

EXPRESSION OF INTEREST (EOI) FOR ENGAGING OF ADVOCATES/ FIRM TO ASSIST NHM (NATIONAL HEALTH MISSION) DIVISION OF MOH&FW (MINISTRY OF HEALTH & FAMILY WELFARE, GOVERNMENT OF INDIA) IN PROVIDING LEGAL SUPPORT ON HEALTH AND OTHER RELATED ISSUES ON MONTHLY RETAINER BASIS

S. No	Activity	Date & Time
1	Start Date of EOI	28-Aug-2014
2	Last date and time for receipt of letter	17-Sep-2014, 1300 hrs

Issued by:
Principal Administrative Officer (PAO)
National Health Systems Resource Centre (NHSRC)
NIHFW Campus, Baba Gang Nath Marg, Munirka
New Delhi – 110067

EXPRESSION OF INTEREST (EOI) FOR ENGAGING OF ADVOCATES/ FIRM TO ASSIST NHM (NATIONAL HEALTH MISSION) DIVISION OF MOH&FW (MINISTRY OF HEALTH & FAMILY WELFARE, GOVERNMENT OF INDIA) IN PROVIDING LEGAL SUPPORT ON HEALTH AND OTHER RELATED ISSUES ON MONTHLY RETAINER BASIS

1. Introduction:

National Health Systems Resource Centre (NHSRC) is engaged to seek for Expression of Interest (Eoi) for engaging of Advocates/Firm to assist NHM (National Rural Health Mission) Division of MOH&FW (Ministry Of Health & Family welfare, Government Of India) in providing Legal Support on health and other related issues on monthly retainer basis. The Scope and deliverables shall be determined, monitored, coordinated and governed directly by NRM Division, MOH&FW, Nirman Bhawan, Maulana Azad Road, New Delhi - 110015. However, the payments admissible for services rendered shall be made through NHSRC after due vetting by NRM Division, MOH&FW.

- **About NHSRC:**

The National Health Systems Resource Centre (NHSRC) is created under the National Rural Health Mission (NRHM), Ministry of Health & Family Welfare, Government of India, to act as the nodal agency for Technical Assistance (TA) to central and state governments for effectively implementing NRHM, with specific focus on systems strengthening and capacity development. Further details are available at NHSRC website www.nhsrcindia.org.

- The potential bidders are encouraged to visit the websites of NHM, MOH&FW and NHSRC for a comprehensive understanding of its Role, Mandate and Functions etc.

2. Scope of Work:

- I. Advice on day to day legal issues, Provide Oral or written legal opinions,
- II. Drafting & Vetting of various types of Agreements, Memorandum of Understanding, Non Disclosure Agreements, Deeds, Contracts, Manuals etc,
- III. Examination & Preparation of Para wise comments but does not include Preparing / Filling of affidavit and appearance before the Courts,
- IV. Briefing the Central Government Counsels whenever required.

3. Qualification Criteria:

Interested bidder should **qualify on all the below mentioned criteria:**

- 3.1. The firm should have an average annual turnover of at least INR 50.00 lakhs during last 3 Financial Years.
- 3.2. The firm should have been incorporated for last 10 years and have experience in providing legal services framing rules & regulations in India.
- 3.3. Experience of Five years for providing similar legal services to Central / State Government / Government body in India
- 3.4. The Team Leader and team members should have at least 15 years and 3 years of experience respectively. The name, qualification and list of team members should be provided. Not more than five members may be listed.
- 3.5. Should have an office in Noida / Greater Noida / New Delhi / Gurgaon / Ghaziabad / Faridabad.

3.6. Bidder should not have any pending litigation and non-performing contracts during last 5 years. Further, any Bidder which has been barred by Government of India/ any State Government/Government agency, Supreme Court and the bar subsists as on date of EoI submission, would not be eligible to submit an EoI. An undertaking stating the same must be submitted along with the EoI as per the format attached herewith.

3.7. No consortium is allowed for this project.

3.8 Indicate a list of clients including at least 2 from Government Health Service Sector to whom such services have been provided by the firm. These would be contacted by us for reference purposes if necessary.

4. Evaluation:

4.1. There shall be a short-listing of bidders based on the qualification criteria. Only technically qualified shortlisted bidders would submit the financial bid. Those who are shortlisted will be invited for a discussion and presentation. The financial bid format is annexed. **(Ref: Annexure-8)**

4.2. Proposals submitted against EOI should provide straightforward, concise information that satisfies the requirements of this EOI. Emphasis should be placed on completeness, clarity of content and conformance with given instructions and requirements of this EOI.

4.3. The interested parties must show that they have the capacity to address all legal matters.

4.4. The interest Parties must share their past experience and proven track record of conducting and executing similar assignments.

4.5. The interested Parties must provide evidence that they meet the minimum responsiveness criteria listed above otherwise their submission/application will be determined non-responsive.

4.6. The proposal should indicate that the firm has knowledge and understanding of the scope of work to be performed.

4.7. The proposal should indicate the ability to perform the work in a timely manner and the firm has adequate qualified staffing.

5. Performance Security:

The successful bidder would have to furnish the Performance Security (10% of the total cost of the Project) in the form of Bank Guarantee valid for a period of 14 months from the award of work.

6. Validity of Contract

The award of Contract shall be initially for a period of one year from the date of award, subject to continuous satisfactory performance. The initial period of one year can be further extended subject to satisfactory services at the sole discretion of the office of the client.

7. Payments

After selection of Successful Bidders, a price schedule shall be Annexed to the article of Agreement according to which all payments shall be made by NHSRC after due vetting by NHM Division, MOH&FW.

The prices in the Price Schedule shall be exclusive of any applicable Taxes as may be levied by the Government from time to time and the same shall be charged in addition to the applicable rate.

The client shall be entitled to deduct in accordance with applicable Law, Income Tax or withholding Tax or other deductions (as the case may be) from any payments made to the firm and the amount as deducted shall be deemed to be a payment made to the firm. Client shall provide a certificate on the deductions so made.

8. Submission Details:

Interested bidders are invited to submit their Eol which should include:

8.1. Details of the organization of the Bidder. Certified copies of all the necessary documents to be enclosed. **(Ref: Annexure-1)**

8.2. Financial capability statements (audited annual financial statements of the Bidder for last three years). **(Ref: Annexure-2)**

8.3. Past experience of the Bidder (with relevant documentary proof of each credential stated, in form of work order/ letter of award/ completion certificate). **(Ref: Annexure-3)**

8.4. Details of Team members, clearly mentioning the Team Leader, and profile of each member. At least one of the members shall be an Advocate of the Supreme Court of India. Curriculum Vitae of the Partner(s) / Members and Associates etc. working with the firm. **(Ref: Annexure-4)**

8.5. Project Undertaking (as stated in Eligibility Criteria - 3.6) **(Ref: Annexure-5)**

8.6. A minimum of five current references from clients (at least two from Government Health Service Sector) for whom the firm has provided similar work within the last five years. **(Ref: Annexure-6)**

8.7. Explanation of how you intend to provide the required services in a timely manner **(Ref: Annexure-7)**

Bidders must sign each page of the Eol to be submitted to NHSRC and provide all the required information on separate sheets but strictly as per the Annexure listed. The Eol should be submitted latest by **17-Sep-2014, 1300 hrs** to the below mentioned address:

To,
The Principal Administrative Officer
National Health Systems Resource Centre
NIHFW Campus, Baba Gang Nath Marg, Munirka
New Delhi – 110067,

Any queries (Administrative) regarding the Eol should be directed to The Principal Administrative Officer National Health Systems Resource Centre, NIHFW Campus, Baba Gang Nath Marg, Munirka, New Delhi – 110067, Tel: 011-26108982 / 83 / 84.

Subject to NHSRC's right to accept any Eol and reject any or all Eols, NHSRC will award the contract to the bidder whose bid has been determined to be substantially responsive to the said documents and who has the capability and resources to carry out the contract effectively.

DETAILS OF BIDDER

1.	Title and name of the Project: EXPRESSION OF INTEREST (EOI) FOR ENGAGING OF ADVOCATES/ FIRM TO ASSIST NHM (NATIONAL HEALTH MISSION) DIVISION OF MOH&FW (MINISTRY OF HEALTH & FAMILY WELFARE, GOVERNMENT OF INDIA) IN PROVIDING LEGAL SUPPORT ON HEALTH AND OTHER RELATED ISSUES ON MONTHLY RETAINER BASIS
2.	State the structure of the Bidder's organisation (Bidders to complete/delete as appropriate)
3.	<p>For Bidder who are individual companies or firms, state the following:</p> <p>Name of Company or firm:</p> <p>Legal status: (e.g. incorporated private company, proprietorship, etc.) </p> <p>Registered address:</p> <p>Year of incorporation.....</p> <p>Principal place of business:</p> <p>Contact person:</p> <p>Contact person's title:</p> <p>Address, telephone, facsimile number and e-mail ID of contact person: </p>
4.	<p>Authorized contact person (from lead member):</p> <p>Contact person's title:</p> <p>Address, telephone, facsimile and e-mail ID of contact person:</p>
5	Document to be Attached (As applicable): <ol style="list-style-type: none"> i. Details of incorporation under Companies Act (Attach Memorandum & Article of Association, Certificate of Incorporation) ii. PAN no.(attach documentary evidence) iii. Service Tax registration no.(attach documentary evidence)

FINANCIAL CAPABILITY DETAILS

Year	Annual Turnover	Remarks (If Any)
Year.....		
Year.....		
Year.....		
Parameter		

Instructions:

The Bidder shall provide the audited annual financial statements.

(Signature of Authorised Signatory)

Name of the Authorised Signatory:

Company Name:

Date:

EXPERIENCE OF THE BIDDER

Name of Project	
Name, address and contact details of the Client	
Scope of the project for Bidder	
Name(s) of other members of consortium, in case the said project was executed as a consortium	
Date of commencement of project	
Date of completion of Bidder's scope of work	
Project fee	

Instructions:

The above statement shall be supported by copy of work order/ completion certificate by client. Use separate sheets for different projects.

(Signature of Authorised Signatory)

Name of the Authorised Signatory:

Company Name:

Date:

DETAILS OF TEAM LEADER & TEAM MEMBERS

1. Position:
2. Name of Firm: [Insert name of Bidder proposing the staff]:
3. Name of Staff: [Insert full name]:
4. Date of Birth:
5. Nationality:
6. Education:
[Indicate college/university and other specialized education of staff member, giving names of institutions, degrees obtained, and dates of obtainment]
7. Membership of Professional Associations:
8. Other Training:
9. Countries of Work Experience: [List countries where staff has worked in the last ten years]
10. Languages: [For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]
11. Employment Record: [Starting with present position, list in reverse order every employment held by staff member since graduation, giving for each employment (see format here below): dates of employment, name of employing organization, positions held.]

From [Year To Year]

Authority:

Positions held:

12. Detailed Tasks Assigned: [List all tasks to be performed under this Assignment/job]

13. Work Undertaken that Best Illustrates Capability to Handle the Tasks Assigned

[Among the Assignment/jobs in which the staff has been involved, indicate the following information for those Assignment/jobs that best illustrate staff capability to handle the tasks listed under point 12.]

Name of Assignment/job or project:

Year:

Location:

Employer:

Main project features:

Positions held:

Activities performed:

14. Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any willful misstatement described herein may lead to my disqualification or dismissal, if engaged.

[Signature of staff member]

Full name of staff member

Date:

Place:

Signature of the Bidder

PROJECT UNDERTAKING

Date:

The Principal Administrative Officer

National Health Systems Resource Centre
NIHFW Campus, Baba Gang Nath Marg, Munirka
New Delhi - 110067

Sub: EXPRESSION OF INTEREST (EOI) FOR ENGAGING OF ADVOCATES/ FIRM TO ASSIST NHM (NATIONAL HEALTH MISSION) DIVISION OF MOH&FW (MINISTRY OF HEALTH & FAMILY WELFARE, GOVERNMENT OF INDIA) IN PROVIDING LEGAL SUPPORT ON HEALTH AND OTHER RELATED ISSUES ON MONTHLY RETAINER BASIS

Sir,

We have read and understood the Terms of Reference for the captioned Project provided to us by NHSRC.

We hereby declare that:

Our Eoi is made in good faith and the information contained is true and correct to the best of our knowledge and belief.

We do not have any pending litigation and non-performing contracts during last 5 years, that may have an impact of affecting or compromising the delivery of services as required under this Project.

We are not barred by Government of India/ any State Government/ Government agency/ Supreme Court from participating in similar projects.

Dated this day of 20.....

(Signature of Authorised Signatory)

Name of the Authorised Signatory:

Company Name:

Date:

REFERENCE DETAILS

BRIEF DETAILS ON HOW TO PROVIDE REQUIRED SERVICES IN A TIMELY MANNER

Draft - FINANCIAL BID

(Financial Bid submission only by invitation to short-listed technically qualified bidders)

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Scope Of Work	Consolidated Monthly Retainership Fee (Inclusive of all costs, excluding Taxes) # (In Rs.)
Advice on day to day legal issues, Provide Oral or written legal opinions, Drafting & Vetting of various types of Agreements, Memorandum of Understanding, Non Disclosure Agreements, Deeds, Contracts, Manuals etc, Examination & Preparation of Para wise comments in court matters but does not include Preparing / Filling of affidavit and appearance before the Courts, Briefing the Central Government Counsels whenever required.	

** Service Tax as applicable*

** TDS will be deducted as applicable*

Concerned Advocate may require to visit the office of NHM Division, MoH&FW for discussion etc, for which a fixed travelling cost @ Rs. 500/- per visit shall be paid over and above the consolidated monthly retainership fee.