Invitation for Proposals: Legal and Operational Support Services for the International Aid Transparency Initiative (IATI)

A.   Introduction

IATI is a voluntary, multi-stakeholder, network and community initiative that includes donors, partner countries and CSOs (civil society organisations). IATI maintains an open data standard that aims to make information about qualitative and quantitative development and humanitarian activities easier to access, use, share and understand. More information about the IATI is available on the IATI website, including its 2021 Annual Report and 2021 Financial Report.

The IATI Governing Board (GB) supported by a representative Working Group of members is seeking providers of Legal and Operational Support Services over a period of five years from 2023-2027. All non-profit entities, interested to provide such services, are cordially invited to submit their proposals, following the instructions in this document.

Policy and Technology Secretariat Services for IATI will be selected through a separate process, with its own invitation for proposals. Entities can submit proposals against both invitations.

B.   Objective

The IATI Members' Assembly decided at its December 2021 Members' Assembly that IATI will continue to be a hosted multi-stakeholder initiative through 2027. The provider of legal and operational services (further, the provider) will carry out legal and operational functions for the initiative as specified in this document. The arrangement will be set out in a Letter of Agreement to be agreed between the IATI GB and the provider.

C.   Timeframe

The mandate of current providers comes to an end in December 2022 and the GB and IATI members wish to identify successor arrangements by late 2022 to enable effective and timely transition to new arrangements in early 2023.

D.   Scope of work

IATI wishes to identify a service provider of legal and operational functions for its maturing initiative (further, the provider). The provider acts as a silent partner, specialized in providing back-office support services efficiently and offering value for money, in accordance with relevant guidance as set out in IATI's Standard Operating Procedures as updated from time to time and available on the IATI website.

The principal recipients of the services below will be the IATI GB, which serves in a governing capacity to the provider on behalf of the Members of IATI and the IATI community, and the appointed Policy and Technology Secretariat (host).

The provider should demonstrate its capacity to carry out the following functions, which are not in priority order:

1.   Accountability Structure

The provider will provide support and be accountable to the GB for:

- Acting and delivering on business requirements established by the GB, and the host (IATI Policy and Technology Secretariat) on behalf of the GB
- Providing a clear line of reporting to the GB and Members' Assembly as appropriate; and
- Delivering against agreed work plans.

To this end, the provider is required to:

a. Provide a service/relationship manager function responsible and accountable for services to IATI. The manager will report regularly to the Executive Director of the host, formally to the GB on a quarterly basis, and provide annual reports to IATI members.
b. Participate in the development of annual or multi-year rolling work plans by the host that can be regularly monitored by the GB.
c. Support monitoring and managing operational and financial risks for the initiative.
d. Keep open lines of communication with the GB, relevant Board focal points and the host on a frequent basis.
e. Ensure all deliverables meet the requirements outlined in the work plans, and are delivered in a timely manner.
f. Provide feedback and updates on business requirements received from the host of policy and technology secretariat services, in line with GB decisions.
g. Monitor and report on contributions to work plans.
h. Input into strategic planning and development of the next five year strategic plan.

The principal recipients of the services above will be the IATI GB, which serves in a governing capacity to the host on behalf of the Members of IATI and the IATI community.

2.   Operational and Financial management

- Receive and manage balance of IATI Trust Fund from current hosts, applying the highest industry-standard financial management and safeguards.
- Demonstrate the same transparency as expected of all IATI publishers by reporting at least quarterly on IATI project activities using the IATI standard.
- Report to the GB on IATI financial matters at minimum quarterly in an agreed-upon format, and to donors/IATI members annually at Members' Assembly meetings.
- Provide financial reports in accordance with any specific requirements in contribution agreements, including management dashboards and through the IATI Annual Report.
- Provide the GB and host with financial forecasts and cash flow estimates to support strategic and work planning.
- Conduct due diligence for all potential new members of and service providers to IATI, identifying risks of non-payment or conflicts with IATI's core values.

- Develop, negotiate and sign contribution agreements and associated amendments with IATI members using standardised templates where possible and ensuring legal compliance.
- Timely bill, collect and reconcile annual membership contributions from all members; regularly produce ageing reports on outstanding contributions receivable and follow-up with members on overdue payments; inform the GB of any waiver requests by members.
- Maintain an up-to-date record of Members provided with fee waivers by the GB, and communicate when these are due to expire.
- Maintain accurate and up-to-date records of all IATI-related financial transactions including (but not limited to) accounts receivable and payable, commitments, accruals, deposits received and payments made.
- Maintain an archive of all IATI-related financial, procurement, legal and other documents, and make them available to GB or to IATI members upon request.
- Establish and implement a simple process for collection and reporting on smaller contributions (0<$10,000).
- Develop and agree a clear business process and deadlines with the host of Policy and Technology Secretariat for key operational activities, such as development of work plans and budgets, submission and processing of procurement and administrative service requests, etc.
- Disburse funds to the host of Policy and Technology Secretariat organisation/s in a timely manner to support their delivery of activities in approved work plans.
- Make small grants on behalf of IATI as requested.
- Source and provide legal advice to the initiative as needed.
- Facilitate travel and logistic support for IATI GB, Policy and Technology Secretariat or IATI members as needed.
- Perform other administrative processes, at request of GB or Policy and Technology Secretariat, as deemed necessary for effective carry-out of their respective mandates.

3. Procurement and contract management

- Design and manage procurement processes in collaboration with the IATI Policy and Technology Secretariat, and on the basis of Terms of Reference informed or where necessary developed by the Policy and Technology Secretariat.
- Draft, and manage contracts for services, making timely payments upon confirmation that agreed milestones have been met and deliverables have been successfully completed.
- Take over management of all current contracts ensuring there is no interruption to essential services being provided.
- Negotiate and issue contract extensions upon request of the IATI GB or Policy and Technology Secretariat.

E. Skills and experience required from candidate organisations

Based on the above guiding principles and functions, candidates will be required to show evidence of the following:

   I.   Commitment to the values of accountability and transparency;
  II.   Experience drafting and managing contracts for complex IT projects;
 III.   Financial management and accounting capacity and experience consistent with accepted international accounting and financial reporting standards;

IV.   Institutional framework for, and expertise and experience with, procurement and contract management; Demonstrated experience in procurement with local partners and in languages other than English is essential
V.   Experience as a fiscal sponsor working with diverse groups of international stakeholders;
VI.   Absence of any conflict of interest that would prejudice the achievement of the aims of IATI.

F.   Process

As agreed by members at their 2021 Members' Assembly meeting, a modified search and selection process is to be undertaken among potential providers seen as acceptable to IATI on the basis of the improved and updated TOR. On this basis it should be clearly understood that this is not a competitive business tendering process, but a process seeking to identify providers based on the best strategic fit to meet IATI's strategic objectives.

Submissions from single organisations (not coalitions) should therefore address each of the sections above, clearly and succinctly setting out the proposed structure and clear lines of accountability to the GB.

Submissions in response to this invitation for proposals should include:
- Candidate organisation's essential information such as name, address, phone, website, date of establishment, legal structure, total number of personnel, country of incorporation and other relevant details
- Evidence of candidate organisation's incorporation in the country of its jurisdiction[1]
- Names and profiles of key management personnel
- Audited financial statements for last four years, including fiscal year 2021
- profiles of proposed team expected to be directly involved in provision of services listed in this document (further, required services)
- indicative costs and overheads for performing the required services
- description of previous experience in provision of required services, including at least two reference letters from current (preferred) or former clients
- evidence of receiving and handling funds from the types of organisations that are members of IATI (country governments, international donor organisations, CSOs, UN entities, private firms, philanthropic funds)
- description showing clear alignment with the goals, objectives and core values of IATI.

Entities that are also proposing for the provision of policy and technology secretariat services should indicate this in their proposal, including identifying any efficiencies or other benefits that would arise from the awarding of both Terms of Reference.

The proposals will be evaluated based on combination of the following criteria:

Values	Demonstrated commitment to the same values as promoted by IATI such as information transparency and accountability
Human Resource	Availability of staff resources and technical expertise to perform the required services

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[1] This requirement is forfeited if candidate organisation is a multilateral agency

Experience	Demonstrated experience providing the required services
Value for money	Costs associated with provision of required services
Lack of conflict of interest	Absence of conflict of interest including those that may potentially arise during the delivery of required services and other activities carried out by candidate organisation/s as part of their non-IATI-related operations

If you are interested to submit a proposal, or if you have any questions regarding the information provided in this document, please contact the Governing Board using the following email address: governingboard@iatistandard.org.

Proposals should be clearly marked "**Proposal for provision of Legal and Operational Support services to IATI**" and submitted via e-mail.

G. *Timeframe*

October	Circulation of this call for proposals among potential provider entities
6 January 2023	Deadline for submission of proposals by provider entities
January 2023	Period for review of submissions by selection committee and clarifications
Jan-Feb 2023	Selection process undertaken by the IWG through a combination of shortlisting and interviews with organisations that have proposed to deliver the functions within each of the two sets of TORs.
March 2023	- Based on options received from the IWG, the Board makes recommendations to members on most qualified preferred bids for host(s) for the two areas of work; - The Board makes written recommendations of most qualified preferred host(s) to IATI members and previews request for approval to engage the successful bidder(s); - Members meet in person to discuss and approve recommendations from the Board on selection and engagement.
April-June 2023	New providers begin to transition towards full provision of services