



Blochistan Public Private Partnership Authority

ANNUAL RATE OF CONTRACTING DOCUMENT FOR THE PROCUREMENT OF

Selection of legal firms for the provision of legal services to BPPPA on framework agreement basis

Dated 28 September, 2023

NAME OF APPLICANT: \_\_\_\_\_

(To be filled-in by the Applicant)

Detailed Instructions For Preparing Document

The documents shall be prepared in accordance with the closed framework agreement basis without rates. all the terms and conditions of the framework agreement mentioned in the framework agreement regulation issued by BPPRA vide regulation no.B-PPRA/1-31/2020/650-63 dated 2nd June 2020.

## Purpose & Scope

### **Objective:**

The Legal Advisor will provide legal counsel and support to the Public-Private Partnership Authority in all matters related to PPP projects and initiatives, ensuring that they are in compliance with all relevant laws and regulations

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**1. Scope of Services:**

The ultimate objective of the Assignment is for the Legal Advisor to assist the Procuring Agency in the following services for public private partnership projects.

The scope of services for legal advisory, includes but is not limited to the following:

- (i) Pro-actively participating in various legal tasks and activities to achieve the overall objectives of the PPP Framework for the Province;
- (ii) Providing legal feedback on a medium-term and long-term Public Private Partnership Investment Plan;
- (iii) Providing legal support in developing management structures, operating guidelines, procedures and providing feedback model documeructures, operating guidelines, procedures and providing feedback model documeructures, operating guidelines, procedures and providing feedback model documeructures, operating guidelines, procedures and providing feedback model documeructures, operating guidelines, procedures and providing feedback model documeructures, operating guidelines, procedures and providing feedback model documents for PPP projects, if any;
- (iv) Conduct legal due diligence on potential PPP projects, assessing legal risks and proposing risk mitigation strategies.
- (v) Provide legal guidance to ensure that all activities and decisions of the PPP Authority comply with applicable laws, regulations, and government policies.
- (vi) Providing legal assistance in conducting a competitive tendering process and pre-qualification process for a PPP project that has been approved by the PPP Board;
- (vii) Assisting the Procuring Agency in preparing documents for PPP projects, if required; and
- (viii) Vetting of PPP agreements and procurement documents for PPP projects.
- (ix) Assisting the Procuring Agency in procuring technical advisor(s)/consultant(s) for various PPP projects from time to time;
- (x) Assisting the Procuring Agency in procuring consultants required for rendering general advice, if need be;
- (xi) Ensure the confidentiality of sensitive information and maintain the highest ethical standards in all legal matters.
- (xii) Advise on dispute resolution mechanisms for PPP projects and assist in resolving legal disputes that may arise during project implementation.
- (xiii) Stay up-to-date with changes in legislation and regulations related to PPPs and advise on their implications
- (xiv) Conduct legal research on various topics related to PPPs and provide regular updates to the PPP Authority.
- (xv) Organize training sessions and workshops to enhance the legal knowledge and skills of PPP Authority staff and project stakeholders.
- (xvi) Contribute to the development and revision of PPP policies, guidelines and service rules, ensuring they align with best practices and legal requirements.
- (xvii) Vetting of relevant contracts and legal documents and/or instruments, including but not limited to integrity pacts, procurement documents, agreements and etc.; and

Any other legal and technical services required.

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Eligibility Criteria for Applicants:

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S No.	Applicant's Eligibility Factor	Requirement	Document Required
1	Similar Assignment	3 Assignments of Similar Nature and Complexity (JV)	Copy's of Supply Order's with relevant completion certificate's or Inspection Report's or delivery challan (items must cross-verify with supply order)
2	Financial Capability	25 Million PKR (JV)	Supporting Bank Certificate of Company's Bank Account
3	Status As Active Tax Payer	Presence in Active Tax Payer List	NTN Certificate (Verifiable as Active Tax Payer at FBR Web Portal)
4	Sales Tax Registration	Sales Tax Certificate	GST Registration Certificate
5	Non Blacklisted Certificate	The bidding firm must not be currently blacklisted by any procuring agency of Pakistan	Declaration of non blacklisting on company letter head by the bidder
6	Years of Establishment	A firm or its partners must have at least Three (03) years of experience since its establishment or post qualification	Attach relevant document
7	Supreme Court License	At least 02 partners/team members must have a practicing license of the Supreme Court	Attach copies of licenses of the Supreme Court and membership certificates, if any
8	High Court License	At least two (02) partners or two (02) team members of the firm must have a practicing license of the High Court	Attach copies of licenses of the High Court and membership certificates, if any
9	Bar Council Registration	he firm must be registered with the relevant Bar Council ;	Attach registration certificate
10	Public Sector Experience	The firm must have at least one (01) public sector clients on retainership basis, providing legal services including but not limited to contract drafting, contract management, contract vetting, review of policies, advice on corporate and regulatory matters, labour and employment matters, intellectual property right matters etc, dispute resolution etc.	(Relevant documents must be attached).
11	specific Experience	The firm must have experience in relation to legal transaction advisory services to public sector clients. Specifically, the firm must have advised on at least two (02) completed projects to public sector clients.	Completion certificates must be attached
12	General Experience	The firm must have experience in relation to legal transaction advisory services of public private partnership projects or EPC/turnkey projects. Specifically, the firm must have advised on at least three (03) public private partnership projects or EPC/turnkey projects in the last five (05) years	Completion certificates must be attached
13	Legal Team Leader	Qualification: LLM/LPC/Bar at Law, Valid Registration with Bar Council or related. Experience: Minimum 06 years legal advisory experience .	CV
14	Legal Expert	Qualification: LLB Valid Registration with Bar Council or related. Experience Minimum 7 years of experience of drafting procurement documents e.g. (EOIs, RFQ, RFP), Concession/PPP agreements / EPC contracts / agreement negotiations	CV
15	Financial Capability	Twenty Five 25 Million PKR (JV)	Audited Financial Statements for the last three years
16	BRA Registration	Firm must be registered with BRA	BRA registration certificate

**NOTE: It is mandatory for the applicants to meet all the above mentioned requirements of eligibility. In case of not meeting any single requirement, the application shall be declared NON RESPONSIVE**



DATA-SHEET OF THE ASSIGNMENT/ SCHEDULE OF REQUIREMENTS

Sr.No	Item Name	Quantity	Specification
1	80121609- Legal Research Services	1	<p>legal services: (i) Pro-actively participating in various legal tasks and activities to achieve the overall objectives of the PPP Framework for the Province; (ii) Providing legal feedback on a medium-term and long-term Public Private Partnership Investment Plan; (iii) Providing legal support in developing management structures, operating guidelines, procedures and providing feedback model documents for PPP projects, if any; (iv) Conduct legal due diligence on potential PPP projects, assessing legal risks and proposing risk mitigation strategies. (v) Provide legal guidance to ensure that all activities and decisions of the PPP Authority comply with applicable laws, regulations, and government policies. (vi) Providing legal assistance in conducting a competitive tendering process and pre-qualification process for a PPP project that has been approved by the PPP Board; (vii) Assisting the Procuring Agency in preparing documents for PPP projects, if required; and (viii) Vetting of PPP agreements and procurement documents for PPP projects. (ix) Assisting the Procuring Agency in procuring technical advisor(s)/consultant(s) for various PPP projects from time to time; (x) Assisting the Procuring Agency in procuring consultants required for rendering general advice, if need be;</p> <p>legal services: (xi) Ensure the confidentiality of sensitive information and maintain the highest ethical standards in all legal matters. (xii) Advise on dispute resolution mechanisms for PPP projects and assist in resolving legal disputes that may arise during project implementation. (xiii) Stay up-to-date with changes in legislation and regulations related to PPPs and advise on their implications (xiv) Conduct legal research on various topics related to PPPs and provide regular updates to the PPP Authority. (xv) Organize training sessions and workshops to enhance the legal knowledge and skills of PPP Authority staff and project stakeholders. (xvi) Contribute to the development and revision of PPP policies, guidelines and service rules, ensuring they align with best practices and legal requirements. (xvii) Vetting of relevant contracts and legal documents and/or instruments, including but not limited to integrity pacts, procurement documents, agreements and etc.; and (xviii) Any other legal and technical services required.</p>
2	80121609- Legal Research Services	1	<p>legal services: (i) Pro-actively participating in various legal tasks and activities to achieve the overall objectives of the PPP Framework for the Province; (ii) Providing legal feedback on a medium-term and long-term Public Private Partnership Investment Plan; (iii) Providing legal support in developing management structures, operating guidelines, procedures and providing feedback model documents for PPP projects, if any; (iv) Conduct legal due diligence on potential PPP projects, assessing legal risks and proposing risk mitigation strategies. (v) Provide legal guidance to ensure that all activities and decisions of the PPP Authority comply with applicable laws, regulations, and government policies. (vi) Providing legal assistance in conducting a competitive tendering process and pre-qualification process for a PPP project that has been approved by the PPP Board; (vii) Assisting the Procuring Agency in preparing documents for PPP projects, if required; and (viii) Vetting of PPP agreements and procurement documents for PPP projects. (ix) Assisting the Procuring Agency in procuring technical advisor(s)/consultant(s) for various PPP projects from time to time; (x) Assisting the Procuring Agency in procuring consultants required for rendering general advice, if need be;</p> <p>legal services: (xi) Ensure the confidentiality of sensitive information and maintain the highest ethical standards in all legal matters. (xii) Advise on dispute resolution mechanisms for PPP projects and assist in resolving legal disputes that may arise during project implementation. (xiii) Stay up-to-date with changes in legislation and regulations related to PPPs and advise on their implications (xiv) Conduct legal research on various topics related to PPPs and provide regular updates to the PPP Authority. (xv) Organize training sessions and workshops to enhance the legal knowledge and skills of PPP Authority staff and project stakeholders. (xvi) Contribute to the development and revision of PPP policies, guidelines and service rules, ensuring they align with best practices and legal requirements. (xvii) Vetting of relevant contracts and legal documents and/or instruments, including but not limited to integrity pacts, procurement documents, agreements and etc.; and (xviii) Any other legal and technical services required.</p>

Applicant's Information

**Applicant's Information: (To be filled-in by the Applicant)**

Name of company: \_\_\_\_\_

Complete Postal Address: \_\_\_\_\_

Tel No: \_\_\_\_\_

Fax No: \_\_\_\_\_

Authorized Representative's name & designation: \_\_\_\_\_

National Tax Number & Date of issuance: \_\_\_\_\_

**ANNEX-A**

**SAMPLE ADVERTISEMENT FOR  
EXPRESSION OF INTEREST (EOI) FOR PREQUALIFICATION**

**NAME OF THE PROJECT/ASSIGNMENT**

Invitation to consultants registered with PEC to apply for Prequalification (Short-listing) by ( Name of Government of Province/Federal Division/Department) which has been entrusted the responsibility for execution of the (Name of the Project). The major project components include \_\_\_\_\_ A part of the approved estimated amount of Rs. \_\_\_\_\_ million is to be expended on the procurement of engineering consultants' services. Application forms are available with the afore-listed entity at the following Address:-

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Interested consultants are invited to register their interest for participation in the project implementation by sending the following information in quadruplicate:-

- Name, address, telephone, fax numbers and e-mail address of consultants.
- Ownership and Organizational Structure of the consultant.
- Financial Statement Summary for the past three years.
- List of major (similar) assignments under-taken over the past 10 years.
- Names and Short CVs of Principal Staff.

The deadline for receipt of EOI/Applications is (day/month/year). EOI/Applications received after this date shall not be entertained. A long-list/shortlist shall be finalized from the afore-given submission. Only the firms with demonstrated experience in similar assignments will be considered and notified for further participation in the selection process.

Interested firms should address their inquires and submit their applications to the following Address:-

- Name:
- Position:
- Address:
- Telephone No:
- E-mail Address:
- Fax No.:



**FORMAT OF SHORT CV OF PRINCIPAL STAFF**

1. Name :
2. Profession/Expertise :
3. Date of Birth :
4. Years with the Firm :
5. Nature of experience in this firm and others :
6. Membership of Professional Societies :
7. Education :
8. Other Training :
9. Knowledge of Languages :
10. Key Qualifications (Maximum  $\frac{3}{4}$  of a page) :

(NAME OF THE PROJECT)

**COMPARATIVE OVERVIEW OF FIRMS**

Sr. No.	Description/Items of Comparison	Firms/Groups			
		Name of Firm/Group	Name of Firm/Group	Name of Firm/Group	Name of Firm/Group

Experience of Firm

- Relevant Work Experience  
Maximum 5 projects for  
100% Points)

A. Experience of Firm

- Relevant Work Experience  
Maximum 5 projects for  
100% Points)
  - Feasibility Studies : F
  - Survey & Investigation : S
  - Detailed Engg. Design : D
  - Procurement Services : P
  - Construction Supervision : C
  - Quality Control : Q
  - O&M : O
  - Project Monitoring &  
Benefit Evaluation : M

(NAME OF THE PROJECT)

## COMPARATIVE OVERVIEW OF FIRMS

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		Name of Firm/Group	Name of Firm/Group	Name of Firm/Group	Name of Firm/Group

B. Quality of Principal Staff  
(Maximum of 7 preferably 5)

1. Education

- i) Basic Degree
- ii) Additional

2. Professional Experience  
(No. of years)

- i) Total
- ii) Relevant
- iii) General

[ Name of Department/Entity ]

**Assignment :** \_\_\_\_\_

**Project :** \_\_\_\_\_

**Date :** \_\_\_\_\_

### INFORMATION FORM

1. Name of consultant [ Lead partner if association ]
  - o Address
  - o Telephone No(s)
  - o Fax Number
  - o E-mail Address
  - o Registration No. with PEC alongwith Registered Office Address.
2. Description of consulting firm (ownership/organization)
3. Experience (Number of Years)
  - o Local/national
  - o International
  - o Regional (within the country-details)
4. Name(s) and Address(es) of Associates, if a JV; their short description and description of their role in the JV/Association.
5. Experience of the Consultants (on appended forms) during the past 10 years:
  - o Specific (3-5 Projects of similar magnitude and complexity)
  - o General (10-20 Projects)  
(in all Fields but not completely relevant)
6. Organization chart showing consultant's structure.
7. Capital of consultant (Financial Statements for the latest three years).
  - o Subsidiaries and associates.
  - o Annual fees in the last five years in current index.
  - o Financial reference [ name/address of bank(s)]
8. Professional staff available for the assignment on the appended format.
  - o (The client entity should provide the essential disciplines  
between 3 to 5 in number)
9. Additional information.

Yours truly,

Name of Authorized Representative

Position :

Date :



**EXPERIENCE OF CONSULTANT**

Relevant services carried out in the Last 7-10 years which best illustrate qualification.

[NAME OF THE FIRM/CONSULTANT]

1. Name of Assignment :
2. Country :
3. Name of Client :
4. Address :
5. Start Date : Month/Year
6. Completion Date : Month/Year
7. Professional Staff Provided :
8. No. of Staff :
9. No. of Staff Months :
10. Approx: Value of Services :
11. Name of Other JV Firms :  
(If any)
12. No. of Staff/Staff Months  
Provided by the JV partner(s) :
13. Name/Position of Key Staff :
14. Description of Project :
15. Description of Services  
Provided by the Firm :

**FORMAT OF CURRICULUM VITAE  
OF PROPOSED EXPERTS**

1. The Discipline/ Expertise :
2. Name of the Firm :
3. Name of Nominee :
4. Date of Birth :
5. Years with the Firm :
6. Nationality :
7. PEC Registration/  
Membership No. :
8. Key Qualifications : (Provide an outline of the nominee's experience)
9. Academic Qualification :
10. Employment Record :
11. Languages and  
Degree of  
Proficiency : (In speaking, reading and writing as  
Excellent-Good-Fair-Poor)
12. Certification I, the undersigned, certify that, to the best of my knowledge and belief, these bio-data correctly describes myself, my qualifications and my experience.

**Signature:**

**Dated:      day/month/year**