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BID N° 03.23

REQUEST FOR PROPOSALS

Amendment No. 1

FOR THE

**THIRD-PARTY COMPREHENSIVE REVIEW OF THE ORGANIZATION AND PERSONNEL
STRUCTURE OF THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN
STATES**

PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES (OAS/CP)

**GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES (GS/OAS)
DEPARTMENT OF PROCUREMENT AND MANAGEMENT OVERSIGHT (DPMO)**

October 2023

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**THIRD-PARTY COMPREHENSIVE REVIEW OF THE ORGANIZATION AND PERSONNEL
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STATES**

PROJECT STEERING COMMITTEE (PSC)

1. GENERAL INFORMATION

The Organization of American States (OAS) is a public international organization, with headquarters at 1889 F. St. N.W., Washington, D.C. 20006. The OAS brings together the nations of the Western hemisphere to promote democracy, strengthen human rights, foster peace, security, and cooperation, and advance common interests. For more information about the OAS, please refer to the OAS's website at www.oas.org.

The General Assembly is the highest OAS body and typically meets annually. The Permanent Council of the Organization reports directly to the General Assembly and has the powers assigned to it by the [Charter](#) and the other Inter-American instruments and the functions entrusted to it by the General Assembly and the Meeting of Consultation of Ministers of Foreign Affairs.

The Permanent Council keeps vigilance over the maintenance of friendly relations among the member states and, for that purpose, effectively assists them in the peaceful settlement of their disputes. It carries out those decisions of the General Assembly or of the Meeting of Consultation of Ministers of Foreign Affairs the implementation of which have not been assigned to any other body. It watches over the observance of the standards governing the operation of the General Secretariat and, when the General Assembly is not in session, adopts provisions of a regulatory nature that enable the General Secretariat to carry out its administrative functions. At the request of the member states, it prepares draft agreements to promote and facilitate cooperation between the OAS and the United Nations, and other inter-American institutions. It submits recommendations to the General Assembly about the functioning of the Organization and the coordination of its subsidiary organs, agencies, and committees. It considers the reports of the organs, agencies, and entities of the inter-American system and presents to the General Assembly any observations and recommendations it deems necessary.

The Permanent Council is composed of one Permanent Representative of each [member state](#), specially appointed by the respective government, with the rank of Ambassador. Each government may appoint alternate representatives and advisers and, if necessary, accredit an acting representative. For more information about the Permanent Council, please refer to [OAS: Permanent Council](#).

The Committee on Administrative and Budgetary Affairs (CAAP)

As a Committee of the Permanent Council and following Article 19 of the Rules of Procedure of the Permanent Council, has the following functions:

- a. To recommend to the Permanent Council any programs within the Council's purview that may serve the General Secretariat as a basis for preparing the proposed program budget of the Organization, as stipulated in Article 112. c of the Charter;
- b. To examine the proposed program budget that the General Secretariat transmits to it in consultation with the Permanent Council for the purposes indicated in Article 112. c of the Charter, and to submit to the Council such observations as it may deem pertinent;
- c. To study any other subjects the Permanent Council may entrust to it in relation to the programs, budget, administration, and financial aspects of the operations of the General Secretariat; and
- d. To consider any annual evaluation reports submitted by the secretary general to the Permanent Council in compliance with the provisions of the General Standards to Govern the Operations of the General Secretariat and, on that basis, to evaluate the overall effectiveness of the Organization's programs, projects, and activities. Furthermore, to make any recommendations it deems appropriate and submit them to the Permanent Council for consideration and subsequent referral to the Preparatory Committee, so that they may be considered by the General Assembly in conjunction with the proposed program budget.

Project Steering Committee (PSC)

A Project Steering Committee shall be established to guide the work of the consultancy and the production of deliverables and reports. The PSC shall be chaired by the Chair of CAAP and be comprised of:

- One (1) member from each of the respective Regional Groups (United States, Canada, CARICOM, SICA, South America, including Mexico)

- The Secretary for Administration and Finance shall serve as the Secretariat
- A representative of the Department of Legal Services
- Additionally, the Vice Chairs/Working Group of CAAP shall service as ex-officio members of the Committee

2. OBJECTIVE

The Project Steering Committee (PSC) seeks to select and contract a multinational consulting firm that will conduct a Comprehensive Review of the Organization and Personnel Structure of the General Secretariat of the Organization of the American States.

3. RFP SCHEDULE

The following RFP Schedule represents the best time estimate for the GS/OAS during the RFP process. The GS/OAS reserves the right, at its sole discretion, to adjust this schedule. The GS/OAS will notify all Bidders of any adjustments made to the RFP Schedule. These notifications will be sent via email to the address provided by bidders during their registration through the Official GS/OAS Procurement Notices/Opportunities Portal.

Expected Timeline of Activities	Dates (by)
Request for Proposals and Invitations Released	September 26, 2023
Bidders' inquiries are due	October 16, 2023
Response to Bidders' inquiries due	October 19, 2023
Deadline for Bidders' Registration and Proposal Submission	October 24, 2023
Proposal Closing Date	October 24, 2023
Proposals review & evaluation	October 26- November 14, 2023
Presentation from Bidders (optional)	November 14- November 17 2023
Final Evaluation, BAFO, and PSC approval	November 21-December 18, 2023
Award Notification to Bidder	December 27, 2023
Contract Review and Signature	1-2 months

4. TERMS OF REFERENCE

The Terms of Reference (TORs) seeks to select and contract a multinational consulting firm that will conduct a Comprehensive Review of the Organization and Personnel Structure are outlined in Annex A of this RFP and herein incorporated by reference.

5. PROPOSAL FORMAT AND CONTENT REQUIREMENTS

The Structure of the Proposals submitted by Bidders must include these four separate sections:

1. Technical Proposal
2. Pricing
3. Legal Documentation
4. Financial Documentation

5.1 Technical Proposal

The Technical Proposal shall include the following information/documents:

5.1.1 Documents Related to Bidder's Experience:

- a) A general description of the background and organization of the bidding firm.
- b) The bidder should be a Multinational Consulting firm with divisions in the areas defined in the Terms of References contained in Annex A of the RFP.
- c) A detailed description of the Bidder's work experience is relevant to this RFP. The description shall substantiate the Bidder's qualifications and capabilities to satisfy the requirements of the RFP; and
- d) If available, Bidders may provide three (3) references from clients to which similar or relevant services were provided. References should not be older than three (3) years. These references should include: the name of the client, contact person, telephone number and e-mail address, and a description of the work performed and its duration. Please follow Format 3 in Appendix 1.

5.1.2 Documents Related to the Work:

- a) Bidders shall provide a work plan that includes a description of the basic infrastructure and associated professional/payroll services offered, implementation methodology, tools as well as technical support, and deliverables.

5.1.3 Documents related to Bidder's Personnel:

- a) The resumé of the lead professional staff person assigned by the Bidder to this project and two concise but descriptive summaries of this person's prior experience with similar projects. At least one professional assigned team must be fluent in BOTH Spanish and English. Proficiency in both Spanish and English will be a desired qualification of the team lead.

5.1.4 Bidder's Point of Contact:

- a) Information of Bidder's point(s) of contact. Provide the name, position, telephone number and email of the person or persons serving as coordinator

and/ or main liaison of the Bidder concerning this bidding process.

5.2 Price Proposal

- 5.2.1** Price proposal may be presented as a fixed price contract which will comprise all costs for performing the review of the Organization and Personnel Structure will not be subject to adjustments. The CAAP-CP/OAS has a limited budget for this Comprehensive review.
- 5.2.2** Alternately, the price proposal may be based on charges for hours actually worked by named individuals (or employment categories) with a specified maximum cost limit which includes all estimated costs.
- 5.2.3** The OAS understands that the results of the review may be unpredictable but does not anticipate expanding the TORs.
- 5.2.4** The Bidder's price proposal must be in United States Dollars (USD) in numbers.

5.3 Legal Documentation

- 5.3.1** A copy of the Bidder's certificate of incorporation issued by the competent authority of its country.
- 5.3.2** A copy of the Bidder's bylaws.
- 5.3.3** A copy of the Bidder's licenses and certifications issued by the corresponding authority (if required under the law of the duty station where the Bidder delivers services to the GS/OAS).
- 5.3.4** A copy of the W-9 Form for US Companies and the Employer Identification Number for companies outside of the US.
- 5.3.5** A list of the directors, officers, and the names of any stockholder with more than 50% of the stock.
- 5.3.6** Acceptance of the General Contractual Terms and Conditions Statement. The statement should follow Format 1 of Appendix 1.
- 5.3.7** A disclosure statement of conflict of interest. The statement should follow Format 2 of Appendix 1, which forms an integral part of this RFP. In the event the Bidder intends to subcontract or perform the contract in joint venture, such statement shall also include disclosure by the subcontractors and by each member of the joint venture.

5.4 Financial Documentation

- 5.4.1** A copy of the Bidder's latest general balance sheet for 2023; and copy of the Bidder's latest three (3) audited financial statements, for the years 2020, 2021, 2022.

5.5 Limited Use of Data

If the Proposal includes data that the Bidder does not want to disclose to the public for any purpose or used by the GS/OAS except for evaluation purposes, the Bidder shall include in its Proposal a statement signed by its legal representative with the following legend:

USE AND DISCLOSURE OF DATA

This Proposal includes data that shall not be disclosed outside the GS/OAS and shall not be duplicated, used, or disclosed— in whole or in part—for any purpose other than to evaluate this Proposal. If, however, a contract is awarded to this Bidder because of—or in connection with—the submission of this data, the GS/OAS shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the GS/OAS' right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets].

6. THE RFP PROCESS

6.1 Governing Law

The GS/OAS regulates this RFP process according to:

- a) This RFP;
- b) The Procurement Contract Rules of the GS/OAS, approved by Executive Order No. 00-1 <https://www.oas.org/legal/english/gensec/Executive%20Order%2000-1.pdf>;
- c) The Performance Contract Rules, approved by Executive Order No. 05-04, Corr. No. 1 <http://www.oas.org/legal/english/gensec/EXOR-05-04-CORR1.htm>; and
- d) The Executive Orders, memoranda and other dispositions and official documents of the GS/OAS applicable to this process.

6.2 Bidder's Warranties

By submitting a proposal in response to this RFP, the Bidder represents and gives an express warranty for:

- 6.2.1** Its knowledge and acceptance of RFP and the rules and conditions that govern the bidding process.
- 6.2.2** That it has studied and is thoroughly familiar with the requirements and specifications of this RFP in its entirety. This includes familiarity with the technical

and contractual information contained in this RFP and its Annexes, with all current equipment, labor, material, market conditions, shipping and with applicable laws, such that the Bidder accepts responsibility for and is prepared to execute and shall completely fulfill all obligations under the Terms and Conditions.

6.2.3 The accuracy and reliability of all information it submits in this procurement process.

6.2.4 Its knowledge that its proposal does not create any right in or expectation of a contract with the GS/OAS.

6.2.5 That the Bidder shall bear any, and all costs or expenses associated with or incurred in the formulation or development of a proposal in response to this RFP.

6.2.6 That the Bidder accepts that it will not make any claim for or have any right to damages because of any misinterpretation or misunderstanding of the contract, or because of any information which is known or should have been known to the Bidder.

6.2.7 The Bidder shall be liable for improper or incorrect use of the data collected or information disclosed to Bidder's by GS/OAS in connection with its Proposal, and/or in connection with any subsequent contract negotiations between GS/OAS and the Bidder.

6.2.8 The data and related information are legal documents and that the GS/OAS intends to use them as such.

6.2.9 The Bidder takes full responsibility for any errors or mistakes with respect to its bid proposal. The Bidder has used its best efforts to ensure the accuracy, reliability, and completeness of its proposal, and agrees that any cost of any modification of proposal or contract terms based on Bidder's error in the information provided in the Bidder's proposal is borne solely by the Bidder.

6.3 Submitting a Proposal in a Joint Venture

- a. Any firm may bid independently or in joint venture confirming joint and several liabilities, either with domestic firms and/or with foreign firms. The GS/OAS does not accept conditions of bidding that require mandatory joint ventures or other forms of mandatory association between firms. If the Bidder plans to perform the work with subcontractors and/or in joint venture with other firms, an explanation of the relationship between the firms and how potential inefficiencies in the organization, communications, and Project

processes can be avoided. If the form of a joint venture is considered, the Technical Proposal should additionally address joint and other liabilities for all partners.

- b. If the bidder candidate employs an association in the form of a joint venture, the association should appoint one of the firms to represent the association; all members of the joint venture shall present their relevant documentation and shall be jointly and severally liable for the entire assignment.
- c. The joint venture representative will be responsible for supervising the associate's performance and ensuring that they carry out the assignment following the contract.

6.4 Registration at the Official GS/OAS Procurement Portal

6.4.1 The GS/OAS will post this RFP and its Annex at the OAS website (<http://www.oas.org/OASpage/bid/default.asp>), United Nations Development Business website (www.devbusiness.com), dgMarket website (www.dgmarket.com) and at the Official GS/OAS Procurement Notices/Opportunities Portal (<https://oas.procureware.com/Bids>).

6.4.2 Companies interested in receiving updates of the RFP Schedule, requesting clarification and/or bidding will need to register as a vendor on the Official GS/OAS Procurement Notices/Opportunities Portal (<https://oas.procureware.com/Bids>)

6.4.3 To start the registration process, the Bidder must complete the following fields and then press "Next" to submit its entry. Bidders will receive an email message with instructions on how to complete the registration.

- a) Company Name
- b) First Name (Contact Person)
- c) Last Name (Contact Person)
- d) Title (Contact Person)
- e) Email Address (Contact Person. This email address will receive all further notifications)
- f) Legal ID # (EIN or Federal Tax ID of the Company)
- g) Phone (Contact Person)

6.4.4 Please note that servers or SPAM filters may block important messages or send them to your junk mail folder because they do not recognize the sender. To help ensure that you receive all emails and further notifications from OAS/Procure Ware,

please ensure to add our e-mail address noreply@procurement.com to your address book, contacts, and/ or "Safe Senders" list.

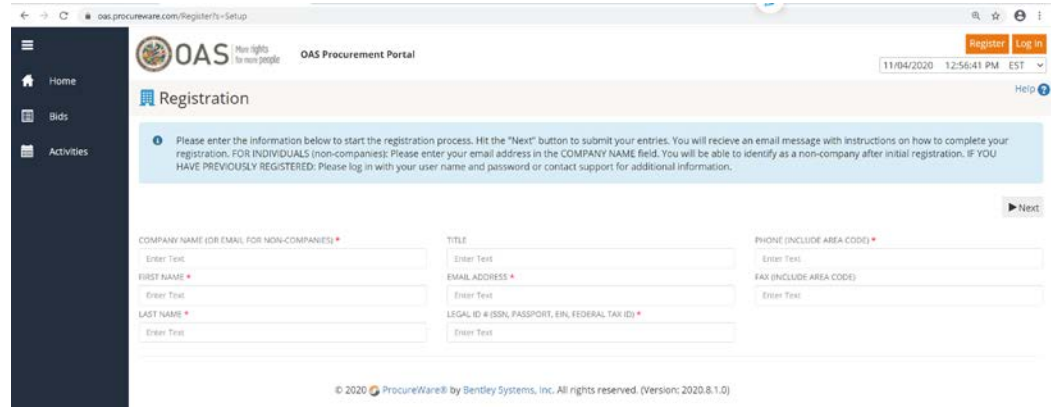


Fig 1: Screenshot of the Official GS/OAS Procurement Notices/Opportunities Portal.

Source: <https://oas.procurement.com/Register?s=Setup>

6.5 Bidder Inquires

6.5.1 Bidders may submit any inquiry or request for more information and clarification regarding terms of reference in this RFP by **October 16th, 2023**, through the Official GS/OAS Procurement Notices/Opportunities Portal at <https://oas.procurement.com/Bids>. Only Bidders registered in the Portal may ask questions.

6.5.2 Bidder inquiries must clearly identify the number of the section of the RFP to which their inquiry is related.

6.5.3 The GS/OAS responses to the Bidder's questions will be addressed through the Official GS/OAS Procurement Notices/Opportunities Portal, directly to the email with which the Bidder registered, on or before **October 19th, 2023**, where all submitted questions and answers (Q&A) will be available for registered Bidders.

6.6 Proposal Submission Instructions

6.6.1 Proposals must be submitted by Bidders through the GS/OAS Procurement Notices/Opportunities Portal at <https://oas.procurement.com/Bids> no later than 11:59 pm EST on **October 24th, 2023**. **Only registered** Bidders can submit proposals.

Bidder's failure to submit a proposal by the deadline will disqualify the Bidder's proposal.

6.6.2 Bidders should not consider their proposal submitted/received unless they receive a Bid submission confirmation email from our address noreply@procureware.com. It is the responsibility of the Bidder to ensure the reception of their proposal for the GS/OAS. The GS/OAS is not responsible for proposals not received due to email delivery issues.

6.7 Request of Clarifications

6.7.1 To enhance the GS/OAS understanding of Proposals, allow reasonable interpretation of the Proposal, or facilitate the evaluation process, the GS/OAS may submit, in writing, any inquiry or request to the Bidders for explanation, substantiation, or clarification of certain aspects of its Proposals. Such requests will be addressed to the point of contact indicated by the Bidders in their Proposal.

6.7.2 Likewise, during the evaluation process, the GS/OAS may offer the Bidders an opportunity to eliminate minor irregularities, informalities, or apparent clerical mistakes in its Proposals.

6.7.3 Requests for clarifications shall not be used to cure Proposal deficiencies or material omissions that materially alter the technical or cost elements of the Proposal, and/or otherwise revise the Proposal.

6.8 Presentations from Bidders

6.8.1 The GS/OAS may require bidders to give presentations and/or to have interviews (question and answer sessions). The GS/OAS may consider the Bidder's presentation, or the information given as part of the Technical Evaluation. The GS/OAS reserves the right to incorporate elements from presentations or interviews, if any, in the final contract. The presentation or interview shall not encompass price proposals.

6.8.2 The purpose of the presentations and interviews is to validate the information provided by the Bidder in its proposal and to assess the Bidder's understanding of the delivery of the services, which will be a factor in the overall Technical Evaluation of the Proposals.

6.8.3 The GS/OAS will determine the date and time for each Bidder's presentation and interview and provide the necessary instructions.

6.8.4 The GS/OAS will not inform Bidders of their strengths, deficiencies or weaknesses during the presentation and interviews. The GS/OAS will not engage in bargaining during the presentations and interviews. The presentations and interviews do not constitute discussions with Bidders.

6.9 Award Criteria

The GS/OAS will admit proposals for evaluation only if they comply with the mandatory minimums contained in the RFP. Once admitted, the GS/OAS will review, evaluate, and compare those Proposals according to, but not necessarily limited to, the following criteria:

EVALUATION CRITERIA	POINTS
Technical Evaluation Weight	Sixty (60)
Price Proposal Evaluation Weight	Forty (40)

6.9.1 Technical Criteria:

- a) **Responsiveness.** Whether the Bidder’s Technical Proposal conforms in all material respects to the RFP.
- b) **Financial Capability.** The GS/OAS will assess the financial condition of the Bidder to perform the Contract through the review of the Bidder’s financial statements.
- c) **References Check.** Bidders may provide **performance** information from Bidder’s previous clients. Reference checks will be based on the reference information submitted by Bidders under Appendix 1 Format 3, Commercial References, and the GS/OAS may, at its discretion, seek references from other institutions that are familiar with the Bidder’s work. The GS/OAS will use the Information from the reference check as part of the technical evaluation process.
- d) **Responsibility.** Whether the Bidder’s Technical Proposal meets the RFP’s technical specifications to determine its capability and capacity to perform the Contract.
- e) **Relevant Experience / Past Performance.** The GS/OAS will assess Bidder’s capability, comprising of three elements: i) observation of the historical facts of Bidder’s work experience (what work it did, when and where it did it, for whom it did it, and what methods it used); ii) qualitative judgments about breadth, depth,

and relevance of that experience based on those observations; and iii) qualitative judgments about how well the Bidder performed, also based on those observations. The GS/OAS will evaluate Bidder's relevant experience and past performance in respect to past or current efforts similar or relevant to this Bid.

- f) **Key Personnel.** The GS/OAS will assess the qualifications and relevant experience of the key personnel that the Bidder intends to use to perform the Contract, and its organization. Selection by the Bidder of well trained, experienced personnel is crucial to the success of the Contract and will be a key element for the evaluation of the Proposal.
- g) **Work Plan.** The GS/OAS will assess the completeness of the Proposal to determine technical compliance as per the Terms of Reference detailed in Annex 1.
- h) **Innovation / Enhancements.** Favorable consideration will be given to those Bidders that offer greater performance through enhancements to the work called by the TORs, such as recent and modern technology that will enhance and improve the work.

6.9.2 Price Criteria:

- a) The GS/OAS will award **40 points** to the Bidder with the lowest evaluated pricing from among those bids deemed to be responsive per section 6.8.1a above.
- b) Price proposals from other Bidders will receive points based on the relationship of the Bidder's prices to that of the lowest evaluated pricing proposal.

6.9.3 Other Considerations:

- a) **Source of Information.** The GS/OAS shall determine to its satisfaction whether a Bidder is qualified to perform the contract satisfactorily. The determination may be based upon an examination of the documentary evidence of the Bidder's qualifications either submitted by the Bidder or available as public information such as Dun & Bradstreet (D&B) report, and through reference check.

6.10 Right to Cancel the RFP and/or Reject Proposals

- 6.10.1** This RFP does not in any manner whatsoever constitute a commitment or obligation on the part of GS/OAS to accept any proposal, in whole or in

part, received in response to this RFP, nor does it constitute any obligation by GS/OAS to acquire any goods or services.

6.10.2 The GS/OAS reserves the right to reject all proposals, and to disqualify any proposal not following RFP communication procedures and/or not responsive to the minimum technical requirements and proposal content specified in this RFP.

6.11 Requests for Clarification

6.11.1 To enhance the GS/OAS understanding of Proposals, allow reasonable interpretation of the Proposal, or facilitate the evaluation process, the GS/OAS may submit, in writing, any inquiry or request to the Bidders for explanation, substantiation or clarification of certain aspects of its Proposal.

6.11.2 Likewise, during the evaluation process, the GS/OAS may offer the Bidders an opportunity to eliminate minor irregularities, informalities, or apparent clerical mistakes in its Proposal.

6.11.3 The GS/OAS shall not use the requests for clarifications to cure Proposal deficiencies or material omissions that materially alter the technical or cost elements of the Proposal, and/or otherwise revise the Proposal.

6.11.4 The GS/OAS will address inquiries or requests for clarification to the point of contact indicated by the Bidders in its Proposal.

6.12 Discussions and Negotiations

6.12.1 Before granting the award, the GS/OAS may choose to have written or oral discussions and/or negotiations regarding the terms, conditions, and deliverables of the proposal with the Bidders that, in the opinion of GS/OAS, are within the competitive range.

6.12.2 For that purpose, the GS/OAS, through DPMO, will submit, in writing, any request (including interview requests) to the Bidders. The GS/OAS will address such requests to the point of contact indicated by the Bidders in their proposal.

6.12.3 During the negotiations, the GS/OAS may request the Bidders to revise or modify their proposals. After the negotiations, the GS/OAS may issue a request for Best and Final Offer (BAFO).

6.13 Award

- 6.13.1** The GS/OAS will evaluate Proposals only if they comply with the mandatory minimum requirements contained in the RFP. Once admitted, the GS/OAS shall analyze and rate those Proposals using the award criteria described in section 6.9.
- 6.13.2** The GS/OAS will apply a technical-economic analysis in the evaluation of the Proposals. Under this rule, the GS/OAS will evaluate both price and technical factors and will award the Contract to the Offeror that obtains the best score in the sum of both elements.
- 6.13.3** The GS/OAS intends to award the contract to a single bidder rather than multiple bidders.
- 6.13.4** The GS/OAS reserves the right to reject any or all Proposals, and to partially award the Contract.
- 6.13.5** The GS/OAS will award the bid to the Bidder with the highest overall assessment. Such award announcement shall become a contract only once the Bidder accepts the terms and conditions proposed by the GS/OAS. The GS/OAS will draft the contract based on this RFP and the winning bid proposal, and it shall come into effect when signed by both parties.
- 6.13.6** The GS/OAS will promptly notify the unsuccessful Bidders in writing and the awarded Bidder's information will be posted by the GS/OAS on the following website: <http://www.oas.org/OASpage/bid/default.asp>.

7. CONTRACT TERMS

- 7.1** The Contract will be drafted by the GS/OAS based on this RFP, the Terms of Reference the winning Proposal, and the results of the negotiations with the selected Bidder. The Contract shall come into effect when signed by both GS/OAS and the duly authorized representative of the winning Bidder.
- 7.2** The GS/OAS shall not accept any changes to the Contract after the contract is awarded. Once the GS/OAS awards the Contract, the Vendor shall be bound by such Contract either as stated herein in the RFP or as mutually modified by the Parties.
- 7.3** Bidders wishing to negotiate modification of the Contract Terms & Conditions stated in this RFP must attach a copy of the GS/OAS's RFP and

show proposed changes (deleted sections with a strike over and added sections in boldface type). The Bidder's failure to identify any such changes in its Proposal will preclude the Bidder from making any such changes thereafter. If Proposals are subject to additional terms that the GS/OAS decides are not in its best interest, the GS/OAS reserves the right to deem that Proposal as unresponsive.

- 7.4** Any Bidder selected by the GS/OAS who proposes changes to the Contract shall not be deemed as acceptance of the Bidder's proposed changes. At all times, the GS/OAS reserves the right to use its own Contract and to negotiate changes to it. The GS/OAS reserves the right to accept or reject any changes in language to the Contract and reserves the right to make final conforming changes to the Contract.

8. GENERAL PROVISIONS

8.1 Language

All correspondence and responses to this RFP between the GS/OAS and Bidders shall be in English.

8.2 Privileges and Immunities

- 8.2.1** Nothing in this RFP shall constitute an express or implied agreement or waiver by the GS/OAS, the OAS, or their personnel of their privileges and immunities under the OAS Charter, the laws of the United States of America, or international law.

- 8.2.2** The Bidders to this RFP are not entitled to any of the exemptions, privileges, or immunities, which the GS/OAS may enjoy arising from GS/OAS status as a public international organization.

8.3 Confidentiality and Privacy

- 8.3.1** Confidential Information means the bid documentation and all other analyses, reports, memoranda, data, information, and documentation belonging to the GS/OAS and disclosed to the Bidder in any form whatsoever whether written, oral, electronic or otherwise direct or indirect,

or which comes into the possession or knowledge of the Bidder through the bidding process as part of the bid documentation or by any other means.

8.3.2 The Bidder understands and agrees that all information received as a result of this process is confidential and may not be published, sold or released without the written approval of the GS/OAS. The bidder shall forward to the GS/OAS any public representations concerning the GS/OAS and/or any request for information made to the bidder by the media, or otherwise.

8.3.3 In addition, information that a party considers as proprietary or confidential and which it has indicated/marked as proprietary or confidential will be treated by receiving party in the same manner as receiving party treats its own proprietary or confidential information.

8.3.4 Period of confidentiality: The obligations under paragraph above shall continue notwithstanding the conclusion of this process.

9. ANNEXES

All annexes listed below form an integral part of this RFP:

Annex A –Terms of Reference (TORs)

Annex B – General Contractual Terms & Conditions

Appendix 1– Formats

- Format 1: Acceptance of the General Contractual Terms and Conditions
- Format 2: Conflict of Interest Statement
- Format 3: Commercial References