



## MCA-Morocco

### NOTICE OF INTENT TO AWARD SOLE SOURCE CONTRACT

#### Supporting the Design and the Implementation of a Technical Assistance and Capacity Building Program on Industrial Land in Morocco

On November 30, 2015, the Government of the Kingdom of Morocco concluded a second cooperation program (Compact II) with the United States Government, represented by the Millennium Challenge Corporation (MCC), with the objective to improve the quality of human capital and land productivity.

The budget allocated by MCC to Compact II, which came into effect on June 30, 2017, amounts to 450 million dollars, to which is added a contribution of the Moroccan Government of a value equivalent to at least 15% of the American contribution. The global budget will finance, over a period of five years, two projects, namely "Education and Training for Employability" and "Land Productivity", the implementation of which has been entrusted to the Millennium Challenge Account - Morocco (Agence MCA-Morocco).

MCA-Morocco hereby gives notice of their intent to award a contract to UNIDO (United Nations Industrial Development Organization), on a sole source basis utilizing the MCC Program Procurement Guidelines (PPG) procedures in accordance with Sole Source Selection which is contracting without competition and may be an appropriate method under the circumstances set forth in the clauses P1.B.3.14, P1.B.3.15, P1.B.3.16, P1.B.3.17, P1.B.3.18 et P1.B.3.19 (see Annexes).

MCA-Morocco has determined that UNIDO has experience of exceptional worth for the assignment and the consulting services contract cannot be competitively procured for the following reasons:

1. UNIDO has a unique experience in industrial zones around the world (170 member countries). Indeed, UNIDO has acquired global experience in the development, the management and the modernization of industrial zones through over 40 years of technical assistance provided to industrial zones of emerging economies on four continents; Africa, Eastern Europe, Central Asia, Latin America, Near and Far East. This has enabled UNIDO to develop a set of methodologies, software and tools, all constituting unrivaled know-how in the field under consideration. Also, UNIDO has all the necessary intern resources and capabilities to provide an integrated set of supporting services related to industrial zones;
2. UNIDO doesn't use to respond to tenders;
3. UNIDO has developed an expertise of over 30 years in Morocco by initiating and carrying out jointly with the Government several projects in the field of industry, commerce, agriculture and environment. UNIDO last program with Morocco was concluded with the Ministry of Industry on March 26<sup>th</sup>, 2019. This Program for County Partnership (PCP) whose implementation will last 5 years will focus among others on industrial zones.

The duration of consultations services required from UNIDO is **24 months**. Services include:

1. Developing and implementing a capacity building program on industrial land. This program will cover several topics related to industrial zones planning, development and management. The program includes (i) training actions based on the need of target groups, (ii) developing didactic tools and knowledge products, and (iii) organizing or taking part of study tour and/or relevant national and international conferences.
2. Establishing an electronic platform on industrial land whose aim is (i) to facilitate industrial zones data collecting (data updating); (ii) to enable the analysis and exploitation of this date (quality of infrastructure, zones requiring revitalization programs, available land by region, nature of requests from the platform users, etc.), and (iii) to make clear, precise and exhaustive information on industrial land and its characteristics available to the various users, in particular for potential investors and institutions.



3. Scanning existing industrial zones in order to get an overview of these areas at the national level. The aim is to provide the electronic platform on industrial land with data, and to allow the Ministry in charge of Industry to develop the necessary action plans for the rehabilitation of these zones and their compliance with the new legal framework on industrial areas.

This is not a request for competitive bids; however, MCA-Morocco will consider responses from all responsible firms received by **20 March 2020**. Responses must be supported with clear and convincing evidence to clearly be able to provide the services outlined in this notice. Any responses received will only be considered for the purpose of determining whether to conduct a competitive procurement in lieu of the sole source contract described in this notice, and such determination shall be made at the sole discretion of MCA-morocco.

Annex:

P1.B.3.14 Sole Source Selection (SSS) of consultants does not provide the benefits of competition with regard to quality and cost, lacks transparency in selection, and could encourage unacceptable practices. Therefore, SSS shall be used only in exceptional cases. The justification for SSS shall be examined in the context of the overall interests of the MCA Entity and implementation of the Compact and the responsibility of MCC to ensure economy and efficiency and provide equal opportunity to all qualified consultants.

P1.B.3.15 Sole Source Selection may be appropriate only if it presents a clear advantage over competition (a) for tasks that represent a natural continuation of previous work carried out by the firm or individual (see paragraph P1.B.3.16), (b) in emergency cases, such as in response to disasters and for consulting services required during the period of time immediately following the emergency, or (c) when only one firm or individual is qualified or has experience of exceptional worth for the assignment. Lack of time to conduct a competitive procurement is not an acceptable justification to use SSS.

P1.B.3.16 When continuity for downstream work is essential, the initial RFP shall outline this prospect, and if practical, the factors used for the selection of the consultant shall take the likelihood of continuation into account. Continuity in the technical approach, experience acquired, and continued professional liability of the same consultant may make continuation with the initial consultant preferable to a new competition, subject to satisfactory performance in the initial assignment. For such downstream assignments, the MCA Entity shall ask the initially selected consultant to prepare technical and financial proposals on the basis of the TOR furnished by the MCA Entity, which shall then be negotiated.

P1.B.3.17 If the initial assignment was not awarded on a competitive basis or if the downstream assignment is substantially 15 larger in value, a competitive process acceptable to MCC shall be followed in which the consultant carrying out the initial work is not excluded from consideration if the consultant expresses interest; provided that there is no conflict of interest. MCC will consider exceptions to this rule only under special circumstances.

P1.B.3.18 Any consulting services that cannot be competitively bid shall be justified and documented through the use of a Sole Source Form. Once the justification for Sole Source Selection is approved per Attachment A PPG Approval Matrix, the MCA Entity shall request the selected firm or consultant to prepare a proposal using the SBD bidding forms and on the basis of the TOR. At the end of the proposal review process, the MCA Entity shall prepare a report documenting the results of the review and, if required by Attachment A PPG Approval Matrix, submit the report to MCC for its review and approval. The report shall include eligibility checks, technical responsiveness, and price reasonableness of the proposal.

P1.B.3.19 For all SSS procurements valued above USD5,000, the MCA Entity, after the contract signature, shall post at the MCA Entity's website or such appropriate website designated by the MCA Entity and approved by MCC, the name of the consultant, price, duration, and summary scope of the SSS contract. This information may be published quarterly and in the format of a summarized table covering the previous period. In some cases, MCC may require the MCA Entity to publish the intent to use SSS prior to entering into a contract and obtain input from the market.