



REQUEST FOR QUOTATIONS (RFQ)

RFQ Number: RFQ-2024-01
Issuance Date: April 12, 2024
Deadline for Quotes: April 19, 2024
Description: Provision of Legal Services for the USAID Strategic Communications Support Activity
For: USAID Strategic Communications Support Activity in Armenia
Funded By: United States Agency for International Development (USAID), Contract No. 72011124C00001
Implemented By: Chemonics International Inc.
Point of Contact: Armenia Strategic Communications
pmu-arm-strategiccommunications@chemonics.com

***** ETHICAL AND BUSINESS CONDUCT REQUIREMENTS *****

Chemonics is committed to integrity in procurement, and only selects suppliers based on objective business criteria such as price and technical merit. Chemonics expects suppliers to comply with our Standards of Business Conduct, available at <https://www.chemonics.com/our-approach/standards-business-conduct/>.

Chemonics does not tolerate fraud, collusion among offerors, falsified proposals/bids, bribery, or kickbacks. Any firm or individual violating these standards will be disqualified from this procurement, barred from future procurement opportunities, and may be reported to both USAID and the Office of the Inspector General.

Employees and agents of Chemonics are strictly prohibited from asking for or accepting any money, fee, commission, credit, gift, gratuity, object of value or compensation from current or potential vendors or suppliers in exchange for or as a reward for business. Employees and agents engaging in this conduct are subject to termination and will be reported to USAID and the Office of the Inspector General. In addition, Chemonics will inform USAID and the Office of the Inspector General of any supplier offers of money, fee, commission, credit, gift, gratuity, object of value, or compensation to obtain business.

Offerors responding to this RFQ must include the following as part of the proposal submission:

- Disclose any close, familial, or financial relationships with Chemonics or project staff. For example, if an offeror's cousin is employed by the project, the offeror must state this.
- Disclose any family or financial relationship with other offerors submitting proposals. For example, if the offeror's father owns a company that is submitting another proposal, the offeror must state this.
- Certify that the prices in the offer have been arrived at independently, without any consultation, communication, or agreement with any other offeror or competitor for the purpose of restricting competition.
- Certify that all information in the proposal and all supporting documentation are authentic and accurate.
- Certify understanding and agreement to Chemonics' prohibitions against fraud, bribery and kickbacks.

Please contact pmu-arm-strategiccommunications@chemonics.com with any questions or concerns regarding the above information or to report any potential violations. Potential violations may also be reported directly to BusinessConduct@chemonics.com or by phone/Skype at 888.955.6881.

Section 1: Instructions to Offerors

1. **Introduction:** The Strategic Communications Support Activity is a USAID program implemented by Chemonics International in Armenia. The goal of the Strategic Communications Support Activity is to support the Government of Armenia (GOAM) to build effective streamlined, data-driven, and citizen-centered strategic communication systems, capacity, and practices. As part of project activities, the Strategic Communications Support Activity requires the purchase of legal services to provide legal services and guidance in accordance with Republic of Armenia standards, policies, and regulations. The purpose of this RFQ is to solicit quotations for these services.

Offerors are responsible for ensuring that their offers are received by Chemonics in accordance with the instructions, terms, and conditions described in this RFQ. Failure to adhere with instructions described in this RFQ may lead to disqualification of an offer from consideration.

2. **Offer Deadline and Protocol:** Offers must be received no later than 5:00 pm local Yerevan time on April 19, 2024 by email to pmu-arm-strategiccommunications@chemonics.com.

Please reference the RFQ number in any response to this RFQ. Offers received after the specified time and date will be considered late and will be considered only at the discretion of Chemonics.

3. **Questions:** Questions regarding the technical or administrative requirements of this RFQ may be submitted no later than 5:00 pm local Yerevan time on April 17, 2024 by email to pmu-arm-strategiccommunications@chemonics.com. Questions must be submitted in writing; phone calls will not be accepted. Questions and requests for clarification—and the responses thereto—that Chemonics believes may be of interest to other offerors will be circulated to all RFQ recipients who have indicated an interest in bidding.

Only the written answers issued by Chemonics will be considered official and carry weight in the RFQ process and subsequent evaluation. Any verbal information received from employees of Chemonics or any other entity should not be considered as an official response to any questions regarding this RFQ.

4. **Scope of Work:** Section 3 contains the Scope of Work for the required services.
5. **Quotations:** Quotations in response to this RFQ must be priced on a fixed-price, all-inclusive basis. Prices must be presented in AMD. Prices must be inclusive of all costs (including worker's compensation insurance mandated by U.S. Defense Base Act (DBA insurance)). Offers must remain valid for not less than thirty (30) calendar days after the offer deadline. Offerors are requested to provide quotations on their official quotation format or letterhead; in the event this is not possible, offerors may complete the table in Section 3.

In addition, offerors responding to this RFQ are requested to submit the following:

- Organizations responding to this RFQ are requested to submit a copy of their official registration or business license.
- Individuals responding to this RFQ are requested to submit a copy of their identification card.
- Company/individual' profile or 2-3 pages introduction to company/individual's areas of expertise and practice, and description of the team and main clients. Offerors should also include in this introduction how they maintain their knowledge and stay abreast of legal changes, how they transfer knowledge to clients, and ensure they are kept up to date with changes in regulations and laws affecting our operations.
- A minimum of three (3) references (with name and contact information) indicating the relevant services carried out in the last three (3) years that best illustrate

organization/individual's qualifications and past performance. References from USAID or similar donor-funded projects are preferred. Independent verification of the references may be carried out. Chemonics reserves the right to obtain past performance information from sources other than those identified by the offeror;

- Narrative description of past performance for similar services;
- The CVs of all personnel who would be carrying out the required services described in Section 3 of the RFQ.
- Completed Annex A with detailed information describing the offeror's experience providing services described in Section 3 of the RFQ.
- Official quotations, based on a fixed hourly rate for specific services, for the provision of legal services identified in Section 3. This information should be submitted in the format provided in Section 4 below.

The price quotation must be submitted separately from above documents. All other parts of this quotation must not make reference to pricing data in order that the technical evaluation may be made strictly on the basis of technical merit.

6. **Delivery:** As part of its response to this RFQ, each offeror is expected to provide an estimate (in calendar days) of the delivery timeframe (after receipt of order). The delivery estimate presented in an offer in response to this RFQ must be upheld in the performance of any resulting contract
7. **Source and Authorized Geographic Code:**

- a) All services offered in response to this RFQ or supplied under any resulting award must meet **USAID Geographic Code** 937 or 110 in accordance with the United States Code of Federal Regulations (CFR), [22 CFR §228](#). The cooperating country for this RFQ is Armenia.

Offerors may not offer or supply services or any commodities that are manufactured or assembled in, shipped from, transported through, or otherwise involving any of the following countries: Cuba, Iran, North Korea, Syria.

Any and all items that are made by Huawei Technology Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company will not be accepted. If quotes include items from these entities please note that they will be deemed not technically responsive and excluded from competition.

- b) **Taxes and VAT:** The agreement under which this procurement is financed does not permit the financing of any taxes, VAT, tariffs, duties, or other levies imposed by any laws in effect in the Cooperating Country. No such Cooperating Country taxes, VAT, charges, tariffs, duties or levies will be paid under an order resulting from this RFQ.
- c) **UEI Number:** Companies or organizations, whether for-profit or non-profit, shall be requested to provide a Unique Entity Identifier (UEI) number if selected to receive an award in response to this RFQ valued greater than or equal to USD\$30,000 (or equivalent in other currency). If the Offeror does not have a UEI number and is unable to obtain one before the submission deadline, Offeror shall include a statement noting their intention to obtain a UEI number should it be selected as the successful offeror or explaining why registration for a UEI number is not possible. Contact [sam.gov](#) to obtain a number. Further guidance on obtaining a UEI number is available from Chemonics upon request.

- d) **Eligibility:** By submitting an offer in response to this RFQ, the offeror certifies that it and its principal officers are not debarred, suspended, or otherwise considered ineligible for an award by the U.S. Government. Chemonics will not award a contract to any firm that is debarred, suspended, or considered to be ineligible by the U.S. Government.
- e) **Evaluation and Basis for Award:** The award will be made to a responsible offeror whose offer follows the RFQ instructions, meets the eligibility requirements, and is determined via a trade-off analysis to be the best value based on application of the following evaluation criteria. Points will not be awarded for cost which will be primarily evaluated for realism and reasonableness. For overall evaluation purposes of this RFQ, technical evaluation factors other than cost, when combined, are considered significantly more important than cost factors. If technical scores are determined to be equal or nearly equal, cost will become the determining factor.

The relative importance of each individual criterion is indicated by the number of points below:

Technical Qualifications – 50 points: Based on the Offeror’s responsiveness to the following areas, as described in their response to **Annex A** of this RFQ:

- Taxation (8 points)
- Labor relations (8 points)
- Employment agreements drafting and administration (8 points)
- Residential and commercial lease agreements (8 points)
- Office policy manuals (7 points)
- Recordkeeping requirements (7 points)
- Project closeout (4 points)

Offerors should draft responses to the questions contained in Annex A with consideration to the illustrative legal issues and questions listed in Section 3 of the RFQ. Offers demonstrating a high level of expertise and competence in addressing these types of legal issues will be highly rated.

Personnel – 35 points: Based on the CVs for proposed key personnel. The CVs must include detailed information about the individuals’ experience in providing the services described in Section 3 of the RFQ and demonstrate how the proposed key personnel meet the necessary requirements. CVs for non-key personnel will not be evaluated but may be provided for the purposes of demonstrating the offeror’s capacity to provide alternative legal professionals as needed (subject to the Chemonics’ approval). The Strategic Communications Support Activity reserves the right to interview proposed key personnel as a part of this evaluation.

Past Performance – 15 points: Offerors must demonstrate a proven track of record and successful past performance in providing legal services outlined in Section 3 of the RFQ in these areas, and in supporting internationally-based companies to develop a comprehensive familiarity with local labor laws and tax regulations. Experience with USAID-funded or similar international donor-funded projects in Armenia, especially those implemented by for-profit international firms like Chemonics, is highly preferred.

Please note that if there are significant deficiencies regarding responsiveness to the requirements of this RFQ, an offer may be deemed “non-responsive” and thereby disqualified from consideration. Chemonics reserves the right to waive immaterial deficiencies at its discretion.

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

- Chemonics may conduct negotiations with and/or request clarifications from any offeror prior to award.
- While preference will be given to offerors who can address the full technical requirements of this RFQ, Chemonics may issue a partial award or split the award among various Vendors, if in the best interest of the Strategic Communications Support Activity.
- Chemonics may cancel this RFQ at any time.
- Chemonics may reject any and all offers, if such action is considered to be in the best interest of Chemonics.

Please note that in submitting a response to this RFQ, the offeror understands that USAID is not a party to this solicitation and the offeror agrees that any protest hereunder must be presented—in writing with full explanations—to the Strategic Communications Support Activity for consideration, as USAID will not consider protests regarding procurements carried out by implementing partners. Chemonics, at its sole discretion, will make a final decision on the protest for this procurement.

- f) **Terms and Conditions:** This is a Request for Quotations only. Issuance of this RFQ does not in any way obligate Chemonics, the Strategic Communications Support Activity, or USAID to make an award or pay for costs incurred by potential offerors in the preparation and submission of an offer.

This solicitation is subject to Chemonics' standard terms and conditions. Any resultant award will be governed by these terms and conditions; a copy of the full terms and conditions is available upon request. Please note the following terms and conditions will apply:

- (a) Chemonics' standard payment terms are net 30 days after receipt and acceptance of any commodities or deliverables. Payment will only be issued to the entity submitting the offer in response to this RFQ and identified in the resulting award; payment will not be issued to a third party.
- (b) Any award resulting from this RFQ will be firm fixed price, in the form of an Hourly Rate Legal Services Agreement.
- (c) No services or commodities may be supplied that are manufactured or assembled in, shipped from, transported through, or otherwise involving any of the following countries: Cuba, Iran, North Korea, Syria.
- (d) Any international air or ocean transportation or shipping carried out under any award resulting from this RFQ must take place on U.S.-flag carriers/vessels.
- (e) United States law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. The Vendor under any award resulting from this RFQ must ensure compliance with these laws.

g) DEFENSE BASE ACT (DBA) INSURANCE

- a) FAR 52.228-3 WORKER'S COMPENSATION INSURANCE (DEFENSE BASE ACT INSURANCE) (Jul 2014) [Updated by AAPD 22-01- 6-10-22]

The Subcontractor shall (a) provide, before commencing performance under this Subcontract, such workers' compensation or security as the Defense Base Act (DBA) (42 U.S.C. 1651, et seq.) requires and (b) continue to maintain it until performance is completed. The Subcontractor shall insert, in all lower-tier subcontracts authorized by Chemonics under this Subcontract to which the Defense Base Act applies, a clause similar to this clause imposing upon those lower-tier subcontractors this requirement to comply with the Defense Base Act. DBA insurance provides

critical protection and limits on liability. The Subcontractor shall provide a proof of DBA insurance coverage to Chemonics upon request. Chemonics will verify coverage for, at least, projects in high-risk environments and where Chemonics may be providing security.

(b) AIDAR 752.228-3 WORKERS' COMPENSATION (DEFENSE BASE ACT) [Updated by AAPD 22-01- 6-10-22] As prescribed in AIDAR 728.308, the following supplemental coverage is to be added to the clause specified in FAR 52.228-3.

(1) The Subcontractor agrees to procure DBA insurance pursuant to the terms of the contract between USAID and USAID's DBA insurance carrier unless the Subcontractor has a DBA self-insurance program approved by the U.S. Department of Labor or has an approved retrospective rating agreement for DBA.

(2) If USAID or Subcontractor has secured a waiver of DBA coverage (See AIDAR 728.305-70(a)) for Subcontractor's employees who are not citizens of, residents of, or hired in the United States, the Subcontractor agrees to provide such employees with worker's compensation benefits as required by the laws of the country in which the employees are working, or by the laws of the employee's native country, whichever offers greater benefits.

(3) The Subcontractor further agrees to insert in all lower-tier subcontracts hereunder to which the DBA is applicable a clause similar to this clause, including the sentence, imposing on all lower-tier subcontractors authorized by Chemonics a like requirement to provide overseas workmen's compensation insurance coverage and obtain DBA coverage under the USAID requirements contract.

(4) Contractors must apply for coverage directly to Starr Indemnity & Liability Company through its agent, Marsh McLennan Agency (MMA), using any of the following methods:

1. **Website.** There is a website with the option to print a PDF application form and submit it or complete an online application. The link to the website is: <https://www.starr.com/Insurance/Casualty/Defense-Base-Act/USAID---Defense-Base-Act>

2. **Email.** An application form can be emailed to: USAID@marshmma.com

3. **Additional Contacts.** Contacts for Starr Indemnity & Liability Company and its agent, Marsh MMA are available for guidance and question regarding the required application form and submission requirements:

- Tyler Hlawati (Starr) tyler.hlawati@Starrcompanies.com Telephone: 646-227-6556
- Bryan Cessna (Starr) bryan.cessna@starrcompanies.com Telephone: 302-249-6780
- Mike Dower (Marsh MMA) mike.dower@marshmma.com Telephone: 703-813-6513
- Diane Proctor (Marsh MMA) diane.proctor@marshmma.com Telephone: 703-813-6506

For instructions on the required application form and submission requirements, please refer to [AAPD 22-01](#). Pursuant to AIDAR 752.228-70, medical evacuation is a separate insurance requirement for overseas performance of USAID funded subcontracts; the Defense Base Act insurance does not provide coverage for medical evacuation. The costs of DBA insurance are allowable and reimbursable as a direct cost to this Subcontract.

Before starting work, the offeror must provide Chemonics with a copy of the DBA coverage policy that covers each of its employees.

Section 2: Offer Checklist

To assist offerors in preparation of the quote, the following checklist summarizes the documentation to include an offer in response to this RFQ:

- Cover letter, signed by an authorized representative of the offeror (see Section 4 for template)
- A copy of identification card and valid attorney license.
- Official quotation, including proof of technical qualifications, (see Section 3 for scope of work, required technical qualifications, and the template to provide quotations);
- Copy of offeror's registration or business license (see Section 1.5 for more details);
- The CVs of all personnel with references of previous provision of legal services. (See Section 1.5 for more details).
- Company/individual' profile or 2-3 pages introduction to company/individual's areas of expertise, and description of the team and main clients (see Section 1.5 for more details);
- Contact information for at least three (3) references of past or present clients indicating the relevant services carried out in the last three (3) years that best illustrate company/individual's qualifications and past performance (see Section 1.5 for more details).
- Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting Questionnaire, signed by an authorized representative of the offeror (see Section 5 for questionnaire). This form shall be completed only if the value is over \$30,000

Section 3: Scope of Work and Technical Qualifications

The purpose of this RFQ is to engage the firm to provide legal services to Chemonics and Strategic Communications Support Activity. The firm shall, and when requested, provide the following services:

1. Legal counsel services as needed by the Activity

1. Technical Qualifications that the selected offeror must possess:

- Proven track of record providing legal services in the areas outlined below (taxation, labor relations, employment agreements, lead and policy manual review, record keeping).
- Experience working with business registration processes, including assisting internationally-based companies to gain a comprehensive familiarity with local labor laws and tax regulations in Armenia.
- Experience with USAID or similar donor-funded projects and project registration in Armenia, especially those implemented by for-profit international firms like Chemonics, is highly preferred.
- Ability to respond to questions from the branch office such as those described below within a reasonable timeframe. The delivery timeframe agreed upon between the Strategic Communications Support Activity and the Offeror must be upheld in the performance of any resulting contract.
- Staff assigned to these tasks must have minimum five years of experience and have completed all required certifications and licenses required by local law and regulations.

2. Key Personnel

The offeror must propose the following key personnel who must meet the following minimum requirements:

Senior legal advisor – Law degree from an accredited and recognized institution is required, LL.M preferred, minimum from 5 to 7 years of experience, including at least 3 years of experience providing support to international organizations in Armenia in the areas described in Section 3 of the RFQ. Armenia Bar Association certified and legally eligible to provide legal opinions in Armenia. Proficiency in English required.

Junior legal advisor – Law degree from an accredited and recognized institution is required, minimum 5 years of experience, including at least 3 years of experience supporting international donor-funded organizations in Armenia. Armenia Bar Association certified and legally eligible to provide legal opinions in Armenia. Proficiency in English required.

The key personnel proposed in the offeror's response to this RFQ must be available to provide the required services according to the delivery schedule stated. Any replacement or temporary substitution of key personnel over the course of the agreement requires prior written approval by the authorized Chemonics representative.

The table below contains the list of services under RFQ. Offerors are requested to provide quotations containing the information below on official letterhead or official quotation format. In the event this is not possible, offerors may complete this Section 3 and submit a signed/stamped version to Chemonics.

Line Item	Description and Scope	Level of Effort (in hours) Senior Legal Advisor	Level of Effort (in hours) Junior Legal Advisor
1	Legal counsel support to maintain Chemonics' registration, including updates as applicable		
2	Legal review of long- and short-term employment agreements		
3	Legal review of commercial lease templates		
4	Legal review and update of Chemonics' Armenia Field Office Policy Manual		
Please fill below the hourly rates for the proposed key personnel, and any other personnel being proposed			
Labor category		Hourly Rate	
Senior Legal Advisor			
Junior Legal Advisor			
Other, if applicable			

Electronic deliveries shall be made by the Vendor to (insert contact information)

Delivery time (after receipt of order): _____ calendar days

The delivery estimate presented in an offer in response to this RFQ must be upheld in the performance of any resulting contract.

The prices quoted above remain fixed for the next 3 months:

____ Yes ____ No

Section 4: Offer Cover Letter

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

To: Strategic Communications Support Activity

Reference: RFQ No. RFQ-2024-001

To Whom It May Concern:

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

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

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

- We have no close, familial, or financial relationships with any Chemonics staff members;
- We have no close, familial, or financial relationships with any other offerors submitting quotes in response to the above-referenced RFQ; and
- The prices in our offer have been arrived at independently, without any consultation, communication, or agreement with any other offeror or competitor for the purpose of restricting competition.
- All information in our quote and all supporting documentation is authentic and accurate.
- We understand and agree to Chemonics’ prohibitions against fraud, bribery, and kickbacks.

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

Authorized Signature: _____

Name and Title of Signatory: _____

Date: _____

Company Name: _____

Company Address: _____

Company Telephone and Website: _____

Company Registration or Taxpayer ID Number: _____

Company UEI Number: _____

Does the company have an active bank account (Yes/No)? _____

Official name associated with bank account (for payment): _____

Annex A

Offerors must draft responses to the questions below in English with consideration to the illustrative legal issues and questions listed in Section 3 of the RFQ. Offers demonstrating a high level of expertise and competence in addressing these types of legal issues will be highly rated. Responses to these questions will be evaluated based on the evaluation criteria described in Section 1.10 of this RFQ.

1. Please describe your experience and qualifications providing legal advice regarding taxation (maximum word limit - 150 words)

2. Please describe your experience and qualifications providing legal advice regarding labor relations (maximum word limit - 150 words)

3. Please describe your experience and qualifications providing legal advice regarding employment agreements drafting and administration (maximum word limit - 150 words)

4. Please describe your experience and qualifications providing legal advice regarding residential and/or commercial lease agreements (maximum word limit - 150 words)

5. Please describe your experience and qualifications providing legal advice regarding office policy manuals (maximum word limit - 150 words)

Section 5: Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting Questionnaire

If the offeror is selected for an award valued at \$30,000 or above and is not exempted based on a negative response to Section 3(a) below, any first-tier subaward to the organization may be reported and made public through FSRs.gov in accordance with The Transparency Acts of 2006 and 2008. Therefore, in accordance with FAR 52.240-10 and 2CFR Part170, if the offeror positively certifies below in Sections 3.a and 3.b and negatively certifies in Sections 3.c and 3.d, the offeror will be required to disclose to Chemonics for reporting in accordance with the regulations, the names and total compensation of the organization’s five most highly compensated executives. By submitting this quotation, the offeror agrees to comply with this requirement as applicable if selected for a subaward.

In accordance with those Acts and to determine applicable reporting requirements, **Company Name** certifies as follows:

a) In the previous tax year, was your company’s gross income from all sources above \$300,000?

Yes No

b) In your business or organization's preceding completed fiscal year, did your business or organization (the legal entity to which the UEI number belongs) receive (1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; **and** (2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?:

Yes No

c) Does the public have access to information about the compensation of the executives in your business or organization (the legal entity to which the UEI number it provided belongs) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? (FFATA § 2(b)(1)):

Yes No

d) Does your business or organization maintain an active registration in the System for Award Management (www.SAM.gov)?

Yes No

I hereby certify that the above statements are true and accurate, to the best of my knowledge.

Authorized Signature: _____

Name and Title of Signatory: _____

Date: _____