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## REQUEST FOR PROPOSAL – Gap analysis & recommendations for advancing the Honduran Electricity Industry General Law, and analysis of the technical needs of the Secretary of State for Energy

<b>RFP Issue date:</b>	<b>October 11, 2021</b>
<b>Last date for questions:</b>	<b>October 18, 2021 (17:00 ET)</b>
<b>Response to questions:</b>	<b>October 19, 2021 (17:00 ET)</b>
<b>Closing date of RFP:</b>	<b>October 29, 2021 (17:00 ET)</b>
<b>Implementing Organization:</b>	<b>United States Energy Association</b>
<b>Funding Agency:</b>	<b>United States Agency for International Development</b>
<b>Technical assistance recipients:</b>	<b>Honduras</b>
<b>Location:</b>	<b>Remote</b>

The United States Energy Association (USEA) is inviting prospective organizations or individuals through this request for proposal (RFP) to submit proposals to write a report on Honduras' General Law of the Electrical Industry with proposals on actions to eliminate the existing gaps in the General Law of the Electrical Industry and options for strengthening the legal area of the Secretary of State for Energy (Secretaría de Estado en el Despacho de Energía).

Proposals are due by 17:00 hours EDT of the closing date. Please forward your proposal in soft copy with a read receipt to Ms. Johanna Koolemans-Beynen, Senior Program Coordinator, USEA, at [jkoolmans-beynen@usea.org](mailto:jkoolmans-beynen@usea.org).

As this is a USAID-funded program, the RFP follows USAID Procurement Regulations and Laws. All bidder details will be kept confidential.

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### I. INTRODUCTION

The [United States Energy Association](#) (USEA), headquartered in Washington, DC, is an association of public and private energy-related organizations, corporations, and government agencies.

Through a cooperative agreement with the United States Agency for International Development (USAID) [Bureau for Development, Democracy, and Innovation](#) (DDI), USEA implements an Energy Utility Partnership Program (EUPP) available to all USAID-assisted countries and USAID missions. EUPP supports USAID-partner countries in their efforts to increase environmentally sustainable energy production and improve the operational efficiency and financial viability of their utilities and related institutions. The goal of the EUPP is to increase access in USAID-assisted countries to environmentally sound energy services.

USEA seeks an experienced energy sector expert with extensive legal and regulatory experience to assist with the execution of a study on Honduras' General Law of the Electrical Industry, with the goal of providing viable options on how to reduce the existing gaps in this law and strengthen the legal area of the Secretary of State for Energy.

## **II. SCOPE OF WORK**

The Energy Sector Expert will complete a report outlining the following:

1. A brief overview of the existing energy sector legal and regulatory framework in Honduras
2. The role of the General Law of the Electrical Industry within this framework and how it has impacted the legal and regulatory framework.
3. A clear and objective evaluation of the shortcomings of this Law, in comparison with best industry practices in countries with a similar framework, and in view of the fact that, although the Secretary of State for Energy was created after the General Law of the Electricity Industry was passed, the Secretary was made legally responsible for filling the gaps in this Law.
4. A discussion of legal, regulatory and policy options for eliminating these shortcomings
5. An evaluation of the current legal and regulatory expertise and capacity needs of the energy ministry and options for how this expertise could be improved

### **Deliverables**

Based on the Scope of Work, the following deliverables shall be submitted:

- Proposed outline of report
- Draft report
- Study, as outlined in the Scope of Work
- Executive summary of recommendations, 1-2 pages

### **Schedule of Activities**

The project duration is 5 weeks, with an expected completion date in late December 2021. Expected contract signing is mid-November. This timeline may shift, as needed, to accommodate contract approvals. For each deliverable, lead time to review the output, give comments or/and approve report will be 3 business days.

- Contract signing (expected) November 19, 2021
- Kickoff meeting November 22, 2021
- Proposed outline of report November 29, 2021
- Draft report December 12, 2021
- Final report December 23, 2021

## **III. IMPLEMENTATION AND APPROACH**

The purpose of this RFP is to solicit proposals from various candidate organizations or individuals, conduct a fair evaluation, and select the organization deemed most suitable to undertake the project.

### **Subcontract Agreement Management and Oversight**

A subcontract agreement between USEA and the winning bidder shall be subject to all USAID Special Terms and Conditions, including all mandatory FAR Flow-Down clauses, where applicable, and the provisions included in 2CFR200 and 2CFR700. All bidders are strongly encouraged to review these provisions prior to submitting a proposal.

- Standard Provisions for U.S. Nongovernmental Organizations: <https://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>
- 2CFR200: <https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part200.pdf>
- 2CFR700: <https://www.gpo.gov/fdsys/pkg/CFR-2015-title2-vol1/pdf/CFR-2015-title2-vol1-part700.pdf>

Subcontract agreement management, oversight, and payment will be carried out by USEA.

#### IV. PROPOSAL CONTENT

The proposal must follow the structure outlined below, contain the following components, and be within page limitations. Failure to follow the outline and page limits prescribed or exclusion of any of the required items will impact the proposal's scoring. Maximum proposal limit 10 pages (inclusive of cover page and annexes).

<b>Cover letter</b>			
	<b>Description</b>	<b>Notes</b>	<b>Maximum page length</b>
	<p>Must include bidder's current Data Universal Numbering System (D-U-N-S) number</p> <p>Give status of System of Award Management (SAM) registration</p>	<p>DUNS and SAM registration are only required for proposals over USD\$25,000. If the offer is below this amount, then the bidder must include exchange rate proof (screenshot) to substantiate that the bid is under the USD\$25,000 threshold. Proposals in value of USD\$25,000 or greater without a DUNS number will not be considered and need not apply.</p>	2 pages
Eligibility Requirements	<p>Bidders must demonstrate the following experience in the last 5 years.</p> <ul style="list-style-type: none"> <li>• Extensive experience as an energy-sector legal and regulatory expert</li> <li>• Experience in the Central American, and especially the Honduran, energy sector</li> <li>• Legal and regulatory writing experience</li> </ul>	<p>Bidder to provide references, writing sample, and examples of projects to demonstrate past organizational experience relevant to the eligibility requirements. The information must include project name, project description, client name, year of performance, clearly</p>	2 pages

		mention if the bidder was a lead consultant or an associate.	
Technical proposal			
Subject heading	Description	Notes	Maximum page limit
Demonstration of the issues	Demonstration of an understanding of the issues outlined in the Scope of Work		1 page
Technical approach	Approach to implementing the Scope of Work		1 page
Team assignments & Bio sketches	For each member of the team: 1 <sup>st</sup> : Summary of work to be performed by/assignment of each individual proposed 2 <sup>nd</sup> : (Immediately following the assignment) Bio sketch that highlights the individual's direct experience with the subject matter	The bidder can propose a consortium of multiple organizations and/or individuals; however, one organization must be identified as the lead organization who will enter into contract with USEA and be in compliance with the SAM and DUNS registration noted in this RFP.	1 page per person total  ½ page for assignment per person, followed by ½ page for bio sketch

Financial proposal			
Subject heading	Description	Notes	Maximum page limit
Summary of costs	Line-item budget with detailed justification of all costs associated with the project, including labor, direct and indirect costs (printing, administrative supplies, etc.)	Must be in USD  Must be inclusive of taxes (if applicable)	1 page
Labor fees	Anticipated labor costs, broken down by the number of man-hours and fully loaded daily rate for each individual proposed for this project	Must include names and titles of the individuals  Must be in US\$  Must be inclusive of taxes (if applicable)  All salary information will be kept confidential.	1 page
Annex			
	Description	Notes	Maximum page limit
Annex 1	Proof of System of Award Management (SAM) registration	Please note that <a href="#">SAM registration</a> is a 10-step process and can take several	

		<p>weeks to complete. Please refer to this <a href="#">guide</a> for more information.</p> <p>If a bidder has not completed the SAM registration process by the proposal submission due date, USEA will accept a proposal if it includes a PDF copy of an email from "<a href="mailto:notification@sam.gov">notification@sam.gov</a>" to the bidder stating that the bidder "successfully submitted the entity registration for NAME OF COMPANY in the U.S. Government's System for Award Management (SAM)".</p> <p>Proposals without proof of SAM registration or an email from <a href="mailto:notification@sam.gov">notification@sam.gov</a> stating acceptance of SAM application, will not be considered and need not apply.</p> <p>SAM registration is mandatory for signing of the contract. The selected bidder should submit proof of SAM registration completion within seven business days of USEA's intimation regarding their selection. Failing which, it will be USEA's sole discretion to either extend the timeline for submission of these documents or make an offer to another bidder.</p>	
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<b>Annex 2</b>	Curricula Vitae	Summary of relevant experience of each proposed team member for (not beyond) the past 10 years. Relevant experience should be listed chronologically (starting with the most recent).	2 pages per person
<b>Annex 3</b>	USAID Contractor Employee Biographical Data Sheet	Completed USAID Contractor Employee Biographical Data Sheet forms for each employee proposed for this project <a href="https://www.usaid.gov/forms/aid-1420-17">https://www.usaid.gov/forms/aid-1420-17</a>	1 page per person
<b>Annex 4</b>	Organization experience	Summary of the company's or companies' background and experience with relevant projects	5 pages

## V. EVALUATION CRITERIA

Selection of an offer for a subcontract award will be based on an evaluation of proposals against qualifications, subject matter expertise, technical approach, and budget justification. Proposals shall first be evaluated from a technical standpoint (qualifications, subject matter expertise and technical approach) without regard to proposed budget justification. For those proposals determined to be technically acceptable, budget justification will be evaluated.

Evaluation Criteria:	25%:	Experience with similar projects (for each individual on the team & the organization in general)
	25%:	Subject matter expertise (education and professional experience)
	20%:	Technical approach
	30%:	Cost

## VI. QUESTIONS AND PROPOSAL TIMEFRAME

All questions related to this RFP should be submitted via email with a read-receipt to Ms. Johanna Koolemans-Beynen at [jkoolmans-beynen@usea.org](mailto:jkoolmans-beynen@usea.org) no later than 17:00 pm EDT on **October 15, 2021**. All questions and answers will be posted on USEA's website.

Interested parties are requested to submit final proposals no later than **October 29, 2021** by 5:00 pm EDT. Proposals should be sent via email with a read receipt to Ms. Johanna Koolemans-Beynen at [jkoolmans-beynen@usea.org](mailto:jkoolmans-beynen@usea.org).

**END OF RFP**