

REQUEST OF EXPRESSION OF INTEREST FOR SEVEN (7) EXTERNAL INDIVIDUAL LAWYERS FOR RWANDA ENERGY GROUP LIMITED AND ITS SUBSIDIARIES COMPANIES

TITLE OF THE ASSIGNMENT: RECRUITMENT OF INDIVIDUAL LAWYERS TO ADVISE, REPRESENT AND/OR ASSIST RWANDA ENERGY GROUP LIMITED AND ITS SUBSIDIARY COMPANIES IN THE MATTERS PARTENING TO LAW.

REFERENCE ASSIGNMENT NUMBER: (EOI) N^o: 11.07.022/IND/067 /REOI/ 2019-2020/PROC-DCS-REG/CEO/RW/ON

I. Background

REG (Rwanda Energy Group) Limited is a wholly-owned government Company governed by the Law relating to companies. Its core mission is to distribute and provide energy, to supply electricity and related services across the country. As the economic activities, whatever their nature, are now governed by laws and regulations, often scattered and generally little known. On one hand, the liberalization of entrepreneurship in addition to the increasing of competition, are sometimes not conforming to the rules of ethics, and this involves serious impact towards the overall performance of the institution. On the other hand, the development of social, fiscal, energy, trade, banking, financial legislation, or others make the jurisprudence and other legal facts be subjective to different interpretations, sometimes not in favor to the harmonious development of the working activities. This may result into dispute that can be handled through litigation or alternative dispute settlement mechanisms. In this respect, the company-REG Ltd may be in need of a lawyer to advise or represent the Company in litigation or arbitration. Therefore, it is in this context that the company wishes to hire seven (7) individual Lawyers to advise and represent the Company in all its arbitration or litigation cases. The details are as mentioned below:

II. Objective of this request

This request is meant to seek expressions of interest from individual lawyers capable of advising, representing and/or assisting REG in litigation, alternative dispute settlement mechanisms as well as any other related legal matters the Company will be faced with at any time and whenever they are required to do so.

III. Scope of Work for individual lawyers

The scope of work is expected to be but not limited to the following activities:

- Provide legal advices/assistance against any litigation arising out of Company's daily business affairs as well as its subsidiaries;
- Provide legal opinion on high risk and complex contracts to be concluded by the Company or its subsidiaries and third parties taking into account all respective legislation. In addition, reviewing of any other related contract matters.
- Act as transaction advisors of the Company as well as its subsidiaries whenever and wherever required by the Management;
- Draft legal documents such as agreements/contracts, Non-Disclosure Agreements and Memoranda of Understanding, on behalf of REG or its subsidiaries;

- Initiate or review pieces of legal and administration instruments required to support the mission and objectives of the Company as well as its subsidiaries. This includes but does not limit to Internal Rules and Regulations, Internal control/Procedure Manuals, Laws and Orders pertaining to the mission of the Company whenever required by the Management;
- Represent and defend the Company and/or its subsidiaries before Court of Law or Arbitration Tribunal;
- Provide any other assistance of legal nature as may be required by the Company's Management or its subsidiaries.
- Interact on behalf of the Company or its subsidiaries with relevant Government authorities and private companies when required with regard to legal matters;
- Negotiate and reply legal notices and help the Company in sorting out issues out of courts through Alternate Dispute Resolution (ADR) mechanisms;
- Willing to travel throughout the Country to represent the Company and defend cases before a court of law or another dispute settlement mechanism as required by the Company or its subsidiaries.

IV. Required Lawyer's Profile

IV.1. Qualification and experiences

The Individual lawyer is required *to have* the following: ***A Bachelor's Degree (LLB) with a proven experience of not less than five (5) years' legal practice in Energy Law; Commercial Law; Arbitration Law; Environmental Law; Tax Law; Corporate Law; Insurance Law; labour Law; Administrative Law or Business Law or a Master of Laws (LL.M) with a proven experience of not less than three (3) years' legal practice in in Energy Law; Commercial Law; Investment; Arbitration Law; Environmental Law; Tax Law; Corporate Law; Insurance Law; labour Law; Administrative Law or Business Law.***

IV.2. Areas of experience:

- ***If the Individual Lawyer has a Bachelor's degree. He/She should prove experience of not less than five (5) years' legal practice in Energy Law; Commercial Law; Arbitration Law; Environmental Law; Tax Law; Corporate Law; Insurance Law; labour Law; Administrative Law or Business Law;***
- ***If the Individual Lawyer has a Master's degree. He/She should prove experience of not less than three (3) years' legal practice in Energy Law; Commercial Law; Arbitration Law; Environmental Law; Tax Law; Corporate Law; Insurance Law; labour Law; Administrative Law or Business Law;***

IV.3. other conditions

1. The lawyer must have an office easily accessible and an effective secretariat opened at least during working days and hours;
2. The lawyer must provide his or her mobile telephone numbers, email addresses and Post Office Boxes as part of their bids,
3. An excellent communication and presentation skills;
4. A Certificate of membership in Rwanda Bar Association and current service card/
5. Not being an Internee Advocate;

6. Dealt with the complex matters in his or her area of legal practice;
7. Having at least two (2) recommendation letters from public or private institutions for good completion of similar services provided or ongoing contracts with different institutions.

V. Selection Criteria:

Individual Lawyers will be shortlisted in accordance with the qualification and experience in legal practice.

In addition, the Lawyers will be selected following Individual Consultant Method as per REG Procurement Manual as update to date. The duration of contract shall be 12 months' renewable upon satisfactory performance of the Individual Lawyers to be confirmed by user department working with Lawyers on daily basis.

VI. Deliverables

When the contract becomes effective, the role of the lawyers will be to inform advice, assist or represent, and draft all legal documents including the contracts and other agreements in accordance with the applicable regulations for the interests of the client.

VII. Reporting Obligations

1. The Individual Lawyer shall submit to REG or its subsidiaries monthly progress report on the status of cases at the end of every month in the following below manner:
 - Separation of administrative, civil, commercial and penal cases during reporting;
 - Provide brief description of the case, its details on how proceedings followed each other (for example dates of pre-trial, hearings and pronouncement)
 - Court decision after pronouncement
 - Include also Observations and recommendations
 - The report should also highlight urgent cases to be handled in following month
 - Indication of the closed cases in the report;
2. The Individual Lawyer shall submit to REG or its subsidiaries the court submissions within three (3) weeks before hearing date in order to agree on defence strategy and shall again present to REG or its Subsidiaries the report on the status of the case and the level of proceedings within 5 calendar days from the date of hearing;
3. Closed files (cases) should be handed over to the company within one week after final hearing;
4. REG or its Subsidiaries shall evaluate quarterly the Lawyers ability to perform his assignments within the required deadlines and with technical capacity to ensure protection of the Company's or its Subsidiaries interests. In case REG or its subsidiaries is not satisfied with the performance of the Individual Lawyer, termination of the contract shall be initiated.

VIII. Submission of EOI

After the short listing the selection will be based on the detailed Terms of Reference (TOR) for this assignment with specific objectives, scope of the assignments, Key deliverables, Timing, Competence and Qualifications and other requirements. These are available at www.reg.rw and DG market website: www.market.gov.rw. **Individual** Consultants will be selected in accordance with the Individual Consultant Selection method set out in REG Procurement Manual as update to date.

Application and Submission

Interested and suitably qualified candidates should submit their Expression of Interest including CVs and a motivation letter highlighting how they meet the requirements detailed in the TOR. All applications should be submitted to the Central Secretariat of the procurement unit of REG/EUCL and should be addressed to:

**The Chief Executive Officer
Rwanda Energy Group
KN82 ST 3, Nyarugenge District, Kigali City,
P.O Box 537 Kigali, Rwanda
Headquarter Office's
1st Floor, Room N° G114, at the Secretariat of the Procurement Management Unit
Kigali – Rwanda**

Electronic applications will not be accepted. Well printed EOI, properly bound and presented in **two (2) copies** of which **one is the original** and **another is copy** must reach the **Secretariat of the Procurement Management at the address mentioned above** not later than **10 / 02 /2020 at 10:00 am**. Late expression of interests will be rejected and returned unopened.

The outer cover for envelope shall be clearly marked: REQUEST FOR EXPRESSION OF INTEREST (EOI)
N° 11.07.022/IND/ 067 /REOI/ 2019-2020/PROC-DCS-REG/CEO/RW/ON

The deadline for submission of expression of interest will be **10/ 02/ 2020, at 10:00 hours Kigali time**.

Further information can be obtained at the address below during office hours from 07H00 hours to 17H00 on all working days.

Note:

1. As the assignment concerns individuals only, **the firms are not allowed to submit their expression of interest's only individual consultants**.
2. After selection process the results will be notified to all lawyers then the short-listed individual lawyers shall be requested to submit their financial proposals to be negotiated.

Done at Kigali, 24th January, 2020

Eric BUGINGO
Head Procurement Management Unit

Ron WEISS
Chief Executive Officer