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REQUEST FOR PROPOSAL

Local Short-Term Technical Assistance (STTA):

To the Government of the Kyrgyz Republic to design and implement policy reforms, which would improve the distance to the frontier score of the Kyrgyz Republic in the World Bank's Doing Business Index.

RFP No.: OPS-BIS-04/4.28

Under

USAID Enterprise Competitiveness Project

Funded By

USAID

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RFP Release Date:	June 24, 2021
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Question/ Inquiry Submission Deadline:	COB June 30, 2021

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I. INTRODUCTION

A. COMPANY BACKGROUND

Based in Washington, D.C., Nathan Associates Inc. (Nathan) is a private international economic and analytics consulting firm that works with government and commercial clients around the globe to deliver practical solutions and achieve lasting results. Whether building frameworks for economic growth or navigating regulatory hurdles, securing infrastructure financing or evaluating and assessing disputes, Nathan's experts serve as trusted partners, offering clients the analysis, technical advice, and strategies they need for sound decision-making. Nathan is a subcontractor to ACDI/VOCA under the USAID Enterprise Competitiveness Project. For more information, go to <https://www.nathaninc.com/>.

B. PROGRAM BACKGROUND

The USAID Enterprise Competitiveness Project is a five-year initiative that aims to accelerate sales growth and increase job creation among Kyrgyzstani small and medium enterprises (SMEs). The USAID Enterprise Competitiveness Project will partner with end markets, SMEs, business development and advisory service providers, government agencies, associations, and other market actors who are willing to co-invest to accelerate inclusive, market-led growth. The project's primary goal is to foster a system that increases market access and competitiveness, catalyzes investment, unlocks opportunities for women and youth, builds skills, and encourages a more enabling business environment.

To improve the business enabling environment, ECP facilitates a dialogue between agencies of the Government of the Kyrgyz Republic and the private sector, including business associations, sectoral representatives, and other institutions. Strengthening the enabling environment for private sector development can lead to a more robust formal economy, greater access to capital, increased business innovation and advances through technology, investment and innovations, and increased trade with regional and international markets.

C. BACKGROUND INFORMATION

Improving the investment climate and business environment in the Kyrgyz Republic is one of the Government's priorities and is enshrined in strategic documents, including the National Development Strategy 2040 (the NRF) and the Action Plan of the Government of the Kyrgyz Republic for 2019-2023. According to the NSR, and another evidence of the Strategy's success would be the distance to the frontier score of the Kyrgyz Republic in the World Bank's Doing Business Index. Today, the Government of the Kyrgyz Republic begins to update the action plan to ensure new trends and challenges are reflected in the activities and measures.

In 2018, the Government of the Kyrgyz Republic has launched a comprehensive work to improve the indicators of "Doing Business" (by the Order of the Government of the Kyrgyz Republic № 122-p of April 5, 2018) that lead to following changes in business regulation reported by Doing Business Index Report (<https://www.doingbusiness.org/en/reforms/overview/economy/kyrgyz-republic>):

Doing Business 2020

- Getting Electricity: The Kyrgyz Republic improved the reliability of the power supply by enhancing the monitoring of outages and modernizing its infrastructure to reduce power outages.
- Getting Credit: The Kyrgyz Republic improved access to credit information by providing credit scores to banks, financial institutions, and borrowers.
- Paying Taxes: The Kyrgyz Republic made paying taxes easier by consolidating the tax on interest income into the corporate income tax and by introducing an online platform for filing and paying taxes.

Doing Business 2019

- Protecting Minority Investors: The Kyrgyz Republic strengthened minority investor protections by increasing shareholders' rights and role in major corporate decisions, strengthening the independence of boards of directors, and barring subsidiaries from acquiring shares issued by their parent companies.

- **Trading across Borders:** The Kyrgyz Republic made trading across borders easier by streamlining exports within the Eurasian Economic Union.
- **Enforcing Contracts:** The Kyrgyz Republic made enforcing contracts easier by introducing a pre-trial conference as part of the case management techniques in court and adopting a consolidated law on voluntary mediation.
- **Resolving Insolvency:** The Kyrgyz Republic made resolving insolvency easier by facilitating the continuation of the debtor's business during insolvency proceedings and granting creditors greater access to information on the debtor's financial situation during the proceedings.

Doing Business 2018

- **Registering Property:** The Kyrgyz Republic made property registration less transparent by no longer making official statistics on property transfers available to the public.
- **Getting Credit:** The Kyrgyz Republic strengthened access to credit by adopting two new decrees that establish a unified and modern collateral registry. The Kyrgyz Republic also improved its credit information system by adopting a new law on exchanging credit information.

Despite the above changes in the business regulations, the GovKR specifies that employees of state agencies responsible for implementation and monitoring of reforms aimed at improving the investment climate following the methodology of "Doing Business" lack capacity to analyze reports "Doing Business", the study of international experience, development of necessary policy measures.

Also considering the epidemiological situation, the implementation of some items of the Action Plan of the Government of the Kyrgyz Republic to improve the position of the Kyrgyz Republic in the rating "Doing Business" for 2019-2020 was not fully executed.

To strengthen the capacity of the Government of the Kyrgyz Republic to develop, implement and monitor necessary reforms to improve performance in "Doing Business" rating, USAID Enterprise Competitiveness Project will provide a team of consultants consisting of 5 experts, which will work in close cooperation with the Strategic Development and Planning Policy Department, Economic and Investment Department of the Presidential Administration, Ministry of Economy and Finance of KR and other involved government agencies. The main areas to be worked on will be an improvement of tax and customs administration, facilitation of connecting enterprises to public utilities, obtaining construction permits, and enforcement of contracts.

Also, following the Decrees signed and the Address to the Nation by President Japarov, a task was set to develop a new version of the Tax Code and necessary legal and regulatory acts to protect and support business. In this regard, a group of consultants will be involved in the development of a new version of the Tax Code and the Entrepreneurial Code, as well as a package of relevant amendments to other normative legal acts arising from these codes.

II. PURPOSE

The purpose of this assignment is to provide technical assistance to the Government of the Kyrgyz Republic to design and implement policy reforms, which would improve the distance to the frontier score of the Kyrgyz Republic in the World Bank's Doing Business Index.

A. SCOPE OF WORK

I. Specific tasks

The selected expert(s) will provide the support necessary to assist the Strategic Development and Planning Policy Department, Economic and Investment Department of the Presidential Administration through designing economic policies for strengthening the business enabling environment. The experts will be tasked to provide an expert's opinion on the proposed policies to improve the business enabling environment. In addition, experts are expected to partake in discussions with the relevant business community on the proposed policies, which will be organized by GovKR.

In close consultation with the ECP, the Expert(s) will perform the following tasks:

Task 1. Provide expert support in drafting policy related to economic policies. The list of policies, areas of interventions should concur before the ECP point of Contact.

Task 2. Prepare comments and suggestions to the regulatory legal acts, which could include a new Tax Code and a new Entrepreneurship Code, but not limited to these policies only.

Task 3. Participate in the necessary consultations, discussions, communication activities, presentations of developments for stakeholders from the private sector to ensure that opinions and interests, as well as possible suggestions, are considered. The legislation in question must adhere to the best principles of doing business and decisions should be made inclusively.

Task 4. Expert support in revising the draft laws during the public discussion with stakeholders.

Task 5. Review of the draft regulatory legal act to determine opportunities to incorporate solicited recommendations.

Task 6. Participation in the meetings and events initiated by the Beneficiary.

Task 7. Develop a full package of documentation required to submit to the Government/Parliament for approval.

NOTE: USAID has the right to suspend the work of the Consultant based on the availability of funds and appearance of reputational risks.

The Beneficiary will work with a communication expert to conduct public awareness on activities conducted under this technical assistance.

II. Reporting

The final report and all supporting documents shall be submitted in Russian with **high-quality English translations**.

NOTE: The Annex of actual draft laws and analysis should be submitted in Russian only.

III. Deliverables

Deliverables submitted under this scope of work will include a narrative describing the scope of work delivered and attached draft laws and RIAs:

1. Inception Report submitted in Russian **with high-quality English translation**, including a detailed work plan with a timeline (5 working days).
2. An intermediate report, including:
 - Activity report to describe activities, including public discussions with stakeholders.
 - Draft policies developed in collaboration with the Beneficiary and Stakeholders.
3. Final Report, submitted in Russian with high-quality English translation, which will include:
 - Narrative Report on activities and events undertaken during the assignment.
 - Final versions of the draft policies including all supporting documentation required to submit to the Government/Parliament for approval.

IV. Timing

This assignment will take place in July - September 2021.

V. Required Qualifications

Requirements for organizations. The years of experience listed below are qualifications as a firm, not by individuals within the company:

- Specialization in providing analytical and expert services in the field of state regulation of business activities.
- A legal entity registered in the Kyrgyz Republic with the necessary material and technical resources for carrying out the SoW.
- Experience performing economic and financial analysis;
- Work experience of at least 10 years of advising international development institutions and organizations;
- Experience in advising the Government of the Kyrgyz Republic on investment reforms.

Requirements for knowledge and experience of the Expert(s):

Expert in tax, customs, and international trade

- A University degree in the sphere of economics is required. Specialization of tax and customs is an advantage;
- Work experience of at least 10 years of professional activity in the field of tax and customs policy elaboration. International trade and research experience is an asset;
- Demonstrable experience working effectively and collaboratively with public authorities, private sectors, and other stakeholders.
- Strong computer skills (MS Office suite) required;
- Excellent written and verbal communication skills required;
- Demonstrated understanding of operational management and grant compliance;
- Strong motivation and results-oriented approach required.

Expert in connection of electricity and obtaining construction permits.

- University degree in law required. The scientific degree is an advantage.
- Work experience of at least 10 years of professional activity in the field of jurisprudence and construction. Research experience is an asset;
- Demonstrable experience working effectively and collaboratively with public authorities, private sectors, and other stakeholders.
- Strong computer skills (MS Office suite) required;
- Excellent written and verbal communication skills required;
- Demonstrated understanding of operational management and grant compliance;
- Strong motivation and results-oriented approach required.

Legal Expert

- University degree in Law required;
- Work experience of at least 10 years of professional activity in the field of legal practice (advocacy, public service). Research experience is an asset.
- Demonstrable experience working effectively and collaboratively with public authorities, private sectors, and other stakeholders.
- Strong computer skills (MS Office suite) required;
- Excellent written and verbal communication skills required;
- Demonstrated understanding of operational management and grant compliance;
- Strong motivation and results-oriented approach required.

Business Networking/Communication Expert

- Professional Relations with Business Community;
- Demonstrable experience working effectively and collaboratively with Mass Media Outlets
- Demonstrated experience working with USAID Projects
- Knowledge of USAID Branding Policy;
- Strong communication skills;
- Strong computer skills (MS Office suite) required.

Project Manager, Team - Leader

- University degree in public policy, public administration required. Master's degree required;
- Experience and familiarity with the "Doing Business" ranking methodology;
- Demonstrated experience in managing regulatory reform projects aimed at improving enabling business environment.
- Minimum of 10 years of experience in project management in the sphere of public policy and relevant experience in managing international donor-funded projects is required.
- Minimum of 10 years of experience in managing teams;

- Demonstrable experience working effectively and collaboratively with public authorities, private sectors, and other stakeholders.
- Strong leadership skills;
- Strong computer skills (MS Office suite) required;
- Excellent written and verbal communication skills required;
- Demonstrated understanding of operational management and grant compliance.
- Strong motivation and results-oriented approach required.

VI. Additional information

- Nathan intends to award a contract to the responsible Offeror(s) whose proposal represent the best value to the U.S. government.
- Work Location: This activity will take place in Bishkek, Kyrgyzstan according to the requirements of the agreement and as approved by the Nathan / ACIDI/VOCA project team.
- Reporting: The consultant will report to the USAID ECP BEE Director and BEE Manager.

III. CONTRACT MECHANISM & TERMS OF PAYMENT

- Nathan anticipates issuing a firm fixed price contract.
- Payment via bank transfer will only be executed after the submission and acceptance of all contract deliverables in accordance with **III. Deliverables** under section **II. Purpose**. Payments by deliverable will be negotiated.
- The service provider is responsible for all taxes according to Kyrgyz legislation.
- Service provider will receive payment(s) contingent on strict compliance with the scope of work, which is an integral part of this proposal.

IV. PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS

A. INSTRUCTIONS FOR PROPOSAL PREPARATION

The selection committee will evaluate the Offerors based upon their written technical and cost proposals. Each section will be evaluated according to the criteria for evaluations in Section V. Offerors are expected to examine the specifications and all instructions in the RFP. Failure to do so is at the Offeror's risk. Interested Offerors must provide the following:

CAPABILITY AND TECHNICAL EXPERIENCE STATEMENT

- Company Overview (certificate of registration, completed Form Appendix C).
- Capabilities statement by providing information on the following:
Key experts to be engaged to perform the assignment, resumes. Recommendation letters are desirable.
- Technical approach, methodology of the performance of the assignment.
- Explanation on how company/organization plan to carry out the work during the pandemic (in case of ban on group meetings, quarantine, emergency management, etc.).
- Activity (work) Schedule.
- Monitoring & Evaluation plan, if relevant.

PROJECT STAFFING

Offerors will identify the percentage of the time each consultant will spend on this activity. Please include no more than a half-page bio for each consultant considered essential for the successful implementation of this contract.

COST PROPOSAL

Offerors will submit a proposed budget with their proposals in a separate email. Nathan reserves the right to request any additional information to support Offerors' proposed detailed cost and price.

Budget Requirements

1. Only direct costs should be included in the budget and allocated appropriately.

2. Budget should include detailed explanations on the planned expense item and information/justification of the rates and quantities applied.
3. All translation costs for reports must be built into the total fixed cost of the contract; and
4. Reports must first be approved by the Client before payment.

Please submit your cost proposal separately from technical proposal using provided format in the “**APPENDIX A**” section.

REFERENCES

Please include three clients’ references and contact information. References should have worked with your organization within the past two years in connection with the countries or regions (and if possible, subject matter) applicable to this RFP.

B. INSTRUCTIONS FOR SUBMISSION OF PROPOSAL

1. The technical proposal should be in **PDF** format and must be submitted by email to the following addresses: nturdubekov@nathaninc.com, tatwood@nathaninc.com and eorourke@nathaninc.com.
2. The price proposal should be in **PDF** format and must be submitted by email to the following address: nturdubekov@nathaninc.com, tatwood@nathaninc.com and eorourke@nathaninc.com.
3. All inquiries and requests for information regarding this RFP must be submitted to the following email no later than the question/inquiry submission deadline on the cover page of this RFP. Reference the RFP number in all questions/inquiries. Potential bidders who do not submit questions should send an email with their contact information if they wish to receive copies of answers. All questions and responses will be circulated to all offerors who ask questions and to those who register.

Name:	Nursultan Turdubekov
Email:	NTurdubekov@nathaninc.com

4. This RFP in no way obligates Nathan to award a contract nor does it commit Nathan to pay for any costs incurred in the preparation and submission of a proposal in response hereto. Furthermore, Nathan reserves the right to reject any and all offers, if such action is considered to be in the best interest of Nathan, ACDI/VOCA and/or USAID.
5. Emails must not exceed 5MB in size. Proposals shall be submitted **ONLY IN ENGLISH**.
6. All responses to this RFP must be received no later than the submission deadline on the cover page of this RFP.

V. CRITERIA FOR EVALUATION

Nathan will evaluate proposals using the following criteria:

Technical Scores	Points*
Demonstration of relevant experience and knowledge in designing economic policies and providing expert opinion on the proposed policies to strengthen and improve the business enabling environment.	15
Evidence of previous successful similar work for a project, implementor, government institution, or private sector.	15
Technical approach and methodology, schedule of work	40
Experience and capacity of staff who will be assigned to carry out work.	30
Total Score	100

The evaluation committee will review the technical proposal based upon the technical criteria listed above first. Only proposals that receive 80 out of 100 possible points will advance to cost proposal review. The cost proposals will be reviewed to ensure they are complete and free of computational errors. The committee will also assess the reasonableness of costs and the cost-effectiveness of the budget and will determine whether the costs reflect a clear understanding of project requirements. A contract will be offered to the responsible Offeror whose proposal follows the RFP instructions and is judged to be the most advantageous to Nathan.

Nathan may award a contract without discussions with Offerors in accordance with FAR 52.215-1.

Nathan intends make contract award to the responsible Offeror whose proposal represents the best value to the U.S. Government. "Best value" is defined as the offer that results in the most advantageous solution for the Government, in consideration of technical, cost, and other factors. For evaluation purposes, technical factors are considered more important than cost factors. Although technical evaluation criteria are more important than cost, the closer the technical evaluation scores of the various proposals are to one another, the more important cost considerations will become. Therefore, the evaluation of costs proposed may become a determining factor in making the award as technical scores converge. The Offeror proposing the best overall value will be selected. Any lack of cost realism, reasonableness, incompleteness, or imbalance in price may be considered in the determination of best value. Nathan may request additional certifications, clarification and explanations in order to determine the best value proposal.

VII. TERMS AND CONDITIONS

A. LATE SUBMISSIONS

Proposals received after the submission deadline stated in the cover page of this RFP may be considered only if none of the proposals received on time is deemed acceptable for the assignment. Offerors will be held responsible for ensuring their quotations are received according to the instructions stated herein. A late offer will be considered if the cause was attributable to Nathan or its employees/agents, or if it is in the best interest of Nathan.

B. MODIFICATION OF RFP REQUIREMENTS

Nathan retains the right to terminate the RFP or modify the requirements upon notification to Offerors.

C. WITHDRAWALS OF PROPOSALS

Proposals may be withdrawn by written notice via email at any time before award. Proposals may be withdrawn in person by an Offeror or authorized representative, if the representative's identity is made known and the representative signs a receipt for the proposal before award.

D. RIGHT OF NEGOTIATION AND ACCEPTANCE OF PROPOSAL

This RFP represents a definition of requirements and is an invitation for submission of proposals. Nathan reserves the right to fund/award any or none of the submitted proposals. No commitment is made, either expressed or implied, to compensate Offerors for costs incurred in the preparation and submission of their proposal.

Nathan may reject any proposal that is nonresponsive. A responsive proposal is one that complies with all terms and conditions of the RFP. A proposal must be complete, signed by an authorized signatory, and delivered no later than the submission time and date indicated on the cover sheet of this RFP. Nathan may reserve the right to waive any minor discrepancies in a proposal.

Nathan reserves the right to issue an award based on the initial evaluation of proposals without discussion. Nathan also reserves the right to enter into best and final negotiations with any responsive Offerors for all or part of the proposed scope.

E. VALIDITY OF PROPOSAL

Proposals submitted shall remain open for acceptance for 60 days from the last date specified for receipt of proposals. This includes, but is not limited to, pricing, terms and conditions, service levels, and all other information. If your organization is awarded the contract, all information in the RFP and negotiation process is contractually binding.

F. MINIMUM OFFEROR QUALIFICATIONS

Offerors submitting proposals must (1) be officially licensed to do such business in *the Kyrgyz Republic*, (2) be able to receive USAID funds and (3) not have been identified as a terrorist organization. In addition, Offeror may be required to provide the following information:

- Documentation to verify licensure (e.g., tax id, registration certificate, etc.);
- Demonstration of adequate management and financial resources to perform the contract;
- Satisfactory records of performance history, integrity and business ethics; and
- Other documents upon request.

G. INTELLECTUAL PROPERTY RIGHTS

All tangible or intangible property created or acquired under this contract shall be the exclusive property of Nathan, ACDI/VOCA, and the donor. The term “property” includes all data and reports associated with this engagement.

VIII. ATTACHMENTS

Appendix A: Sample Budget Format

Appendix B: Technical Proposal Submission Sheet

Appendix C: Information of the Offeror

APPENDIX A. SAMPLE BUDGET FORMAT

No/ #	ITEM	Qty	Unit	Cost/unit KGS	Total in KGS	Explanation (Comments)
A	Labor					
1						
2						
3	Subtotal:					
B	Transportation cost					
1						
2						
	Subtotal:					
C	Supplies					
1						
2						
D	Any other activity related costs					
1						
2						
	Subtotal:					
	Grand total					

Only direct costs should be included in the budget and allocated appropriately;
 Budget should include detailed explanations on the planned expense items applied.

Signature:

Name:

Date: ____/____/____

APPENDIX B. TECHNICAL PROPOSAL SUBMISSION SHEET

(Complete this form with all the requested details and **submit it as the first page of your technical proposal**, with the documents requested above attached. Ensure that your proposal is authorized in the signature block below. A signature and authorization on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorized, it may be rejected.)

Date of Technical Proposal:	
RFP Number:	OPS-BIS-04/4.28
RFP Title:	LOCAL SHORT-TERM TECHNICAL ASSISTANCE (STTA): TO THE GOVERNMENT OF THE KYRGYZ REPUBLIC TO DESIGN AND IMPLEMENT POLICY REFORMS, WHICH WOULD IMPROVE THE DISTANCE TO THE FRONTIER SCORE OF THE KYRGYZ REPUBLIC IN THE WORLD BANK'S DOING BUSINESS INDEX.

We offer to provide the goods/services described in the Scope of Work, in accordance with the terms and conditions stated in Request for Proposal referenced above. We confirm that we are eligible to participate in public procurement and meet the eligibility criteria specified.

The validity period of our proposal is 30 days from the time and date of the submission deadline.

TYPE OF BUSINESS/INSTITUTION (CHECK ALL THAT APPLY)

Offeror certifies that it is: Non U.S. Owned/Operated Government Owned/Operated

(If Non U.S. Owned/Operated is selected, continue to Anti-Terrorism Certification)

OR FOR US ORGANIZATIONS ONLY:

- Nonprofit For-Profit Government Owned/Operated
 Large Business Small Business College or University
 Women Owned Small and Disadvantaged Business

ANTI-TERRORISM CERTIFICATION

The Offeror, to the best of its current knowledge, did not provide, within the previous 10 years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts.

The Offeror also verifies that it does not appear on 1) the website of the Excluded Party List: www.epls.gov or 2) the website of the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee"): <http://www.un.org/Docs/sc/committees/1267/consolist.shtml>.

The undersigned declares s/he is authorized to sign on behalf of the company listed below and to bind the company to all conditions and provisions stated in the original RFP document including attachments from Nathan.

Proposal Authorized By:

Signature: _____

Name: _____

Position: _____

Date: _____

Authorized for and on behalf of:

(DD/MM/YY)

Company: _____

Address: _____

DUNS No.: _____ Business Registration No.

ATTACHMENT C. OFFEROR'S OVERVIEW

Contact person/Team leader's name	
Legal Address	
De facto address	
Year of foundation	
Companies profile	
Status of VAT payer	
Taxpayer's individual number	
Head of company (name)	
Contact name	
Telephone number	
E-mail address	
Website	