



GOVERNMENT OF THE VIRGIN ISLANDS

EXPRESSIONS OF INTEREST NO. 1 OF 2023

PS/AG2023/GO/REF. - 1

**LEGAL SERVICES PANEL FOR THE GOVERNMENT
OF THE VIRGIN ISLANDS**

FEBRUARY, 2023

**GOVERNMENT OF THE VIRGIN ISLANDS
CENTRAL ADMINISTRATION COMPLEX
33 ADMIN DRIVE
ROAD TOWN, TORTOLA
BRITISH VIRGIN ISLANDS**

LEGAL SERVICES PANEL FOR THE GOVERNMENT OF THE VIRGIN ISLANDS

SPONSORING OFFICE

Attorney General's Chambers
Government of the Virgin Islands
Central Administration Complex

Invitation for Expressions of Interest: Legal Services Panel for the British Virgin Islands

1. INTRODUCTION

- 1.1. The Government of the Virgin Islands (GoVI or "Government"), acting through the Attorney General's Chambers, desires to create a panel of legal practitioners and consultants (the "Legal Services Panel") to provide drafting, civil and specialist legal services to the Government of the Virgin Islands (the "Services").
- 1.2. GoVI shall conclude framework agreements, with agreed daily fee rates, with candidates having the necessary qualifications and experience. These legal practitioners and consultants shall form part of the Legal Services Panel. The Attorney General's Chambers will compare and select legal practitioners and consultants for the Legal Services Panel for specific assignments and "call down" services under their framework agreements.
- 1.3. GoVI, therefore, invites interested qualified, experienced and competent individuals as a part of a pre-qualification process to appoint a legal services panel for the British Virgin Islands to submit Expressions of Interest (EOI) to provide legal and consultancy services in a non-editable format to the **Procurement Coordinator (Mrs. Ishma Rhymer)** at email address procurement@gov.vg.

2. BACKGROUND

- 2.1. The Attorney General's Chambers (AGC) in the British Virgin Islands (BVI) is in the business of defending the public interest and mobilising resources to provide GoVI with efficient and effective legal services on a timely basis. The vision of AGC is to uphold good governance and the proper and adequate administration of justice in the Virgin Islands and provide excellent customer service.
- 2.2. The work of the AGC involves exposure to matters of great public importance and complexity. The objective of the Legal Services Panel is to improve outcomes in all areas of legal practice by efficiently accessing the appropriate level of skill, qualification and expertise as and when needed, and who will work in close collaboration with in-house counsel to carry out the mission of the AGC which is:
 - 2.2.1. to advise and represent the Government in legal matters;

- 2.2.2. to envision and respond to community needs for law reform to keep pace with national and international development;
 - 2.2.3. to foster, develop and promote the fair administration of justice.
- 2.3. Admission to the Panel is by means of an open advertisement and application process. This EOI is seeking applications for the appointment to the Panel from individual legal practitioners and legal consultants to undertake services in a variety of subject areas to meet the needs of GoVI. Successful candidates will be registered on the Panel for an initial period of two (2) years, with the possibility of an extension. Appointment to the Panel does not provide a guarantee of any work. This will depend on future needs and a further selection process for the specific assignment.

3. OBJECTIVES

- 3.1. The primary objective of this undertaking is to create a Legal Services Panel consisting of individual legal practitioners and legal consultants who can efficiently and effectively provide legal services to the Government on a wide variety of matters and areas of law including, but not limited to, the following:
- Constitutional & Administrative Law
 - Contract and Commercial
 - Employment
 - Intellectual property
 - International business
 - Legislative drafting
 - Litigation/Arbitration/Mediation
 - Maritime
 - Environmental Law
 - Technology (including contracts, data, information and cybersecurity)
 - Tort
 - Overseas Territories Law
 - Public International Law
- 3.2. Successful candidates are not required to have expertise in all the areas listed above; rather, suitable expertise in one or more of those areas is expected.
- 3.3. We seek strategic relationships that provide high-quality, consistent service, lower and more predictable costs, and knowledge sharing.
- 3.4. Our goal is to build strong relationships with providers who respect the aspirations of the Virgin Islands and its people and the vision of the Government to achieve:
- 3.4.1. A united Virgin Islands that celebrates and embraces diversity;
 - 3.4.2. A compassionate Virgin Islands that cares for the most vulnerable among its people;
 - 3.4.3. A proud Virgin Islands that embraces its rich cultural heritage;

- 3.4.4. A prosperous Virgin Islands where opportunities abound for all;
 - 3.4.5. A strong Virgin Islands that is a model of climate change resilience;
 - 3.4.6. A smart Virgin Islands that embraces innovation;
 - 3.4.7. A healthy Virgin Islands that enjoys a high standard of living;
 - 3.4.8. A clean Virgin Islands that cherishes the environment; and
 - 3.4.9. A peaceful Virgin Islands where people live by the rule of law.
- 3.5. Successful candidates will have expertise in their subject area of interest in a common law jurisdiction

Candidates must:

- either be a qualified Solicitor, Barrister, Attorney-at-Law or Legal Practitioner in a common law jurisdiction or hold an advanced degree in law from a reputable institution of higher learning;
 - be able to demonstrate an advanced level of the English language;
 - can assimilate complex facts quickly; and
 - be able to exercise sound judgment.
- 3.6. We seek strategic relationships that will provide high quality and consistent service, predictable costs, and knowledge sharing.
- 3.7. The GoVI will compensate depending on PQE and complexity of assignment. The maximum rates are as follows:
- (a) Legislative drafting and consultancy services at a maximum rate of \$300/day;
 - (b) Other Services at a maximum rate of \$175/per hour

4. SUBMISSION OF EXPRESSIONS OF INTEREST

- 4.1. **Electronic submissions in a non-editable format not exceeding 10 MB should be sent to the Procurement Coordinator (Mrs. Ishma Rhymer) at procurement@gov.vg. The filename and the email subject must bear the Applicant's name and "EOI for Legal Services Panel for the Government of the Virgin Islands".**
- 4.2. Expressions of Interest must be submitted to the Procurement Coordinator no later than **27th March, 2023 at noon (local time)**. It is the responsibility of the bidder to ensure that the Procurement Coordinator receives their submission before the submission deadline. Late submissions will not be accepted for evaluation.
- 4.3. Expressions of Interest must be submitted with documentary evidence that includes the following:
- 4.3.1. Detailed individual's profile and statement of capability;

- 4.3.2. Curriculum Vitae of the individual ;
- 4.3.3. General information on the bidder as per attached **Form I: General Information**;
- 4.3.4. A list of governments (jurisdictions) that are your clients and the nature of your engagement, unless there is an obligation of confidentiality that precludes you from doing so as per attached **Form II: Other Government Clients**
- 4.3.5. A list with brief descriptions of legal services in any of the areas set out in para 3.1 in which the Individual has participated in the last (5) years as per attached **Form III: Statement of Experience on Similar Assignments**;
- 4.3.6. Description of your expertise in the practice areas as per **Form IV: Expertise in Practice Areas**;
- 4.3.7. Name and contact details for two professional references; and
- 4.3.8. Any other documentary evidence to establish credentials.

5. ASSESSMENT CRITERIA

- 5.1. Expressions of Interest will be assessed according to the following criteria and **Form V: Detailed Assessment Criteria**:
 - 5.1.1. Qualifications and competence of the individual to provide the Services. **(7 points)**
 - 5.1.2. Experience of individual or in performing similar assignments. **(30 points)**
- 5.2. Individuals achieving a score of 70 per cent or more would be deemed to have qualified and may be invited to be a part of the Legal Services Panel.

6. OTHER CONDITIONS

- 6.1. GoVI reserves the right to accept or reject any or all EOI(s) without assigning any reasons and is not obliged to correspond with the Applicants in this regard. Further, GoVI reserves the right to change or cancel the pre-qualification and tender process without assigning any reasons and without prejudice to its right to re-tender at any time in the future, and in such case, no bidder/intending bidder shall have any claim arising out of such action.
- 6.2. GoVI reserves the right to invite revised responses from the Applicants by the issue of an addendum, before the tender deadline, without liability or any obligation for such invitation and without assigning any reason. This request for EOI does not give rise to any rights and is not an offer or an invitation to offer.

- 6.3. The GoVI, by this process, does not intend to assume any legal obligation whatsoever, including any binding relationship of any kind, with any Applicant, nor will the GoVI accept any liability howsoever arising, in relation to it. By this document, applicants are so informed and unconditionally acknowledge that they are fully aware that through an expression of interest, no entitlement whatsoever vests, or will vest in them.
- 6.4. Participation by any party in this EOI pursuant to the invitation by GoVI shall be considered to be an acceptance of all the terms and conditions of this invitation by such party, and no claims or disputes raised by it during or after the award process shall be entertained by GoVI.
- 6.5. All documents and other information supplied by GoVI or submitted by an Applicant to GoVI shall remain or become the property of GoVI. GoVI will not return any application or any information provided along with it
- 6.6. The applicants shall bear all costs associated with the preparing and submitting its EOI. GoVI will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the EOI process.
- 6.7. Expressions of Interest must be submitted in accordance with Section 4 of this Request for Expressions of Interest. GoVI shall not be responsible for the loss, non-receipt or delay in the receipt of any Expressions of Interest application.
- 6.8. The address to be used for communication with GoVI is:

Mrs. Ishma Rhymer
Procurement Coordinator
Procurement Unit
Ministry of Finance
RFG Place, 2nd Floor
Waterfront Drive
Tortola, British Virgin Islands

Tel: (284) 468-4243
Email: procurement@gov.vg

FORMS FOR EXPRESSIONS OF INTEREST

FORM I – General Information

Item	Bidder's Information
Bidder's name:	
Bidder's country of birth:	
Bidder's date of birth:	
Bidder's address in the country of residence:	
Bidder's telephone numbers, fax numbers, e- mail address:	

Note:

- Please provide a certified true copy of the data page from the Bidder's passport;

FORM II – Other Government Clients

	Government or Jurisdiction	Year(s) Assignment was Fulfilled
1		
2		
3		
4		
5		

FORM III – Statement of Experience in Similar Assignments

Client Name, Address, Representative and Phone No.	Description of Services	Value (USD)	Start/ Stop dates	Schedule (On schedule/ delayed)

FORM IV – Expertise in Practice Areas

Practice Area	Expertise¹
Constitutional & Administrative Law	
Contract and Commercial	
Employment	
Intellectual property	
International business	
Legislative drafting	
Litigation/Arbitration/Mediation	
Maritime	
Technology (including contracts, data, information and cybersecurity)	
Tort	
Overseas Territories law	
Public international law	

¹ Give at least one client for whom you acted as the legal advisor in the practice area. Describe how you managed the allocation and delivery of work and how the client benefitted.

FORM V – Detailed Assessment Criteria

Assessment Criteria		Maximum Score (37)
1	Qualifications and competence of the individual to provide the Services	7
1.1	Bidder is a qualified Solicitor, Barrister, Attorney-at-Law or Legal Practitioner (5 pts)	5
1.2	Bidder has attained a Graduate degree in Law (3 pts)	
1.3	Bidder has attained a Post-Graduate degree in Law (5 pts)	
1.4	Bidder has professional licence(s) and registrations	2
2	Experience of individual in performing similar assignments	30
2.1	Number of years of practical experience	10
2.2	Experience in similar assignments for the past 5 years	7
2.3	Experience with other government or jurisdictions as client	3
2.4	Experience in relevant practice areas	6
2.5	Experience in practicing in the BVI	4