

Expression of Interest (EOI)

cum

Request for Proposal

for

Services of a Legal Consultant

to

**Prepare drafts of the Rules on Indian Antarctic Activities in
accordance with the Indian Antarctic Act, 2022**

for

National Centre for Polar and Ocean Research
Ministry of Earth Sciences, Government of India
Headland Sada, Vasco da Gama, Goa
403804

Date of issue: 26th August 2022

Letter of Invitation cum Request for Proposal

Ref: PED-11/3/2022-EIA - NCPOR

Advertisement Number: NCPOR/13/2022

**National Centre for Polar and Ocean Research,
Ministry of Earth Sciences, Government of India**

The National Centre for Polar and Ocean Research (NCPOR) is an autonomous research institute under the Ministry of Earth Sciences (MoES), the Government of India. The Director, NCPOR invites proposals from Indian Citizens, well versed in legal drafting for the preparation of the Rules on Indian Antarctic Activities in accordance with the Indian Antarctic Act 2022, enacted by the Parliament of India, under two bid systems. Expression of Interest (EOI) cum Request for Proposal (RFP) documents contain the details of qualification criteria, submission requirements, brief objectives, evaluation methods, etc. It has been uploaded on the NCPOR website (www.ncpor.res.in).

1. Background:

- 1.1 The scientific research on Antarctica is coordinated and managed by the Ministry of Earth Sciences (MoES), Government of India through the National Centre for Polar and Ocean Research (NCPOR), Goa (erstwhile, National Centre for Antarctic and Ocean Research, NCAOR) which is an autonomous research institute under that Ministry.
- 1.2 The Indian Antarctic Act 2022, pursuant to India's accession to the Antarctic Treaty, the Protocol on Environment Protection (Madrid Protocol) to the Antarctic Treaty, and the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), provides national measures for protecting the Antarctic environment and dependent and associated ecosystem and gives effect to the Antarctic Treaty, the Convention on the Conservation of Antarctic Marine Living Resources and Protocol on the Environmental Protection to the Antarctic Treaty. A copy of the said Bill can be downloaded by accessing the website http://164.100.47.4/BillsTexts/LSBillTexts/PassedLoksabha/95-C_2022_LS_eng.pdf, or a copy of the Act through email can be requested on anooptiwari.ncpor@nic.in

2. Objective:

The primary objectives of availing the services of a Consultant by the Institute are:

- (i) Rules on Indian Antarctic Activities in accordance with the Indian Antarctic Act, 2022
- (ii) To have a detailed review of the similar rules and regulations and incorporate the best practices in the said Rules

3. Contract Duration:

The contract period of the Legal Consultant shall be valid for the preparation of draft rules only and a period of a maximum of four months from the date of issue of award of contract, and the Legal Consultant must complete the assignment within the stipulated period.

4. Instructions to applicants:

4.1 The bids are to be submitted in a hard copy in Two separate sealed envelopes containing the following documents: -

(A) SEALED COVER 1 (Technical Bid) -

(i) The cover must be submitted sealed and superscripted following on the top

“EOI cum Technical Bid:

Legal Consultancy services i.r.o Rules under Indian Antarctic Act, 2022.”

(ii) The envelope should contain the following: -

- a) Applicant’s Expression of Interest as per Format-1,
 - b) Name, experience and contact details, etc. of the Applicant as per Format-2 and 3,
 - c) Self-attested copy of the documents in support of details provided in Format -2 and 3, such as identity, qualification, and experience, e.g. (not limited to): -
 - (i) Identity Proof
 - (ii) Degree in Law (as applicable)
 - (iii) Record establishing Employment record issued by the employer (in case of regular Government. employment experience under Central Government / State Government/ Autonomous Body/ PSUs etc.
 - (iv) Supporting documents in respect of relevant experience
 - d) Additional information, if any, in support of the Applicant’s suitability.
 - e) Declaration as per Format 4
- (iii) The bidder must sign each page of the document submitted at the bottom of the page

(B) SEALED COVER 2 (Financial Bid):

(i) The cover must be submitted sealed and superscripted following on the top

“Financial Bid:

Legal Consultancy services i.r.o Rules under Indian Antarctic Act, 2022.”

(ii) The cover should contain the following according to Format-5: -

- a) Consolidated service charges/drafting fees for the consultancy, including all provisions of tax/s and other costs as applicable in the opinion of the bidder,
- b) Rates must be written in figures as well as in words,
- c) There should not be any cutting/ erasing or overwriting,
- d) Validity of rates shall be for 30 days.

- 4.2 Both the above two envelopes containing technical and price bids for this tender are to be submitted in a sealed bigger envelope and superscripted 'EOI cum Proposal for drafting Rules under Indian Antarctic Act 2022; The Bids in its complete form in all respects as specified in the EOI cum RFP should reach the Director, NCPOR at the following address by the due date and time: -

The Director
(Kind Attention: SIC, EIA of Indian Polar Stations)
Headland Sada, Vasco-da-Gama, Goa 403 804

Sealed Bids can also be submitted in person at the address mentioned above by the due date and time of submission of Bids.

- 4.3 Queries, if any, may be referred to anooptiwari.ncpor@nic.in by email.

- 4.4 **Due date and Time for bid submission: 15th September 2022 / 1300 hrs. (IST)**

- 4.5 **Bid opening** the technical bid will be opened on 15th September 2022 at 1430hrs. (IST) at NCPOR in the presence of the bidders' representatives, if any. The sealed covers containing bids not superscripted as above are liable to be ignored. The bidders are welcome to attend the opening of bids if they so desire. Scrutiny of documents and evaluation of offers will be carried out subsequently.

4.6 Failure to furnish complete information as mentioned in the EOI cum RFP document and lack of supporting documents or submission of a proposal not substantially responsive in every respect shall not be accepted for evaluation.

5. **Pre-QualificationCriteria:** Applicants should possess the following pre-qualification and experience criteria: -

- 5.1 **Education Qualification:** - The applicant must possess a valid degree in Law from University / Institute recognized by University Grants Commission. The education qualification prescribed shall not be applicable for applicants having relevant regular work experience in the level of Director/Joint Secretary, equivalent or above in Central Government / State Government / Autonomous Body / PSU, etc.

- 5.2 **Experience:** - Minimum of 20 years of experience in drafting Bills, Rules and Regulations, Bye-laws, Schemes, Notifications, Orders, Amending Bills, Constitution Amendment Bills, and Recruitment Rules, for the Central Government or State Government.

6. **Evaluation Criteria and Method of evaluation:**

- 6.1 Screening of EOI cum Bid shall be carried out as per eligibility conditions mentioned in this document and based on verification of testimonials submitted.

- 6.2 Technical Bids will be evaluated, and applicants who qualify as per the eligibility conditions shall be required to make a PowerPoint presentation at short notice about the legislation process, i.e., drafting of Bills, Rules, etc., and its processing in Parliament and the Government on-the-job work experience before the selection committee. Performance in the presentation shall also be evaluated.

- 6.3 The consultancy Evaluation Committee shall do a merit-based Shortlisting of applicants based on the technical bid and performance in the presentation. The decision of the evaluation committee shall be final.
- 6.4 The price bid of only applicants shortlisted in the manner given in para 6.3 above shall be opened. Subsequently, the assignment shall be awarded on a Quality and Cost Selection (QCBS) basis. The Technical proposal/ technical bid shall be given a weightage of 70%, and the Price bid shall be given a weightage of 30%.
- 6.5 Preference will be given to those having adequate experience in legislative drafting of Bills, Rules, Regulations, etc. for various Ministries/Departments/PSUs/Autonomous Bodies of the Government of India/State Government.
7. Verification of Original Documents: The Competent Authority may, at their discretion, ask the applicant to submit for verification the originals of all such documents whose scanned copies were submitted along with the Proposal / Bid. If the applicant fails to provide such originals or in case of substantive discrepancies in such documents, it shall be construed as a violation of the Code of Integrity, and such proposal cum bid shall be liable to be rejected.
8. Remuneration: Remuneration is consolidated. Apart from consolidated remuneration, no perquisites such as HRA, TA/DA, residential accommodation, etc. will be provided. The consolidated remuneration shall be released upon completion of the work/task and its acceptance by the Competent Authority at NCPOR.
9. Tax Deduction at Source: The Income tax or any other tax liable to be deducted, as per the prevailing rules, will be deducted at the source before effecting the payment for which the office will issue the TDS certificate.
10. Confidentiality of Data and Documents: The Intellectual Property Rights (IPR) of the data collected and the deliverable produced for the office shall remain with this office of the Ministry of Earth Sciences. No one shall utilize, publish, disclose, or part with, to a third party, any part of the data, statistics, proceedings, or information collected for this assignment or during the course of the assignment for the office without the express written consent of the office. The Legal consultant shall be bound to hand over the entire set of Assignment records to the office before the contract expires and before the office releases the final payment.
11. The condition under which EOI cum RFP is issued: The EOI is not an offer and is issued with no commitment. MoES/NCPOR reserves the right to withdraw EOI and/or any part thereof at any stage. MoES/NCPOR further reserves the right to disqualify any applicant, should it be so necessary at any stage.

**Technical Bid
Format-1**

APPLICANT'S EXPRESSION OF INTEREST

To,

The Director,
National Centre for Polar and Ocean Research
Ministry of Earth Sciences, Government of India
Headland Sada, Vasco-da-Gama, Goa, India, 403804

Sub: Submission of Expression of Interest (EOI) to provide professional services on legal drafting of the Rules in respect of the Indian Antarctic Activity in consonance with the Indian Antarctic Act, 2022

Dear Sir,

In response to the Invitation for Expressions of Interest (EOI) published on the NCPOR website(www.ncpor.res.in) on the above subject, I would like to express interest in carrying out the above-proposed task. As required, I have sent the advanced copy of the Expression of Interest through email in the prescribed format containing the following documents:

- (i) Name, experience, and contact details of the Applicant as per Format-2.
- (ii) Additional information, if any, in support of the Applicant's suitability.

Sincerely Yours,

Signature of the applicant

(Full name of applicant)

Date:

**Part of Technical Bid
Format-2**

Sr. No		
1.	Name of the Applicant	
2.	Address with telephone number	
	Mobile/ Tel no.	
	Email Id	
3.	Nationality	
4.	Aadhaar Card Number	
5.	Educational Qualification (relevant to the pre-qualification criteria)	
6.	Whether registered as an advocate (if yes, provide details)	
6.	Employment Details (relevant to the pre-qualification criteria)	

Sr. No		
7.	Experience in drafting Bills, Rules, Regulations, Bye-laws, Schemes, Notifications, Orders, Amending Bills, Constitutional Amendment Bills, etc. of the Ministries/ Departments of Central Government. /State Government (Please enclose supporting documents)	
8.	Any other relevant information	To be provided in Format 3

**Part of TECHNICAL BID
FORMAT 3**

Any other relevant information

List of documents related to the claims

Sl.	Description	No. of pages
1	Certificate of Enrolment as an Advocate from any Bar Council in India	
2	Appointment Orders and Order of Superannuation of the Central Government/ State Government/ Autonomous Body/ PSU etc.	
3	Office Orders regarding Consultancy	
4	Biodata in brief	
5	Any other document	

**Part of TECHNICAL BID
FORMAT 4**

DECLARATION & UNDERTAKING

I hereby confirm that I am interested in competing for the Consultancy Services to undertake the task related to the drafting of Rules on Indian Antarctic Activities in accordance with the Indian Antarctic Act, 2022 and also declare that, if awarded, I will complete the task within the time stipulated.

I hereby also declare and certify that all the statements made in this application are true and correct to the best of my knowledge and belief. If any of the particulars furnished by me are found to be incorrect or suppressed, my candidature as a Legal Consultant is liable to be rejected at any stage during or after the selection process.

Place..... Signature of the applicant.....

Date..... Name.....

Financial Bid

Format-5

APPLICANT'S PRICE BID

To
The Director,
National Centre for Polar and Ocean Research
Ministry of Earth Sciences, Government of India
Headland Sada, Vasco-da-Gama, Goa, India, 403804

Sub: Submission of Price Bid to provide professional services on legal drafting of the Rules in respect of the Indian Antarctic Activity in consonance with the Indian Antarctic Act, 2022

Dear Sir,

In response to the Invitation for Expressions of Interest (EOI) and RFP published on the NCPOR website (www.ncpor.res.in) on the above subject, I would like to express interest in carrying out the above-proposed task. As required, I am offering/quoting the service charges for legal consultancy on the subject mentioned above as follows:

- a) Consolidated service charges/drafting fee for the Legal Consultancy including all provisions of tax/es and other costs as applicable, Rupees..... Inwards, Rupees..... only.

Sincerely Yours,

Signature of the applicant

(Full name of applicant)

Date: