

NEVADA COMMISSION ON ECONOMIC DEVELOPMENT

108 East Proctor Street
Carson City, Nevada 89701
(775) 687-4325
www.expand2Nevada.com



BRIAN K. KROLICKI
Lt. Governor and Chair

MICHAEL E. SKAGGS
Executive Director

ANNOUNCEMENT NO. 10-03
RELEASE DATE: DECEMBER 14, 2009
RESPONSES DUE: FEBRUARY 1, 2010, 2:00 P.M.

INTERNATIONAL REPRESENTATIVE—GERMANY

The Nevada Commission on Economic Development (Commission), Office of Global Business Development (hereafter called the Department) is **IMMEDIATELY** seeking a professional services contractor (International Representative, hereafter called the Rep) to provide export promotion and attraction of inbound investment services to Nevada companies and the Commission for the purpose of expanding exports of Nevada products and services to and expanding foreign direct investment from **Germany**. The emphasis of the resultant Agreement will be on export promotion assistance to Nevada companies exporting to Germany. There may be additional Nevada state or local agencies that will also support this effort.

All firms submitting proposals in response to ANNOUNCEMENT are referred to as “Rep” in this document; after negotiations, the awarded Rep will be designated as “International Representative.”

The Department, under the policy guidance of the Commission, currently operates foreign offices (by representatives) in the People’s Republic of China, Europe (Italy and the UK), Japan, and Mexico. These offices provide an array of services designed to assist Nevada companies that enter or expand existing exports to the markets, and serve as an information source for solving trade issues related to the export of products and services. These offices also work to recruit inbound investment to Nevada. Proposals are sought from qualified Reps to provide these services in Germany.

As a result of this ANNOUNCEMENT process, the Commission anticipates entering into the Agreement with the selected Rep providing for services beginning March 1, 2010 and running for one year. The Agreement is automatically renewed for successive one-year terms unless cancelled by either party with a 30-day notice. Reps are asked to submit proposals describing the extent of Germany trade promotion and inbound investment recruitment services they are willing to provide during the term of the Agreement. The Department seeks expanded export sales in Germany by Nevada companies assisted by the Rep and increased inbound investments in Nevada by companies in Germany.

The first major focus of the resultant Agreement is in promoting Nevada industries; offering in-country business assistance to the Department’s clients; conducting agent/distributor searches, and product market viability studies in Germany. In addition to these activities, the successful Rep will also assist with trade related issues relating to product market barriers; keep the Commission and companies up to date on marketing changes and opportunities; and advise companies on regulations, licensing, labeling and other requirements related to exporting products in Germany

The second major focus of the resultant Agreement is promoting Nevada as a place for foreign investment; offering in-country assistance to the Department and its economic development partners in Nevada to recruit companies to directly invest in Nevada. Special emphasis in this effort will be given to companies in the clean technology/renewable energy industries and associated supply chains.

The Department operates its International Representative programs on the basis of very high quality services. Its foreign Reps are expected to take the necessary time with each Nevada company to ensure that the opportunity for exporting is created or that each company meets its objective. Its foreign Reps are expected to demonstrate a similar high quality in the assistance to companies considering investing in Nevada.

1.2 DESCRIPTION OF NEEDED SERVICES

The following provides a summary of the services sought:

1) Rep's two primary areas of the Agreement work are:

A.) Assisting Nevada companies, especially in key industries, to locate suitable opportunities to facilitate export sales. This category requires Rep's proactive networking effort with businesses, industry associations, and government agencies in Germany upon selected Nevada industry focuses.

1. **In-country business assistance** may include business meeting set-ups, interpreter and lodging arrangements, and Germany general economic and business practice briefing assistance upon the client's request.
2. **Agent/distributor searches** involve finding and pre-qualifying potential and interested agents and distributors who would normally buy from Nevada manufacturers and resell to customers in Germany. Where necessary, this work will include setting up appointments for Nevada companies with qualified and interested distributors and agents in Germany.
3. **Product market viability studies** involve researching the market to determine whether the product can be sold in the market, at which price level, to which customer groups, and etc. This also includes evaluation of existing suppliers/manufacturers, determining the extent of competition, price points, potential sales volumes and market barriers.

B.) Recruitment of foreign direct investment in Nevada. Rep should be focused on companies in the clean technology/renewable energy industries and associated supply chains as well as the mining sector, commercial infrastructure projects and general manufacturing.

1. This work will include assisting the Department and its partners to refine the German foreign direct investment strategy;
2. Rep will assist the Department with a variety of trade promotion activities in Germany which may include in-coming purchasing missions and outgoing trade missions and trade shows;
3. Rep will assist Nevada businesses to resolve general trade issues in Germany, which may include ongoing advice on market change, regulations, licensing, labeling, and other requirements related to exporting products to Germany;
4. Rep will act as primary point of contact for all matters related to the activities concerning trade relations between the State of Nevada and Germany on behalf of the Department in Germany;
5. Rep will provide on-going communication with the Department Director, Global Business Development and Diplomatic Liaison and Chief of Protocol via e-mail and telephone;
6. Rep will provide monthly, quarterly, annual, and end of Agreement reports to the Department summarizing Nevada related Export Promotion and Inbound Investment Attraction activities which should include a brief market summary, list of companies worked for, trade issues and other matters. Performance reports on export sales by companies assisted and inbound investment recruitment of targeted companies should be provided on the same schedule as part of or separate from the regular reports;
7. This is a non-exclusive Agreement. The Rep may have other clients in addition to the Department upon written approval by the Commission.

1.2.1 COMPENSATION

This position is not compensated by the State of Nevada. The representative is a "voluntary" representative and as such would be compensated by the fees that they can charge Nevada companies, or clients in the countries where they represent Nevada, for the services that they provide as described in

Section 1.2. There is no limit on the amount of compensation that the Rep can receive and the Rep is free to negotiate their fee structure with the client companies.

1.3 PROPOSAL INFORMATION REQUIRED

Rep's written response must include information on **each** of the following categories:

Rep's Qualifications:

1. Proven ability in promoting U.S. industries and/or marketing a U.S. company's products in the German market. Demonstrated success with specific examples;
2. Experience in assisting U.S. federal, state, or local government agencies or U.S. companies conducting export promotion or inbound investment attraction activities in Germany. Preference will be given to Reps that have representation experience with U.S. federal, state, or local government agencies or authorities;
3. Knowledge and experience in conducting market research relevant to exporting to Germany and attracting foreign direct investment from companies in Germany;
4. Knowledge and experience in the area of export sales promotion, including trade mission organization and trade show participation in Germany;
5. Knowledge of key companies, trade associations, chambers of commerce, government agencies, and other groups relevant to conducting business in Germany;
6. Experience with U.S. and Germany business practices and country customs;
7. Knowledge of and experience with German trade policies and regulations;
8. Knowledge of one or more of the following industries which will be key for Nevada: clean technology/renewable energy, mining, advanced manufacturing, and commercial infrastructure development;
9. Knowledge of site selection process for attracting inbound investment;
10. Professional skills, experience, characteristics, or approaches to export promotion and/or inbound investment attraction (not described above) that make Rep exceptional and well qualified; and,
11. Proficiency in English and local languages/dialects as necessary.
12. The Rep must have an office based in at least one of the German provinces to be covered. Special consideration will be given to those reps that have multiple offices in Germany and/or Nevada.

In addition, please attach the following to the Proposal:

1. Three professional references including description of the nature of the relationship with the reference, examples of work done for client, and client's complete contact information (names/titles/address/telephone/fax/website/e-mail addresses);
2. Resumes (1-2 pages) for each of the primary individuals expected to provide services under the Agreement;
3. Rep's organizational chart if Rep will use multiple staff;
4. Statement of Rep's legal status in Country of primary residence, including company registration, legal working status of key personnel, and financial status;
5. Financial statement regarding the financial stability of the Rep and status of legal actions, if any, pending against the Rep.

Rep's Project Approach

1. Description of the proposed methodology for promoting Nevada industries and marketing Nevada companies' products in the German market;
2. Description of the proposed methodology for conducting agent/distributor searches in Germany for Nevada companies;
3. Description of the methodology for conducting product market research reports in Germany for Nevada companies;
4. Description of the methodology for recruiting foreign direct investment in Nevada by companies from Germany;
5. Proposed office coverage for Germany. (Reps may have multiple offices throughout Germany, a network of affiliated companies in Germany, a plan to cover Germany from one office with travel, or through a combination of these or other options be able to cover Germany.)

6. Provide a description of three recent searches completed for any of the services listed in this section, including client name, time taken to complete, and outcome of the search;
7. Proposed report format preferred for regular reports and methodology for performance reporting on export sales by companies assisted and inbound investment recruitment, including suggested future actions. **Attach sample report;** and,
8. Proposed schedule with Agreement milestones, report completion, travel within Germany and to Nevada. Travel expenses within Germany are the responsibility of the Rep. Upon Agreement award, the Rep will be expected to make a one-week orientation visit to Nevada within a month of the date the Agreement is signed at Rep's expense.

Mandatory Rep Requirements:

1. Rep must have an existing office in Germany as a primary business location. The office(s) should be equipped with the necessary communications equipment (phone, fax) as well as copy machines, computers, and other support equipment. The Rep must have the ability to communicate via e-mail and phone and to send and receive attachments with large amounts of data.
2. Rep's principal and key staff member(s) must either not need a U.S. non-immigrant visa to visit the U.S. or have the ability to obtain a U.S. non-immigrant visa for traveling to the U.S. as needed;
3. Rep's principal and key staff member(s) must be fully bilingual with the ability to read, write and compose business correspondence in English and languages appropriate to the clients with which they interact;
4. Rep's principal and key staff member(s) must be familiar with U.S. and German business practices and culture; and,
5. Rep must have an established business in consulting, marketing, sales, distribution or other areas that provide services to international companies.

Oral Presentation

Top scoring Reps based on an evaluation of the written proposal may be required to participate in interviews to support and clarify their proposals, if requested by the Department. The Department will make every reasonable attempt to schedule each presentation at a time and location that is agreeable to the Rep. Failure of a Rep to interview on the date scheduled may result in rejection of the Rep's proposal.

1.4 QUESTIONS AND CLARIFICATIONS

1.4.1 REP QUESTIONS

All inquiries regarding this ANNOUNCEMENT, whether relating to process administration, deadline or award, or to the content or technical aspects of the ANNOUNCEMENT, must be submitted in writing to the Specialist identified in Section 1.6.1. (mail, fax or e-mail is acceptable). **All questions must be received not later than 72 hours prior to proposal deadline.**

Substantive questions and answers and when appropriate, revisions, modifications, or clarifications of the ANNOUNCEMENT or terms and conditions of the Agreement, will be issued as official addenda to this ANNOUNCEMENT (refer to section 1.4.3.). Changes or modifications to this ANNOUNCEMENT shall be binding on Commission only if in the form of written addenda issued by the Commission.

1.4.2 COMMISSION

QUESTIONS

The Commission may request additional clarification from Reps for any portion of their proposals. If a proposal is unclear, the Rep may be asked to provide clarification. No new information or documentation may be submitted, however, and clarifications may not be used to rehabilitate a nonresponsive proposal. Reps shall remain available during the evaluation period to respond to requests for additional clarification. Reps shall submit written signed clarification within 48 hours following receipt of a request for clarification. Failure to provide clarification may result in a lower score

1.4.3 ADDENDA

The Commission shall issue addenda by email to all firms solicited by the Commission.

1.5 PROPOSAL SUBMISSION REQUIREMENTS

1.5.1 TERMS AND CONDITIONS

A copy of the Commission's Standard Agreement is attached as Attachment B to this ANNOUNCEMENT. Commission reserves the right to negotiate specific Agreement terms with any selected Rep.

1.6 DUE DATE AND TIME

Proposals must be received by February 1, 2010, on or before 2:00 pm, Pacific Time to be included in this solicitation. The Commission relies on the State of Nevada email system clock to determine the correct time and is not responsible for any delays or difficulties experienced in the transmission of any proposal. **Please do not wait until the last minute to e-mail your proposal.**

1.6.1 PROPOSALS WILL BE RECEIVED ONLY AT THE FOLLOWING ADDRESS:

**Kimberly Elliott
Global Business Development and Diplomatic Liaison
Nevada Commission on Economic Development
108 E. Proctor St.
Carson City, NV 89701 USA**

For clarification questions only, Reps may contact:

**Kimberly Elliott
Global Business Development and Diplomatic Liaison
Nevada Commission on Economic Development
108 E. Proctor St.
Carson City, NV 89701 USA**
e-mail: kelliott@bizopp.state.nv.us

1.6.2 PROPOSAL SUBMISSION

Submittals that are late, incomplete, or misdirected will be considered non-responsive, with no exceptions. Proposals must be submitted via email only. ***Fax submissions or hard copies will not be accepted.*** The email subject or reference line for all submittals must include the ANNOUNCEMENT Title and ANNOUNCEMENT #. Reps are encouraged to send a test email to the email address of the Specialist identified in paragraph 1.6.1 above prior to transmitting their proposals. Do not submit .zip, .exe or .com files.

1.6.3 FORMAT FOR PROPOSAL SUBMISSIONS AND PAGE LENGTH LIMITATION:

Proposals must be organized in accordance with the list of scored criteria in Section 2.2. The narrative portion of a proposal must not exceed 10 pages, ***excluding*** cover sheet (Attachment A) and Section 1.2 Requested Attachments (organizational charts, references, resumes, legal status, etc.). The Rep may choose how to allocate pages among any sections within the overall page limit. **If a Rep submits a proposal exceeding these limits, Commission may consider the pages up to that allowable number for the narrative portion (10) and discard all subsequent pages.** One (1) page is defined as: one side of a single 8-1/2" x 11" page or equivalent, with 12-point minimum font size for the substantive text. Any page or partial page with substantive text, graphics, charts, resumes, etc., will be counted as one (1) page. Reps may use their discretion for the font size of other materials (e.g., graphics, charts).

1.6.4 PUBLIC RECORDS

This ANNOUNCEMENT, and one copy of every proposal received in response to it, together with copies of all documents pertaining to the award of an Agreement, shall be kept by the Commission and made a part of its records. The Commission's business practice is to schedule requests for inspection of any solicitation file after Reps have been notified of their selection status. If a proposal contains any information that may be considered exempt from disclosure under a provision of the Nevada Revised Statutes (NRS) the Rep must clearly designate the portion of its proposal claimed as exempt, along with a justification and citation to the provision of the Nevada Public Records Law relied upon. Application of

the Nevada Public Records Law shall determine whether any information is actually exempt from disclosure. *Identifying a proposal in whole as exempt from disclosure is not acceptable.* Failure to identify the specific portion of a Proposal claimed as exempt from disclosure, and the authority for such an exemption, shall be deemed a waiver of any future claim for disclosure of that information.

1.6.5 COVER SHEET – PASS or FAIL

Each proposal must comply with the following Pass/Fail criteria. **Proposals not meeting ALL Pass/Fail criteria shall be rejected.**

PROPOSAL SUBMISSION CHECKLIST FOR USE BY REPS
<p><input type="checkbox"/> Due Date Met <input type="checkbox"/> Proposal Format and Length Requirements Met <input type="checkbox"/> Cover Sheet Included <input type="checkbox"/> Authorized Signature Obtained</p> <p>[This proposal submission checklist is provided only as a courtesy to Rep. Commission makes no representation as to the completeness or accuracy of this Rep checklist. Rep is solely responsible for reviewing and understanding the ANNOUNCEMENT and complying with all the requirements of this ANNOUNCEMENT, whether listed above or not.]</p>

2.0 PROPOSAL EVALUATION & AGREEMENT OR SELECTION

2.1 EVALUATION PROCESS

Proposals received on time will be reviewed against the Pass/Fail criteria identified in Section 1.6.5. Proposals meeting those criteria will be forwarded to an evaluation committee that will score each proposal according to the scored criteria set forth in Section 2.2.

The evaluation committee shall score all Proposals using the quantity and quality of information described in this Section. Points assigned by each evaluation committee member shall be added together and divided by the total number of evaluation committee members to compute an average score.

The outcome of the evaluation process may, at Commission's sole discretion, result in: (a) notice to a Rep(s) of selection for tentative Agreement negotiation and possible award; (b) further steps to gather more information for evaluation, which often means a notice of placement on an interview list; (c) notice to a Rep of non-selection; or (d) notification to Reps that the ANNOUNCEMENT is cancelled and may be re-solicited or that Commission intends to take no further action with respect to the ANNOUNCEMENT.

Commission reserves the right to amend or cancel this ANNOUNCEMENT at any time if it is in the best interest of the State of Nevada to do so. The Commission reserves the right to award in part, or reject any or all proposals in whole or in part, and waive technical defects, irregularities and omissions of any proposal, if in its judgment, the best interest of the State of Nevada will be served. Commission reserves the right to determine the responsiveness of any proposal by reference to the proposal taken as a whole. Commission will determine which proposal offers the best means of serving the interest of the State of Nevada. Commission reserves the right to negotiate specific Agreement terms with any Rep that may be selected by Commission. Further, Commission reserves the right to correct any inaccurate awards resulting from clerical errors of Commission. The timing and sequence of the events under this ANNOUNCEMENT will ultimately be determined by Commission. Commission is not liable for any costs a Rep incurs while preparing or presenting its proposal or during further evaluation stages. If Commission, in its sole discretion, rejects any and all proposals or withdraws this ANNOUNCEMENT before or after proposals are received, the Reps will have no recourse against Commission for any expenses incurred or damages sustained. All proposals will become part of the public file.

2.2 SCORING OF REQUESTED PROPOSAL CONTENTS (100 POINTS TOTAL):

Were the mandatory Rep requirements in Section 1.3 met? Yes/No (if no, the proposal is rejected)

- 1) Qualifications - 50 points possible
- 2) Project Approach- 45 points possible
- 3) Quality of Proposal - 5 points possible