

**Terms of Reference for Supply and Implementation of an Exchange Solution
to Implement Automatic Exchange of Information in Maldives Inland
Revenue Authority**

Reference Number: (IUL)220-AS/1/2021/96

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1. Introduction

Maldives joined as a member of Global Forum on Transparency and Exchange of Information in February 2016. As a member of the Global Forum, Maldives has committed to implement the international tax standards to enhance cross border tax transparency and deter tax evasion by taxpayers through off shore bank accounts.

Maldives signed the Convention on Mutual Administrative Assistance in Tax Matters on 11 August 2021 and signed the Competent Authority Agreements on 12 August 2021. As MIRA is the authority in charge of implementation of Common Reporting Standard (CRS) and Country-by-Country Reporting (CbCR), MIRA is currently working on procurement of an exchange portal for receiving and efficient management of domestic reporting obligations.

Under Common Reporting Standard, MIRA will be receiving the information from financial institutions in Maldives by 31 July 2022. The first exchange under CbCR is also going to be in 2022.

As such, a domestic exchange solution is required for Financial Institutions (FIs) registered under CRS to file required information with MIRA and for MIRA to exchange CbCR reports with foreign jurisdictions. The exchange portal is required to be in line and up to date with the data structures and formats and confidentiality standards specified by the OECD.

MIRA invites interested parties to submit closed bids for the supply and implementation of this solution as per the requirements in this ToR.

2. Objectives

The main objective of the engagement is to establish an intermediary exchange solution that allows MIRA to receive information from reporting entities and send this information to relevant jurisdictions through the OECD Common Transmission System (CTS) and enable reporting obligations under CRS and CbCR to be fulfilled in a timely, secure and efficient manner.

3. Requirements

a) General requirements of the Supplier

The vendor of the exchange solution shall meet the minimum requirements specified below:

- i. The supplier must have worked with at least 10 other tax authorities with successful project implementations. Letters from the clients must be submitted stating that the projects were successfully implemented.
- ii. The solution provided must have modules for exchange requirements of CbC and CRS
- iii. The proposed AEOI solution must include all necessary software, training, secure implementation, warranty and support components as well as any future delivery costs for releases.
- iv. The solution must offer access, extraction and viewing of all data.
- v. The supplier must be experienced in OECD CTS conformance testing

b) Functional requirements of the Software Solution

The exchange solution must provide the following functionality

- i. The solution should support for the electronic reporting of data by financial institutions to the MIRA as prescribed by the CRS, and domestic legislation, in accordance with the published applicable Extensible Markup Language (“XML”) schema to include all applicable data validation
- ii. The solution should support for the option to complete manual data entry of returns directly into the Portal interface using a Web Form, or similar, by those financial institutions not wishing to submit an XML file and conversion of the manual entry into the required schema(s) for onward submission of that information by the MIRA to the respective tax authorities.
- iii. The solution should support for electronic and manual reporting of data by Multinational Enterprises (Ultimate Parent Entities and Constituent Entities) as prescribed by the CbCR Standard
- iv. The solution should allow MIRA to retrieve CRS and CbCR data shared by other jurisdictions through CTS
- v. Secure, automatic (as appropriate) electronic transmission of reported data cross-border to CRS partner jurisdictions, in accordance with relevant business rules and technical schemas
- vi. Support for the exchange with jurisdictions that implement Common Reporting Standard at later dates to ensure that the MIRA remains in compliance with CRS obligations
- vii. The solution should send reminders to relevant FIs regarding reporting deadlines
- viii. The solution must be able to generate ad-hoc reports that allow the identification of the exchanges of information carried out.

- ix. The solution must be able to generate reports as per the requirements of MIRA EOI unit

c) Operational requirements

- i. The solution should conform fully to the functional, data element and data submission requirements for the CTS.
- ii. The solution must provide a production and a testing environment
- iii. The solution should be user friendly and easy to use for MIRA and reporting entities.
- iv. The solution should comply with all the confidentiality and data safeguard standards and technical specifications of the CRS and CbCR.
- v. The solution should be integrated with the OECD Common Transmission System.
- vi. The solution should offer multiple user roles for MIRA users and reporting entities.
- vii. The solution should allow FIs to self-register and create and manage an account in accordance with the requirements of the CRS and CbCR.
- viii. The solution should allow MIRA to oversee and monitor the registration process of FIs and reporting entities, approve the requests and assign user roles as requested.
- ix. The solution must support validation of reported data to ensure data complies with schema requirements of CRS, CbCR and domestic legislation.
- x. The solution must support automatic electronic transmission of reported data by MIRA to CRS and CbCR partner jurisdictions through CTS in accordance with relevant technical schemas
- xi. The solution should allow MIRA to retrieve CRS data forwarded by other jurisdictions through CTS
- xii. The solution must allow MIRA to retrieve CbCR reports sent from other jurisdictions through CTS.
- xiii. The solution must support reciprocal and non-reciprocal cross-border data transmissions.
- xiv. The solution must support scheduled bulk transfer methods of data transmission.

d) Support requirements

The following will be the minimum support requirements for the application

- i. Support for changes made to the applicable CRS schemas as they may occur from time-to-time to ensure that necessary updates are applied to the Portal in a timely manner in accordance with the instructions issued by the applicable authority without additional cost to MIRA.
- ii. Help desk support to end-users of the solution to assist in the registration and reporting process for all subscription periods following the successful commissioning and deployment of the complete software/portal.
- iii. The supplier must provide training to MIRA IT team and EOI staff upon implementation of the software

e) Security requirements

- i. The solution must have a security module where the users of the platform and the users of the reporting entities can be managed.
- ii. Must have the ability to be installed on-premises and behind the tax authorities firewall.
- iii. The platform must be designed to work in high availability.
- iv. It must be designed to work in contingency mode, that is, from an alternate data center.
- v. The platform must possess strong encryption features and ensure encryption in motion and at rest.
- vi. The platform must have the ability to record all relevant audit logs, including reports from all users.
- vii. It must be able to receive updates from the provider.
- viii. The platform must have a function that allows it to be put into maintenance mode without the need to take out the web portal.
- ix. Must allow strong (two-factor) authentication, authentication logging, auditing accounting etc.
- x. SSL certificates should be used to encrypt and transmit data.
- xi. The vendor must perform security tests regularly which include penetration testing, code analysis, and review of CERT recommendations.
- xii. The provider must avail itself of security and testing best practices and the Open Web Application Security Project's standard (OWASP).
- xiii. The proposed solution must include, at a minimum, password requirements with configurable parameters, access authorization levels, authentication, secure access, logging activities, backup/restore and patching/update capabilities.

f) Integration with existing systems

The Solution Supplier is required to provide API to read necessary data as per MIRA's requirements

The possible integration/interworking with existing IT systems is required to be taking place on the level of data-interworking. The proposed solution must be complemented with well documented data import/export procedures relying on well understood and widely available data and document formats and languages such as Excel, CSV, XML, and SQL.

4. Time frame

The first CRS and CbCR exchanges are to take place in 2022. The filing deadline for CRS is 31 July 2022. In order to give sufficient time for the FIs to setup, prepare and familiarize with the portal, MIRA expects the portal to go live by the end of April 2022.

5. Ownership of Intellectual Property

All copyright and patent rights to all papers, documents, reports, forms, materials and materials in the performance of this contract shall become the sole property of the Maldives Inland Revenue Authority.

6. Negotiations

MIRA reserves the right to conduct negotiations with suppliers who submit proposals under this TOR prior to awarding the contract.

7. Amendments

If at any time prior to award, MIRA determines a need for a significant modification of the provisions of the TOR, MIRA will issue a written amendment to all potential suppliers. No oral statement of any person shall, in any manner, be deemed to alter or otherwise affect any term or condition of this solicitation, and no supplier shall rely on any such statement.

8. Evaluation and basis for award

Any award to be made pursuant to this TOR will be based upon the proposal with appropriate consideration given to operation, technical and management requirements as well as the costing provided. Evaluation of offers will be based upon the price quotes for all items covered by the TOR and the suppliers experience and past records of successful implementation.

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

Evaluation Criteria	Percentage Allotted
a) Overall cost of implementation including maintenance of the solution and trainings	70%
b) Past records of successful implementation of the exchange solution in tax authorities	15%
c) The proposed approach for implementation and duration taken to go live	15%

9. Instructions to Bidding Parties

- i. All bids will be opened on the date and time specified in clause 13
- ii. The price quoted must be in United States Dollars or Maldivian Rufiyaa inclusive of all taxes and charges.
- iii. All bids must be submitted to the designated address, in sealed envelopes, with the details of the bidding party, announcement number and project name, on the bid opening date and time.
- iv. All bidders will be allowed to submit a maximum of one bid, but bidding parties are allowed to offer more than one option.
- v. The bid should include all documents, stated in the terms of reference. Bids with missing, inaccurate or false documents will not be accepted. The MIRA retains the right to cancel the bids at any stage of evaluation if it is found that the documents submitted fall short of requirements.

10. Bid Security

If the price quoted by a bidding party exceeds MVR 500,000 in value, the bidding party will be required to submit a bid security of MVR 25,000 or its equivalent in USD, issued by a bank or financial institution registered in the Maldives, with validity of no less than 60 days, as per the template in Annex-1.

Bid Security must be (a) an original bank guarantee letter issued by a bank registered with the Maldives Monetary Authority or (b) an insurance policy issued by an insurance company registered with the Maldives Monetary Authority. Bank Cheques, and Cash will not be accepted as bid security.

11. Bid Awarding

- i. Bidder will be informed of the decision to award a bid via an official intent to award the bid.
- ii. If the bidding party does not sign the contract, within three days of bid awarding, MIRA retains the right to cancel the bid and award it to the next bidding party.
- iii. If the value of the bid exceeds MVR 500,000 the bidder will be required to submit a performance guaranty of 5% of the total contract value prior to signing the contract. The performance guaranty must be issued by a bank or financial institution registered in the Maldives and must have a validity of 45 days, not including the quoted delivery period.

12. Documents to be Submitted with the Proposal

- a) Below documents shall be submitted along with the proposal:
- i. Company Profile
 - ii. Portfolio of previous projects
 - iii. A document of incorporation, or registration issued by the relevant governing body of the country of origin.
 - iv. Financial proposal and costing (preferably a multi-year plan) clearly specifying the details of the solution offered, additional services included in the offer, and delivery terms.
 - v. Detailed project timeline with project milestones and expected completion date
 - vi. Details of minimum hardware requirements that must be available at MIRA to ensure efficient implementation
 - vii. Bid Security document, where necessary.

13. Bid Opening Date and Venue

The bids will be opened on Thursday, 13 January 2022, at 1400. Hrs. (Local time) at the below address.

2nd Floor, Maldives Inland Revenue Authority,
Ameenee Magu,
Male' 20379,
Maldives

For further details or queries, on the exchange solution and requirements of the same, please contact Ms. Mariyam Himmath Hassan at (+960) 3019-626 from Sunday to Thursday between 08:30 and 15:00 hrs or email to himmath.m@mira.gov.mv

For further details or queries, regarding the bidding process, bid submission and other requirements please contact Mr. Ismail Rasheed Mohamed at (+960) 3020-478 from Sunday to Thursday between 08:30 and 15:00 hrs or email to procurement@mira.gov.mv.

All interested parties should submit the proposals before the bid opening date, to the aforementioned address, in sealed envelopes, marked "Proposal for Supply and Implementation of an Exchange Solution to Implement Automatic Exchange of Information"

Maldives Inland Revenue Authority,
Ameenee Magu, (2nd Floor),
Male' 20379,
Maldives

ANNEX 1: TEMPLATE OF BID SECURITY

WHEREAS,[*name of Bidder*] (hereinafter called “the Bidder”) has submitted his Bid for the Project no.....issued by the Maldives Inland Revenue Authority onfor construction of[*name of Contract*] (hereinafter called “the Bid”).

KNOW ALL PEOPLE by these presents that We [*name of Bank*] of [*name of country*] having our registered office at (hereinafter called “the Bank”) are bound unto[*name of Purchaser*] (hereinafter called “the Purchaser”) in the sum of * for which payment well and truly to be made to the said Purchaser, the Bank binds itself, its successors, and assigns by these presents.

SEALED with the Common Seal of the said Bank thisday of20.....

THE CONDITIONS of this obligation are:

- (1) If, after Bid opening, the Bidder withdraws his Bid during the period of Bid validity specified in the Form of Bid; or
- (2) If the Bidder having been notified of the acceptance of his Bid by the Purchaser during the period of Bid validity:
 - (a) fails or refuses to execute the Form of Agreement in accordance with the Instructions to Bidders, if required; or
 - (b) fails or refuses to furnish the Performance Security, in accordance with the Instruction to Bidders; or
 - (c) does not accept the correction of the Bid Price pursuant to Clause 27,

* The Bidder should insert the amount of the Guarantee in words and figures denominated in Maldivian Rufiyaa. This figure should be the same as shown in Clause 16.1 of the Instructions to Bidders.

we undertake to pay to the Purchaser up to the above amount upon receipt of his first written demand, without the Purchaser’s having to substantiate his demand, provided that in his demand the Purchaser will note that the amount claimed by him is due to him owing to the occurrence of one or any of the three conditions, specifying the occurred condition or conditions.

This Guarantee will remain in force up to and including the date days after the deadline for submission of bids as such deadline is stated in the Instructions to Bidders or as it may be extended by the Purchaser, notice of which extension(s) to the Bank is hereby waived. Any demand in respect of this Guarantee should reach the Bank not later than the above date.

DATE..... SIGNATURE OF THE BANK

WITNESS SEAL

[*signature, name, and address*]