



MILLENNIUM CHALLENGE ACCOUNT NEPAL (MCA-NEPAL)

SPECIFIC PROCUREMENT NOTICE

Request for Proposals for MCA-Nepal External Legal Counsel **MCA-N/PM/QCBS/002**

(Date of Publication/Place: 14 March 2019/ Kathmandu, Nepal)

1. This Request for Proposals follows the General Procurement Notice that appeared in Devbusiness.com and dgMarket on 7 February 2019, on the Himalayan Times newspaper on 13 February 2018 and was posted on the MCA-Nepal website <https://www.mcanp.org/procurement/procurement-notice/> on 8 February 2019.
2. The Millennium Challenge Corporation (“MCC”) and the Government of Nepal (the “Government” or “GoN”) have entered into a Millennium Challenge Compact for Millennium Challenge Account assistance to help facilitate poverty reduction through economic growth in Nepal (the “Compact”) in the amount of US \$500 Million (“MCC Funding”). The Government, acting through the Millennium Challenge Account Nepal (“MCA-Nepal”), a public institution established under the laws of the Nepal as the Accountable Entity for the Compact (hereafter referred to as the “MCA-Nepal”), intends to apply a portion of the MCC Funding to eligible payments under a contract (“Contract”) for which the Request for Proposals (“RFP”) is issued. Any payments made under the proposed Contract will be subject, in all respects, to the terms and conditions of the Compact and related documents, including restrictions on the use of MCC Funding and conditions to the disbursements of MCC Funding. No party other than the Government and the MCA-Nepal shall derive any rights from the Compact or have any claim to the proceeds of MCC Funding.
3. The MCA-Nepal hereby invites law firms authorized to offer legal services in Nepal to submit proposals for the following services: **MCA-Nepal External Legal Counsel**. More details on the services are provided in the Terms of Reference found at Section 5 of the RFP.
4. A law firm (“External Legal Counsel”, “External Counsel”, “Counsel” or “The Consultant”) will be selected under the Quality and Cost-Based Selection (“QCBS”) method as defined in the August 2015 version of the MCC Program Procurement Guidelines, which are provided on the MCC website <https://www.mcc.gov/resources/doc/program-procurement-guidelines>.
5. This invitation is for a fixed **rate** contract payable in United States Dollars. **The term of the Contract would include a period to cover the** Base Period of 12 months ending 30th June 2020; a first Option Period to cover the twelve (12) months ending 30th June 2021; a second Option Period to cover the 12 months ending 30th June 2022; a third Option Period to cover the 12 months ending 30th June 2023; a fourth Option Period to cover the 12 months ending 30th June 2024; and a close-out Option Period to cover the remaining duration of the Compact, plus 120 days to cover the Compact’s close-out. The MCA-Nepal shall determine at its sole discretion whether to exercise each Option Period regardless of the performance of the Consultant. The estimated budget to be allocated for these services is US \$50,000 (Fifty Thousand US Dollars) for the Base



MILLENNIUM CHALLENGE ACCOUNT NEPAL (MCA-NEPAL)

Period. Subject to the availability of funds, the estimated budget allocated for the services delivered during each Option Period is also U\$50,000.

6. A pre-proposal conference shall be held at MCA-Nepal Office, Yak and Yeti Complex, Kathmandu, Nepal at **10:30AM**, Nepal Time on **26th March 2019**. Moreover, web conference will also be conducted for Consultants who would prefer to participate electronically. The pre-proposal conference web link (Zoom Video Platform) is <https://zoom.us/meeting/register/2cfe8c66d54145e87c24e00bf0acd2b8>. Attendance to the Pre-proposal Conference is strongly advised for all prospective Consultants or their representatives but is not mandatory. Clarifications may be requested up to **5:00 PM**, Nepal time on **29th March 2019**. The address for requesting clarifications is:

Procurement Agent

Millennium Challenge Account Nepal

Yak & Yeti Hotel Complex, Durbar Marg, Kathmandu, Nepal.

Email: **MCANepalPA@cardno.com**

Subject: MCA-Nepal External Legal Counsel

7. Proposals duly signed by an authorized representative of the Consultant must be submitted on or before **2 PM**, Nepal time, **19th April 2019** by following the procedure for electronic submission of proposals stated under Annex 1 to Section 2, Instruction to Consultants. The provided web link for uploading the proposals will expire on the date and time of the deadline for submission, thus no late proposals will be received.

Consultants interested in submitting a Proposal should register their interest by sending an e-mail with subject: **Request for MCA-Nepal External Legal Counsel RFP** to the **Procurement Agent of MCA-Nepal** on **MCANepalPA@cardno.com**, giving full contact details of the Consultant. This will ensure that the Consultants receive updates regarding this RFP.

8. Technical Proposals will be opened in the presence of the Consultants and/or their representatives who choose to attend at **2.30PM**, Nepal time on **19th April 2019** at MCA-Nepal Office, Yak & Yeti Complex, Kathmandu, Nepal. Moreover, web conference will also be conducted for Consultants who would prefer to participate electronically. The public opening Web conference link (Zoom Video Platform) is <https://zoom.us/meeting/register/0ee184799306d68d7510d14dfea9e911>.