

Date: 4 April 2022

To: **All Bidders**

From: **International Development Law Organization, Headquarters Procurement Unit**

Subject: **RFP HQ-2022-015-A**

**Amendment and Clarifications Letter No: 1**

Reference is made to IDLO RFP HQ-2022-015-A issued on 7 March 2022 for the Procurement of Design, Development and Implementation of a Mediation Informational System for Moldova through IDLO Tenders website.

Please find hereunder the queries received and IDLO's response to them.

**1. Query 1**

*Annex D, Proposal Submission Form*

*Proposal submission form includes a dedicated blank field to be filled in for pricing information.*

*Having examined the Solicitation Documents, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to provide Professional Services for [INSERT AMOUNT OF MONEY AND CURRENCY] as may be ascertained in accordance with the Financial Proposal (Price Schedule) attached herewith and made part of this Proposal:*

*In this regard, we assume that the form shall be submitted separately and shall not be included in the technical proposal. Please specify the how the form shall be submitted (as a separate file, as a separate email, etc.).*

**IDLO Reply:** The filled and signed Proposal Submission Form shall be submitted separately as part of the Financial Proposal.

**2. Query 2**

**ANNEX C, Terms of Reference, Section C. Expected Output**

*The main specific objectives set for MIS are to:*

- .....
- *Standardization of mediation cases processing.*
- *Ensure mediation cases creation and processing*
- .....

*Could you give further details on mediation cases, templates, creation, and processing workflows. This information will become an aid for us when preparing the financial proposal.*

**IDLO Reply:** The details on mediation cases are described in section 8 "Business processes ensured by Case Management module". Mediation case represents an electronic dossier with a certain structure where all case data is stored.

In two words when Mediators will initiate the mediation case, add participants (MIS will extract their data from SRP/SRLE), system will generate a case number under predefined format, will create case dossier and assign case number to dossier. Later on, Mediator will be able to input case metadata and upload files in appropriate sections of the case dossier. At the end of case lifecycle Mediator will generate case decision (based on predefined template) and will sign in using MSign. After decision is signed (gets the "Final" status) the case gets "Closed" status (case data is available as read only).

There are no classical workflows in MIS when case passes sequence of actions performed by users with various roles. Case dossier captures case data and files and changes its status (available statuses will be defined during business analysis).

### 3. Query 3

**ANNEX A, INSTRUCTIONS TO BIDDERS.** *All activities related to the design, development and implementation MIS shall be completed within 9 months. In contrary to this clause, the TOR outlines that "All activities related to the design, development and implementation MIS shall be completed within 8 months" (page 16). Could you please specify which is the correct estimation of the project duration? Should the bidders prepare the work plan based on their vision?*

**IDLO Reply:** All activities related to the design, development, and implementation of MIS are advised to be finished by December 31, 2022, that is 8.5 month from April 18, 2022 (the target date for commencement of the work). Yes, bidder may prepare the work plan based on their vision and estimations. According to this we may extend the deadline for project completion if bidder' reasonable argues will be provided.

### 4. Query 4

*Could you estimate the approximate number of MIS users?*

**IDLO REPLY:** *The approximate number of users is about 200 at the moment of launching MIS. We expect that this number will be continuously increase over time. MIS should ensure at least 100 concurrent sessions with potential of extension (see also Performance requirements).*

### 5. Query 5

*Considering the requirement on notarizing the JV/consortium agreement, which implies that the original document should be sent via courier from one JV member to the other one, we kindly ask you to grant an extension to the submission deadline, which will allow the bidders to prepare a high-quality proposal without affecting the timely delivery of their bid.*

**IDLO Reply:** The deadline for RFP submission has been extended to 18 April 2022 at 1500 Hours Rome local time. Amendment No. 1 to RFP HQ-2022-015-A will be posted to reflect the mentioned changes.

### 6. Query 6

#### ***Institutional Arrangement***

***Key stakeholders for the implementation of MIS are as follows:***

***Mediation Council – the main beneficiary and owner of the MIS;***

*Question about Stakeholder's Structure: quotation from the ToR: "Mediation Council is the main beneficiary and owner of the MIS". Has the project team from the beneficiary's side already been formed for this project? Does this beneficiary team have people with a technical background and/or experience in implementing government information systems of a similar level of complexity?*

**IDLO Reply:** Yes, the project team from the side of Mediation Council is already delegated. Mediation Council have no persons with technical background. IDLO will delegate a consultant who has proven technical background including experience in implementation complex e-gov solutions. This person

will support bidder' team during all phases of the project.

## 7. Query 7

*Are all business processes that will be automated in the system currently defined and functioning offline? Are the beneficiaries satisfied with the existing offline business processes and do they want them to be automated in the system MIS. Or we start from scratch.*

**IDLO Reply:** The business processes are defined and are regulated by appropriate legal framework. IDLO and beneficiary currently work on some adjustments of standard documents used within mediation process. MIS will be developed based on new documentation; this will be provided to the selected Bidder.

## 8. Query 8

### **ToR "1.4. Scope and objectives of the system**

*The main specific objectives set for MIS are to:*

- *Provide simple mechanism for online and offline registration accredited mediators, including mediation bureau and attorney offices in Electronic State Register of Mediators." – what is meant by «offline registration accredited mediators».*

**IDLO Reply:** "Offline" registration means the registration in ESRM and update ESRM data when mediator submits the hardcopy application to Mediation Council office. Later on the Mediation Council Registrar performs requested registration actions in ESRM based on hardcopy application. Unlike "Offline" registration the "online" application means that mediator submits electronic application from his/her personal profile (personal cabinet) in MIS.

## 9. Query 9

*«Management of case fees» - what does it mean? Is there any automatic calculation of the cost of mediation services in the system, or will mediators enter this data on their own? Will there be a mechanism for monitoring payments, reminders about debts?*

**IDLO Reply:** MIS will capture data on fees to be paid/paid and will provide to mediator the aggregated data on the fees to be paid/paid (per case and overall). MIS **will not provide** calculation of fees **or payment of the fees through MPay**. MIS will provide mechanism of simple presentation fees to be paid, paid and unpaid (for example in the form of report that may be launched by Mediators).

## 10. Query 10

*Who registers the case of mediation in the ordinary case and in the case of mediation guaranteed by the state? In the case of state-guaranteed mediation, how is it determined which of the mediators will provide these services. Does the MIS include the step of deciding whether to provide state-guaranteed mediation or this process will take place outside the system?*

**IDLO Reply:** Mediator is the only actor who registers the mediation case indifferently is the case ordinary or guaranteed by state. Determination of mediator who will mediate the state-guaranteed mediation is done outside the system. Thus, state-guaranteed mediation case appears in MIS being created by mediator who is already designated (outside MIS).

## 11. Query 11

*What is considered the closure of a mediation case? Is there an audit or external evaluation (by a Mediation Council) of the cases? If yes, then will it be selective, or will all cases be audited and controlled?*

**IDLO Reply:** Mediation case gets "closed" status on mediator' action after case decision is signed (with

MSign). The trigger for case closure will be defined during business analysis. There is no need in any additional approval for case closure (this is done by mediator only). Even more, the Mediation Council must NOT have access to mediation cases details (only mediator may access all case data). Mediation Council will have access just to some aggregated data (reports) of mediation cases per mediator and on institutional levels.

## 12. Query 12

*Information regarding mediation and relevant statistic data available to unauthorized users (citizens) - will be available only on the website [mediere.gov.md](http://mediere.gov.md) or in the MIS system itself?*

**IDLO Reply:** Yes, the information regarding mediation, legal framework, public reports (data available for unauthorized users) will be available on Mediation Council website only ([mediere.gov.md](http://mediere.gov.md)). There is no need to duplicate this information.

## 13. Query 13

*As we are a company incorporated in the USA and do not have local presence in Moldova, we decided to form a Consortium to apply for this project. Currently, we are in the process of preparing and finalizing the Agreement between Synergy and the local company. As Point 13 of the RFP describes, the Agreement shall be evidenced by a duly notarized Agreement among the legal entities and submitted with the Proposal:*

**Could you please give clarifications on the following:**

- a. *Is it possible to organize the notarization without shipping out the original signed consortium agreement to Moldova?*
- b. *If yes, would it be acceptable to sign the Agreement with EU digital identity certificate? Will it be considered as a valid proof of forming a Consortium?*

**IDLO Reply:** As part of its General Terms and Conditions, IDLO accepts that contracts may be executed in counterparts and electronic submission of documentation, subject to the terms of its General Terms and Conditions. For example, under the GTCs – Services:

- *This Contract, including any amendments, may be executed in counterparts which, when taken together, will constitute one Contract. Copies of this Contract will be equally binding as originals and scanned, photographed or PDF counterpart signatures by authorized representatives delivered by email or other means of electronic transmission will be sufficient to evidence execution. In such cases, IDLO may require the Contractor to execute and provide it an original signed Contract or other proof of authorization or authentication.*
- *The Contractor expressly consents to the use of any procedures for delivery and acceptance of electronic signatures that have been or may be established by IDLO and agrees in that context that the electronic signature by the Contractor or IDLO shall be treated the same as a handwritten signature and shall be treated as valid and legally binding.*

**In conclusion:**

- a. *Notarization requirements vary by location and those processes should be completed in line with any applicable requirements. The process for transmission of the notarized documents to IDLO is acceptable if in accordance with the GTCs.*
- b. *For IDLO purposes, the EU digital identity certificate meets the requirements of the GTCs for electronic signatures.*

This letter serves to inform that Amendment No. 1 to RFP HQ-2022-015-A will be posted in response to questions raised by Bidders.

**Please note that the deadline for RFP submission has been extended to 18 April 2022 at 1500 Hours Rome local time.**

For your consideration while preparing your response to the above-mentioned RFP HQ-2022-015-A. All other terms and conditions of the tender remain unchanged and remain applicable in full force.

We appreciate your continuous interest with IDLO and looking forward to receiving your valued offer.

IDLO

Headquarters  
Viale Vaticano, 106  
00165 Rome, Italy  
Tel + 39 06 4040 3200  
Fax + 39 06 4040 3232  
idlo@idlo.int

Branch Office  
Hofweg 9E  
2511AA The Hague  
The Netherlands  
Tel + 31 70 240 0870  
thehague@idlo.int

Office of the Permanent Observer  
to the United Nations  
336 East 45th Street, 11th floor  
New York, NY, 10017, USA  
Tel + 1 212 867 9707  
newyork@idlo.int

Office of the Permanent Observer  
to the United Nations  
23 av. de France  
1202 Geneva, Switzerland  
Tel + 41 22 734 41 40  
geneva@idlo.int

idlo@idlo.int  
www.idlo.int  
 @IDLO  
 IDLOnews