to provide the services required under this Request for Quotation.
- (f) “**OSCE**” mean the OSCE Mission to Skopje.
- (g) All other terms referred to in this Request for Quotation shall have the same meanings as those used later in the Contract / Purchase order.

### 2. SUBMISSION OF QUOTATION

2.1 Quotations must be delivered only in the following way:

To the following secure e-mail address: [Tenders.MK@osce.org](mailto:Tenders.MK@osce.org).

With an indication in the subject of the e-mail:

**RFQ/636710/2022– Design and development of multiyear strategy and action plan for the purposes of the Academy for Judges and Public Prosecutors (AJPP).**

2.2 The following documents / information has to be included in the submitted Bid, otherwise the Bid is liable to be disqualified at the OSCE’s discretion:

- a. Completed and duly signed Vendor Registration Form to be downloaded from <http://www.osce.org/procurement/74772>
- b. Copy of the Bidder’s registration document/license or certificate of incorporation issued by the Central Registry, not older than 6 months (no need to be translated in English)
- c. Item by item commentary demonstrating substantial responsiveness to the mandatory requirements set in Annex 1 - Terms of Reference (**use FORM 1**)
- d. Bidder’s profile/portfolio, including information that supports how the Bidder meets the requirements regarding past experience (**use FORM 2 and 3**);
- e. Team composition and Task assignment: Key expert/project team along with the CVs of the proposed professionals (**use FORM 4**), and
- f. Detailed Project Timeline – **FORM 5**
- g. Methodology Of Work – **FORM 6**
- h. Completed **FINANCIAL QUOTATION FORM** with **Breakdown of Costs**, submitted with the offer as separate document.

2.3 Bidders may submit other documents/information apart from those specifically listed under Line 2.2 in support of their Quotation.

2.4 Quotation submitted after the Closing Date shall be disqualified.

2.5 The Bidders shall bear all costs associated with the preparation and submission of their Quotation. The OSCE will in no case be responsible or liable for any such costs, regardless of the conduct or outcome of the Bidding process.

### **3. LANGUAGE**

3.1 Quotation and all supporting technical data as well as all documentation submitted as part of the Quotation must be written or properly translated into the English language, except where this is not needed and will be explicitly written so in brackets. Bidders which will not comply with this requirement are liable to be disqualified.

### **4. ACCEPTANCE OF QUOTATION**

4.1 The OSCE shall be under no obligation to accept the lowest or any Quotation.

4.2 This RFQ does not commit the OSCE to consider any Quotation or to award a contract or to pay any costs incurred in the preparation or submission of the Quotation, or to procure any services from any Bidder.

4.3 This RFQ contains no contractual offer of any kind. Any Quotation submitted will be regarded as an offer by the Bidder and not as an acceptance by the Bidder of any offer by the OSCE. No contractual relationship exists, except pursuant to a purchase order or contract document signed by the authorized representatives of both parties. The OSCE reserves the right to reject any or all Quotation received in response to this RFQ or to negotiate with any of the Bidders or other firms in any manner deemed to be in the best interest of the OSCE.

4.4 The OSCE may, at its sole discretion, require the successful Bidder to sign a written agreement.

4.5 The OSCE is not under any obligation to inform any Bidder of the reasons for non- acceptance of a Quotation.

### **5. EVALUATION CRITERIA**

The selection will be conducted in line with the OSCE rules and procedures for procurement of goods and services. The Bidders that have fulfilled all mandatory criteria for the technical evaluation, as specified under Article '8 in the TOR', will be allowed to proceed to the next step, financial evaluation.

**The evaluation method is Least-Cost Selection.**

### **6. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

6.1 All Intellectual Property reflected or subsisting in the information, instructions, plans, drawings, specifications, documents, materials and other items shown or given to Bidders pursuant to this Request for Quotation by or on behalf of the OSCE belong to the OSCE or third parties as the case may be.

6.2 Quotation and all enclosed documents, plans, drawing, materials or other items submitted by Bidders in response to this Request for Quotation shall become the property of the OSCE.

### **7. QUOTATION PRICE AND SERVICES TAX**

7.1 Bidders must satisfy themselves before submitting any Quotation as to the correctness and sufficiency of their Quotation Price for the execution and complete provision of all goods and/or services required under this Request for Quotation.

7.2 The Quotation Price set out in Annex 3 shall be deemed to have included the delivery of all goods and/or the performance of all services to meet the Terms of Reference in full. This is so regardless of whether such goods and/or services have actually been listed or priced in any breakdown of the Quotation Price or in any other part of the Quotation. The price of anything not specifically listed or priced shall be deemed to have been included in the other price(s) actually set out in the Quotation.

7.3 **The Quotation Price and all breakdowns of the same proposed in a Quotation must EXCLUDE any Value Added Taxes ("VAT") chargeable for the supply of goods and/or services required under this Request for Quotation.**

## **8. CLARIFICATIONS**

8.1 If the OSCE sends a written notice to any Bidder to clarify any aspect of their Quotation, the Bidder concerned must provide full and comprehensive response within 5 days of the date of the written notice. For the avoidance of doubt, this may include the request for the submission for missing documents or information that may be required by the OSCE for this Quotation provided that no Bidder shall, in any case, be permitted to amend the proposed Quotation Price already submitted.

## **9. CONFIDENTIALITY**

9.1 Except with the consent in writing of the OSCE, Bidders shall not disclose to any third parties, this Request for Quotation, the provisions of the Quotation Documents, and any information, instructions, plans, drawings, specifications, documents, materials and other items shown or given to Bidders pursuant to this Request for Quotation by or on behalf of the OSCE.

## **10. NOTIFICATION**

10.1 Bidders should note that notification might not be sent to unsuccessful Bidders by the OSCE.

## **ANNEX 1 \_ TERMS OF REFERENCE (TOR)**

### **Project # 2601001: “Support North Macedonia in advancing Rule of Law and Human Rights II”**

#### **Act.3.5 – “Mission support to strength-en AJPPs’ strategic planning capacity”**

### **TERMS OF REFERENCE (ToR) for design and development of multiyear strategy and action plan for the purposes of the Academy for Judges and Public Prosecutors (AJPP)**

#### **1. Background**

The Academy for Judges and Public Prosecutors “Pavel Shatev” is the national institution responsible for the process of initial training and continuous professional development of judicial staff (mainly, judges and public prosecutors) in the Republic of North Macedonia. Based on the previous work done to build the institutional capacity of the AJPP, during 2022 the Mission will support the AJPP in developing a multi-year strategy and action plan to further enhance the functional capacities of the institution and assist in its advancement. The strategic document will try to identify strategic priorities and goals and determine actions which will assist the institution to better fulfil its mandate to provide high-quality training for the candidates and current judges and public prosecutors.

The internal aspects of the work of the institution such as organization and leadership, financial and human resources will be taken into account when designing the strategic goals. A more efficient AJPP will also contribute to the judicial reform in the country. The process will be led by a service provider selected by the Mission and implemented in close cooperation with representatives from the AJPP to provide coaching for future strategic planning exercises. The strategy will encompass different perspectives and activities, focusing on enhancing the functional and organizational capacities of the institution, including its internal and external communication, as well as activities aiming to increase the quality of training by modernizing the use of digital technology and promote the concept of equality and non-discrimination in the training process.

To ensure a more inclusive process, this effort will include participatory forums with relevant stakeholders from the judiciary, such as the Judicial Council and Council of Public Prosecutors, judges and public prosecutors (both those who deliver and those who receive training), candidates at the AJPP as well as other representatives of the legal profession.

#### **2. Objective/Purpose:**

This document presents Terms of Reference for engagement of service provider for development of multiyear Strategy (Strategy) and Action Plan (AP) for the AJPP. The purpose of this activity is to support AJPP in the strategic planning process which will improve the functioning of the institution and will ensure quality training for judicial staff that will work according to strategically determined objectives and principles at national level and established EU standards. This will eventually also contribute to the judicial reform in the country.

#### **3. Roles and responsibilities**

The service provider should be able to lead the process of design and development of multiyear Strategy and Action Plan for the AJPP.

More specifically, the service provider is expected to implement the following activities and develop the following documents:

### **A) Methodology for preparation/drafting the Strategy and AP**

At the beginning of the process the service provider is expected to develop a Methodology for preparation/drafting the Strategy and AP. This document should describe the overall process and include detailed work plan with all the foreseen activities, timeframe, methodology of work, included parties.

### **B) Analysis of the current situation**

The service provider should prepare detailed analysis of the current situation in the area (policies, laws and bylaws, other strategic documents, significant developments in the area, etc.) through desk research and interviews with a sample of representatives of the stakeholders.

This document should contain all the necessary information to serve as a basis for defining the priority areas and specific measures of the Strategy and the AP.

The document should map all the existing horizontal strategic documents and policies that impact the work of the AJPP in order to ensure that the Strategy does not overlap with existing active initiatives and documents.

As part of the analysis of the current situation in the area the service provider should prepare detailed SWOT analysis. The recommendations and conclusions of this analysis document will be expected to include the structure of the Strategy and the AP and the recommended priority areas.

### **C) Drafting a multiyear Strategy for the AJPP**

Based on the analysis of the current situation, as well as consultations with stakeholders through a series of meetings the service provider is expected to prepare multiyear Strategy for AJPP. The Strategy should cover a period of five years. The exact timeframe will be decided in coordination with AJPP staff.

When drafting the Strategy, the service provider should take into account the guidelines and comments from the representatives of AJPP engaged in the process of preparing the Strategy. Throughout the process the service provider should collect necessary input from the stakeholders identified by the AJPP.

The Strategy should set the mid-term and long-term priorities and goals and determine actions which will assist AJPP to better fulfil its mandate in accordance with the national priorities in the judicial sector and international and EU principles and standards for training. The Strategy should encompass different perspectives and activities, focusing on enhancing the functional and organizational capacities of the institution, including its internal and external communication, as well as activities aiming to increase the quality of training by modernizing the use of digital technology and promote the concept of equality and non-discrimination in the training process. The internal aspects of the work of the institution such as organization and leadership, financial and human resources should also be considered when designing the strategic goals. The service provider needs to propose effective mechanism with for monitoring, reporting and evaluation of the objectives in the Strategy (with key performance indicators).

### **C) Development of an Action Plan for implementation of the Strategy**

The service provider should develop a detailed AP of the Strategy. The AP should include effective, innovative and measurable activities that contribute towards the objectives of the Strategy. The AP should contain description for every activity, start dates and deadlines for implementation, budget, identified owners and measurable indicators of success for each activity. The specific timeframe of the AP should be determined

based on the findings of the analysis of the current situation as well as the guidelines of the AJPP staff. The AP should also contain mechanism for monitoring, reporting and evaluation of the implementation of the activities.

Throughout the process, the service provider will consult with the AJPP staff and all stakeholders who are expected to implement the Strategy.

#### **D) Coordination and consultative activities and coaching**

The service provider should continuously collaborate and share information with AJPP staff. They will support the service provider with all available contacts during the engagement timeframe. The service provider will collaborate and receive input from stakeholders and partners that are identified by AJPP staff in the process of drafting the Strategy and AP.

To ensure a more inclusive process, the service provider should organize participatory forums with relevant stakeholders from the judiciary, such as the Judicial Council and Council of Public Prosecutors, judges and public prosecutors, candidates at the AJPP, as well as other representatives of the legal profession.

Throughout the process the provider should provide coaching to the representatives of the AJPP for future strategic planning exercises. The service provider should also present the Strategy and the AP to the members of the Steering Committee of AJPP and answer any question they might have regarding the documents and give clarifications.

The Mission should be given the opportunity to provide ideas, feedback, and comments on all phases of the development, including the design and structure. The service provider commits to implementing the comments of the Mission, until the approval of the final version of the product. The service provider will regularly report to the OSCE Project Team about the progress of work.

#### **Documents**

Some of the documents that should be take into consideration in the development of the Strategy and AP for the AJPP are:

- Law on the Academy for Judges and Public Prosecutors
- Program of work of the AJPP for 2021
- Yearly Report the AJPP for 2020
- Publication Academy for Judges and Public Prosecutors “Pavel Shatev” – analysis of the current position of the institution within the system and its role for training the judicial staff
- Strategy for reform of the judiciary for the period 2017- 2022
- Organizational structure of AJPP
- Rulebook for internal organization of AJPP
- Rulebook for systematization of AJPP
- Overview of the job positions in AJPP
- Functional Analysis of AJPP
- Statute of Academy for Judges and Public Prosecutors “Pavel Shatev”
- Statutory decision on amending the Statute of Academy for Judges and Public Prosecutors “Pavel Shatev”
- Rulebook for taking the entry exam in the Academy for Judges and Public Prosecutors “Pavel Shatev”
- Rulebook for initial training

This list of documents can be modified or amended in the process in coordination with the representatives of the AJPP.

#### **Deliverables:**



- Draft Methodology for preparation the Strategy and Action Plan which will be agreed upon and finalized in cooperation with AJPP staff and representatives of the OSCE Mission in Skopje
- Analysis of the current situation in the area
- Strategy for the Academy for Judges and Public Prosecutors
- Action Plan for implementation of the Strategy
- Notes from organized forums and interviews for preparation of the required analysis and documents
- Final Report

### Language

The Strategy for the AJPP, the AP as well as all necessary analyses and planning documents should be prepared in Macedonian. The Final Report should be prepared in English.

### 5. Duration

The activities should be implemented in the period from April to October 2022. All the deliverables should be completed latest end of October 2022. The indicative timeframe is presented in the table below.

Activity	Deadline for completion
Draft Methodology for preparation the Strategy and Action Plan and the necessary analysis	5 <sup>th</sup> of May
Draft Analysis of the current situation	6 <sup>th</sup> of June
Final Analysis of the current situation	20 <sup>th</sup> of June
Draft Strategy for the Academy for Judges and Public Prosecutors	19 <sup>th</sup> of August
Final Strategy for the Academy for Judges and Public Prosecutors	15 <sup>th</sup> of September
Draft Action Plan for implementation of the Strategy	30 <sup>th</sup> of September
Final Action Plan for implementation of the Strategy	14 <sup>th</sup> of October
Final Report	28 <sup>th</sup> of October

### 6. Qualifications and experience

The contracted company shall fulfil the following minimum requirements:

1. Actively providing services in the past 3 years. As a proof, certificate of registration from the Central Registry to be included and Bidder's portfolio;
2. Minimum 3 years of experience in preparing strategic plans for public sector institutions;
3. Minimum 3 years of experience in the field of analysis of legal frameworks, judicial reform and preparation of public policy recommendations;
4. The service provider should engage at least 2 experts for the assignment with previous experience in the area. At least one of them should be staff/expert with experience and engagement pertaining to judicial reform processes and a minimum of three (3) years' experience. The experts should have excellent knowledge of English and Macedonian, Proven excellent communication and facilitation skills, including in multi-cultural settings, Excellent analytical skills and to be Highly motivated and committed to the values of transparency and integrity.
5. Experience in field research related to the national judicial system and to understand the role of the AJPP as the sole training institution for legal professionals (current and future judges and public prosecutors) within this system;
6. Experience in organizational and change management in the public sector;
7. Previous experience with national or international organizations and experience with similar projects of work;

## **7. Project budget**

The budget should be presented as one lot, Bidders should provide a total budget and breakdown of costs by tasks. The costs for each task should be broken down by working days, number of staff or any other parameter that would allow the Mission to get a clear understanding of the expenses.

## **8. Evaluation criteria**

The selection will be conducted in line with the OSCE rules and procedures for procurement of goods and services. The Bidders that have fulfilled all mandatory criteria for the technical evaluation, as specified under part 'Qualifications and Experience', will be allowed to proceed to the next step, financial evaluation. The evaluation method is Least-Cost Selection.

## **9. The bidders should submit:**

- Bidder's profile/portfolio, including information that supports how the Bidder meets the requirements regarding past experience with list of references in the past 5 years (items in Qualifications and Experience);
- Team composition and Task assignment: service provider /project team along with the CVs of the proposed experts that will be engaged in the process
- Detailed project timeline and methodology of work.

## ANNEX 2 \_ TECHNICAL QUOTATION FORM

### FORM 1 LETTER OF COMPLIANCE WITH THE REQUIREMENTS OF THE TERMS OF REFERENCE

The Bidders shall provide:

- Item-by-item commentary on the Terms of Reference demonstrating responsiveness to the requirements;

The information on this table shall form an integral part of the evaluation. Please refer to the relevant section of the Terms of Reference for further explanation of the requirements.

**Bidders should avoid simply writing 'comply/not comply, or YES or NO' without providing further information or evidence to support the claim**, as this will not generally reflect well in the evaluation. Reference can be made to annexes or other material in the Quotation.

Ref.nr.	Mandatory Requirement	Compliance (Yes/No)/Additional information/Attachments
1	The service provider confirms acceptance of the OSCE General Conditions of Contract (Services) for any contract resulting from this ToR.	
2	The Bidder fully understands and agrees to fulfil all requirements outlined in Article 2-6 from the Terms of Reference.	
3	Actively providing services in the past 3 years. As a proof, certificate of registration from the Central Registry to be included and Bidder's portfolio;	
4	Minimum 3 years of experience in the field of analysis of legal frameworks, judicial reform and preparation of public policy recommendations	
5	The service provider should engage at least 2 experts for the assignment with previous experience in the area. At least one of them should be staff/expert with experience and engagement pertaining to judicial reform processes and a minimum of three (3) years' experience. The experts should have excellent knowledge of English and Macedonian, Proven excellent communication and facilitation skills, including in multi-cultural settings, Excellent analytical skills and to be Highly motivated and committed to the values of transparency and integrity.	
6	Experience in field research related to the national judicial system and to understand the role of the AJPP as the sole training institution for legal professionals (current and future judges and public prosecutors) within this system;	
7	Experience in organizational and change management in the public sector;	
8	The Bidder is able to work in English and to provide all deliverables in Macedonian and Albanian.	
7	Previous experience with national or international organizations and experience with similar projects of work;	

\_\_\_\_\_  
Date and place

\_\_\_\_\_  
Signature and stamp

**FORM 2 \_ QUALIFICATION INFORMATION FORM**

**Note to Bidders:** The Bidder shall fill in and submit this Qualification Information Form as part of its Bid.

**General Information**

1. Name of Bidder:			
2. Street Address:	Postal Code:	City:	Country:
3. P.O. Box and Mailing Address:			
4. (Mobile) Telephone Number:			
5. Fax Number:			
6. E-mail Address:			
7. www Domain:			
8a. Contact Name:			
8b. Contact Title:			
9. Parent Company, if any (full legal name):			
10. Principal subsidiaries, associates, and/or representative(s), if any and relevant to the Services:			
11. Corporate Address:			
12. Type of Business:			
13. Year Established:			
14. Number of Staff Employed:			

**Financial Information**

15. For the last three financial years:		
Year	Turnover (MKD)	Working Capital (MKD)

[Bidder to attach the audited financial statements for the last year]

**Experience**

16. Contracts of similar scale/volume during the last three years:				
Customer Name and Contact Details	Value (MKD/EUR)	Year	Goods and Associated Services Provided	Country

**FORM 3 \_ RELEVANT SERVICES CARRIED OUT IN THE LAST THREE YEARS THAT BEST ILLUSTRATE QUALIFICATIONS** in accordance with Article 6 from the TOR

*Note to Bidders: Using the form below, the Bidder should provide information on the assignments for which its firm, either individually as a corporate entity or as one of the major companies within an association, was legally contracted during the past three years.*

Name of Your Client:		Country/Location:
Assignment Name:		
Narrative Description of Project:		
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Assignment (MKD/EUR):
Name(s) of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Profile(s) of Professional Staff Provided by Your Firm:		
Description of Actual Services Provided by Your Staff:		
Name of Associated Firms, if any:		Nº of Months of Professional Staff Provided by Associated Firms:

**\*\*\* IN ADDITION ATTACHED PORTFOLIO/REFERENCE LIST**

\_\_\_\_\_

**Date and place**

\_\_\_\_\_

**Signature and stamp**

**FORM 4\_ TEAM COMPOSITION AND TASK ASSIGNMENTS** *in accordance with Article 6 Line 4 from the TOR*

1. Key expert/Key staff <i>in accordance with Article 8 paragraph III from the TOR</i>		
Name	Position	Task

2. Support Staff		
Name	Position	Task

**\*\*\* IN ADDITION ATTACHED CV**

\_\_\_\_\_

Date and place

\_\_\_\_\_

Signature and stamp

**FORM 5 - Detailed project timeline**

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**Date and place**

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**Signature and stamp**

**FORM 6 - Methodology of work**

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**Date and place**

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**Signature and stamp**





**We have read and accept the OSCE General Conditions of Contract as well as detailed “Instructions to Bidders – Request for Quotation.**

**Delivery time:** \_\_\_\_\_

**Payment terms:** 30 days net

**Validity of offer (60 days minimum) :** \_\_\_\_\_

We represent and warrant that we are not participating, as Bidders, in more than one Quotation.

We, confirm to comply with any and all eligibility requirements specified ToR. We also confirm that any and all information provided on the Qualification Form attached hereto and being an integral part of this Quotation is correct and truly reflects our experience, qualifications and capacities.

We accept and agree that the General Conditions of Contract contained in the Solicitation Documents will apply to any contract resulting from this bidding exercise.

If negotiations are held during the period of validity of the Quotation, i.e. within hundred and twenty (120) calendar days from the deadline for the receipt of the Quotation we agree to negotiate. Our Quotation is binding upon us and subject to the modifications resulting from contract negotiations.

We understand you are not bound to accept any Quotation that you receive, and that you reserve the right to accept or reject any Quotation and to cancel the bidding process and reject all Quotations at any time prior to the award of contract, without thereby incurring any liability whatsoever.

We remain,

Yours sincerely,

Company name and stamp:

Authorized representative’s name and signature:

Address:

Email:

Telephone:

**ANNEX 4 \_ DRAFT CONTRACT**  
**(Sample)**

CONTRACT № IRMA-Generated or Other Number

between the

**ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE**  
**Name of Executive Structure**

and

**FULL LEGAL NAME OF CONTRACTOR**  
**(if applicable, d/b/a name and/or English translation)**

for the

**TITLE OF ITB, RFQ OR RFQ / CONCISE DESCRIPTION OF**  
**GOODS OR SERVICES**

*The Contract comprises X (word) pages of text and Y (word) Annexes, A through B.*

*This Contract (the “Contract”) is made between the*

**Organization for Security and Co-operation in Europe** (the “OSCE”), represented by the **Name of Executive Structure**, located at **Street Address, Postal Code and City, Full Country Name**, of the first part, and

**Full Legal Name of Contractor** (and **if applicable, d/b/a name and/or English translation**) (the “Contractor”), having its **registered address** at **Street Address, Postal Code and City, Full Country Name**, of the second part,

each referred to separately as a “Party” and jointly as the “Parties.”

**WHEREAS:**

- A. The OSCE **Name of Executive Structure** wishes to engage a vendor of **Describe the Goods or Services in general terms**;
- B. With this aim, on **Day Month Year** the OSCE **Name of Executive Structure** issued **Number of ITB, RFQ or RFQ**, for the “**Title of ITB, RFQ or RFQ**” (hereinafter, the “**Solicitation Document**”);
- C. In response to the Solicitation Document, **Full Legal Name of Contractor** submitted a **bid / Quotation / quotation** dated **Day Month Year** (hereinafter, the “**Offer**”);

- D. The [Name of Executive Structure](#) and [Full Legal Name of Contractor](#) have come to a common understanding of the scope, price and other relevant aspects of the Deliverables to be provided; and
- E. [Full Legal Name of Contractor](#) has reconfirmed that it possesses the required knowledge, capacities, skills, facilities and personnel to provide the Deliverables in accordance with, and to enter into, the Contract;

**NOW, THEREFORE**, the Parties conclude this Contract as follows:

### **1. Definitions**

Throughout this Contract, unless the context requires otherwise words and terms used in the GCC shall be modified or supplemented as follows:

- i) "Business Day" means any Day from Monday to Friday, inclusive, excluding OSCE holidays, of which the Contractor will be informed reasonably in advance.
- ii) "Delivery Term" means [DAP Place/Port Name of Executive Structure \(INCOTERMS 2010\)](#).
- iii) "Key Personnel" means [Give the Name\(s\)](#).

### **2. Effective Date and Duration**

2.1. The Contract shall become effective on the date of countersignature and, unless terminated earlier, shall remain valid for a period of [X \(word\) Days/weeks/months/years](#) / through [Date Month Year](#).

2.2. The Contract shall expire automatically without the need for advance notice by either Party. / The Contract shall renew automatically unless either Party provides the other with an advance written notice of at least [X \(word\) Days/months/year](#).

### **3. Contract Documents and Order of Precedence**

3.1. The Contractor has studied and is familiar with all documents comprising the Contract, of which the annexes and documents incorporated by way of reference form an integral part. In the event of any discrepancy, [except as indicated in Article 3.1/Articles 3.1 and 3.2](#) the document to prevail shall be determined in the following order:

- a. This Contract document;
- b. The OSCE General Conditions of Contract ([Services](#)), 2011 Rev. 2 (hereinafter, the "**GCS**"), available at [www.osce.org/procurement](http://www.osce.org/procurement), which are incorporated into this Contract by way of reference;
- c. The Solicitation Document, which is incorporated into this Contract by way of reference;
- d. Annex A – [Technical Specifications / Terms of Reference](#);
- e. Annex B – [Price Schedule](#); and
- f. Any remaining pages of the Offer that are not reprinted in the annexes and any written clarification notes exchanged between the [Name of Executive Structure](#) and the Contractor with respect to the subject matter of this Contract, which are incorporated by way of reference.

**3.2.** The GCC shall be modified as follows:

- a. Article 5 shall be construed as [Describe the Modification](#).
- b. In derogation of Article 6, [Describe the Modification](#).

- c. By way of a clarification to Article 7, Describe the Modification.

3.3. The annexes shall be modified as follows:

- a. (i) Section/Paragraph 8 of Annex A shall Describe the Modification.
- b. (ii) Section/Paragraph 9 of Annex B shall Describe the Modification.

#### 4. Prices

The unit / monthly / other price(s) payable by the OSCE under this Contract (the “Prices”) shall be €X.XX (words EUR) for X good(s), Y service(s) as set forth in attached Annex B.

#### 5. Payment

5.1. Original invoices shall reference this Contract number and be sent to:

Accounts  
Name of Executive Structure  
Street Address of Executive Structure  
Postal Code and City  
Full Country Name

5.2. Payments shall be transferred by the Name of Executive Structure / OSCE into the following bank account of the Contractor:

Account Holder: complete  
Name of Bank: complete  
Address of Bank (optional): complete if necessary  
Account Number (EUR): complete  
BIC/IBAN: complete

#### 6. Notices

6.1. All communications relating to this Contract shall be addressed in writing as follows:

For the OSCE: Mr./Ms. Name of HAF, Chief of Fund Administration Unit, Name of Executive Structure, Street Address, Postal Code and City, Full Country Name; Email: Specify; Fax: +(Country Code-City Code) Number.

For the Contractor: Mr./Ms. Name of Focal Point, Title of Focal Point, Street Address, Postal Code and City, Full Country Name; Email: Specify; Fax: +(Country Code-City Code) Number.

6.2. All technical questions relating to this Contract shall be addressed in writing as follows:

For the OSCE: Mr./Ms. Name of Focal Point, Title of Focal Point, Name of Executive Structure, Street Address, Postal Code and City, Full Country Name; Email: Specify; Fax: +(Country Code-City Code) Number.

For the Contractor: **Mr./Ms. Name of Focal Point, Title of Focal Point, Street Address, Postal Code and City, Full Country Name; Email: Specify; Fax: +(Country Code-City Code) Number.**

*[ If applicable: The remainder of this page is intentionally left blank; signatures and seals follow. ]*

**IN WITNESS WHEREOF**, the Parties have executed this Contract in **2 (two)** original copies in **City, Full Country Name** in the **English language**, which shall be equally valid for all legal purposes.

<p><b>for the Contractor</b> Signed and Sealed by</p> <p>_____</p> <p>Name of Authorized Signatory, Title of Authorized Signatory</p>	<p><b>for the Name of Executive Structure</b> Signed and Sealed by</p> <p>_____</p> <p>Name of HAF, Chief of Fund Administration</p>
<p>Street Address of Contractor Postal Code and City Full Country Name</p>	<p>Street Address of Executive Structure Postal Code and City Full Country Name</p>
<p>Date _____</p>	<p>Date _____</p>