



**American Seed Trade Association**

**Contractor - UPOV Revision of Explanatory Notes on Essentially Derived Varieties**

**R E Q U E S T F O R P R O P O S A L**

**July 31, 2020**

## **INTRODUCTION AND BACKGROUND**

### **PURPOSE OF THE REQUEST FOR PROPOSAL**

ASTA’s mission is to be an effective voice of action in all matters concerning the development, marketing and movement of seed, associated products and services throughout the world. ASTA promotes the development of better seed to produce better crops for a better quality of life.

Founded in 1883, the American Seed Trade Association (ASTA) is one of the oldest trade organizations in the United States. Its membership consists of over 700 companies involved in seed production and distribution, plant breeding, and related industries in North America. As an authority on plant germplasm, ASTA advocates science and policy issues of industry-wide importance.

#### **Objective:**

Retain independent contractor for one-year term with option to renew upon successful completion of deliverables listed on page 4. A successful contractor will have a demonstrated background in intellectual property policies related to seed and plant breeding, a working understanding of the International Union for the Protection of New Varieties of Plants or similar international organizations, and the ability to interpret and revise complex policy documents to advocate for U.S. seed industry positions.

#### **Goal:**

Ensure that the U.S. seed industry receives accurate, up-to-date information about developments occurring at the International Union for the Protection of New Plant Varieties (UPOV) related to the revision process of the explanatory notes on essentially derived varieties (EDV). Represent U.S. seed industry and advocate for positions at relevant meetings, working groups, and before government and industry stakeholders.

#### **Background:**

Of critical importance to the U.S. seed industry’s ability to conduct business, protect intellectual property rights, and maintain leadership in plant breeding globally is the International Convention for the Protection of New Varieties of Plants (UPOV), most recently revised in 1991. UPOV has begun the process of revising its explanatory note on essentially derived varieties (EDV), to provide guidance to over 75 UPOV member countries. The guidance will have lasting impacts on the commercial operations of U.S. seed companies in the U.S. and in other member countries.

ASTA has worked with U.S. seed industry members and other stakeholders to develop a clear policy position and background & resource appendix for a revised UPOV explanatory note on essentially derived varieties: “ASTA Position Paper on EDV System Roles, Accountabilities and Conditions.”

ASTA will coordinate with the International Seed Federation (ISF) and the United States government to share these positions and seek to influence the international process leading to a revised UPOV explanatory note on EDV. The Contactor will play a critical role in representing and explaining ASTA’s positions on essentially derived varieties in the context of the explanatory notes revision process.

### **ADMINISTRATIVE PROGRAM CONTACT**

Questions concerning technical specifications or Statement of Work requirements must be directed to:

<b>Name</b>	Abigail Struxness
<b>Address</b>	1701 Duke St, Suite 275 Alexandria, VA 22314
<b>Phone</b>	703-837-8140
<b>Email</b>	astruxness@betterseed.org

## CONTRACTUAL CONTACT

Any questions regarding contractual terms and conditions or proposal format must be directed to:

<b>Name</b>	Abigail Struxness
<b>Address</b>	1701 Duke St, Suite 275 Alexandria, VA 22314
<b>Phone</b>	703-837-8140
<b>FAX</b>	703-837-9365
<b>Email</b>	astruxness@betterseed.org

## DUE DATES

A written email confirmation of the Contractor's intent to respond to this RFP is required by August 18. All proposals are due by 5:00 pm, EDT on August 21, 2020 in electronic format sent to [astruxness@betterseed.org](mailto:astruxness@betterseed.org).

## SCHEDULE

Event	Date
1. RFP Distribution to Contractors	July 31, 2020
2. Written Confirmation of Contractors with Bid Intention	August 18, 2020
3. Questions from Contractors due about scope of work	August 18, 2020
4. Responses to Contractors about scope due	August 19, 2020
5. Proposal Due Date	August 21, 2020
6. Target Date for Review of Proposals	August 24, 2020
7. Final Contractors Selection Discussion(s)--	August 25-26, 2020
8. Anticipated decision and selection of Contractor(s)	August 31, 2020
9. Anticipated commencement date of work	September 1, 2020
10. Final report/invoice due	September 1, 2021

## GUIDELINES FOR PROPOSAL PREPARATION

### EVALUATION FACTORS FOR AWARD CRITERIA

Any award to be made pursuant to this RFP will be based upon the proposal with appropriate consideration given to operational, technical, cost, and management requirements. Evaluation of offers will be based upon the Contractor's responsiveness to the RFP and the total price quoted for all items covered by the RFP.

The following elements will be the primary considerations in evaluating all submitted proposals and in the selection of a Contractor:

1. Completion of all required responses in the correct format.
2. The extent to which Contractor's proposed solution fulfills ASTA's stated requirements as set out in this RFP.
3. An assessment of the Contractor's ability to deliver the indicated service in accordance with the specifications set out in this RFP.
4. The Contractor's stability, experiences, and record of past performance in delivering such services.
5. Availability of sufficient high-quality Contractor personnel with the required skills and experience for the specific approach proposed.
6. Overall cost of Contractor's proposal.

ASTA may, at their discretion and without explanation to the prospective Contractors, at any time choose to discontinue this RFP without obligation to such prospective Contractors.

## **SCOPE OF WORK**

### **REQUIREMENTS**

The following information should be used to determine the scope of this project and provide pricing for this engagement.

### **DELIVERABLES**

For the purpose of the agreement resultant from an accepted proposal, the Contractor, at a minimum, will be responsible for the following:

- The Contractor shall prepare for and represent ASTA as a subject matter expert at ongoing international meetings regarding the International Union for the Protection of New Varieties of Plants (UPOV) explanatory notes on essentially derived varieties revision process.
- The Contractor shall participate in the International Seed Federation's ad-hoc working group and other relevant industry groups on essentially derived varieties on behalf of ASTA.
- The Contractor shall represent the U.S. seed industry's positions in meetings with the U.S. government, and with other interested parties.
- The Contractor shall facilitate discussions with relevant and interested ASTA members including the EDV project team to gain feedback and shape ASTA's advocacy and outreach strategy.
- The Contractor shall provide updates to ASTA's membership via the Intellectual Property Rights Committee and the Intellectual Property Rights Emerging Issues Working Group.
- The Contractor shall provide a final report detailing the role that the U.S. seed industry played in the UPOV revision process, what successes were achieved, and suggestions for next steps or further engagement.

For the purpose of the agreement resultant from an accepted proposal the ASTA, at a minimum, will be responsible for providing the Contractor with:

- Relevant and up-to-date contacts of U.S. seed industry serving on ad-hoc subject matter working groups related to contractor priorities
- Travel expenditures related to mutually agreed upon trips related to contractor's scope of work

### **PROPOSAL SUBMISSION**

Award of the contract resulting from this RFP will be based upon the most responsive Contractor whose offer will be the most advantageous to ASTA in terms of expertise, functionality, and other factors as specified elsewhere in this RFP.

ASTA reserves the right to:

- Reject any or all offers and discontinue this RFP process without obligation or liability to any potential Contractor,
- Accept other than the lowest priced offer,
- Award a contract on the basis of initial offers received, without discussions or requests for best and final offers, and
- Award more than one contract.

Contractor's proposal shall be submitted in several parts as set forth below. The Contractor will confine its submission to those matters sufficient to define its proposal and to provide an adequate basis for ASTA's evaluation of the Contractor's proposal.

Contractor's proposal in response to this RFP will be incorporated into the final agreement between ASTA and the selected Contractor(s). The submitted proposals are suggested to include each of the following sections:

1. Executive Summary
2. Approach and Methodology
3. Project Deliverables
4. Project Management Approach
5. Detailed and Itemized Costs
6. Appendix: References
7. Appendix: Contractor Bio/Resume

The detailed requirements for each of the above-mentioned sections are outlined below.

## **DETAILED RESPONSE REQUIREMENTS**

### **EXECUTIVE SUMMARY**

This section will present a high-level synopsis of the Contractor's responses to the RFP. The Executive Summary should be a brief overview of the engagement, and should identify the main features and benefits of the proposed work.

### **SCOPE, APPROACH, AND METHODOLOGY**

Outline proposed strategy to achieve desired goals. This section should include a description of each major type of work effort and activity being requested of the Contractor. All information that is provided will be held in strict confidence.

### **DELIVERABLES**

Include descriptions of the anticipated outcomes of activities conducted for work related to the project.

### **PROJECT MANAGEMENT APPROACH**

Provide description of key personnel involved with project and approximate timeline of work completion.

### **RATE AND COSTS**

Include a fee proposal for a one-year, end-result contract. ASTA will cover travel expenses if necessary to conduct the contracted work. Please do not include travel expenses in the estimate.

### **APPENDIX: REFERENCES**

Provide three current professional references.

### **APPENDIX: Resume**

Resume: one or two page summary of the skills, experience and education for all personnel working on the project.