



## REQUEST FOR PROPOSALS

### TERMS OF REFERENCE FOR CONSULTANT TO PROVIDE LEGAL SERVICES TO THE CDEMA COORDINATING UNIT

#### 1.0 CONTEXT

The Caribbean Disaster Management Agency (CDEMA) is a Regional Organization currently comprising of eighteen (18) member countries in the Caribbean Region. CDEMA embraces the principles and practice of Comprehensive Disaster Management (CDM) which is an integrated and proactive approach to disaster management. CDM seeks to reduce the risk and loss associated with natural and technological hazards and the effects of climate change to enhance regional sustainable development. The activities of the agency are financed mainly through contributions made by its Participating States and donations by Development and private sector Partners.

The staff of the CDEMA Coordinating Unit is hired under differing arrangements depending on the level of staff and project duration. The agency also engages external consultants for the provision of technical services to fulfil its mandate with respect to comprehensive disaster management in the region. Recently, there has been an escalation of disputes between the Coordinating Unit and Consultants hired to provide services. The disputes range from breach of contract to settlement for payment for unsatisfactory work. As a result, the Coordinating Unit is seeking to engage a legal expertise in contract management to review all the Coordinating Unit contracts and provide a suite of revised contract templates for use by the CDEMA Coordinating Unit.

The proposal to be submitted should address the service providers' ability to provide the Legal Services referred to herein.

#### 2.0 OBJECTIVE

The objective of this consultancy is to provide comprehensive legal advice to the CDEMA Coordinating Unit in relation to contract development, design, and management.

##### 2.1 *Specific Objectives*

The Specific Objectives are:

1. To review and revise as appropriate the structure and content of the CDEMA Coordinating Unit existing contract templates;

2. To recommend approaches to contract development, issuance and management at the CDEMA Coordinating Unit.

### 3.0 SCOPE OF WORK

The Consultant will:

- 3.1 Review the CDEMA Agreement, HQ Agreement and the CARICOM Social Security Agreement to obtain an understanding of the context of the legal operating environment of the agency;
- 3.2 Prepare an inception report which details the methodology/approach to the assignment and a related work implementation plan;
- 3.3 Review contract templates as well as sample of existing or past contracts of staff and external service providers and make recommendations for enhancing these to better reflect the requirements of community treaties and standards as well relevant host country legislation. The sample of contracts and the recommendations should include those for which there were or are ongoing disputes;
- 3.4 Prepare and submit for discussion, a report of the findings of the contract review and contract management process at the Coordinating Unit and recommendations for their enhancement;
- 3.5 Prepare and submit enhanced contract templates for the Coordinating Unit for feedback;
- 3.6 Submit the final documents at 3.5 above and the finalized report on findings and recommendations informed by comments received.

### 4.0 OUTPUTS/DELIVERABLES:

The consultant will submit to the Coordinating Unit for approval the following:

Outputs	Time Frame for Delivery
Inception Report to include, <i>inter alia</i> , the detailed proposed methodology and a Work Implementation Plan	Within 1 week of contract signature
An initial report of the findings of the contract review and contract management process review at the CU and recommendations for enhancing	Within 6 weeks of contract signature
Enhanced contract templates for the CDEMA CU	Within 8 weeks of contract signature
Final Report with recommendations for contract management and final contract templates	Within 12 weeks of contract signature

## 5.0 DURATION

The terms and conditions of the CONTRACT shall apply for the duration of the CONTRACT, beginning on the date of this assignment, or the actual date of commencement of the WORK whichever is earlier, and the COMPLETION DATE of October 26, 2012

## 6.0 FINANCIAL PROPOSAL

6.1 Financial proposal should be submitted separately and should include all administration costs including overheads, printing, posting, copying, and presentation.

## 7.0 PAYMENT SCHEDULE

Payment of the Consultant for the provision of deliverables outlined in Clause 4 above shall be according to the following schedule:

Acceptance of the Inception Report	30%
Acceptance of the First Draft Report	35%
Acceptance of the Final Report	35%
<b>Total</b>	<b>100%</b>

## 8.0 QUALIFICATION AND EXPERIENCE

Eligible Consultants should have the following qualifications and experience:

- 8.1 Law Degree with specialization in contract law, employment law or related field;
- 8.2 At least ten years relevant experience in providing legal services at least five (5) of which should be in the area of contract law;
- 8.3 Familiarity with, as well as experience concerning, the instruments of CARICOM and international intergovernmental organizations;
- 8.4 Excellent communication and presentation skills.

## 9.0 ADDITIONAL INFORMATION

9.1 The law firms invited to this Request for Proposal are hereby informed that no relationship can exist between the firm and CDEMA Coordinating Unit except on the basis of a formal written contract. This document constitutes only a solicitation of interest in and proposal for providing legal services to CDEMA Coordinating Unit, and shall not be interpreted as an offer by CDEMA Coordinating Unit to enter into a retainer agreement for such services. Your response will be treated as an offer to provide such services and not an acceptance of any offer made by CDEMA.

9.2 This Request for Proposal is based on the understanding that the review of and response to this Request for Proposal by the law firm will not entail any cost or obligation for CDEMA.

## 10.0 SUBMISSION OF PROPOSAL

Eligible Consultant(s) should submit technical and financial proposals in both electronic and hard copy format. Proposals should also include *inter alia*:

- 10.1 Statement of relevant experience i.e. similar assignments executed in/under execution in the last five years;
- 10.2 Measurable goals and objectives and methodology;
- 10.3 Indication of availability to carry out the Consultancy during the period August 13 to November 9, 2012;
- 10.4 Supporting documents such as CVs are to be attached as appendix

Proposals should be delivered not later than 1600hrs on July 27, 2012 at the address below:

**Attention:**

Executive Director  
Caribbean Disaster Emergency Management Agency (CDEMA)  
Building #1, Manor Lodge Complex, Lodge Hill,  
St Michael, Barbados  
Email: [executive.secretary@cdema.org](mailto:executive.secretary@cdema.org)

**Only short-listed applicants will be contacted.**