



REQUEST FOR PROPOSAL
FOR BASELINE ASSESSMENT IN BRAZIL
RFP # VPSHR217

Issued by
The Secretariat for
The Voluntary Principles on Security and Human Rights Association (VPA)
and
The Voluntary Principles on Security and Human Rights Initiative (VPI)

1. Overview and Purpose

1.1 Overview

The Voluntary Principles on Security and Human Rights (VPSHR or simply Voluntary Principles) are an internationally recognized set of principles that guide companies on how to conduct their security operations while ensuring respect for human rights.

The Voluntary Principles were created in 2000 when companies, governments, and NGOs committed to work together to address security-related human rights abuses and violations in the extractive sector. Today, the Principles help companies in various industries.

To promote the implementation of the Principles, the Voluntary Principles Initiative (VPI) was created. The Initiative is comprised of over 75 members including companies, governments, and non-governmental organizations that share best practices and mutually support the implementation of the Principles. For additional information, please visit: <http://www.voluntaryprinciples.org/>.

The Voluntary Principles Association (VPA), with whom the successful bidder will formally enter into a contract, is the formal not-for-profit legal entity, domiciled in the Netherlands, designed to address the basic administrative and financial needs of the Voluntary Principles Initiative (VPI). The VPA is governed by the Articles of Association and the Board of Directors.

The Secretariat, located in Ottawa, Canada, is responsible for the day-to-day business of both the VPI and the VPA.

1.2 Context – In-Country Working Groups

While the VPI includes members from around the world, in select instances, In-Country Working Groups (ICWGs) have been created to facilitate effective and enhanced country-level implementation.

ICWGs can improve in-country stakeholder coordination and engagement between governments, companies and Civil Society Organizations; support constructive dialogue on the ground; build capacity to identify and address local, in-country challenges related to implementation of the Voluntary Principles on Security and Human Rights; and facilitate the identification of joint solutions.

The first step for the creation of a new in-country working group is completing a stakeholder mapping. The stakeholder mapping was an exercise that identifies specific organizations that should be included in a broader multi-stakeholder dialogue related to VPSHR; an initial scoping of opportunities for Voluntary Principles implementation, and potential relationships, and/or engagement with local partners that themselves have extensive local networks that can be leveraged to avoid duplicating resources. The Brazil Stakeholder Mapping was completed, and the Brazil In-Country Working Group was launched in November 2022.

Additionally, the Brazil In-Country Working Group drafted a workplan, which includes the development of this Baseline Study; some of the agreed on and possible future activities will build on the findings of the baseline assessment.

1.3 Context – Brazil

Brazil is a country full of natural resources and rich biodiversity distributed among the 26 states plus the federal district. The country is a democracy governed by the rule of law with robust human rights institutions. However, Brazil continues to face extreme social inequality. Concentration of wealth and discrimination based on race, social origin, gender stereotypes and sexual orientation has led to historical exclusion of those groups.

Inequality and other social issues have also led to country to face increasing violence and activity by organized crime groups. Disproportionate use of force, police lethality, impunity for crimes committed by public and private security, discrimination, and threats to human rights defenders are also ongoing human rights issues in the country.

Mining:

Mining plays an important role in the Brazilian economy, its contribution to the economy being around 2% and 4% of the country's Gross Domestic Product. Brazil is positioned as the world's second largest producer of iron ore and the world's leading producer of niobium. It employs approximately 174,719 people directly. The states with the largest operations and jobs are Pará and Minas Gerais. Relevant issues in Human Rights and Security in the mining sector is related to environment conflicts; indigenous rights; right to free expression and access of information; public and private security conduct and illegal mining.

Energy:

The energy sector has a big weight in the Brazilian economy, and it occupies the eighth position in the world ranking of oil production and exportation. Rio de Janeiro is the largest national producer, with 80.5%, followed by São Paulo and Espírito Santo. Human rights violations are related to the persecution, criminalization and killing of human rights defenders for denouncing environmental crimes and protest related to the lack of social license to operate and incidents with criminals that often steal oil and assets from pipelines of energy companies.

1.4 Purpose

Working under the oversight of the Secretariat of the Voluntary Principles Initiative the consultant will develop a Baseline Study offering the necessary analysis and recommendations to inform the Brazil multi-stakeholder In-Country Working Group's future strategy and work plans on Security and Human Rights.

The **objective** of the baseline assessment is to **enhance the capacity of the members of the Brazil In-Country Working Group to accurately understand and predict human rights risks, and understand existing impacts related to the provision of security in mining and energy sectors in different regions of Brazil.**

Examples of risks and challenges could include a pattern of excessive use of force by private or public security providers, allegations of discrimination against minorities or Indigenous groups by security providers, illegal mining, etc.

The Baseline Study will involve desk review and interviews with key stakeholders to identify and address current issues related to security and human rights. The study will also propose some recommendations, including suggested Key Performance Indicators (KPIs), for each recommendation.

The Brazil In-Country Working Group will review these recommendations and KPIs for inclusion in future strategies and work plans.

For details on the report requirements and the Logic Model please see Annex A.

2. Timeline and Notifications

Publication of RFP	Monday August 26, 2024
Deadline for Submission of Questions	Monday September 9, 2024
Publication of Answers to Questions on website	Friday September 13, 2024
Proposal Due date	Thursday September 26, 2024
Review and evaluation	Friday September 27, 2024 – Friday October 4, 2024
Notification of Shortlisted Bidders	Monday October 7, 2024
Shortlisted Bidders Interviews (if needed)	Tuesday October 8, 2024 – Friday October 11, 2024
Negotiation and Award notification	Monday October 14, 2024 – Friday October 18, 2024
Expected starting date of new contract	Monday October 28, 2024

Please note that these dates are subject to change at the discretion of the Secretariat.

2.1 Submission of Questions & Publication of Answers

Please send any questions regarding the RFP to tenders@voluntaryprinciples.org

Responses to questions will be posted on the VPI website according to the timetable.

3. General Requirements

3.1 Communications

The Secretariat is the official point of contact for the bid process. Any questions or other communications must be directed to the tenders@voluntaryprinciples.org

Any communication with parties not expressly named in this RFP may result in the disqualification of your organization from further consideration.

3.2 Eligibility

Bidders must meet the following eligibility requirement:

- a) Resident of Brazil (with residence in Brazil during the time of the consultancy).
- b) Education: Degree in International Relations, Political Science, Law, or another relevant field.
- c) Experience: A minimum of seven years of experience in developing research and publications on human rights issues and/or security-related issues. Working experience and knowledge of the extractives sector and its governance in Brazil is highly desirable.
- d) Language: fluency in Portuguese and English is required.

4. Required Format and Submission

4.1 Proposal Responses

Proposal responses should be organized and submitted in accordance with the instructions in this section. Responses should be organized as follows:

- I. Technical Proposal
- II. Detailed Budget
- III. Signed Declaration (Annex B)

I. TECHNICAL PROPOSAL

The technical proposal should respond to Annex A: Report Requirements by describing the following:

- CV(s) for the consultant or each member of the consulting team, demonstrating relevant expertise and ability to deliver the project.
- A proposed methodology for carrying out the work, as described in Appendix A.
- An estimated timetable for implementation.

II. DETAILED BUDGET

The Bidder should provide a separate document related to the pricing of its proposal.

All proposals must address the following financial requirements:

- a) All prices should be quoted in USD, excluding VAT and other taxes.
- b) Bidders are strongly encouraged to submit proposals calculated on a fee basis including the following (as applicable):
 - Daily rates applicable to each consultant required to do the work
 - Number of days of expected work in the proposal for each consultant
 - Any other costs that may be incurred
- c) The Bidder shall describe its invoicing schedule.

Bids should not exceed \$30,000 USD (thirty thousand American dollars).

III. SIGNED DECLARATION

The Declaration in Annex B must be signed by a duly authorized representative of the bidder and included in the bid.

4.2 Electronic Submission

Proposals shall be submitted electronically in pdf format to the Secretariat at tenders@voluntaryprinciples.org. Submissions should include the RFP number in the subject line. Please attach Technical and Financial Proposals as separate pdf documents.

4.3 Receipt by Bid Due Date

The Evaluation Team must receive the Proposal no later than 5:00pm EST on the Proposal Due Date set forth in Section 2.0 of this RFP.

4.4 Bidder Contact Information

Bidder is to enter its correct entity name and full address in their Proposal, followed by the signature and designation of the person authorized to bind the Bidder in this matter, and the date. The name and title of each signatory shall be typed or clearly printed below the signature.

4.5 Declarations

Each Bidder shall include a signed Declarations form (Annex B) confirming that they meet the eligibility requirements and will comply with VPA expectations regarding proper conduct. To avoid any potential conflicts of interest, any successful bidder must disclose any and all commercial relationship(s) with existing VPI participants and VPA members and propose a plan for mitigation.

5. Evaluation Criteria

Proposals will be assessed by the Evaluation Team according to the following criteria:

1. General knowledge of Brazil extractive sectors.
2. Experience in working on social impacts of extractive sector projects or stakeholder engagement, government relations, or other relevant field.
3. Likelihood that the proposed methodology will result in an effective Baseline study report.
4. Overall value for money, appropriateness of the budget

Proposal evaluation will be weighted 80% technical and 20% financial. Financial proposals will only be scored if the bidder receives a minimum score of 70% upon evaluation of the technical proposal.

6. Reservation of Rights

This RFP should in no way be construed as an offer of purchase, but rather is a request for services, products, fees, and expenses information, which will assist the Evaluation Team (on behalf of the VPA) in selecting a vendor for supplying the scope of services listed in the RFP. The VPA reserves the right to alter the timeframes published in this RFP. The VPA hereby assumes no financial responsibility, direct or indirect, for the cost of preparing any proposals, or amendments thereto. The VPA has the right to retain all proposals submitted in response to this RFP. The VPA makes no commitment in or by virtue of this RFP to purchase any services.

7. Debriefing

An unsuccessful bidder may request a debriefing within 10 business days of award notification.

Annex A: Report Requirements

Logic Model:

A research consultant is required to develop this Baseline Study on Voluntary Principles Implementation in Brazil.

Objective	Members of the Brazil In-Country Working Group have enhanced capacity to accurately understand and predict human rights risks, and understand existing impacts related to the provision of security in mining and energy sectors in different regions of Brazil.
Outcome	Brazil working group members will have increased capacity to plan effective activities to prevent and address security-related human rights risks in mining and energy sectors in Brazil.
Outputs	Produce a baseline assessment report of 45 pages maximum, including executive summary, methodology, analysis, and recommendations.
Activities	1. Conduct a desk review of existing reports on Security and Human Rights, to identify the existing issues in the mining and energy sectors in Brazil.
	2. Develop a methodology for the baseline assessment.
	3. Develop a questionnaire for interviews or focus group discussions to consult stakeholders like companies, government, civil society, and affected communities and human rights defenders on VPSHR related topics under key thematic areas of risk assessment, public security, and private security.
	4. Benchmark implementation of standards and best practices (already undertaken) and identify gaps.
	5. Analyse findings by region and sector (mining and energy) and suggest recommendations and Key Performance Indicators on how the In-Country Working Group can address these findings.

Deliverables and Report Components:

The consultant will produce a written **Draft and Final Report in Portuguese**, with an **executive summary in English and Portuguese**, including all the components detailed below.

The Final Report should incorporate comments provided by the VPI Secretariat upon review of the draft report.

The Final Report should be no more than 45 pages (including annexes) and include the following:

- A two-page Executive Summary (in English and Portuguese) of findings and conclusions.
- Overview of security and human rights challenges and risks related to the energy and mining sectors in Brazil.
- Analyze findings related to security and human rights.
- Recommendations and thematic priorities that can be addressed by the In-Country Working Group that will lead to improvement of security and human rights practices in Brazil. This includes the suggested Key Performance Indicators for the In-Country Working Group.

The study should be drafted in Portuguese. The consultant may work with identified collaborators as required.

Annex B: Declaration

We, the undersigned, offer to provide the services for the Baseline Assessment in accordance with your Request for Proposal No. VPSHR217 and our Proposal. We are hereby submitting our Proposal, which includes the Technical Proposal and Financial Proposal.

We hereby declare that we meet all eligibility requirements as set out in section 3.2. We declare that we have a corporate sexual harassment policy in place or will have one before entering any contract that may result from this process.

We hereby declare that our firm, its affiliates or subsidiaries, including any joint venture/consortium /association members (as applicable):

- a) will comply with all applicable laws in our jurisdictions of registration and operation, including, without limitation, laws against bribery of foreign officials;
- b) have no conflict of interest and/or any potential conflict has been declared (e.g. a commercial relationship with a member of the VPA) and a plan for mitigating provided;
- c) have not declared bankruptcy, are not currently engaged in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- d) undertake not to engage in illegal practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, funding of terrorism, or any other practice that exposes the VPA to undue financial, operational, reputational or other risk;
- e) are not under sanction for an offence involving fraud, bribery or corruption imposed by a government or an international organization; and
- f) are not engaged in practices or transactions that would violate the sanctions laws and regulations of the United Nations, the European Union, or the United States.

We declare that all the information provided and statements made by us in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification and/or sanctioning by the VPA. We offer to provide services in conformity with the Bidding documents and in accordance with the Statement of Work. Our Proposal shall be valid and remain binding upon us for 120 days upon receipt. We understand that you are not bound to accept any Proposal you receive.

We declare that any supplier or subcontractor to be used in connection with this project shall be contractually required to make representations substantially similar to the declaration set out herein. I, the undersigned, certify that I am duly authorized to sign this Declaration on behalf of the Bidder.

Name:
Title:
Date:
Signature: