

REQUEST FOR PROPOSAL FOR LEGAL RETAINER

A- Introduction

Ministry of Economic Development (Ministry) is entrusted with the mandate to develop and promote inclusive and sustainable economic growth in Maldives, through prudent policies and a favourable business environment. It is the objective of the Ministry to create opportunities and a commercial environment for the growth of enterprises and individuals.

The Ministry has two key roles within its overall portfolio of economic development. That is to provide leadership and coordination within the government's overall economic policy making process and also facilitate the necessary policy as well as regulatory environment, to nurture and foster trade, investments and growth of Maldives.

B- Purpose

The Ministry would like to engage the services of a Legal Firm to provide legal services for the Ministry in the delivery of its mandate.

C- Who may Apply

Only law firms registered with the Maldives Bar Council with lawyers who hold a valid license to practice law in the Maldives may respond to this RFP. The prospective retainer law firm must present a team of one or more lawyers including a lead lawyer, who will act as the focal point for the Ministry, in the provision of legal services to the Ministry.

D- Instructions on Proposal Submission

1. Closing Submission Date: Proposals must be submitted no later than 12.00 hrs of 23rd June 2022
2. Inquiries:- Inquiries concerning this RFP should be sent by e-mailed to: procurement@trade.gov.mv
3. Conditions of Proposal: All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the applicant and will not be reimbursed by Ministry.

4. Instructions to Prospective Contractors.
5. The applicant's proposal should be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following text:

*Request for Proposal: Legal Retainer Consultancy to Ministry of Economic
Development*

6. All proposals shall be sealed. Failure to do so may result in premature disclosure of your proposal.
7. It is the responsibility of the Applicant to ensure that the proposal is received by the Ministry, by the date and time specified above. Late proposals will not be considered.
8. Right to Reject. Ministry reserves the right to reject any and all proposals received in response to this RFP.
9. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.
10. Notification of Award. It is expected that a decision selecting the successful Firm will be made within one (1) week following the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful Firm, all Applicants submitting proposals in response to this Request for Proposal will be informed in writing, the name of the successful firm.
11. Duration: 01 (one) year.

II. SCOPE OF SERVICES

With the overall guidance of the Minister, Permanent Secretary or an assigned Ministry Focal Point, the successful applicant will be required to assist the Ministry to carry out the scope of work, responsibilities and duties mentioned below.

III. RESPONSIBILITIES AND DUTIES:

The specific responsibilities and duties of the selected firm include the following:

1. Provide expert legal advice on significant legal matters relating to trade, investment, employment and other business areas within the mandate of the Ministry.

2. Advice on development of draft legislation and regulations, including review of, and comments to draft bill and regulations on pertinent issues relating to the mandate of the Ministry.
3. Translation of legal documents and agreements.
4. Advising the Ministry on legal matters relating to development and structuring of large strategic projects managed by the Ministry and on participation in the negotiations of contracts, including formulating and review of commercial contracts.
5. Advice the Ministry on potential legal risks and cases in relation to the mandate of the Ministry.

Work Hours

The selected firm will be required to provide legal services for 10 (ten) hours per month, and this shall be used for determination of fixed monthly fee (“Fixed Monthly Fee”).

Additional hours are number of hours expended beyond the 10 (ten) hours for respective month and this shall be used for determination of the rate per additional hour (“Rate for Additional Hours”).

IV. PROPOSAL CONTENTS

The Applicant, in its proposal shall, as a minimum, include the following:

- A. Firm Profile including relevant expertise and experience.
- B. A list and the CV’s of the individual members of the proposed legal team
- C. Reference for the Team Leader, from a previous Client (optional).
- D. Proposed (i) Fixed Monthly Fee; and (ii) Rate for Additional Hours.
- E. Any other fee options proposed.

Lawyer’s Qualification. The members of the team of lawyers should have a minimum of a Bachelor of Laws with a combined experience of 15 years of law practice in the area of trade, investment, commercial and business, and employment, amongst the proposed team of Lawyers. In addition, the Team Leader should possess ideally a Masters Degree in Law or related field, with at least 10 (ten) years of related experience in the practice of law.

In addition, all team members should have the following competencies:

- Experience in drafting of legal documentation in both English and Dhivehi Language
- Excellent interpersonal communication in both English and Dhivehi (verbal and written)

- Problem solving and analytical skills
- Ability to multitask and meet deadlines
- A high level of professionalism (integrity and ability to maintain confidentiality)
- Ability to work well within the team
- Familiarity in business, commercial and investment regime and legal framework of Maldives and international trade and investment frameworks.

V. EVALUATION OF THE PROPOSALS

Evaluation Procedure and Criteria: The Bid Evaluation Committee will review proposals and make recommendations to the Tender Agency Committee of the Ministry for final approval.

The Bid Evaluation Committee may request a meeting with some qualified Applicants prior to final selection.

Proposals will be reviewed in accordance with the following criteria.

1. Level of academic qualification and relevant and related experience of the team members including Team Leader – 40 marks
2. The applicants past experience engaged in similar areas of work and/or with similar clients and legal matters – 30 marks
3. Proposed Fees – 30 marks