The purpose of this Request for Proposals (RFP) is to engage suitable qualified Afghan civil society organization(s) (CSOs) to serve as implementing partner(s) for the Bridging the Gap Between Formal and Informal Justice (BGBFIJ) project, which aims to enhance the capacity of registered and non-registered *Jirga* and *Shura* members and improve coordination between the formal and informal justice in city centers and across 2 identified targeted districts in the six 6 provinces of Baghlan, Balkh, Jawzjan, Kunduz, Samangan and Takhar.

Using a transparent and merit-based process, The Asia Foundation will select CSO/s to manage the implementation of this project in close coordination with the Foundation.

Program Office: Women’s Empowerment Program (WEP)

Funding Opportunity Title: Bridging the Gap Between Formal and Informal Justice

Announcement Type: Request for Proposals

RFP Number: TAF-WEP-October-2018-026

Deadline for Applications: October 30, 2018 (3:00 PM Kabul Time)

CONTACT INFORMATION
For all queries contact Procurement Department The Asia Foundation Afghanistan (country. afghanistan.procurement@asiafoundation.org). No personal visits or telephone calls shall be entertained.

All proposal must be marked clearly TAF-WEP-October-2018-026 on the left side of the envelope. All proposals must be sealed and delivered to the address below.

THE PROCUREMENT UNIT
The Asia Foundation
House # 861, Street # 1
Shirpour, District-10, (Sub Street of Shirpour Project)
Kabul, Afghanistan.

The Foundation will not be responsible for proposals left at the main gate, reception, guard offices, or handed over to any TAF employee other than the procurement unit staff.

This RFP does not obligate the Foundation to award a contract nor does it commit the Foundation to pay any cost incurred in the preparation and submission of a proposal. Award of a Contract under this RFP is subject to availability of funds and other internal Foundation approvals.
# Table of Contents

SECTION 1 – PROJECT SUMMARY ........................................................................................................... 3  
1.1. Overall Objective and Expected Outcomes of the Project ......................................................... 4  
1.2. SCOPE OF WORK AND EXPECTED DELIVERABLES ............................................................... 4  
1.3. Overall Responsibilities of the CSO(s) include: ................................................................. 5  
1.4. Duration and Time Schedule ........................................................................................................ 6  
1.5. Project Location & Budget ............................................................................................................. 6  

CHECKLIST OF DOCUMENTS INCLUDED IN PROPOSAL ................................................................. 7  

SECTION 2 – TECHNICAL PROPOSAL FORMAT AND CONTENT ..................................................... 8  

SECTION 3 – EVALUATION CRITERIA ............................................................................................... 10  

SECTION 4 – TIME FRAME FOR RFP ............................................................................................... 11  

SECTION 5 – QUALIFICATIONS OF THE PROSPECTIVE SERVICE PROVIDER ............................ 12  

SECTION 6 - TERMS AND CONDITIONS .......................................................................................... 13
SECTION 1 – PROJECT SUMMARY

The Asia Foundation is a non-profit international development organization committed to improving lives across a dynamic and developing Asia. Informed by six decades of experience and deep local expertise, its programs address critical issues affecting Asia in the 21st century – governance and law, economic development, women's empowerment, environment, and regional cooperation. Headquartered in San Francisco, The Foundation works through a network of offices in 18 Asian countries and in Washington, DC.

In Afghanistan, the Foundation has been a leading advocate for women’s empowerment and works on the premise that improving social, economic, and political opportunities for women will improve society as a whole. The organization has pioneered projects to promote opportunities for Afghan women by forging strategic relationships with government institutions, local NGOs, and influential non-state actors, particularly traditional community and religious leaders. By strengthening the formal and informal justice sectors, encouraging institutional reform, and raising awareness of women’s rights within an Islamic framework, the Foundation’s projects contribute to a sustained reduction in violence against women and expand women’s personal and social security.

The project, “Bridging the Gap between Formal and Informal Justice” is a cooperation between the Kingdom of the Netherlands, Germany (BMZ/GIZ Rule of Law Project) and the Asia Foundation in Afghanistan. The project aims to improve the links and exchanges between different justice sector stakeholders; strengthen their relationship and improve the quality of justice services within the different sectors; and support capacity building of both informal and formal justice actors in Afghanistan leading to better overall access to justice for the population.

The project will be implemented under two primary components:

Component 1 focuses on the interaction between formal and informal justice providers. An important element of this component is the support of the development, drafting and implementation of the Law on Conciliation on Civil Disputes, which will regulate the relationship between formal and informal justice providers and establish unified standards for their interaction.

Component 2 focuses on activities implemented for stakeholders from the formal and informal justice sectors, with GIZ focussing mainly on actors from the formal justice system and The Foundation on informal justice providers. Activities will include building the capacity of (male and female) jirga members and strengthening the capacities of formal legal aid providers (like legal clinics and/or Gender Focal Points). Another major objective of the project, under both components, is strengthening the linkages between the different justice sectors while synergy activities will be implemented wherever possible. And across all activities, a special focus will be placed on improving the conditions of women in Afghanistan.
1.1. Overall Objective and Expected Outcomes of the Project

The project seeks to improve the quality of and access to formal and informal justice sectors in Afghanistan, while the specific objectives of the project are as follows:

*The capacity of and the linkages between formal and informal justice actors have improved.*

**Component 1:** Improving the Interplay between Formal and Informal Justice Sectors

*Expected Outcome:* The coordination and cooperation between formal and informal justice sectors have improved.

**Component 2:** Supporting Formal and Informal Justice Providers

*Expected Outcome:* The capacities of formal (e.g. huquqs, legal clinics, gender focal points) and informal (e.g. jirgas/shuras) justice providers have increased, particularly with regards to women’s rights.

1.2. Scope of Work and Expected Deliverables

The purpose of this RFP is to engage suitable qualified Afghan civil society organization(s) to serve as the implementing partner(s) for the Bridging the Gap Between Formal and Informal Justice project to implement and complete the following activities on behalf of the Foundation:

**Component 1: Improving the interplay between formal and informal justice sectors**

*The component 1 aims to regulate and improve the relationships and interactions between formal and informal justice actors.*

**Activities:**

- Organize 12 total quarterly joint coordination meetings between the formal and informal justice sectors (15 participants in each meeting) in the 6 target provinces;
- Organize a total of 6 three-day exchange visits for *jirga/shura* members to observe court proceedings related to family and civil cases across the 6 target provinces. Similarly, formal justice stakeholders and AIBA will observe informal justice proceedings;
- Organize 72 total internal meetings with male and female *jirga* and *shura* members in the 6 target provinces to discuss how they are applying their acquired knowledge to resolve cases, and how they can further improve the decision-making process among informal justice sector actors;
- Organize a total of 6 one-day advocacy workshops on the Law on Conciliation on Civil Disputes (30 participants in each workshops) in the 6 target provinces; and
• Establish 3 Legal Resource Libraries (LRLs) in any of the four target provinces (Baghlan, Samangan, Takhar, and Jawzjan). This activity will be budgeted on actual estimates while the legal books will be provided by the Foundation.

Component 2: Supporting formal and informal justice actors

Component 2 aims to improve justice delivery across both formal and informal justice sector actors by strengthening their capacities.

Activities:

• Recruit 12 Master Trainers (6 men & 6 women) to deliver designated trainings to jirga/shura members in the 6 target provinces. The Foundation will subsequently train these master trainers on the necessary training topics;
• Mobilize and engage 600 male and 600 female jirga/shura members across the 6 target provinces; and
• Deliver 7-day trainings in each of the 6 target provinces to a total of 600 male and 600 female jirga/shura members.

1.3. Overall Responsibilities of the CSO(s) include:

i. Develop a project work plan with clear and achievable milestones that captures and reflects the abovementioned activities;
ii. Design a monitoring and evaluation (M&E) framework for the project;
iii. Mobilize and engage 1,200 jirga/shura members (600 men and 600 women);
iv. Build effective working relations with the formal justice providers and ensure their participation in project meetings and workshops;
v. Establish external relations and liaise with the Ministry of Justice, Afghanistan Independent Bar Association, Ministry of Tribal and Border Affairs, Ministry of Haj and Religious Affairs, Ministry of Education and other stakeholders;
vi. Develop monthly, quarterly and final reports;
vii. Ensure quality control of all activities and deliverables and seamless project management;
viii. Develop individual final activity report as detailed in the activities sections after completion of each activity, such as final jirga and shura training report, final coordination meeting report, final distribution of booklets report. This will be done in addition to the development of the inception report, monthly and quarterly reports and final project report.
1.4. Duration and Time Schedule

The above-mentioned activities are expected to be completed within twelve (12) months from the signing of the contract with the Foundation. The possibility of project extension is high for two more years depending on the performance of the contracted CSO/s.

1.5. Project Location & Budget

The project activities will be conducted in the provincial city centers and across 2 pre-identified targeted districts in the six target provinces of Baghlan, Balkh, Jawzjan, Kunduz, Samangan and Takhar.

The applicant organization shall prepare the budget for the assignment using the standard TAF budget template attached with the RFP as Annex 1.

Note: The project submission deadline October 30, 2018 at 3pm Kabul time.
## CHECKLIST OF DOCUMENTS INCLUDED IN PROPOSAL

<table>
<thead>
<tr>
<th>Documents / Content to be included in the RFP</th>
<th>Yes</th>
<th>No</th>
<th>Please explain if “No” has been checked.</th>
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</thead>
<tbody>
<tr>
<td>Cover Letter</td>
<td>☐</td>
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<tr>
<td>Organizational Background and Expertise</td>
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<tr>
<td>Technical Proposal</td>
<td>☐</td>
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<tr>
<td>Financial Proposal and Budget Narrative</td>
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<tr>
<td>CVs of Key Project Staff and Core Personnel</td>
<td>☐</td>
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<tr>
<td>Two Letters of Recommendations</td>
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<td>Child Protection Policy</td>
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<tr>
<td>Gender Policy</td>
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<tr>
<td>Copies of last two years of annual audit reports</td>
<td>☐</td>
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<tr>
<td>Bidder’s Declaration</td>
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</tbody>
</table>
SECTION 2 – TECHNICAL PROPOSAL FORMAT AND CONTENT

The Proposer shall structure the Technical Proposal as follows:

2.1 Background and Expertise of Organization - This section should provide details regarding the management structure of the organization; organizational capabilities/resources and experience of organization/firm; list of organization’s projects/contracts, both completed and on-going, which are related or similar in nature to the requirements of the RFP; and proof of financial stability and adequacy of resources to complete the services requested under this RFP. This section should not exceed 10 pages.

2.2 Technical Proposal – The technical proposal should not exceed 20 pages. Please use 12-point Times New Roman font, single-spaced, with appropriate margins and describe in detail the following.

   a) Proposed Approach and Methodology – This section should demonstrate the Proposer’s response to the Scope of Work, how the requirements shall be addressed, providing a detailed description of the essential performance; how the proposed methodology meets the specifications and approach to the project.

   b) Implementation Plan / Time Frame - Provide a clear strategy for what needs to be completed and who will be responsible for the activities what and when these will be completed, i.e. provide an implementation plan with clear milestones and deliverable showing major activities and how they will be implemented. Please include start-up activities as well.

   c) Monitoring and Evaluation (M&E) - The M&E plan should include a) narrative description explaining the organization’s monitoring and evaluation system (please don’t attach the M&E policy), b) a logical framework for the proposed proposal including indicators, risks and assumptions; and c) a set of data collection tools that will be used to gather data from the field.

   d) Deliverables – Please identify the project deliverables during the planning and implementing phases and list all the deliverables in a separate section.

   e) Risk Assessment Plan – The risk assessment plan should include processes for risk management planning, identification, analysis, monitoring and control.

   f) Management Structure and Key Personnel - This section should include the comprehensive curriculum vitae (CVs) of key proposed project personnel that will be assigned to support the implementation of the proposed methodologies, clearly defining the roles and responsibilities while establishing competence and demonstrating qualifications in areas relevant to the scope of work.
g) **Gender** - The Foundation requires all its implementing partners and sub-grantees to identify and integrate gender considerations into all aspects of projects development, planning and implementation. Please explain how and to what percentage your firm/company/social organization can engage women during the planning stage and throughout the implementation of the project.

h) **Multiplier Effect and Sustainability** - This section should include how your proposal will reach the maximum number of beneficiaries and what will be your approach for sustainability from the initiation phase to the closing phase of the project.

2.3 **Financial Proposal** - The Financial Proposal shall be prepared using the standard TAF budget template attached with the *RFP as Annex 1*. It shall list all major costs and detailed breakdown of such costs. All activities described in the proposal shall be priced separately in the financial proposal. Please also provide a budget narrative. The financial proposal shall be individually sealed in a separate envelop.

2.4 **Currency** – All prices shall be quoted in AFGHANIS (AFN).

2.5 **Documents Establishing the Eligibility and Qualifications of the Proposer** – The proposer shall provide registration certificate of the organization/firm, audit reports of organization/firm from the last two years, and letter of recommendations from the previous donor/s or government institution(s).

2.6 **Bidder’s Declaration** - Potential bidders must disclose any relationships e.g. friends, family, business etc. with the Foundation staff, *please see last page*.

2.7 **Cover Letter** – A separate cover letter including the name, address and telephone number of the applicant organization, and signed by the person(s) authorized to represent the organization should accompany the proposal submission.

2.8 **Submission of Proposal** - The Financial Proposal and Technical Proposal Envelops MUST BE COMPLETELY SEPEARTE and each must be individually sealed and submitted and clearly marked on the outside as TECHNICAL PROPOSAL and FINANCIAL PROPOSAL. Each envelop must clearly indicate the name of the Proposer. All proposals should be signed only by an authorized representative of the applicant. The deadline for the receipt of applications is **October 30, 2018 – 03:00 PM Kabul Time**.

3 **LIST OF DOCUMENTS TO BE SUBMITTED**

a) Proposal Submission Cover letter;

b) Expertise of the firm/organization (see section 1);

c) Documents establishing eligibility and qualifications of the Proposer (see section 5);

d) Technical Proposal (see section 2);

e) Financial Proposal (see section 3 and 5, and Annex 1); and
SECTION 3 – EVALUATION CRITERIA

All Applications/proposals will be examined and evaluated by a committee constituted by the contracting authority comprising of members from the program team, Office of the Country Representative, and the Procurement and Finance departments, who will evaluate proposals from both a technical and financial standpoint. Applications/proposals submitted by applicants will be assessed according to the following criteria:

<table>
<thead>
<tr>
<th>Area</th>
<th>Comments</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical Proposal</td>
<td>Clarity and appropriateness of proposed technical approach with demonstrated understanding of project goals and component tasks. Simple and clear approach to project implementation and delivery of services. Project serves beneficiaries and engages relevant stakeholders. The technical proposal must cover all sections mentioned under section 2.2. Proposed approach and methodology has overall 10 points.</td>
<td>20</td>
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<tr>
<td>Monitoring and</td>
<td>A framework showing defined performance indicators etc.                                                                                                                                                                                                一世</td>
<td>15</td>
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<tr>
<td>Evaluation</td>
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<tr>
<td>Organizational</td>
<td>Institutional profile, background, expertise, clientage, experience with similar projects, and operational and financial capacity.</td>
<td>15</td>
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<tr>
<td>Capacity</td>
<td></td>
<td>-------</td>
</tr>
<tr>
<td>Personnel/ Key Staff</td>
<td>Relevant experience and technical knowledge of team leader and proposed staff. Please provide and limit CVs of proposed staff, including professional references, to 3-pages.</td>
<td>15</td>
</tr>
<tr>
<td>Interview</td>
<td>Top applicant organization will be given the opportunity to provide additional information through interviews at The Foundation. An overall assessment of strengths and weaknesses and institutional suitability will be made at this time.</td>
<td>15</td>
</tr>
<tr>
<td>Cost/Budget</td>
<td>Reasonableness and appropriateness of cost. Clear budget alignment between level of effort, technical approach, and deliverables.</td>
<td>20</td>
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</table>
SECTION 4 – TIME FRAME FOR RFP

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
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</thead>
<tbody>
<tr>
<td>Announcement of RFP</td>
<td>October 10, 2018</td>
</tr>
<tr>
<td>Prebid Conference</td>
<td>October 17, 2018 – 9:30am in TAF Main Office</td>
</tr>
<tr>
<td>Last date for submission of Proposals</td>
<td>October 30, 2018 – 03:00 PM Kabul Time</td>
</tr>
</tbody>
</table>

Late bids/proposals will not be accepted under any circumstances.

Any Proposal received by the Foundation after the aforementioned submission deadline proposals shall be declared late, rejected, and returned unopened to the proposer. Any correction or resubmission done by the Proposer will not extend the submittal due date. Once submitted, proposals cannot be altered without the prior written consent of the Foundation’s proposal review committee.
SECTION 5 – QUALIFICATIONS OF THE PROSPECTIVE SERVICE PROVIDER

To be considered for this project, the prospective service provider must demonstrate capacity and capabilities in the following:

i. Have legal status enabling the organization/firm to perform the above-mentioned tasks in Afghanistan.
ii. Be an expert in the fieldwork required for this kind of services.
iii. Demonstrated experience in implementing project activities similar to and on the scale of this project over the past five years.
iv. Strong capacity and experience in planning and organizing logistics for trainings and meetings.
v. Demonstrated experience in working with the formal and informal justice sector actors, women and youth, including survivors and victims of violence.
vi. Demonstrated skills in project management.
vii. Ability to report effectively on progress of the work, including identification of noticeable difficulties and risk management.
viii. Be ready to assume work as soon as possible.

Applicants are excluded from participation in calls for proposals or the award of grants if, at the time of the call for proposals, they:

- Are subject to a conflict of interest.
- Are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the call for proposals or fail to supply this information.
- Have attempted to obtain confidential information or influence the evaluation committee or the contracting authority during the evaluation process of current or previous calls for proposals.
SECTION 6 - TERMS AND CONDITIONS

Guidelines and Rules of this RFP

These guidelines set out the rules for the submission, selection and implementation of actions financed under the program.

1. TYPE OF AWARD INSTRUMENT - The Foundation-AG will issue a Service Agreement to the selected agency, which will be as per the Foundation’s internal policies and will be governed by the Foundation’s Rules, Regulations and Guidelines. Payments to the Implementing Partner(s) will be made as per the payment schedule, which will be negotiable and finalized while signing the agreement.

2. OTHER TERMS AND CONDITIONS - The Foundation project-specific Marking and Branding regulations may apply to all deliverables produced from this assignment. The Foundation is not bound to select any of the agencies submitting proposals. As quality is the principal selection criterion, the Foundation also does not bind itself in any way to select the agency offering the lowest price. The cost for preparing a proposal and of negotiating an award including visits to the Foundation office, if any is not reimbursable as a direct cost of the assignment. **The Foundation reserves the right to visit organizations for due diligence purposes.**

Finally, this RFP does not obligate the Foundation to award a contract nor does it commit the Foundation to pay any cost incurred in the preparation and submission of a proposal. Award of a Contract under this RFP is subject to availability of funds and other internal Foundation approvals.

3. CHILD PROTECTION POLICY – The Asia Foundation has a zero-tolerance policy and approach to child exploitation and/or abuse. In support of this policy, all Foundation staff and implementing partners must adhere to the Foundation’s and the donor’s policy and principles on child protection.

4. TECHNICAL PROPOSAL – The applicant should structure the technical proposal as described in Section 1 of the RFP and provide comprehensive understating of the RFP and how the applicant organization will meet the objectives of the RFP.

5. FINANCIAL PROPOSAL - The applicant should prepare the financial proposal using the Foundation’s budget template.

6. FINANCIAL PROPOSAL AND TECHNICAL PROPOSAL ENVELOPES - MUST BE COMPLETELY SEPARATE and each must be clearly marked on the outside as either “TECHNICAL PROPOSAL” or “FINANCIAL PROPOSAL” when submitted.
Declaration confirming the absence of any conflict of interest

Subject: Declaration confirming the absence of any conflict of interest

Ref: TAF-WEP-October-2018-026

I, the undersigned, ........................................ representative of [full name of the applicant organization/tenderer], submitting a project proposal/tender in respect of call for proposal/tender reference number (............), I confirm:

– that I do not have any conflict of interest in connexion to the contract. A conflict of interest may arise in particular because of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;

– that I will inform the contracting authority, without delay, of any situation constituting a conflict of interest or could give rise to a conflict of interest;

– that I have not made, and will not to make, any offer of any type whatsoever from which an advantage can be derived under the contract;

– that I have not granted, sought, attempted to obtain or accepted and will not grant, seek, attempt to obtain, or accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal or corrupt practice, either directly or indirectly, as an incentive or reward relating to the award of the contract;

– that I understand that The Asia Foundation reserves the right to verify this information and that I am aware of the consequences which may derive from any false declaration in respect of the information required by the awarding body as a condition of participation in the contract procedure.

Signed and Stamped

* * *

1 Must be submitted by all call for proposals/tenderers except from those who are to submit the declaration concerning grounds for exclusion and absence of conflict of interest.