

**RE-ANNOUNCEMENT REQUEST FOR PROPOSALS
Legal Consultant to draft Asset Recovery Bill for Maldives**

Announcement No.	TM/RFP/2023/008A
Project:	STRONGG
Published on:	16 August 2023
Deadline:	22 August 2023 , <i>before 1600 hrs</i>
Point of contact:	procurement@transparency.mv

1. Organizational Background

Transparency Maldives (TM) is a non-partisan organization that endeavors to be a constructive force in society by promoting collaboration and discussion on corruption, transparency and accountability. TM seeks to engage with stakeholders from all sectors (government, business, political and civil society, among others) to raise awareness of corruption’s detrimental effects on development and society, improve transparency and accountability in governance, and eliminate corruption from the daily lives of people.

Transparency Maldives received formal government registration in 2007 and is the National Chapter of Transparency International (TI) in the Maldives.

2. Eligibility: Organizations / Firms / Individuals (Both Local & Foreign)

3. Project Duration: End of August 2023 to Mid-October 2023.

4. Scope of Work and Guidelines:

TM is seeking the services of a legal consultant to draft an Asset Recovery Bill for the Maldives, based on international best practices and the report on Asset Recovery prepared by the Anti-Corruption Commission of Maldives. The Legal Consultant is expected to produce a detailed report on findings along with the draft Bill both in English and Dhivehi, including commentary on the provisions.

5. Background

The Maldives, like many other countries, faces many challenges related to corruption and the recovery of stolen assets. In recent years, some steps have been taken to strengthen the legal framework and institutions to combat corruption and enhance asset recovery efforts. The Anti-Corruption Commission of the Maldives (ACC) is the primary authority responsible for combating corruption and coordinating asset recovery efforts in the country. ACC recently conducted a study on the legal framework for Asset Recovery in the Maldives. The main finding of the study is the urgent need to adopt a separate legal framework for asset recovery. The report of the study also highlights some of the key components that should be included in the law, based on international best practices. Transparency Maldives is partnering with ACC to draft an Asset Recovery Bill for the Maldives. This collaborative project will be supervised under ACC and TM to implement a comprehensive asset recovery regime in the Maldives. ACC will actively participate and supervise in the reporting process.

Objectives, Scope and Description of Activities

TM is seeking a legal consultant to undertake drafting of an Asset Recovery Bill for the Maldives based on international best practices. The legal consultant is expected to:

- Conduct research on the existing Maldivian asset recovery legal framework.
- Identify stakeholders and conduct interviews to identify challenges under the existing legal framework.
- Research international best practices on asset recovery legal framework.
- Draft Asset Recovery Bill in line with international best practices and local context.
- Conduct validation workshop with relevant stakeholders.

- Incorporate comments from TM and stakeholders and produce the final draft of the Asset Recovery Bill in English and Dhivehi with commentary on the provisions.
- Identify and compile a list of implementations challenges.

6. Deliverables and Timeline

<i>Deliverables</i>	<i>Timeline (Tentative)</i>
Inception report including: · Legal review · Methodological framework · Tools such as interview questions for stakeholder consultations	End of August 2023
First draft of the Report for comments	Early of September 2023
Second draft of the Report (with comments incorporated) and first draft of the Bill	Mid September 2023
Validation session with stakeholders	End of September 2023
Final Report and Final Draft of Bill in Dhivehi and English with commentary on provisions	Mid October 2023

7. Documents to be Submitted

Submit application via the website link for the RFP announcement. Must upload each of the required documents in the applicable section.

8.1 Technical Proposal

The technical proposal must include the following information:

8.1.1 Statement of Experience: This section should outline a statement of the Service Provider's capabilities and include details of previous related assignments of similar complexity and subject matter. Please provide a list of projects and reference contacts.

8.1.2 Statement of Qualifications: This section should describe the Service Provider's professional qualifications. Please include CV/resume providing evidence of how the Service Provider meets the knowledge and skills needs of the assignment.

8.1.3 Proposed Methodology: This section should demonstrate the Service Provider's methodological approach for meeting the specifications set out in this RFP.

8.1.4 Third Party Reference (Minimum three references)

8.2 Financial Proposal

Please see Annex 1 of this RFP.

8.3 Conflict of Interest Statement

Please see Annex 2 of this RFP.

**All Service Providers and relative team members and staff that will participate must sign the conflict-of-interest statement and submit it along with their application. Applications submitted without the above documents will be considered incomplete and TM and ACC reserves the right to reject such applications.

8. Evaluation of Applications

The applications will be evaluated based on their merit and experience in undertaking this assignment. The following criteria will be used to award scores for applications:

Selection Criteria	%
1. Technical Proposal	70%
1.1 Proposed methodology and approach	
<ul style="list-style-type: none"> • Methodology to achieve the outcome as per the scope of work 	10%

<ul style="list-style-type: none"> Proposed work plan and timeline 	10%
1.2 Service Provider’s Qualification <ul style="list-style-type: none"> Minimum Master’s degree in law, governance, anti-corruption, or a relevant field. Relevant short-term training or professional qualifications. 	10%
1.3 Service Provider’s Experience <ul style="list-style-type: none"> Previous experience in conducting similar research and drafting bills. Demonstrate a strong understanding of Maldivian legal system and political/social landscape. Demonstrable evidence of the service provider’s ability to undertake the assignment. Contextual knowledge of asset recovery and experience in dealing with asset recovery cases. 	15%
	10%
	5%
	5%
2. Financial Proposal	30%

9. Additional Terms and Conditions

a. Coverage & Participation

Transparency Maldives (TM) reserves the right not to enter any contract, to add and/or delete elements, or to change any element of the coverage and participation prior to the award without prior notification at any time without any liability or obligation of any kind or amount.

b. Service Providers’ Understanding of the RFP

In responding to this RFP, service providers accept full responsibility to understand the RFP in its entirety, and in detail, including making any inquiries to TM as necessary to gain such an understanding. TM reserves the right to disqualify any Service Provider who demonstrates less than such understanding. Further, TM reserves the right to determine, at its sole discretion, whether Service Providers have demonstrated such understanding. Such disqualification shall be at no fault, cost, or liability whatsoever to TM.

c. Good Faith Statement

All information provided by TM in the RFP is offered in good faith. Individual items are subject to change at any time. TM makes no certification that any item is without error. TM is not responsible or liable for any use of the information or for any claims asserted there from.

d. Communication

Verbal communication shall not be effective unless formally confirmed in writing by a TM staff in charge of managing this RFP process. In no case shall verbal communication govern over written communication. Formal Communications shall include, but are not limited to:

- Questions and inquiries concerning this RFP must be submitted in writing to procurement@transparency.mv
- Service providers shall recommend to TM any discrepancies, errors or omissions that may exist within this RFP. With respect to this RFP, service providers shall also recommend to TM any enhancements, which might be in TM’s best interests.

e. Non-Disclosure Agreement

TM reserves the right to require any respondent to enter into a non-disclosure agreement.

f. Costs

The RFP does not obligate TM to pay for any costs, of any kind whatsoever, which may be incurred by a Service Provider or any third parties, in connection with the proposal.

g. Intellectual Property

Service Providers shall not use any intellectual property of TM including, but not limited to, all logos, registered trademarks or trade names of TM, at any time without the prior approval of TM, as appropriate.

h. Service Provider's Proposals

All proposals and supporting documentation shall become the property of TM, subject to claims of confidentiality in respect of the proposal and supporting documentation. **Partial Awarding**
TM reserves the right to accept all or part of the quotation when awarding the contract. TM also reserves the right to award the second assessment based on the satisfactory delivery of the first assessment.

i. No Liability

- TM reserves the right to accept or reject any quotation or stop the procurement process at any time, without assigning any reason or liability.
- TM shall not be liable to any service provider, person or entity for any losses, expenses, costs, claims or damages of any kind; or
- Arising out of, by reason of, or attributable to, the Service Provider responding to this RFP;
- As a result of the use of information, error or omission contained in this RFP document or provided during the RFP process.

10. Entire RFP

This RFP, any addenda to it, and any attached schedules, constitute the entire RFP.

11. Submission Instructions

This RFP, along with all the mandatory documents stated in section 5 must be uploaded to the website or emailed to procurement@transparency.mv

Applications received after the deadline or do not include mandatory documents stated in section 5, will be rejected.

ANNEX 1: COST PROPOSAL

Service Providers are required to fill out the following cost breakdown. Unit prices are required in the case of discrepancies between unit price and total price, the unit price will be taken as a reference basis in the evaluation.

Deliverables	%	Value
Inception report including <ul style="list-style-type: none"> • Desk review • Methodological framework • Tools such as interview questionnaires and surveys for stakeholder consultations 	20%	
First draft of the report	20%	
Second draft of the Report and draft Bill	20%	
Validation session with stakeholders	20%	
Final Report and Draft Bill in Dhivehi and English	20%	

Pricing must be in **USD or MVR** (please select as appropriate).

Bid Title:

RFP No.:

Applicant:

Date:

Cost Breakdown by Component

No.	Activities	Quantity	Rate	No. of Days	Total Amount
A	Key Human Resources				
1	Eg: Budget analyst				
Subtotal A					
B	Administrative Costs				
Subtotal B					
C	Total A+B				
D	GST (8%) if applicable				
E	Grand Total (C+D)				

N. B. Administrative and other associated costs, if any, should be built into the above headings proportionately.

Name:

Designation:

Signature:

ANNEX 2: CONFLICT OF INTEREST STATEMENT

Transparency Maldives (TM) is committed to integrity in procurement, and only selects suppliers based on objective business criteria such as price and technical capacity. TM does not tolerate fraud, collusion among bidders, falsified proposals/bids, bribery, or kickbacks. Any entity or individual violating these standards will be disqualified from this procurement and barred from future procurement opportunities.

TM employees and agents are strictly prohibited from asking for or accepting any money, fee, commission, credit, gift, gratuity, object of value or compensation from current or potential vendors or suppliers in exchange for or as a reward for business.

By signing this certification, the bidder agrees to:

- Disclose as part of the proposal submission any close, familial, or financial relationships with TM staff and members. For example, the bidder must disclose if a bidder's mother conducts volunteer trainings for TM.
- Disclose as part of the proposal submission any family or financial relationship with other bidders submitting proposals. For example, if the bidder's father owns a company that is submitting another proposal, the bidder must state this.
- Certify that the prices in the bid/proposal/application/quote have been arrived at independently, without any consultation, communication, or agreement with any other bidder or competitor for the purpose of restricting competition.
- Certify that all information in the proposal and all supporting documentation are authentic and accurate.
- Certify understanding and agreement to TM's prohibitions against fraud and bribery.

Please contact procurement@transparency.mv for any questions or concerns regarding the above information or to report any potential violations.

Signature:

Date:

Name:

Title/ Position:

Entity name (for firms/organizations only):

Address:

End of RFP