



Privatisation Unit

Process Letter

Friday 9th October 2020

To prospective proponents,

Request for Proposals: Provision of Legal Services

Background

The Privatisation Unit ('PU') is an advisory unit to the Government of Malta. The PU is requesting proposals for the provision of Legal Services in connection with a project being undertaken on behalf of the Ministry for Finance and Financial Services.

Request for Proposals

The PU is hereby requesting a proposal for the provision of Legal Services for all stages of the projects pre-implementation processes, including:

- (a) Drafting and vetting of the EOI/RFP and related advertisement (if applicable);
- (b) Clarification questions related to the EOI/RFP (if applicable);
- (c) Support and advice during the evaluation and adjudication process of the EOI/RFP;
- (d) Negotiations with short listed/preferred proponent/s;
- (e) Drafting the legal agreement;
- (f) Litigation, including any court related procedures (if applicable).

You are hereby being invited:

1. To submit a Proposal to the PU; and
2. To provide the applicable remuneration rates for each process as outlined in the attached Annex 1.

All fees are to be quoted inclusive of VAT. The Privatisation Unit reserves the right to refuse even the most advantageous proposal.

The proposal should include:

- (a) A detailed explanation substantiating the proposal to provide the necessary pre-implementation services outlined above;
- (b) The applicable remuneration rates for each process as outlined in the attached Annex 1;
- (c) Detailed CV of the legal team member/s being assigned for the purposes of (a) and (b) above; and
- (d) Projects related to Government concessions or privatisations that are being directly currently undertaken or have been undertaken by the legal team member/s.

Only applicants that have direct experience in undertaking projects related to Government concessions or privatisations will be considered.

A confidentiality agreement and a conflict/non-conflict of interest declaration will be signed upon the award of the EOI. The PU reserves the right to conduct a due diligence exercise of the legal team member/s being proposed. Hence, interested qualified parties may be requested to submit a personal declaration form, to be provided by the PU, for the legal team member/s, including a detailed police conduct.

It is emphasised that the legal services will be required on demand and according to the needs and time schedule established by the PU and its associated committees.

Proposals are to be submitted in a sealed envelope, which should be delivered by hand to the Privatisation Unit by not later than 12:00 noon (CET) of Wednesday, 21st October 2020 addressed to:

**The Chairperson
Privatisation Unit
4, Clock Tower, Level 1
Tigne Point TP01
Sliema**

Tel: (+356) 22209573
Email: privatisation.meib@gov.mt
Website: www.privatisation.gov.mt

Annex 1

Process	Work Volume Basis	Cost (€)
1. Drafting and vetting of the EOI/RFP including related advertisement	Cost of drafting and vetting a 100 page document	
2. Clarification questions & other queries during EOI/RFP	Cost per question/query (allow 1 hour each)	
3. Support and advice during adjudication of EOI/RFP	Cost per meeting (allow 2 hours each)	
4. Negotiations with proponent/s	Cost per meeting (allow 2 hours each)	
5. Drafting of legal agreement	COMPLEXITY OF DOCUMENT	
Degree of complexity:	Simple	Moderate
Cost of drafting a 100 page legal agreement (€):		Complex
6. Litigation & court related procedures (if applicable)	Fees will be based according to the guidelines set out by the Chamber of Advocates (excluding court expenses which will be borne by the Privatisation Unit).	

Notes:

- (a) The documents at processes 1 and 5 will be prepared using standard margin settings, font used will be Times New Roman 12pt with single line spacing.
- (b) If the work volume basis for processes 1 and 5 are exceeded, the actual volume of work will be calculated upwards on a proportion basis.
- (c) When quoting costs for processes 3 and 4, Proponents are to include in their costs the preparatory and other related work effort.
- (d) When quoting cost for process 5, Proponents are to provide three cost estimates, namely for "Simple", "Moderate", and "Complex".