**EXPRESSION OF INTEREST AFRICAN LEGAL SUPPORT FACILITY (ALSF)**

**CALL FOR HOST UNIVERSITY FOR THE AFRICAN MINING LEGISLATION ATLAS PROJECT (AMLA)**

**Terms of Reference**

**I. BACKGROUND INFORMATION ABOUT ALSF AND THE AMLA 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. 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 (especially in the area of infrastructure and natural resources); and (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.

The African Mining Legislation Atlas Project (“AMLA”) is a legislation gathering, organization, dissemination, capacity building and capacity utilization Project with three main activities: namely (i) the creation of the AMLA platform, a free online one-stop resource for Africa’s mining legal framework (mining code, regulations and related legislation) with interactive features to provide comparative data; (ii) production of the Guiding Template, an annotated document that outlines a menu of legislative solutions to assist countries in the preparation or revision of their mining laws; and (iii) capacity building through training (on-ground and remotely) of African legal professionals in the use of the online platform and on overall issues in mining law.

The objective of the project is to support African countries in maximizing mineral resource benefits through (i) promoting transparency, accessibility and comparison of Africa’s mining laws; (ii) facilitating the preparation, revision and implementation of mining 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 mining laws. Initiated by the World Bank’s Legal Vice Presidency under the auspices of the ALSF, the project was fully transferred to the ALSF in January 2017 where it is currently being implemented through a special unit called the AMLA Secretariat.

**II. RATIONALE FOR THE CALL FOR HOST UNIVERSITIES**

The AMLA Project is looking to partner with three (03) African universities to participate in its implementation. These terms of reference (TORs) describe the scope of services that will be performed by the universities.

**III. ROLE OF THE HOST UNIVERSITIES**

The AMLA online platform has almost reached maturity and is soon going into the maintenance phase. The platform will however continue to be updated by law students who will be trained annually on the use of the platform and on issues affecting the mining sector.

The AMLA Secretariat seeks to procure the services of African universities whose mandate will be to host and implement the project. **Three (03)** universities will be selected to carry out two major roles (i) to coordinate the work of the students on the AMLA platform in their respective languages; and (ii) to host the annual AMLA workshops alternating amongst the three universities. **The composition of the universities entails having one Anglophone, one Lusophone and one Francophone African university respectively**. Details regarding the respective roles of the universities are provided below.

**A. Role of the host universities regarding the AMLA Project**

The primary role of the universities will be to host the AMLA Project. Of the three (03) selected universities, one will be the curator of the Project whilst the other two universities will play a supporting role to the main host. The universities will coordinate the activities of the selected students throughout the year, ensuring that each English, French and Portuguese speaking student is monitored and supported by an Anglophone, Francophone and Lusophone university respectively. Each host university will also be responsible to pay “quality control review based lump sum” to their students and to students from other universities that share the same language.

**1. The AMLA platform and students training**

The AMLA platform is a free one-stop resource for African mining legislation that provides the public with all 53 existing mining codes of the continent in an easily readable, searchable and downloadable format. The platform also provides a country to country specific provision comparison tool. The platform is constantly updated with amendments to the mining codes, mining regulations and related legislation. Since its inception in 2014, the AMLA platform has been populated each year with the most recent legislation. The population needs of the platform have lessened overtime and consequently, what remains

is to maintain the existing database by uploading newly enacted legislation or amendments and updating the country-to-country comparison feature.

The ongoing task of populating the AMLA platform will be undertaken by trained law students who will be shortlisted by their universities and selected by the Secretariat to form the AMLA 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 mining 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, LRTs will analyse mining legislation, enabling them to populate the AMLA 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 careers.

The table below summarizes the universities’ role in coordinating the student’s activities.

|  |  |  |
| --- | --- | --- |
| **Shortlist and submit candidates CVs to the** | o | A maximum of ten (10) CVs shall be |
| **AMLA Secretariat for training purposes** |  | submitted by each university. |
|  | o | Gender representation shall also be |
|  |  | considered. |
| **Complete AMLA Secretariat training** | o | Designated representatives of each of thethree selected universities shall complete the AMLA Secretariat training on (i) the general use of the AMLA platform; (ii) the management of the LRT; (iii) the quality control and review process; and (iv) the workshop delivery. The training will be a combination of in-person and online training. |
| **Attend monthly support meetings with the** | o | The universities shall attend monthly Skype |
| **AMLA Secretariat** |  | meetings with the AMLA Secretariat where progress reports, status reports and any challenges faced shall be discussed. |
| **Monitor LRT activities throughout the year** | oo | The universities will monitor the LRTassignments and provide general support on other *adhoc* issues.Quality review of the LRT assignments will be conducted and reviewers ought to be proficient computer users. |
| **Disbursements** | o | Disbursements will be made by the host universities to their own LRTs and to LRTs located in countries that share the same language. |

**2. Secretariat’s role in regard to the AMLA Project**

The AMLA Secretariat will remain responsible for the overall management of the Project. Specifically, the roles of the Secretariat will be to (i) select the candidates shortlisted by the universities; (ii) design the assignments based on the platform content needs; (iii) retain the final publishing rights of the AMLA platform content; (iv) disburse to the universities the amount to be spent during the training year; (v) oversee the services of the IT consultant responsible for maintaining the platform (vi) retain control over the Guiding Template (vii) coordinate the LRTs career development; and (viii) provide general support services to the universities.

**B. Role of the host universities regarding the annual AMLA workshop**

Apart from hosting the AMLA project, an additional role for the universities will be to host the annual AMLA workshops with the workshop being held in December 2019. The workshop shall be organized every year with the primary objective of training African law students on mining legislative frameworks and other pertinent issues in the extractives sector.

One of the three universities will host the workshop whilst the other two universities will collaborate with the main host in organizing the workshop. The role of hosting the workshop will be alternated among the three universities.

**1. Minimum requirements to host the AMLA workshop**

Ideally, the potential workshop host must meet the following requirements: (i) Previous participation to an AMLA workshop by one faculty member of the prospective host; (ii) faculty’s willingness to host the workshop; (iii) agreeable timeframe for event delivery; and (iv) satisfactory security conditions.

Additionally, the AMLA Secretariat will conduct an on-ground mission to the potential host universities where the following elements will be verified to assess the university’s suitability in hosting the workshop.

1. Faculty’s training facilities:

* location, including host’s city airport connectivity with the rest of the continent and city roads/traffic conditions;
* capacity (total participants of 37/40 people of which 12/15 students, 5 professors, 10 organizers, 10 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 50 individuals);
* presence and shifts of administrative staff for both support workshop dedicated services and security;
* other services, including printing, transportation to and from training venues, functioning toilets, medical assistance, catering and security.

2. Faculty’s admin staff proven organization and logistical skills (there should, ideally be a dedicated unit for conference organization).

3. Participants accommodation:

* distance from training venues;
* hygienic conditions;
* other services: catering, phone and internet connectivity

**2. Secretariat’s role in relation to the workshop**

In partnership with the three selected universities, 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. Generally, the Secretariat shall take the lead on the design of the training program. The Secretariat will, however, 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 most expensive elements of workshop budget, e.g. travel and accommodation for all participants. The Secretariat shall also issue the final list of selected participants students based on the shortlisted candidates.

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

**IV. HOST UNIVERSITY SELECTION PROCESS**

1. Interested universities are invited to respond to the current call for host university, outlining whether they meet the prescribed requirements. In addition to the minimal requirements presented for the annual workshop, the candidates host universities 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 the LRTs’ training (The team shall have strong computer skills and be familiar with internet platform navigating); the ability and experience of the candidate university to carry out such project1 The members shall have a mining law or mineral law background or shall have at least a good understanding of mining law related issues;
* 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 AMLA Secretariat training in support to the university application;
* A well drafted financial proposal detailing the budget lines and resources needed;
* The link to the candidate host university website and possibly pictures that depict the university’s infrastructures, research centers, meeting venues, offices etc...

2. The AMLA Secretariat will short-list potential host universities based on the relevance of the information provided in the application, and shall begin preliminary conversations to verify whether minimum requirements are satisfied;

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

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

5. The final decision on the selected universities 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. Arrangements for travel, accommodation and visas will be made;

9. Outstanding issues will be completed; and

10. A seven (7) day workshop will be delivered in **December 2019.**

1 List or quote previous like-projects/similar projects

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

The original agreement shall be for a three (3) year period. The workshop preparations shall commence as soon as the host is selected whilst the estimated start date to host the Project is January 2020.

**VI. FUNDING**

The ALSF will fund the implementation of the AMLA project in host universities and a lump sum shall be paid to the universities, comprising LRTs fees and university expenses and fees for each year that the Project shall be hosted.

**VII. EVALUATION 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 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 institution’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 Project | 20% |
| Demonstration of suitable facilities to host workshops | 10% |
| Bonus points for universities from transitioning states | 10% |
| **Financial Proposal** | **30%** |
| A detailed proposal with budget lines. Ex: task team per diem, LRTs quality controlbased lump sum, internet access cost, computers2 etc… | 15% |
| A brief presentation of the disbursement method and procedure: time frame to issuingpayment inside and outside the country. | 15% |
| **TOTAL** | **100%** |

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

Expressions of Interest and submission of Technical and Financial Proposals must be received at the address below or via email no later than **19August 2019** at 17h00 Abidjan time.

2A candidate university that has a computer lab and its own computers will be preferred

Expressions of Interest and Proposals must specifically mention “Host University for the AMLA Project”.

To the attention of:

Mr. Thierno OLORY-TOGBE African Development Bank

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Any questions can be directed to n.gah@afdb.org and m.bah@afdb.org and copied to n.kakundu@afdb.org and d.ribeiro@afdb.org.