



# GOVERNMENT OF SINDH



## EXPRESSION OF INTEREST (EOI) RESPONSE DOCUMENT

### "HIRING OF LEGAL CONSULTING / LAW FIRM (NATIONAL COMPETITIVE BIDDING)

**Client:**

Sindh Solid Waste Management Board  
D-47, Block-2 Clifton, Karachi  
Ph. # +92 213 5863026 / 5372982-4  
Fax # +92 213 5863029  
E-mail: [info@sswmb.gos.pk](mailto:info@sswmb.gos.pk)

**To be filled by interested firm:**

Name(s) of Firm \_\_\_\_\_

Complete Address \_\_\_\_\_

Contact Number \_\_\_\_\_

## **A. BACKGROUND**

Sindh Solid Waste Management Board has been established by an act of the Provincial Assembly for effective Integrated Solid Waste Management in Sindh and use the solid waste for power generation composting, recycling and providing proper disposal of the same in sanitary engineered landfill sites. SSWMB is embarking in garbage collection from door to door and construction of garbage transfer stations, material recovery facilities, construction of composting facilities and energy generation etc. SSWMB has arranged necessary funds from Govt. of Sindh to start the project.

Pursuing its vision to effectively and efficiently handle and manage the multifaceted solid waste related activities and establish state of the art infrastructure for the province, the SSWMB would engage in signing of new contracts, agreements, treaties and other legal documents for which their contents are required to be technically vetted in order to cover the legal aspects in entirety. The contracts conformity with relevant laws, rules, regulations would also be minutely examined and ensured. In addition to above, the existing rules, regulations, laws, bye-laws pertaining to the activities of solid waste management and disposal would also be examined and requisite amendments where required would be proposed for incorporation. Legal matters, service rules and other statutory elements of the SSWMB would also be taken into account.

## **B. OBJECTIVE**

The SSWMB wishes through this Expression of Interest to select and engage a suitably qualified and experienced law firm, in order to assist the SSWMB in defining new rules and regulations concerning the solid waste management sector, notably the disposal of solid waste, transportation, establishment of landfill sites, garbage stations, reuse / recycling of solid waste in power generation as well as in work related to amendments to the existing laws and regulations, having regard to the specific circumstances.

SSWMB needs access to these consultancy services on an ongoing basis, whenever assistance is required. The Legal Consulting / Law Firm will assist SSWMB for a period of 1 (one) year, renewable with mutual consent and subject to satisfactory performance.

### **C. SCOPE OF WORK**

The scope of work is:

- i. To provide analysis, research and advice upon request by the SSWMB in respect of existing legislation and regulations on the solid waste management and its associated components.
- ii. To provide assistance in drafting and/or legal opinion on the legal framework needed to be established in solid waste management sector.
- iii. To vet all legal contracts, agreements, treaties on or behalf of SSWMB and give its input
- iv. All legal assistance will be based on the work order issued by the SSWMB.

### **D. OUTPUTS, DELIVERABLES AND ADMINISTRATIVE ARRANGEMENTS**

All advice and assistance shall be provided in writing and the output of each project shall be included in a report to the SSWMB. All relevant documentations shall be submitted in the English language, unless specified by the SSWMB.

The Law Consulting Firm shall be available for meeting and discussions with staff from the SSWMB as necessary, to ensure that all elements in the scope of work are fulfilled in line with the SSWMB expectations.

Invoices will be raised to the Law Consulting Firm, on a project basis, specifying the works completed and the amounts due, which will be paid within 14 working days upon submission to SSWMB.

## **GENERAL INSTRUCTIONS**

The interested firms are requested to provide the complete information; firm's track record, information regarding similar projects/ work undertaken: descriptive details of experience Institutional arrangement performed during the last 05 years; key personnel details with technical qualifications and expertise; address of all permanent operational offices, Portfolio of services offered; registration details and other relevant details, if any. The firm(s) may also mention other experts and consultants, Joint Ventures if any with the local consulting services.

Interested eligible firms may obtain further information from the office of Secretary Sindh Solid Waste Management Board, Bungalow Number D-47, Block -02 Clifton, Karachi, Pakistan. Contact numbers are +92-21-35863026, +92-21-35863027. For further queries firms may contact at e-mail [ed.finance@sswmb.gos.pk](mailto:ed.finance@sswmb.gos.pk) or visit [www.pprasindh.gov.pk](http://www.pprasindh.gov.pk)

Sealed Expression of Interest must be delivered to the address provided above on or before the 22<sup>nd</sup> September, 2015 at 1:00 PM and the EOIs will be opened by the Consultants Selection Committee in the presence of applicants / representatives who intends to present on the same day at 2:00 PM. In case of any holiday the EOIs will be collected and opened on the next working day.

**It is informed that the minimum qualifying marks are 70% accumulative, but it is mandatory to score 40% in each section. The firms scoring less than 70% shall not be considered for further process.**

**The procurement shall be done accordance with Quality and Cost Based Selection Method (QCBS) of SPPRA, Rules 2010**

Consultants Selection Committee reserves the right to accept or reject any or all EOIs prior to award of contract as per SPPRA Rules, 2010.

## **EOI SUBMISSION FORM**

To

The Executive Director (Finance & Planning),  
Sindh Solid Waste Management Board  
D-47, Block 2, Clifton  
Karachi, Pakistan

Sir

We, the undersigned, offer to provide "Legal Consultancy" services for legal, regulatory, statutory and associated matters for Sindh Solid Waste Management Board (SSWMB), Government of Sindh. We are submitting our interest before the deadline 20<sup>th</sup> September 2015 and which includes the experience of consulting firm, specific experience, technical capacity, operational capacity and financial capacity as required by EOI document.

We understand that SSWMB reserves the right to accept or reject any offer and to annul the EOI process and reject all the responses without assigning any reason or to owe any explanation whatsoever.

We acknowledge that the decision of evaluating committee shall be final and cannot be challenged on any ground at any forum and the evaluating committee will not be liable for any loss or damage to any party acting in reliance thereon.

We remain,

Yours' sincerely

Authorized Signature (s):  
Name and Title of Signatory:  
Name of Firm (s):  
Address:  
COMPANY (ies) SEAL

(To be filled in by the interested firms as part of their EOI response)

**Sr. No.1**

**FIRM (S) EXPERIENCE IN RESEARCH AND ANALYSIS IN RESPECT OF ENACTED LEGISLATION AND REGULATIONS RELATING TO SOLID WASTE MANAGEMENT FRAMEWORK SUCH AS DISPOSAL OF SOLID WASTE, ESTABLISHMENT OF SANITARY ENGINEERED LANDFILL SITES, GARBAGE TRANSFER STATIONS, RE-USE/RECYCLING OF SOLID WASTE FOR POWER GENERATION, ETC.**  
**(MAXIMUM MARKS: 20)**

**MARKING CRITERIA**

S.NO.	Experience in Research & Analysis of legislation & regulations relating to SWM Framework	Upto 5 years	Upto 10 years	Upto 15 years
		Marks		
1.	Garbage Transfer Stations	02	03	05
2.	Landfill Sites	02	03	05
3.	Power Generation	02	03	05
4.	Recycling	02	03	05

Using the format below, provide information on each reference assignment for which your firm/entity, either individually as a corporate entity was legally contracted for the last 10 years. Additional sheets may be attached for a detailed narration in individual project / assignment which shall also include Review Report

S.No.	Client (Name, Address, Contact Details, etc.)	Problem Definition / Assignment	Scope of Work	Legal Study / Deliverable Produced	Cost of Study
1.					
2.					
3.					

Firm's Name: \_\_\_\_\_

The firm shall be awarded 20 marks if in case it has relevant experience above 10 years as mentioned in Sr. No. 1 above.

**Sr. No. 2.****FIRM (S) SPECIFIC EXPERIENCE IN DRAFTING AND / OR LEGAL OPINION ON THE LEGAL FRAMEWORK NEEDED TO BE ESTABLISHED IN SOLID WASTE MANAGEMENT SECTOR (MARKS: 25)****MARKING CRITERIA**

<b>S.NO.</b>	<b>Experience in Drafting in Legal Framework in following Policies,</b>	<b>Marks</b>
1.	<b>Drafting of Legal Framework in any of the following rules, policies, Reports, etc. in last 15 years:</b> <ul style="list-style-type: none"> <li>• National Environment Quality Standards</li> <li>• Water Policy, 2009</li> <li>• Reports and Recommendations of Asian Development Bank related to above agreements and agreements by Government of Sindh owned projects like Sindh Cities Improvement Program / Municipal Services Delivery Program, etc.</li> <li>• Agreement between defunct TMAs &amp; NSUSC</li> <li>• Authorities involved in municipal, industrial and medical hazardous waste generation and disposal.</li> <li>• SPPRA Rules, 2013</li> <li>• Sindh G F Rules</li> <li>• Government of Sindh Rules Of Business</li> <li>• Sindh Civil Servants (Efficiency &amp; Disciplinary) Rules</li> <li>• National Sanitation Policy 2006</li> </ul>	<b>07</b>
	a. 3 jobs completed or in hand	02
	b. 3 jobs completed and 1 in hand	04
	c. 3 jobs completed and 2 in hand	07
2.	<b>Drafting of Legal Framework in any of the following Acts, Laws, Bye-laws, Statutes etc. in last 20 years:</b> <ul style="list-style-type: none"> <li>• Sindh Local Government Act, 2013</li> <li>• (ii) Pakistan Environmental Protection Act, 1997</li> <li>• (iii) Cantonment Board Act, 1924</li> <li>• (iv) KWSB Act, 1996</li> <li>• (v) Defence Housing Authority Act, 2013</li> <li>• (vi) Laws, Acts &amp; Bye-laws of relevant agencies like Karachi Port Trust, Civil Aviation Authority, FPPCI, KCCI, etc.</li> <li>• (vii) Experience &amp; Expertise in Architectural Urban Planning Bye-Laws</li> </ul>	<b>10</b>
	a. 3 jobs completed or in hand	03
	b. 3 jobs completed and 1 in hand	05
	c. 3 jobs completed and 2 in hand	10
3.	<b>Legal Opinion in any of the above mentioned Acts, Statutes, Laws, Rules, Bye-laws, Agreements, Reports, Recommendations, etc. in the last 15 years</b>	<b>08</b>
	a. 3 jobs completed in last 5 years	03
	b. 3 jobs completed in last 10 years	05
	c. 3 jobs completed in last 15 years	08

Please provide information on each reference assignment for which your firm/entity, either individually as a corporate entity was legally contracted. Assignments completed in the above mentioned statutes / areas would be given preference and relevant details of the project/assignment so executed may be provided

Please provide details of assignments / projects taken in the following format:

<b>S.No.</b>	<b>Year</b>	<b>Client (Name, Address, Contact Details, etc.)</b>	<b>Type / Nature of Agreement / Contract Vetted</b>	<b>Input Proposed</b>	<b>Cost of Study</b>
1.					
2.					
3.					

Firm's Name: \_\_\_\_\_



**Sr. No. 3.**

**FIRM (S) EXPERIENCE IN VETTING OF LEGAL CONTRACTS, AGREEMENTS, TREATIES AND SUBMISSION OF THEIR LEGAL OPINION IN THE DRAFT AGREEMENTS (MARKS: 15)**

**MARKING CRITERIA**

<b>S.No.</b>	<b>Criteria</b>	<b>Marks</b>
1.	<b>Experience of Vetting of contracts/agreements/treaties in last 15 years</b>	<b>08</b>
	a. 3 jobs completed or in hand	03
	b. 3 jobs completed and 1 in hand	05
	c. 3 jobs completed and 2 in hand	08
2.	<b>Experience of vetting of contracts / agreements / treaties with reference to monetary value of the contracts awarded in last 15 years</b>	<b>07</b>
	Contracts awarded with monetary value between Rs. 2.0 to 3.0 Million	02
	Contracts awarded with monetary value between Rs. 3.1 to 5.0 Million	04
	Contracts awarded with monetary value above Rs. 5.0 Million	07

Using the format below, provide information on each reference assignment for which your firm/entity, either individually as a corporate entity or as one \of the companies within an association, was legally contracted.

Please provide details of assignments / projects completed in the last 5 years.

<b>S.No.</b>	<b>Year</b>	<b>Client (Name, Address, Contact Details, etc.)</b>	<b>Type / Nature of Agreement / Contract Vetted</b>	<b>Input Proposed</b>	<b>Cost of Study</b>
1.					
2.					
3.					

Firm's Name: \_\_\_\_

**Sr. No. 4.**

**FIRM (S) EXPERIENCE IN FRAMING OF RULES RELATING TO SERVICE, RECRUITMENT OR AMENDMENTS IN THE EXISTING RELEVANT RULES OF GOVERNMENT OF SINDH (MARKS: 10)**

**MARKING CRITERIA**

<b>S. No.</b>	<b>Criteria</b>	<b>Marks</b>
1.	<b>Experience in Framing of Rules relating to Service, Recruitment, Financial or other relevant rules as mentioned below:</b> <ul style="list-style-type: none"><li>• The Sindh Civil Servants (Efficiency &amp; Discipline) Rules, 1973</li><li>• The Sindh Civil Servants (Appointment, Promotion &amp; Transfer) Rules, 1974</li><li>• Government of Sindh Rules of Business, 1986</li><li>• General Financial Rules</li><li>• SPPRA Rules 2010 (Amended 2013)</li><li>• Rules relating to Government of Sindh established projects/Boards/Authorities</li></ul>	<b>07</b>
	a. 3 jobs completed or in hand	03
	b. 3 jobs completed and 1 in hand	05
	c. 3 jobs completed and 2 in hand	07
2.	Experience of amendments proposed in above mentioned Rules in last 10 years	<b>03</b>

Using the format below, provide information on each reference assignment for which your firm/entity, either individually as a corporate entity was legally contracted.

Please provide details of assignments / projects taken for the last 5 years.

<b>S.No.</b>	<b>Year</b>	<b>Client (Name, Address, Contact Details, etc.)</b>	<b>Type / Nature of Rules Framed / Amendments Proposed</b>	<b>Cost of Study</b>
1.				
2.				
3.				

Firm's Name: \_\_\_\_\_

**Sr. No.5.**

**TECHNICAL CAPACITY OF THE FIRM**  
**(MARKS: 25)**

Eligible consulting firms are required to have:

- Valid registration with Sindh Bar Council;
- Knowledge and expertise in drafting legislation and regulations;
- Minimum five (5) years of relevant professional experience with laws of Pakistan and sound knowledge of laws, policies, procedures, and functions of the legal system of Pakistan
- Available pool of experts with knowledge on legal acts, legal matters and skills for drafting the comprehensive draft laws, agreements, and contracts to fulfill the scope of work defined. The firm shall include law experts headed by a professional Barrister at Law as under:

<b>Sr. No</b>	<b>Technical experts</b>	<b>Maximum marks</b>
<b>1</b>	Legal expert (s) holding LLM degree for drafting conventions	<b>09</b>
<b>2</b>	Experienced Corporate Lawyer (s) for contract procurement and vetting purposes	<b>06</b>
<b>3</b>	Legal expert (s) holding LLB degree in service matters	<b>03</b>
<b>4</b>	Legal expert (s) in Environmental, industrial, medical hazardous and other specific laws	<b>04</b>
<b>5</b>	Practicing lawyer in High Court with at least 10 years' experience	<b>03</b>

The firm(s) shall be awarded 25 marks in case it has all the technical experts mentioned above.

**Sr. No. 6.**

**FINANCIAL CAPACITY OF THE FIRM - AUDIT REPORTS**  
**(MAXIMUM MARKS: 05)**

<b>Sr. No</b>	<b>Assignment/Projects taken</b>	<b>Maximum marks</b>
1	Audit report for the last financial year	02 marks
2	Audit report for the previous two years	03 marks
3	Audit report for the previous three years	05 marks

The firm(s) shall be awarded 10 marks in case it provides audit report for the last three years