**EXPRESSION OF INTEREST**

**AFRICAN LEGAL SUPPORT FACILITY (ALSF)**

### CALL FOR HOST UNIVERSITY FOR AFRICAN PETRTOLEUM LEGISLATION ATLAS (APLA) PILOT PROJECT

**Terms of Reference**

# BACKGROUND INFORMATION ABOUT ALSF, ECNR AND THE APLA PROJECT

The African Legal Support Facility (“ALSF” or “Facility”) is an international organisation established by Treaty in 2008. The Facility is hosted by the African Development Bank (“AfDB”). Its membership is open to (a) All AfDB Member States (b) other states (c) AfDB and (d) other international organisations or institutions. The ALSF’s main objectives include: (i) assisting the AfDB’s Regional Member Countries (RMCs) address litigation brought against them by vulture funds (and other such entities); (ii) creating an avenue for the AfDB's RMCs to access technical advice when negotiating complex commercial transactions relating to extractive resources, infrastructure, PPPs, debt, and related commercial agreements; (iii) investing in and organizing the training of legal counsel from participating RMCs to equip them with the legal expertise necessary to better represent their countries; and (iv) the development of knowledge products.

The African Natural Resources Centre (ECNR) is a non-lending department of the AfDB with a mandate to assist African countries maximize development outcomes derived from natural resources. The Centre boosts the capacity of African countries to achieve inclusive and sustained growth from natural resources. To achieve this, it provides practical knowledge and expertise, advisory services, technical assistance and advocacy for improved and transparent management of renewable and non-renewable resources. The core activities of the centre include: (i) knowledge building; (ii) advocacy; (iii) technical assistance; and (iv) policy advice.

The African Petroleum Legislation Atlas (“APLA”) is a project aimed at legislation gathering, organization, and dissemination, as well as capacity building and capacity utilisation. The APLA Project comprises three main activities, namely: (i) the creation of the APLA platform, a free online one-stop resource for Africa’s petroleum legal frameworks (petroleum laws, regulations and related legislation) with interactive features to provide comparative data; (ii) production of a guiding template, an annotated document that outlines a menu of legislative solutions to assist countries in the preparation or revision of their petroleum laws; and (iii) capacity building through training (on-ground and remotely) of African students, researchers and legal professionals in the use of the online platform and on overall issues in petroleum law.

Together, the ALSF and ECNR aim to develop the APLA Platform with the objective to support African countries in maximizing petroleum resource benefits through: (i) promoting transparency, accessibility and comparison of Africa’s petroleum laws; (ii) facilitating the preparation, revision and implementation of petroleum laws; (iii) providing a living database that will catalyze research and policy debates on legal and regulatory issues; and (iv) promote the development of local legal expertise on African petroleum laws.

The development of the APLA Platform will be managed by a committee comprising officials of ALSF and ECNR (the “APLA Secretariat”).

1. **THE APLA PLATFORM**

The APLA Platform will host all the petroleum laws, regulations and related legislations from all African countries in an easily readable, searchable and downloadable format. The Platform will include a common taxonomy for comparison of the different thematic areas between all the laws and legal instruments hosted on the Platform and a guiding template for drafting petroleum laws.

The task of populating the APLA Platform will be undertaken by African law students who will be shortlisted by their universities and selected and trained by the APLA Secretariat to form the APLA Legal Research Team (LRT). In the interest of building capacity among young African legal professionals, the LRT will undergo a two-stage training program. The first is the annual workshop training on petroleum legislative frameworks and the use of the online platform and the second will occur remotely over a longer time span (one year). During the second stage of the training, the LRT will analyse petroleum legislation, enabling them to populate the APLA Platform and to have a deepened knowledge on the legislative frameworks. The students will also undergo career development training to prepare them for their professional career.

Once completed, the APLA Platform aims to serve as a tool for all stakeholders involved in the petroleum sector.

## THE APLA PILOT PLATFORM

## As a precursor to the APLA Platform, a pilot platform will be developed as a one stop database hosting all the petroleum laws, regulations and related legislations from four (04) African countries: Nigeria, Ghana, Congo (Brazzaville) and Chad, in an easily readable, searchable and downloadable format (APLA Pilot Platform).

The APLA Pilot Platform will be populated by the LRT selected by the APLA Secretariat. After their selection by the APLA secretariat, the LRT will undergo a one-week training on i) how to use to APLA platform; ii) how to process and analyse petroleum laws for the purpose of populating the platform; and finally iii) how to upload petroleum laws, regulations and related legislations.

1. **RATIONALE FOR THE CALL FOR HOST UNIVERSITY FOR APLA PILOT PROJECT**

The APLA Secretariat seeks to procure the services of an African university to host and implement the APLA Pilot Platform. These terms of reference (TORs) describe the scope of services that will be performed by the university.

1. **THE ROLE OF THE HOST UNIVERSITY**

The primary role of the university during the APLA Pilot Project will be to:

1. collate and process petroleum laws, regulations and related legislations from four African countries: (Nigeria, Ghana, Congo (Brazzaville), and Chad) into an online platform;
2. shortlist twenty (20) law students from which ten (10) will be selected and trained by the APLA Secretariat on the use of the Platform and overall petroleum issues; and
3. host the workshop for training of the selected law students on petroleum legislative frameworks and the use of the online platform.

Other key outcomes for the APLA Pilot Project include the establishment of formal partnerships and facilitation arrangements to guide and implement project activities going forward.

The table below summarizes the university’s role in the implementation of the APLA Pilot Project.

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| **Shortlist and submit candidate CVs of students to the Secretariat for training purposes.** | * A maximum of twenty (20) CVs shall be submitted to the APLA Secretariat for shortlisting. * The selection of candidates shall take gender representation into shall be consideration. |
| **Host the APLA Secretariat training** | * The university shall provide the facilities to host the APLA Secretariat’s training of the ten (10) selected students on: (i) the general use of the APLA Pilot Platform and on overall petroleum issues; (ii) the process of populating the platform; and (iii) quality control and review process. |
| **Choose representatives to monitor activities of the LRT** | * The university shall choose two (2) representatives to monitor the LRTs assignments and provide general support on other ad-hoc issues. |
| **Attend monthly support meetings with APLA Secretariat** | * The representatives shall attend monthly Skype meetings with the APLA Secretariat where progress reports, status reports, and any challenges faced will be discussed. |
| **Disbursements** | * Disbursements will be made by the university to the LRTs. |

1. **SECRETARIAT’S ROLE IN THE APLA PILOT PROJECT**

The AMLA Secretariat will remain responsible for the overall management of the APLA Pilot Project. Specifically, the roles of the Secretariat will be to: (i) select ten (10) students from the twenty (20) shortlisted by the university; (ii) organize the training of the selected students on the use of the APLA Pilot Platform; (iii) design the assignments based on the platform content needs; (iv) retain the final ownership and publishing rights of the APLA Pilot Platform content; (v) disburse to the universities the amount to be spent during the training period; (vi) oversee the services of the IT consultant responsible for maintaining the platform; (vii) retain control over the Guiding Template; (viii) coordinate the LRTs career development over the course of the project; and (ix) provide general support services to the university in relation to the project.

1. **MINIMUM REQUIREMENTS TO HOST THE APLA PILOT WORKSHOP**

As host of the APLA workshop, the university must meet the following requirements: (i) previous experience with hosting workshops of a similar nature; (ii) faculty’s willingness to host the workshop; (iii) agreeable timeframe for workshop delivery; and (iv) satisfactory security conditions.

Additionally, the APLA Secretariat will conduct an on-ground mission to the potential host universities where the following elements will be verified to assess the most suitable university to host the workshop.

Faculty’s training facilities:

* location, including host city’s airport connectivity with the rest of the continent and city roads/traffic conditions;
* capacity (total participants of 15 people: 10 students, 2 reviewers, and three trainers);
* hours of operation (ideally from 8 AM to 6 PM);
* technological equipment, including availability and quality of desktops/laptops, microphones, sound system, projector, internet connection (available for 15 individuals);
* presence of administrative staff for both workshop support and security;
* other services, including printing, transportation to and from training venues, functioning toilets, medical assistance, catering and security.
* Faculty’s administrative staff’ proven organization and logistical skills (there should, ideally be a dedicated unit for conference organization).

1. **SECRETARIAT’S ROLE IN RELATION TO THE WORKSHOP**

In partnership with the selected university, the Secretariat will be responsible for the overall delivery of the workshop. In the preparation phase, the Secretariat and host university will decide on the division of tasks based on the outcome of the on-ground mission and other considerations not specifically related to the said mission. The Secretariat shall take the lead on the design of the training program. However, the Secretariat will take into consideration comments and suggestions from the host university and other collaborating partners. Additionally, the Secretariat shall be responsible for the coordination of the more expensive elements of workshop budget, e.g. travel and accommodation for all organizers of the workshop. The Secretariat shall also issue the final list of selected participating students based on the shortlisted candidates.

In summary, the Secretariat’s role will be to: (i) confirm the selection of the host university based on the outcomes of the scoping mission; (ii) select the trainers and the participating students; (iii) design the training curriculum; (iv) arrange travel and accommodation for workshop organizers; and (v) deliver the workshop.

1. **HOST UNIVERSITY SELECTION PROCESS AND RELATED MATTERS**
2. Interested universities are invited to respond to the current call for host university outlining whether they meet the prescribed requirements. The candidate host university shall ideally provide for the following information:

* a technical proposal comprised of CV profile of the task team members that will be in charge of hosting the workshop, including the two representatives proposed to monitor the LRTs;
* the task team members shall have a petroleum law background or shall have at least a good understanding of petroleum law related issues;
* the ability and experience of the candidate university to carry out such project(s);
* a letter from the Dean of the Law faculty confirming the interest of the university to host the project and the task team members willingness to complete the APLA Secretariat training in support of the university’s application;
* a well drafted financial proposal detailing the budget lines and resources needed;
* the link to the candidate host university’s website and pictures that depict the university’s infrastructure, research center(s), meeting venue(s), offices etc.

2. The APLA Secretariat will shortlist potential host universities based on the relevance of the information provided in the application, and shall begin preliminary discussions to verify whether minimum requirements are satisfied;

1. A Secretariat on-ground mission will follow to verify and confirm the suitability of pre-identified candidate universities in hosting the APLA Pilot Project and the workshop;

4. Based on the on-ground assessment, the APLA Secretariat will determine which of the selected candidate universities are best equipped to host the APLA Pilot Project and the workshop;

5. The final decision on the selected university will be announced, followed by the commencement of the Secretariat-host coordination;

6. The LRT candidate’s selection process will begin;

7. The training curriculum and trainers’ list will be finalized;

8. Outstanding issues will be completed; and

9. A seven (7) day workshop will be delivered in between **January and** **March 2019.**

1. **DURATION OF THE ASSIGNMENT FOR THE HOST UNIVERSITIES**

The agreement shall be for a period of six (6) months. The workshop preparations shall commence as soon as the host is selected, and the workshop will be delivered in between January and March 2019.

1. **FUNDING**

The ALSF will fund the implementation of the APLA Pilot Project. The host university will be paid a lump sum, comprising LRTs fees, and university’s expenses for hosting the workshop.

1. **EVALUATING CRITERIA**

Applicants will be evaluated on their demonstrated ability to carry out the scope of work described herein. The proposals should outline, *inter alia,* (i) any prior experience in implementing similar projects on time and within budget; (ii) plans to create a task team responsible for coordinating the APLA Pilot Project, indicating the technical capacity, qualifications and related experience of the members of the task team; (iii) description of suitable facilities to host the workshop; and (iv) ability to coordinate events.

The weighted evaluation criteria is summarized in the table below.

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| **Criteria** | **Weight** |
| **Technical Proposal** | **70%** |
| The university’s experience relevant to the assignment | 10% |
| Understanding the terms of reference and scope of work | 20% |
| Qualifications and experience of task team to coordinate the APLA Pilot Project, including two representatives to monitor the LRTs | 20% |
| Demonstration of suitable facilities to host workshop | 10% |
| Bonus points for universities from transitioning states[[1]](#footnote-1) | 10% |
| **Financial Proposal** | **30%** |
| A detailed proposal with budget lines. Eg. task team, LRTs, quality control team  based lump sum, internet access cost, computers[[2]](#footnote-2) etc., | 15% |
| A brief presentation of the disbursement method and procedure: time frame to issuing  payment inside and outside the country. | 15% |
| **TOTAL** | **100%** |

1. **EXPRESSIONS OF INTEREST AND SUBMISSION OF PROPOSALS**

Kindly note that expressions of interest should be submitted by **6:00 pm GMT on 08 November 2019** by electronic mail to [alsf@afdb.org](mailto:alsf@afdb.org) with a copy to Mr. Mohamed Stevens, legal counsel and APLA project officer (m.stevens@afdb.org) and Mr. Abdoul Karim Kabèlè Camara, Legal counsel and Task Manager, ([a.k.k.camara@afdb.org](mailto:a.k.k.camara@afdb.org)) who will be the primary points of contact for any questions relating to the terms of reference and the selection procedure.

Please further note that the deadline for the submission of questions regarding the attached terms of reference is **6:00 pm GMT on 15 November 2019**.

Finally, please note that responses to the attached request for proposals, including both technical and financial proposals, must be written in English and submitted to the electronic mail accounts listed above by **6:00 pm GMT on 22 November 2019.** Expressions of Interest and Proposals must specifically mention: “**Host University for the APLA Pilot Project**”.

1. - Transitioning States refers to cohesive entities that are rather resilient and ought to come out of any difficult situation rather quickly, if not necessarily smoothly. For instance, transition countries are said to be able to adopt the typical prescription put forth by the international community to countries in need of assistance. They can move rapidly towards elections, introduce economic reforms, focus on upgrading government ministries, and so on. This differs to fragile states, which have much more deeply entrenched problems, are not well positioned to adopt this standard approach. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)