Pakistan
Punjab Education Sector Project
Credit No. IDA 5106-PK
Contact No. PMS/18/2013-14

Assignment Title: **HIRING OF LAW FIRM**

Government of the Punjab has received financing from the World Bank towards the cost of the Second Punjab Education Sector Project, and intends to apply part of the proceeds for consulting services.

Government of the Punjab (GOP) is implementing the Punjab Education Sector Reform Programme (PESRP) with the assistance of the World Bank to support and scale-up specific interventions to improve education outcomes. GOP is interested in implementing the given initiatives in transparent and robust manners to accomplish the desired output within the minimum possible timeframe. These initiatives have been designed to directly promote greater school quality apart from other steps recruiting merit based teachers at all levels and through these improvements, promote the retention of students and school participation of new children.

In this regard, GOP has already notified a comprehensive recruitment policy for recruitment of public schools teachers in various cadres. An entry test will be undertaken as per new policy using a standardized test of subject knowledge and pedagogic skills based on standards developed by independent firm. Test design and test administration procedures will be subject to a rigorous, independent prior review to assess quality and appropriateness. In order to strengthen the SED in all such legal matters which are likely to impede the process, the services of a Law Firm for the following assignments are required:

I. Streamline the case management system, prepare computerized record along with necessary details of all the Court cases involving the SED and keep the record constantly updated.

II. Attend hearings of the court cases before various courts, update the SED on the progress and, where required, represent the employer.

III. Prepare, draft, review and oversee the pleadings, reports, comments and other documents required to be submitted in the Courts in consultation with the employer, other government departments and dealing counsel.

IV. Liaise with the dealing counsel about the progress of the cases involving the employer and will extend technical/legal support to the concerned officials of the SED.

V. Bring efficiency in the case handling and will strengthen the process of representation of the SED in the courts.

VI. Any other responsibility as assigned by the competent authority
The PESRP, Program Monitoring and Implementation Unit (PMIU) now invites registered Law firms which have fifteen years License to practice of High Courts and Supreme Court of Pakistan, including at least five years of litigation experience in the Supreme Court; and sound knowledge of civil, administrative & constitutional laws to indicate their interest in providing the Services. Interested firms should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.

EOI Evaluation/shortlisting criteria is as under:

- Company profile: must be a registered law firm for the last fifteen years; 15 scores
- Corporate capacity: have capacity to defend the cases in all the courts all over Punjab; network availability, permanent staff and temporary staff, names with their complete CVs indicating qualification and experience; 15 scores
- Detail of similar works/assignments already completed: please mention name of each assignment completed as Law Firm, duration and cost involved i.e. specific experience; 15 scores
- Delivery mechanism: complete proposal including implementation plan and teams to be constituted to handle the assignment as per above requirements; 40 scores
- Financial stability certificate if possible audited reports for last fifteen years; 15 scores

The attention of interested Consultancy firms is drawn to paragraph 1.9 of the World Bank’s Guidelines: Selection and Employment of Consultants under IBRD Loans and IDA Credits & Grants by World Bank Borrowers [January 2011] (“Consultant Guidelines”), setting forth the World Bank’s policy on conflict of interest.

A consulting Law firm will be selected in accordance with the Selection Based on Consultants Qualification (CQS) method set out in the World Bank’s Guidelines: Selection and Employment of Consultants (under IBRD Loans & IDA Credits and Grants) by World Bank Borrowers (2011).

A consulting firm may associate with other firms in the form of a joint venture or a subconsultancy to enhance their qualifications.

Further information can be obtained at the address below during office hours i.e. 0900 to 1600 Monday to Friday.

Expression of interest must be delivered in a written form to the address below by October 7, 2013.

Programme Monitoring and Implementation Unit
Punjab Education Sector Reform Programme
8-A, Ali Block, New Garden Town
Lahore
Tel: 042-99232295
TERMS OF REFERENCE

School Education Department
Government of Punjab

SECOND PUNJAB EDUCATION SECTOR PROJECT

PROPOSED

TECHNICAL ASSISTANCE

TO THE

ISLAMIC REPUBLIC OF PAKISTAN
PUNJAB PROVINCE

FOR

HIRING OF LAW FIRM

FOR

SCHOOL EDUCATION DEPARTMENT/PMIU
1. BACKGROUND INFORMATION

1.1. Beneficiary Country and Province

**Islamic Republic of Pakistan, Punjab Province**

1.2. Contracting Authority

Under the Second Punjab Education Sector Project and in agreement with the World Bank, the Programme Monitoring and Implementation Unit (PMIU), School Education Department (SED), Government of the Punjab is the contracting authority.

1.3. BACKGROUND AND OBJECTIVE

Government of the Punjab has received financing from the World Bank towards the cost of the Second Punjab Education Sector Project, and intends to apply part of the proceeds under Technical Assistance (Component II) for consulting services.

1.4. Government of the Punjab is implementing the Education Sector Reforms Programme (PESRP) with the assistance of the World Bank to support and scale-up specific interventions to improve education outcomes. GOPunjab is intended to implement the given initiatives in transparent and robust manner to accomplish the desired output within a minimum possible timeframe. These initiatives have been designed to directly promote greater school quality apart from other steps recruiting merit based teachers at all levels and through these improvements, promote the retention of students and school participation of new children.

1.5 Under PERSP-II, GOPunjab intends to rationalize the requirements of the teachers under a well designed policy which covers fixing of teaching posts at the school level in relation to need and assigning teachers in line with rationalized posts and recruiting teachers based on test and interview in a transparent manner in order of merit in the test and interview against the vacant posts keeping in consideration the quota and recruitment policy. Since all the above initiatives require designing of a well formulated policy and involve judicious decisions at each stage for achieving the ultimate objective to improve school education, SED has undertaken all the steps in the right direction. However, on introducing the new mechanism, there is likelihood that any one amongst the serving employees or the intending candidates may approach the relevant court and file petition making SED a party. Obviously, a prompt action would be required from the government side to prepare reply for submission in the relevant court. The available means are not sufficient enough and full heed cannot be paid/attention by the staff who are already preoccupied and there is a requirement of hiring a legal firm which can defend the cases on behalf of the government specifically School Education Department at different places all over the Punjab.

1.6 For the above purpose, in order to assist the School Education Department (SED) to defend such cases in various courts all over the Punjab province, PMIU intends to engage a law firm having sufficient experience specifically relating to the cases pertaining to public sector.
2. SCOPE OF THE SERVICES

2.1. An indicated above, Government of the Punjab is introducing various interventions to support and scale-up the school education. During the course of its implementation, a number of cases by the aggrieved parties have been lodged/are being lodged in various Courts and Secretary, Schools Education Department has been made a party in these cases. It is not possible for the Secretary, School Education Department to prepare replies for submission in the courts and appear in each and every court. At present, such cases are being defended through the available means. However, a lot of legal work at SED level is required. The scope of work includes preparing replies and attending all those courts where cases have been lodged/to be lodged on behalf of Secretary, Schools Education Department all over Punjab province.

3. Requirement and Deliverables

3.1. The legal practitioners of the contending Law Firm should have at least:

- License to practice of High Courts and Supreme Court of Pakistan;
- Legal experience of at least fifteen years, including at least five years of litigation experience in the Supreme Court;
- Sound knowledge of civil, administrative & constitutional laws;

3.2. Law firm will deliver the following assignments in close coordination with Secretary, School Education Department:

VII. Streamline the case management system, prepare computerized record along with necessary details of all the Court cases involving the SED and keep the record constantly updated.

VIII. Attend hearings of the court cases before various courts, update the SED on the progress and, where required, represent the employer.

IX. Prepare, draft, review and oversee the pleadings, reports, comments and other documents required to be submitted in the Courts in consultation with the employer, other government departments and dealing counsel.

X. Liaise with the dealing counsel about the progress of the cases involving the employer and will extend technical/legal support to the concerned officials of the SED.

XI. Bring efficiency in the case handling and will strengthen the process of representation of the SED in the courts.

XII. Any other responsibility as assigned by the competent authority.

4. Timelines

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<thead>
<tr>
<th>S.No.</th>
<th>Deliverable</th>
<th>Period</th>
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<tbody>
<tr>
<td>1</td>
<td>Review of present mechanism and detail of cases</td>
<td>1 week</td>
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<tr>
<td>2</td>
<td>Compilation of all the data of cases</td>
<td>2-3 weeks</td>
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<tr>
<td>3</td>
<td>Inception Report-implementation plan</td>
<td>4 week</td>
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<tr>
<td>4</td>
<td>Fortnight report indicating nature of the cases, present</td>
<td>5 week</td>
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<tr>
<td>status alongwith list of decided cases, if any</td>
<td>Before the end of contract period</td>
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<td>5</td>
<td>Final Report</td>
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5. **Selection Method**

5.1. A consulting firm will be selected in accordance with the Selection Based on Consultants Qualification (CQS) method set out in the World Bank’s Guidelines: Selection and Employment of Consultants (under IBRD Loans & IDA Credits and Grants) by World Bank Borrowers (2011).

5.2. A consulting firm may associate with other firms in the form of a joint venture or a sub consultancy to enhance their qualifications.

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