



**Ministry of Environment, Climate Change and Technology**

Republic of Maldives

**REQUEST FOR PROPOSAL**

(IUL)438-ENV/438/2023/56

**Consultancy for a Legal Specialist/Agency (National)**

**for**

**“Integrated, Sustainable and Low Emission Transport in the Maldives Project”**

**Issued on:** 15<sup>h</sup> February 2023

**Issued By:** Integrated, Sustainable and Low Emission Transport in the Maldives – Project Management Unit

**TABLE OF CONTENTS**

**SCHEDULE OF CRITICAL DATES ..... 3**

**SUBMISSION REQUIREMENTS ..... 3**

**1. INTRODUCTION ..... 4**

**2. OBJECTIVE OF THE CONSULTANCY ..... 4**

**3. SCOPE OF WORK ..... 5**

**4. EXPECTED DELIVERABLES ..... 5**

**5. QUALIFICATION AND EXPERIENCE ..... 5**

**6. OTHER SKILLS ..... 6**

**7. EXPECTED DELIVERABLES (TENTATIVE SCHEDULE):..... Error! Bookmark not defined.**

**8. WORKING ARRANGEMENT ..... 6**

**9. DURATION OF THE CONSULTANCY ..... 6**

**10. DUTY STATION ..... 6**

**11. QUERIES ..... 6**

**12. EVALUATION CRITERIA ..... 7**

**13. ADDITIONAL INFORMATION ..... 7**

**14. SUBMISSION ..... 8**

**ANNEX A ..... 9**

**TECH FORM 1 – Proposal Submission Form ..... 9**

**TECH FORM 2 – Work Schedule ..... 10**

**TECH FORM 3 – Curriculum Vitae (CV)..... 11**

**TECH FORM 4 – Letter of Commitment ..... 12**

**FIN FORM 1 – Financial Proposal Submission Form ..... 14**

**FIN FORM 2 – Financial Breakdown Form ..... 15**

**FIN FORM 3 – Financial Situation ..... 16**

**FIN FORM 4 – Average Annual Turnover ..... 17**

**FIN FORM 5 – Financial Resources ..... 18**

**FIN FORM 6 – Line of Credit Letter ..... 19**

**FIN FORM 7 – Current Contract Commitments / Work in Progress ..... 20**

## SCHEDULE OF CRITICAL DATES

ACTIVITY	ACTION DATE
Advertisement for proposals	15 <sup>th</sup> February 2023
Release of Request for Proposal	15 <sup>th</sup> February 2023
Last day to submit queries	22 <sup>nd</sup> February 2023 before 12:00 PM (local time)
Deadline to submit proposals	26 <sup>th</sup> February 2023 before 11:00 AM (local time)

## SUBMISSION REQUIREMENTS

1. The following related documents shall be submitted for the bids to be considered sufficiently responsive.
2. Applicants should submit their proposals containing the following documents and applicable Technical Proposal – Standard Forms and Financial Proposal – Standard Forms under ANNEX A.

### **Technical Proposal – Standard Forms**

1. Completed Proposal submission form – (Tech Form 1)
2. A summary of the work plan for the deliverables in chapter 7 of this TOR, must be presented in the format in Work Schedule (Tech Form 2) showing in the form of a Gant chart, the timing proposed for each activity.
3. Curriculum Vitae (CV) of the Consultant (required experiences and other experiences relevant to this TOR must be specified clearly or highlighted in the format given) – (Tech Form 3)
4. Letter of commitment to undertake the project (Tech Form 4).
5. Copies of academic certificates and work references letters of Consultant.
6. Copy of Business (sole proprietorship/company/partnerships/institutions/joint venture) registration certificate
7. Tax Registration documentation
8. SME Registration documentation
9. Joint Venture Partner Information form if applicable – (Tech Form 5)
10. If more than one party wishes to show interest as a JV, Joint Venture or Association Agreement between the parties needs to be provided
11. Copy of GST Registration certificate issued by Maldives Inland Revenue Authority

### **Financial Proposal – Standard Forms**

1. Completed proposal submission form (Fin Form 1)
2. Completed financial breakdown form (Fin Form 2)
3. Financial Situation (Fin Form 3) – (If applicable)
4. Average Annual Turnover (Fin Form 4) – (If applicable)
5. Financial Resources (Fin Form 5) – (If applicable)
6. Line of Credit Letter (Fin Form 6) – (If Applicable)
7. Financial Statement of the business for the year 2021,2022 – (If applicable) *Business entities that have not completed one year (from the date of business registration to date of bid announcement) are required to submit the bank statement of the business's bank account. (Bank statement should be from the date of account opening to date of bid announcement)*

## **Note**

1. All bidders should clearly identify a key person (herein referred to as the ‘Consultant’) for carrying out the task. For bids submitted by joint venture/company/partnerships/institutions, the key person signed in Tech Form 4 will be considered for the evaluation process.
2. If a Sole Proprietorship is interested in submitting proposal for this assignment the proposed Key person should be the owner of the Sole Proprietorship.
3. If bidder fails to submit any of the above listed document, their proposal will not be considered for further evaluation.

## **1. INTRODUCTION**

The Government of Maldives has received funding from the Global Environment Facility (GEF) for the project “Integrated Sustainable and Low Emission Transport in the Maldives”. The Government intends to apply part of the proceeds towards hiring a Legal Specialist (National)for the Project.

The objective of the project is to promote an integrated, sustainable and low-emissions transport system and reduce GHG emissions and air pollution from the transport sector as well as address energy security by reducing fossil fuel imports. The project will result in an integrated urban and transport plan that leads to enhanced coordination among various government stakeholders and development of projects to enhance mobility for the residents with public and low emission transport infrastructure. The visibility of demonstration of the projects for e-buses and e-bike sharing schemes backed with the campaigns to create awareness of users, the benefits for sustainable low-emission transport options is expected to create a buy-in among policy makers and stakeholders to scale of investments in sustainable low emission transport options. The project will support development of measurable, reportable, and verifiable (MRV) system to measure emissions and reduction. This system will track and assess the benefits/ impacts of sustainable low-emissions transport options. This increased information and its tracking on use of sustainable low-emission transport will create greater awareness of benefits in policy makers and users to continuously integrate new and emerging sustainable and low-emission transport options. Information from demonstration projects and tracking of information on use of sustainable low-emission transport will create greater awareness of benefits in policy makers and users

The proposed project is structured across three components, which are necessary to address the barriers and facilitate the successful implementation of the baseline efforts to achieve an integrated, sustainable, and low-emissions transport system:

- Component 1: Institutionalization of integrated sustainable low-carbon transport and development of regulatory framework and policies
- Component 2: Short-term barrier removal and scaling-up investments through low-emission sustainable transport demonstrations
- Component 3: Preparing for scale-up, monitoring, awareness creation and replication of integrated sustainable low-emission transport

## **2. OBJECTIVE OF THE CONSULTANCY**

The main objective of this consultancy service is for the Legal Specialist or an Agency to support the Project Management Unit (PMU) and the expertise hired in handling the legal aspects of the project. The role of the legal expert shall include analysing the rules and working mechanism created for implementation of the projects and providing legal support for the proper functioning. The legal expert shall also support

during procurement of technologies and project execution. The Legal Specialist or an Agency (National) will be contributing to Component 1 and Component 2 of the GEF project.

The Consultant/Agency should guide the PMU and experts working in the Project in all possible legal gaps related to the project and the transport sector as a whole so that final outcome can become workable by removing all gaps and obstacles.

### **3. SCOPE OF WORK**

The consultancy involves the following roles, responsibilities and deliverables:

- 3.1 Advise the PMU and experts working with the project on drafting The Frame Work of the National Mobility Plan, Policy Recommendation, implementation of non-fiscal policies for low-emission transport (eco-labelling, etc), considering the country's legal framework and government procedures, etc.
- 3.2 Support on legal framing of Inter-department National Mobility Task Force
- 3.3 Advice on legal aspects of implementation and enforcement of regulations for transforming to low-emission transport.
- 3.4 Advice on the legal matters related to procurement and demo project execution contracts including but not limited to, E-Bike usage, Charging Infrastructure and all related set ups.

### **4. EXPECTED DELIVERABLES**

- 4.1 Legal document for adoption of the Framework of National Mobility Plan.
- 4.2 Legal document for adoption of the E-Mobility Plan.
- 4.3 Guideline for implementation of non-fiscal policies and outputs for low-emission transport such as, E-Bike usage, Charging Infrastructure and all related set ups, eco-labelling, etc, considering the country's legal framework and government procedures.
- 4.4 Legal recommendations on final project documents.

This assignment is designed to be delivered within the total project period on tasks basis. Thus, the final work plan will be decided during the contract negotiation period based on the consultant recommendations and the needs of the tasks.

### **5. QUALIFICATION AND EXPERIENCE**

The Consultant is expected to fulfil the following criteria in terms of expertise and qualifications;

1. Minimum master's degree in Law (or equivalent) and Admission to the Bar (or equivalent) in any equivalent developing country. Qualifications above master's degree will be an added advantage.
2. Specialized experience in similar organization/s and projects for at least 5 years; an additional year up to 5 years will be an added advantage.
3. Minimum 5 years of prior experience working at the community level, public sector, in international organizations and with NGOs; an additional year up to 5 years will be an added advantage.
4. Strong communication skills, including the ability to speak and write persuasively, negotiate, and

present ideas clearly and concisely in English

5. Outstanding legal drafting and analytical skills and willingness to render advice to safeguard legal risk.
6. Preferably experienced in public international law and with legal work for Multilateral Development Banks (MDBs) or International Organizations
7. Fluent in both English and Dhivehi.

## **6. OTHER SKILLS**

1. The ability to control the consultation process and create synergy of the groups.
2. Creativity skills to produce, disseminate and channel the information and messaging required.
3. The ability to work with international experts, to meet strict deadlines and plan the work according to priorities;
4. The ability to adapt to related work environments.

### **NOTE:**

1. All material documents developed should be both in Dhivehi and English Language

## **7. WORKING ARRANGEMENT**

The Consultant/Agency's work under this project will be supervised by the National Technical Coordinator and will work closely with designated officials from the Project Management Team (PMU). The consultant should carry his/her task with the Project Management Unit and MECCT to update on the progress of consultancy works. The consultant should carry out his/her tasks in accordance with the rules and procedures of the Government of Maldives.

All meetings should be held with the related authorities/agencies and stakeholders physically or virtually if a physical meeting is not possible.

## **8. DURATION OF THE CONSULTANCY**

The Consultant must be available to commence the services from the date of contract signing and will be hired for a period of Four (4) calendar months within the duration of the Project as different tasks needs to be provided during different stages of the project.

If required, the contract can be extended for a period agreed between both the client and the consultant.

## **9. DUTY STATION**

If required, the consultant will be provided with work station in the Project Management Team (PMU) for the Integrated, Sustainable and Low Emission Transport in the Maldives' project under the Ministry of Environment Climate Change and Technology (MECCT) and will be provided with all working hardware and necessary support.

## **10. QUERIES**

For any queries, please email to [procurement@environment.gov.mv](mailto:procurement@environment.gov.mv) copied to [islet@environment.gov.mv](mailto:islet@environment.gov.mv) before 12:00hrs of 22nd February 2023

## 11. EVALUATION CRITERIA

Details	Maximum points
<b>Adequacy of the proposed workplan</b>	<b>[10]</b>
Tentative workplan	[10]
<b>Qualification Skills and Experience</b>	<b>[90]</b>
Qualifications and skills [25] points for minimum A master’s degree in Law (or equivalent) and Admission to the Bar (or equivalent) in any equivalent developing country. [05] points for above masters’s degree	[30]  [05]
General Professional Experience [15] for minimum 05 years’ Specialized experience in similar organization/s and projects for at least 5 years [01] point for each additional year up to 5 years	[20]
Specific Professional Experience [10] points for minimum 05 years of experience with the public sector, in international organizations or the NGO sector., [01] point for additional year up to 5 years	[15]
[10] Experience in public international law and with legal work for Multilateral Development Banks (MDBs) or International Organizations	[10]
[10 points for demonstrated experience legal drafting and analytical skills and willingness to render advice to safeguard legal risk	[10]

### Total technical score (s): 100

- The minimum technical score (s) required to pass is: 60 Points, proposal that does not qualify the minimum technical score will be disqualified from further evaluation.
- The formula for determining the financial scores is the following:  
 $S_f = 100 \times F_m / F$ , in which  $S_f$  is the financial score,  $F_m$  is the lowest price and  $F$  the price of the proposal under consideration.
- The weights given to the Technical and Financial Proposals are:  
 $T = [0.6]$ , and  $F = [0.4]$

## 12. ADDITIONAL INFORMATION

Documents and data provided by the government for the purpose of this assignment which is not of public nature shall be considered confidential and should not be disclosed to any other party. All products produced as part of this assignment and shall be handed over to the PMU at the completion of the contract and will become the sole property of MECCT.

### 13. SUBMISSION

ACTIVITY	ACTION DATE
Advertisement for proposals	15 <sup>th</sup> February 2023
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Deadline to submit proposals	26 <sup>th</sup> February 2023 before 11:00 AM (local time)

<b>Bid Submission</b>	<b>On or Before 26th February 2023 – 11:00hrs local time</b>
Bid Opening	On or Before 26th February 2023 – 11:00hrs local time Proposals will be opened in the presence of the proponents’ representatives who choose to be present at the address below at the time of proposal opening.
Submission Instruction	Proposals must be delivered in sealed envelopes titled <b>“Do not Open Before 26th February 2023 11:00 hours – Consultancy for a Legal Specialist/Agency (National) for Integrated, Sustainable and Low Emission Transport in the Maldives Project”</b> and the submitting party’s name and address”  Late proposals will be rejected.
Submission address	Procurement Section Ministry of Environment, Climate Change and Technology Green Building, Handhuvaree Hingun, Maafannu Male’, 20392, Republic of Maldives Email: procurement@environment.gov.mv Website: www.environment.gov.mv  Project Name: Integrated, Sustainable and Low Emission Transport in the Maldives



## ANNEX A

### TECH FORM 1 – Proposal Submission Form

[Location, Date]

To: [Name and address of Client]

Dear Madam/Sir:

We, the undersigned, would like to express my Interest for the position of **‘Consultancy for a Specialist Legal Specialist/Agency (National) for “Integrated, Sustainable and Low Emission Transport in the Maldives Project”**’ in accordance with your Request for Proposal Ref: (IUL)438-ENV/438/2023/56, dated **15<sup>th</sup> February 2023.**

We are hereby submitting my Proposal, which includes all required documents as per Request for Proposal.

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

If negotiations are held during the period of validity of the Proposal, we undertake to negotiate on the basis of the proposed fees. The Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We undertake, if our Proposal is accepted, to initiate the services and fulfil the terms and conditions related this contract.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of joint venture/company/partnerships/institutions/sole proprietor:

Address

**TECH FORM 2 – Work Schedule**

<b>Work Schedule for Consultancy for a Legal Specialist/Agency (National)</b>																	
Description	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14	Week 15	Week 16	Week 17
Activity																	
_____																	
_____																	
_____																	

**TECH FORM 3 – Curriculum Vitae (CV)**  
**(Strictly follow the format given)**

1. **Name of Company:** *[Insert name of company proposing the staff (if applicable)]:*
2. **Name of staff:** *[Insert full name]:*
3. **Date of birth:**
4. **Education** *[Indicate college/university and other specialized education, giving names of institutions, degrees obtained, and dates of obtainment]:*
5. **Membership of professional associations:**
6. **Other Training:**
7. **Languages** *[For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]:*
8. **Experience/ employment record** *[Starting with present position, list in reverse order every employment held since graduation, giving for each employment (see format here below): dates of employment, name of employing organization, positions held.]*

- a. From [Month/Year] – To [Month/Year]:
- b. Employer:
- c. Positions held:

**9. Summary of projects/assignments undertaken/ role**

- a. Name of project/ assignment:
- b. Experience classification: General / specific
- c. Scope of project/ assignment:
- d. Role/ Position undertaken:
- e. Period of Consultation:

**10. Past commitments in projects with the Ministry of Environment Climate Change and Technology**

- a. Name of the Contract/Project:
- b. From [Month/Year] – To [Month/Year]:
- c. Positions held:
- d. Summary of role:

## TECH FORM 4 – Letter of Commitment

[ Location, date]

To: [Name and address of Client]

Ref no: \_\_\_\_\_

Dear Sir/Madam,

We are/I am writing to confirm my availability to provide services as the for **“Consultancy for a Specialist Legal Specialist/Agency (National) for Integrated, Sustainable and Low Emission Transport in the Maldives”**, Project – Ref: (IUL)438-ENV/438/2023/56, dated **15<sup>th</sup> February 2023** for the Ministry of Environment, Climate Change and Technology.

I undertake, if this proposal is accepted, to complete and deliver the whole of the services assigned to me in the scope of services.

I undertake, if this proposal is accepted upon receipt of the Ministry of Environment, Climate Change and Technology’s notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Name:

National ID No:

Date:

Signatory:

**TECH FORM 5 – Joint Venture Partner Information Form**

[The Bidder shall fill in this Form in accordance with the instructions indicated below].

Date: [insert date (as day, month and year) of Bid Submission]

Procurement Reference No.: [insert reference]

Page \_\_\_ of \_\_\_ pages

1. Bidder's Legal Name:	<i>{insert Bidder's legal name}</i>
2. JV's Party legal name:	<i>{insert JV's Party legal name}</i>
3. JV's Party Country of Registration:	<i>{insert JV's Party country of registration}</i>
4. JV's Party Year of Registration:	<i>{insert JV's Part year of registration}</i>
5. JV's Party Legal Address in Country of Registration:	<i>{insert JV's Party legal address in country of registration}</i>
6. JV's Party Authorized Representative Information	
Name:	<i>{insert name of JV's Party authorized representative}</i>
Address:	<i>{insert address of JV's Party authorized representative}</i>
Telephone/Fax numbers:	<i>{insert telephone/fax numbers of JV's Party authorized representative}</i>
Email Address:	<i>{insert email address of JV's Party authorized representative}</i>
7. Attached are copies of original documents of: <i>{check the box(es) of the attached original documents}</i>	
<ul style="list-style-type: none"> <li>- Articles of Incorporation or Registration of firm named in 2, above.</li> <li>- In case of government owned entity from the Republic of Maldives, documents establishing legal and financial autonomy and compliance with commercial law.</li> </ul>	

## FIN FORM 1 – Financial Proposal Submission Form

[Location, Date]

To: [Name and address of Client]

Dear Madam/Sir:

We, the undersigned, offer the Express of Interest for the “**Consultancy for a Specialist Legal Specialist/Agency (National) for Integrated, Sustainable and Low Emission Transport in the Maldives**”, - Ref: (IUL)438- ENV/438/2023/56 dated **15<sup>th</sup> February 2023** in accordance with your Request for Proposal dated [xxx] and Technical Proposal. The attached Financial Proposal is for the sum of [Insert amount(s) in words and figures in MVR]. This amount is inclusive of the all local taxes.

The Financial Proposal shall be binding upon myself subject to the modifications resulting from Contract negotiations, up to expiration of the validity period of the Proposal.

We undertake, if my Proposal is accepted, to initiate the services and fulfil the terms and conditions related this contract.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of joint venture/company/partnerships/institutions/sole proprietor:

Address:

**FIN FORM 2 – Financial Breakdown Form**

No.	Description	MVR
1	Legal document for adoption of the Framework of National Mobility Plan.	
2	Legal document for adoption of the E-Mobility Plan.	
3	Guideline for implementation of non-fiscal policies and outputs for low-emission transport such as, E-Bike usage, Charging Infrastructure and all related set ups, eco-labelling, etc, considering the country’s legal framework and government procedures.	
4	Legal recommendations on final project documents.	
5		
6		
7		
8		
	<b>Total</b>	
	<b>Tax</b>	
	<b>Total with Tax</b>	

**The quotation is valid for 90 days from the date of bid opening.**

Note: Indicate the total cost with detail cost to be paid in Maldivian Rufiyaa (MVR).

Note: The total contract price should be quoted inclusive of all taxes as per the GST Legislation and Circulars where applicable.

Authorized Signature and Stamp:

### FIN FORM 3 – Financial Situation

Each Applicant must fill in this form

Financial Data for Previous 3 Years [MVR Equivalent]			
	Year 2022:	Year 2021:	Year 2020:

#### Information from Balance Sheet

Total Assets			
Total Liabilities			
Net Worth			
Current Assets			
Current Liabilities			
Working Capital			

#### Information from Income Statement

Total Revenues			
Profits Before Taxes			
Profits After Taxes			

Attached are copies of financial statements (balance sheets including all related notes, and income statements) for the last three years, as indicated above, complying with the following conditions.

- All such documents reflect the financial situation of the Bidder.
- Historic financial statements must be complete, including all notes to the financial statements.

- Historic financial statements must correspond to accounting periods



### FIN FORM 4 – Average Annual Turnover

Each Bidder must fill in this form

Annual Turnover Data for the Last 3 Years		
Year	Amount Currency	MVR Equivalent
2020		
2019		
2018		

Average Annual Turnover

The information supplied should be the Annual Turnover of the Bidder in terms of the amounts billed to clients for each year for contracts in progress or completed at the end of the period reported.

**FIN FORM 5 – Financial Resources**

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract or contracts as indicated in Section 3 (Evaluation and Qualification Criteria)

Financial Resources		
No.	Source of financing	Amount (MVR equivalent)
1		
2		
3		

**FIN FORM 6 – Line of Credit Letter**

*[letterhead of the Bank/Financing Institution/Supplier]*

*[date]*

**To:***[Name and address of the Contractor]*

Dear,

You have requested {name of the bank/financing institution/supplier issuing the letter) to establish a line of credit for the purpose of executing {insert Name and identification of Project}.

We hereby undertake to establish a line of credit for the aforementioned purpose, in the amount of {insert amount}, effective upon receipt of evidence that you have been selected as successful bidder.

This line of credit will be valid through the duration of the contract awarded to you.

Authorized Signature: \_\_\_\_\_

Name and Title of Signatory: \_\_\_\_\_

Name of Agency: \_\_\_\_\_

**FIN FORM 7 – Current Contract Commitments / Work in Progress**

**Current Contract Commitments/Works in Progress**

Tenderers and each partner to a JV should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

No	Name of contract	Employer, contact address/tel/fax	Value of outstanding work (current MVR equity)	Estimated completion date	Average monthly invoicing over last six months (MVR/month)
1.					
2.					
3.					
4.					
5.					