Request for Proposal

Baseline Survey of Strengthening Smallholder Enterprises of Livestock Value Chain for Poverty Reduction and Economic Growth in Nepal II (SLVC II)

Funded by: Heifer International

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<td>RFP Release Date:</td>
<td>August 23, 2018</td>
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<tr>
<td>Performance Period:</td>
<td>12 days</td>
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<td>Proposal Submission Deadline:</td>
<td>September 3, 2018</td>
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<td>Question/ Inquiry Submission Deadline:</td>
<td>August 31, 2018</td>
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<td>Electronic submission to the attention of:</td>
<td>Administrative Department</td>
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<td>Electronic submission:</td>
<td><a href="mailto:heifer.nepal@heifer.org">heifer.nepal@heifer.org</a></td>
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Contents
1. General Information .......................................................................................................................... 3
2. Project Background .......................................................................................................................... 3
   2.1 Project Identification Data .......................................................................................................... 3
   2.2 Development Context .................................................................................................................. 3
   2.3 Intended Results ......................................................................................................................... 5
   2.5 Existing Data ................................................................................................................................ 7
3. Rational for the Baseline Study ........................................................................................................ 8
   3.1 Purpose of the Baseline Study ..................................................................................................... 8
   3.2 Audience and Intended Uses ...................................................................................................... 8
4. Baseline Design and Methodology ................................................................................................. 9
   4.1 Study Design ............................................................................................................................... 9
   4.2 Data Collection Methods and Data Analysis ............................................................................ 10
   4.3 Methodological Strengths and Limitation ................................................................................ 10
5. Study Products ................................................................................................................................ 11
   5.1. Deliverables ............................................................................................................................... 11
   5.2. Reporting guidelines ................................................................................................................. 11
6. Composition and responsibilities of study team .......................................................................... 12
7. Baseline survey management ...................................................................................................... 13
   7.1 Logistics ...................................................................................................................................... 13
   7.2. Work Schedule ......................................................................................................................... 14
   7.3. Budget ....................................................................................................................................... 14
   7.4. Proposal submission requirements: .......................................................................................... 14
1. General Information
This Terms of Reference (ToR) is being issued in order to solicit applications from potential baseline contractors to conduct the baseline of Heifer International’s Strengthening Smallholder Enterprises of Livestock Value Chain for Poverty Reduction and Economic Growth in Nepal II (Short name: Smallholder’s Livestock Value Chain, SLVC II) project. This is a four year, 25.6 M USD project that is being implemented in Nepal from October 2017 to September 2021.

This TOR contains background information related to the project, the desired methodology, including objectives, the timeframe for conducting the baseline, and a list of deliverables. This document also contains information about the expertise that Heifer is seeking for this activity and guidance on how to submit a proposal for review.

Heifer anticipates awarding a fixed price agreement for the baseline with payments based on the submission and approval of deliverables. The award agreement will include a fixed price payment schedule with specific deliverables.

2. Project Background
2.1 Project Identification Data

<table>
<thead>
<tr>
<th>Project ID</th>
<th>NP3159HINP00</th>
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<tbody>
<tr>
<td>Project Title</td>
<td>Strengthening Smallholder Enterprises of Livestock Value Chain for Poverty Reduction and Economic Growth in Nepal 2 (SLVC II)</td>
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<td>Award Number</td>
<td>HPIAA000000000</td>
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<td>Award Dates</td>
<td>1 October, 2017 to 30 September, 2021</td>
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<tr>
<td>Funding</td>
<td>USD 25.6 million (Heifer portion: $12.76 million)</td>
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<td>Implementing Organization</td>
<td>Heifer Project International Nepal</td>
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<tr>
<td>Country Director</td>
<td>Dr. Shubh N. Mahato</td>
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2.2 Development Context
Livestock is an integral component of the Nepalese farming system, considered as a trigger in poverty reduction, a savings reserve and productive asset to cope with the vulnerability to food scarcity and malnutrition. With an increase in population, improved education and awareness on nutrition, the demand for goat meat and milk is increasing by more than 5% per year and is expected to continue. Nepal is importing around 500,000 goats and about 10,000 kilo liter milk/milk product annually. Within the livestock sector, goat is one of the major sources of meat in Nepal which contributes almost 20% to the total meat market. The productivity of goat is still lower in Nepal in comparison to neighboring countries. The market system is very primitive and informal. Farmers are getting only 39% share in total benefits wherein they contribute over 70% of total cost along the value chain. Similarly, dairy is another promising enterprise in Nepal for small, medium, or large-scale farmers but the productivity is still poor, especially in smallholders' farms. Access to technology, business development services and market are major bottlenecks
faced by the entrepreneurs in Nepal. The cost of production is high in comparison to the price of the milk. Due to lack of market access - a significant volume of milk is being unsold or consumed locally. Backyard poultry is another lucrative enterprise to increase household income with minimal additional cost. It has a high demand in niche market in Nepal.

The vegetable value chain has great potential in Nepal, provided proper irrigation facilities are available. A significant volume and value of vegetable is being imported from India and other countries which could be grown (even organically) in Nepal with use of animal wastes.

Heifer International is a global non-profit organization working to end hunger and poverty and care for the Earth by using sustainable practices and engaging small holder farmers in agricultural development. Since the establishment, it has been working with communities to end hunger and poverty while caring for the earth. It started work formally in Nepal with its first project in 1993. Heifer has assisted more than 250,000 families and transformed their livelihoods through a community-led approach with focus on livestock development programs. The long term country program (2012-23) aims to bring 500,000 families from a state of poverty and vulnerability to sustainability and resilience through their engagement in competitive, sustainable and inclusive goat and dairy value chain enterprises in a holistic system approach for bringing economic growth, improved livelihoods and food and nutrition security. The program also intends to reduce import by 50% in goats and 25% in dairy sector of Nepal. Heifer is currently implementing Goat and Dairy Value Chain Program in 38 districts of Nepal and has been implementing multiple programs in collaboration with government, civil society and private sector to reach the long term goal.

After successful completion of Strengthening Smallholder Enterprises of Livestock Value Chain for Poverty Reduction and Economic Growth in Nepal (SLVC I), Heifer Nepal has designed a second phase of the project (SLVC II). This four-year project aims to support the project families to reach annual living income benchmark (NPR390K/family) by 2021. The project will work with Smallholder Farmers’ Organizations and Value Chain actors to improve market systems primarily in Meat Goat and Dairy value chains along with Back Yard Poultry and Horticulture value chains.

SLVC II will build on the achievements already made to help 125K smallholder farmers from SLVC I and other existing Heifer Nepal projects reach living income benchmark (NPR390K). The average income of the direct project beneficiary will reach NPR 557K, this will increase 72% above the baseline. Additionally, 350K more families will benefit indirectly and progress in their quest of achieving living income. At the end of the project period, a total of 0.5 million families approx. will be assisted by applying accelerate objectives. This project has been implementing in 29 districts of 6 provinces.
2.3 Intended Results
SLVC II will have major two components: (i) Mainstream Activities targeted towards building financially viable sustainable coops, and (ii) Prototypes, to test innovative ideas in moderate scale, adjust for most optimum result and mainstream into the project.
Mainstream activities will be aimed at strengthening cooperatives. The project will support 170 cooperatives that are currently at various capacity levels (A, B, C), supporting them to become financially-viable, sustainable entities. These will be empowered to act as Lead Firms having forward and backward linkages with Micro, Small, and Medium Enterprises (MSME) owned by its members (production, marketing, transport, agro-vet services, trading, etc.). The cooperatives will have a commercial relationship with its member MSMEs, buying and selling various products, services, and solutions.
The products, services and solutions offered by the coops will directly contribute to the growth and profitability of the MSMEs contributing to the project goal of bringing beneficiary families to annual living income and achieving resiliency. At the same time, the coops efforts will be targeted towards a quality product (goat, dairy, vegetables, local poultries) as demanded by the market at a required volume and specifications. This will help to establish the farmers’ organization as a strong value chain actor leading the way in fair share distribution and efficiency in the targeted value chain.
The prototypes will be mainly targeted at overcoming the bottlenecks in the market system with outcomes at two levels – i. increased profitability in MSMEs owned by smallholders; ii. systemic improvement in the industry. Both the outcomes will contribute to the project goal of bringing beneficiary families to annual living income and resiliency.

2.4 Approach and Implementation
SLVC II proposes to undertake a very new and different set of interventions than previously implemented. With this increased focus on prototypes, it will be important to also have a unique and customized project management structure as well. In order to maintain accountability, the project will need both admin and finance functions supporting all activities. However, the programmatic oversight of SLVC II will be managed by 4 distinct but interdependent program units: Strengthening Smallholders Farmer Organizations, Public Private Producer Partnership (PPPP), Business Development and Access to Finance, and Project Management and Support.

The work of SLVC II will be facilitated around market clusters, which are programmatic areas of production centered around a potential market hub. Four main market clusters have been identified and potential for this project: Pokhara, Kohalpur, Bharatpur, and Itahari. Work will be coordinated among the four programmatic areas at the cluster level and each will be supported by a logistics aide. The following figure shows management structures and coordination forum of the project.
SLVC II works with 170 existing coops at varying levels of capacity. The Strengthening Farmer Organizations Unit works to build capacity of farmer organizations in a various domains, including governance, management, financial management, social capital and business. This unit will also ensure quality and consistency of production side. According to the geographical location, these cooperatives are distributed in 17 project clusters to implement the capacity building and collective marketing related activities.

The Public/Private/Producer Partnership (PPPP) Unit focuses on connecting the producer-owned coops with both the public and private sector, primarily in setting up goat abattoirs Along with availing hygienic meat to the consumers, this unit will ensure fair pricing system is established for producers while in this value addition. Similarly, The Business Development and Access to Finance Unit will work to build the capacity of staff at all levels to enable coops, entrepreneurs, and other value chain actors to develop bankable business plan.

2.5 Existing Data
In phase first, Annual Outcome Monitoring Surveys were carried out in the project areas. The survey largely was focused on the assessment the family gross income, production and productivity of goat meat and dairy sub-sectors. Moreover, updates of more than 200 cooperatives figures regarding the membership, fund mobilization business status were documented. In November 2017, Heifer has also carried out a short status survey of these cooperatives internally.
3. Rational for the Baseline Study
Heifer Nepal has clearly defined its targets and indicators for this project but baseline of several of the projected targets are currently unavailable. Therefore, in order to create the benchmarks, a baseline study is necessary to come up with indicators for each of the targets set. These baseline values will be the milestone to measure project’s achievements and outputs towards the end. This will also help devise appropriate monitoring tool of project interventions to reach the stated outputs & achievements. Furthermore, the baseline survey generates and develops the detailed relevant information of the general and targeted beneficiaries of the project’s working areas. This information will guide the project team to revisit the targets set for different activities; plan effectively and coherently in materializing the project goal in a systemic way.

3.1 Purpose of the Baseline Study
The purpose of the baseline study is to establish the benchmark of result indicators that will be used to measure the effectiveness of the project. In relation to the target value chain, the study is expected to provide sufficient quantitative and qualitative details on the current production, processing, pricing, marketing and actors involved in all stages of the value chains. The specific objectives of the survey include:

1. Assess base value of all relevant indicators provisioned in the result framework.
2. Assess existing capacity of farmers owned agri-business organizations (cooperative) based on their stage of development.
3. Assess the production volume, productivity, sales volume, added value, gross margin, actual benefits and income generated at different levels of value chain of targeted commodities.
4. Review existing status of value additions and product diversification related practices among the target value chains, primarily in meat goat
5. Assess the status of jobs (number and quality) in target value chains.
6. Assess the status of business development services (BDS) available to entrepreneurs in target value chains.
7. Analyze the trend and market dynamics of target value chains: marketing functions, volume of transactions, and private sectors engagement at major market centers.
8. Assess the status of compliance met by goat meat entrepreneurs.
9. Identify the underlying policy, institutional, and infrastructural issues, gaps that affect the competitiveness of the selected value chains with reference to the role of governments, public and private sectors in the major market areas.

3.2 Audience and Intended Uses
The audience of the baseline report will be HPI and HPI Nepal, especially the project team and implementing partners. It helps HPIN to review, adjust and improve the project strategies and activities of an intervention. Based on the data collected from pre-intervention conditions, change and impact resulting from the intervention can be measured regularly and systematically,
allowing to monitor progress versus the target for the intervention. This data/information also provides important reference points necessary for setting realistic goals and enhancing transparency. It is expected that project partners, stakeholders and governmental offices will have the opportunity to discuss to what extent the HPI project assisted them and how this type of project could better assist them in the future to meet goals.

4. Baseline Design and Methodology

4.1 Study Design

The study will utilize a wide range of appropriate tools and methodologies to establish the benchmark against project indicators. Data/information gathered from both primary and secondary sources will be utilized for establishing project benchmark. Secondary sources will comprise reports, database and relevant publications. Primary data will mainly concern with project households, cooperatives, and value chain actors’ level.

The consulting firm undertaking baseline study is encouraged to refer the standard sample size calculation guideline and methods developed by Heifer International. Moreover, multi-stage cluster sampling is the recommended survey design to collect household level data. Through this process, sample should represent 29 districts put together into 17 project clusters. We expect a sample size of around 1,400 - 1,500 households. However, the organization could recommend an appropriate survey design and method for estimating sample size.

For market study, representative numbers of value chain actors will be selected from major market centers where the goat meat and dairy products supplies from Heifer project areas. One of the selection criteria will be based on their turnovers, and engagement at different level of processing of products. Heifer encourages consultant to present robust methods of baseline survey.

The detailed methodology and field work schedule will be finalized in consultation with Heifer Nepal. However, the following steps will be ensured by the consultant:

- Visit Heifer Nepal office and hold interactions with project core team to get acquainted with project, its activities and the proposed work.
- Prepare a detailed methodology with robust sample size for household survey and market study.
- Prepare and finalize the survey instruments like questionnaires for in-depth interview, focus group discussion and key informant interview in recommended digital data collection tools. Heifer has subscription for SurveyCTO, a digital data collection platform, which we recommend to use. However, the consultant is free to use other data collection application with the mutual understanding with Heifer.
- During the survey tools preparation, Heifer Performance Indicator Reference Sheets (PIRS) of Global Indicators (GIs) and Project Specific Indicators (PSIs) needs to be closely referred to Household survey questionnaires about global indicator has already been developed and uploaded into digital data collection tool. In case, other tools are used,
these global indicator questions need to be designed with exact same definitions based on their PIRS.

- Pre-test draft questionnaire and checklists and incorporate the inputs in final questionnaire and checklist.
- Share final version of baseline questionnaires and checklist and incorporate comments (if any).
- Prepare a detailed plan of action/schedule covering orientation to enumerators, field work, data collection, analysis, interpretation, draft and final report preparation with concerned project staff.
- Share draft report and obtain comments/inputs and incorporate the same into final report,
- Prepare final report and submit (hard copy and electronic version in word format) to Heifer Nepal Country Office.

4.2 Data Collection Methods and Data Analysis
Heifer has prepared Performance Indicator Reference Sheet (PIRS) of global and project specific indicators. It includes definition of indicators, questions and checklists for data collection, and methodology of data analysis. The consultant is requested to review and use those tools and the PIRS of project indicators during the finalization of methodology and tools.

Broadly, data collection methods will be comprised of a mix of method appropriate to the survey questions. These tools may include a combination of the following:

1) Literature Review:
2) Household Survey Questionnaire
3) Focus Group Discussions
4) Individual Interviews using Checklist or Questionnaire
5) Quantitative analyses (e.g., cost-benefit or return on investment analysis, as appropriate)

Heifer requests the consulting firm outline an appropriate methods of data analysis plans.

Data/information related to the global and project specific indicators will be analyzed based on methods as mentioned in the PIRS. Moreover, market solution methods will be appropriate for analyzing data/information from value chain perspectives. Heifer encourages the consulting firm to suggest other relevant methods for synthesizing data/information.

4.3 Methodological Strengths and Limitation
The proposed methodology of data/information collection is significant and the best for the establishment of the project benchmark. It will also help to reduce the response biasness and important to understand the real aspect of the project participants and target groups. During the execution of the survey, the survey team, in consultation with Heifer can adjust time frame, survey tools etc. if these adjustments will be appropriate and justifiable for this study.
5. Study Products

5.1. Deliverables

The consulting firm will provide the following deliverables within the timeframe stated:

1. Inception Report: within 10 working days of contract start date, a detailed report on the proposed approach to the study will be submitted for approval. This will provide a detailed description of the methodology and tools, research questions, expected outputs, budget with a breakdown of costs and detailed work plan for the entire exercise. Any draft data collection tools will also be submitted for review at this stage.

   The inception report should include:
   - Conceptual framework for undertaking the baseline;
   - Final methodology; including detailed sampling plan and field procedures, detail out data collection framework and data collection tools. Discussion of any limitations to proposed methodology or approach.
   - Quality control measures
   - Communication protocol
   - Work plan/schedule indicating key deliverables and milestones, including outputs and timeline;
   - Baseline team composition and roles

2. Revised Inception report: within 4 working days after receiving comments and feedback from Heifer in the inception report. The revised inception report should include exact sample size and distribution across clusters.

3. Draft Report and Presentation: within 42 days after the submission of revised inception report, the consultant will present the preliminary findings for discussion. The consulting firm should submit the final report with incorporating comments and feedback provided by Heifer.

4. Final Report: within 15 days of submission of draft report, a detailed report of the overall findings of the baseline study will be submitted for approval. This report should incorporate specific, practical and feasible recommendations for improving project delivery and impact based on learning from project design, implementation and delivery.

5. A copy of the raw data, (every single survey response to every question in their original form) and clearly labelled, without calculations or amendments, in STATA/SPSS and Excel in recommended (matrix/wide-form) format. A copy of the ‘cleaned’ data and all workings sheets used during the analyses, preferably in STATA/SPSS and excel. Include the scripts that were used to clean up and to run the statistics.

5.2. Reporting guidelines

The consulting firm should prepare a final version of baseline report on following structure.

1. Executive Summary—concisely state the most salient findings and indicator wise summary base value with unit and quantity (5pages);
2. Table of Contents (1 Pages);
3. Introduction—purpose, audience, and scope of work (1 pages);
6. Composition and responsibilities of study team

**Required and preferred skills**
The team of experts should have experience on qualitative and quantitative research; clear understanding on research methodology and experiences on using different social research tools and techniques. Work experiences in the areas of livestock value chains and market development will be an added advantage.

**Team Leader**
Team Leader should have advance university degree in agriculture/livestock economics or rural development or social sciences with experiences of having conducted at least three baseline studies related to livestock value chains and market development. Additional skills will be:

- Expertise in baseline, and evaluation design.
- Expertise working in international development, agricultural economics, rural development.
- A good understanding of livestock value chain, market development, private sector engagements.
- Expertise on donor/funder expectations and requirements.
- Expertise on quantitative and qualitative data management

The team members should have experience in the following areas:

**Value Chain/Market Development**: Minimum Master’s Degree in business studies, or related fields with proven experience in livestock value chain and market development. A substantial experience in baseline studies, feasibility assessment, and/or impact studies is required.

**Livestock Development**: M.V. Sc / M.Sc in Animal Science with proven working experiences in the areas of goat meat and dairy sectors. The incumbent professional should have more than 3 years’ of work experiences in the development sectors.
**Agricultural Economics:** Minimum Masters’ Degree in agricultural economics with demonstrated experience in agri-business, inclusive business, value chain financing, economic policies, national policies on agribusiness etc.

**Data Analysis:** Master’s Degree in Statistics or relevant fields with demonstrated experience in socio-economic data analysis using credible tools, techniques and software.

**Supervisors and enumerators:** Bachelors’ degree with relevant field experience.

**Responsibilities**

a) Develop/design baseline study including questionnaire for HH survey and checklist and tools for group interaction including FGD with project beneficiaries at different levels.
b) Share study design including process, methods and questionnaires/checklist with project team, collect feedback and finalize the study design.
c) Pre-test questionnaires and other tools in one of the project areas.
d) Submit inception report.
e) Debrief/discuss with project team about effectiveness of questionnaire, checklists and other tools used in pre-test, collect feedback and finalize them.
f) Orient, train and supervise the enumerators.
g) Carryout field work together with enumerators.
h) Ensure the quality of information collected from fields, cross check with the validity of information collected and verify/revise where needed.
i) Update progress of the study on weekly basis to PME Manager.
j) Analyze data and prepare quality report.
k) Present draft report to Heifer, and
l) Submit final report (a compiled version of the report - both hard copy and electronic version in word format) to the project after incorporating the feedbacks and suggestions from Heifer.

7. Baseline survey management

7.1 Logistics

Heifer International Nepal will assign this responsibility to one of its staff, who will manage and coordinate the whole process from Heifer’s side. The Baseline Coordinator will serve as the primary contact with consulting firm and with the project team, and facilitate the required support from Heifer. Any change in SOW, plan and process, methodology etc. must be agreed with Baseline Coordinator. During the baseline, the consulting firm may seek and receive additional advice or guidance from the Baseline Coordinator, but the firm will operate independently, without direct supervision by any Heifer staff.

The assignment will require travel to and staying in the target project region in Nepal. Use of Heifer Nepal office space may be available. Other than office space, all other resources (transport, hotel reservations, data collection enumerators, etc.) should be arranged by the consulting firm itself.
7.2. Work Schedule
Detail will be worked out jointly with the consulting firm and project staff. However, the work is expected to commence from MMDDYY, for an estimated 2.5 months’ period.

The final report of baseline will be expected to come within 2 months. The tentative timeframe of the study is given in the following table.

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<td>Project orientation meeting</td>
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<td>2</td>
<td>Inception report: methodology, sample size, survey tools</td>
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<tr>
<td>3</td>
<td>Submission of revised inception report</td>
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<td>4</td>
<td>Training to Enumerators/ pre-test tools</td>
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<tr>
<td>5</td>
<td>Data Collection</td>
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<td>6</td>
<td>Data Analysis</td>
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<td>7</td>
<td>Draft Report Submission (first draft)</td>
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<td>8</td>
<td>Submission of second draft after incorporating feedback</td>
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<td>9</td>
<td>Workshop for presentation of survey findings (Validation)</td>
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<tr>
<td>10</td>
<td>Final Report Preparation and Submission,</td>
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7.3. Budget
Budget should cover all costs for remuneration, travel, workshops, and meetings. Prevailing GoN rules will be applied for tax purpose.

Mode of payment: payments will be made in the following three installments

- 30% of the agreed budget as an advance upon signing of the agreement
- 40% of the agreed amount one week after the submission of the 1st draft report.
- Remaining 30% after satisfactory quality check by Heifer after submitting the final report after incorporating the feedback and comments.

7.4. Proposal submission requirements:
All interested consulting firm will submit their proposals with the following information:

12.1 Technical Proposal (not to exceed 10 pages)

General information (not to exceed 2 pages):
- Organization name, legal status, VAT number, Tax clearance status
- Website
- Contact person from the consulting firm

Technical Approach (not to exceed 8 pages):
- A detailed methodology on how the assignment will be conducted, including a qualitative and quantitative data collection approaches, sampling strategy, sample size, data collection
methods and systems/technology to use, field procedures, quality control practices and data analysis
- List and briefly describe the team and its proposed personnel, indicating what role each proposed individual will have. (Curriculum vitae (CV) of the team members to be provided in an attachment)
- A clear and comprehensive work plan (draft), outlining the major activities, responsible and time schedule
- Organizational capacity statement, including past experiences and activities related to the theme of the study. Reference information must include the location, award numbers, and brief description of work performed
- At least three references of other clients for which similar assignments were undertaken with contact information for each one.

**Financial Proposal (in NPR)**
- Itemized budget;
- Narrative explanations of line items;

Interested consulting firm legally eligible to implement this assignment in Nepal are requested to submit a proposal. Please include the name of the person in your organization who will be involved in negotiating the contract as well as your telephone and email contact information.

Submission must be in English and typed single-spaced using Times New Romans font size 12, with a complete set of appendices/attachments as applicable. All pages must be numbered and name of the organization at the bottom of each page.

**12.2 Late Submissions and Modifications:**

Proposal received after the submission deadline will not be considered. Offerors are responsible to ensure their proposals are submitted according to the instructions stated herein. Heifer retains the right to terminate this RFP or modify the requirements upon notification to the Offerors.

**12.3 Selection Criteria**

Submitted proposals must clearly demonstrate alignment with the SOW outlined above with appropriate level of details. Proposals will be evaluated according to the following criteria:

**12.4 Proposal evaluation focus:**
- Accuracy and relevance of the proposed technical approach and methodology 25%
- Completeness of proposal (activity plan, budget, team expertise, etc.) 10%
- Proposed team: expertise and competencies to address project components 20%
- Relevance of the consultant/organization skill base to implement/manage the assignment 20%
- Budget justification and costs realism 25%

The selection committee will evaluate the technical proposal based upon the criteria listed above, and the financial proposal will be assessed for its cost-effectiveness in the budget.

**12.5 Award Process and Contract Mechanism**
If your organization is selected, all information in this document and the negotiation process are contractually binding.

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<tr>
<th>No.</th>
<th>Activity</th>
<th>Due date</th>
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<tr>
<td>1</td>
<td>Proposal reception</td>
<td>August 23 to September 3, 2018</td>
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<td>2</td>
<td>Selection Committee review</td>
<td>Second week of September</td>
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<tr>
<td>3</td>
<td>Notification of award</td>
<td>Third week of September</td>
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12.6 Limitations

This RFP does not represent a commitment to award a contract, to pay any costs incurred in the preparation of a response to this RFP, or to procure or to contract for services or supplies. Heifer reserves the right to fund any or none of the applications submitted and reserves the right to accept or reject in its entirety and absolute discretion any proposal received as a result of the RFP.

12.7. Intellectual Property

Section 1. Ownership Generally. Subject to Section 8.2 below, any intellectual property (including but not limited to copyrights, trademarks, service marks, and patents), intellectual property rights, deliverables, manuals, works, ideas, discoveries, inventions, products, writings, photographs, videos, drawings, lists, data, strategies, materials, processes, procedures, systems, programs, devices, operations, or information developed in whole or in part by or on behalf of Contractor or its employees or agents in connection with the Services and/or Goods (collectively, the “Work Product”) shall be the exclusive property of HPI. Upon request, Contractor shall sign all documents and take any and all actions necessary to confirm or perfect HPI’s exclusive ownership of the Work Product.

Section 2. Prior-Owned Intellectual Property. Any intellectual property owned by a Party prior to the Effective Date (“Prior-Owned IP”) shall remain that Party’s sole and exclusive property. With regard to any of Contractor’s Prior-Owned IP included in the Work Product, Contractor shall retain ownership, and hereby grants HPI a permanent, non-exclusive, royalty-free, worldwide, irrevocable right and license to use, copy, reproduce, publicly display, edit, revise, perform, and distribute said intellectual property, in any format or any medium, as part of the Work Product.

Section 3. Work Made for Hire. To the extent copyright laws apply to the Work Product, the Parties agree that (a) HPI specially ordered or commissioned the Work Product, (b) the Work Product is a “work made for hire” under United States copyright laws, and (c) HPI shall be deemed the author thereof and shall own all right, title, and interest therein. To the extent such rights, in whole or in part, do not vest in HPI as a “work made for hire”, Contractor hereby irrevocably grants, assigns, and transfers to HPI, exclusively and in perpetuity, all of Contractor’s rights of any kind or nature, now known or hereafter devised, in, to, and in connection with the Work Product, and HPI shall solely and exclusively own any and all rights therein, and in the elements thereof, including but not limited to any and all allied, ancillary, subsidiary, incidental, and adaptation rights. Contractor hereby waives any and all rights known as “moral rights”, and any similar rights, which Contractor may have in connection with the Work Product. The description of Services and/or Goods provided in this Agreement shall in no way limit the manner in which HPI may use the Work Product.
12.8 Eligibility

Offerors must be legally registered to operate in Nepal. The Offeror must be registered in VAT and tax clearance certificate.