

**DRAFT REQUEST FOR EXPRESSION OF INTEREST FOR HOST
UNIVERSITY FOR THE AFRICAN PETROLEUM LEGISLATION ATLAS
(APLA) POST PILOT PROJECT (YEAR ONE)**

AFRICAN LEGAL SUPPORT FACILITY (ALSF)

Terms of Reference

I. BACKGROUND INFORMATION ABOUT ALSF, ECNR AND THE APLA PROJECT

The African Legal Support Facility (“ALSF” or “Facility”) is an international organisation established by Treaty in 2008. The Facility is hosted by the African Development Bank (“AfDB”). Its membership is open to (a) All AfDB Member States (b) other states (c) AfDB and (d) other international organisations or institutions. The ALSF’s main objectives include: (i) assisting the AfDB’s Regional Member Countries (“RMCs”) address litigation brought against them by vulture funds (and other such entities); (ii) creating an avenue for the AfDB’s RMCs to access technical advice when negotiating complex commercial transactions relating to extractive resources, infrastructure, PPPs, debt, and related commercial agreements; (iii) investing in and organizing the training of legal counsel from participating RMCs to equip them with the legal expertise necessary to better represent their countries; and (iv) the development of knowledge products.

The African Natural Resources Centre (“ANRC”) is a non-lending department of the AfDB with a mandate to assist African countries maximize development outcomes derived from natural resources. The Centre boosts the capacity of African countries to achieve inclusive and sustained growth from natural resources. To achieve this, it provides practical knowledge and expertise, advisory services, technical assistance and advocacy for improved and transparent management of renewable and non-renewable resources. The core activities of the centre include: (i) knowledge building; (ii) advocacy; (iii) technical assistance; and (iv) policy advice.

The African Petroleum Legislation Atlas (“APLA”) is a project aimed at legislation gathering, organization, dissemination, as well as capacity building and capacity utilisation. The APLA Project comprises three main activities, namely: (i) the creation of the APLA platform, a free online one-stop resource for Africa’s petroleum legal frameworks (petroleum laws, regulations, related legislation and regulations) with interactive features to provide comparative data; (ii) production of a Guiding Template, an annotated document that outlines a menu of legislative solutions to assist countries in the preparation or revision of their petroleum laws; and (iii) capacity building through training (on-ground and remotely) of African students, researchers and legal professionals in the use of the online platform and on overall issues in petroleum law.

Together, the ALSF and ANRC aim to develop the APLA Platform with the objective to support African countries in maximizing petroleum resource benefits through: (i) promoting transparency, accessibility and comparison of Africa's petroleum laws; (ii) facilitating the preparation, revision and implementation of petroleum laws; (iii) providing a living database that will catalyze research and policy debates on legal and regulatory issues; and (iv) promote the development of local legal expertise on African petroleum laws.

The development of the APLA Platform will be managed by a committee comprising officials of ALSF and ANRC (the "APLA Secretariat").

II. THE APLA PLATFORM

The APLA Platform will host all the petroleum laws, regulations and related legislations from all African countries in an easily readable, searchable and downloadable format. The Platform will include a common taxonomy for comparison of the different thematic areas between all the laws and legal instruments hosted on the Platform and a Guiding Template for drafting petroleum laws.

The task of populating the APLA Platform will be undertaken by African law students who will be shortlisted by their university and selected and trained by the APLA Secretariat to form the APLA Legal Research Team ("LRT"). In the interest of building capacity among young African legal professionals, the LRT will undergo a two-stage training program. The first is the annual workshop training on petroleum legislative frameworks and the use of the online platform and the second will occur remotely over a longer time span (one year). During the second stage of the training, the LRT will analyse petroleum legislation, enabling them to populate the APLA Platform and to have a deepened knowledge on the legislative frameworks. The students will also undergo career development training to prepare them for their professional career.

Once completed, the APLA Platform aims to serve as a tool for all stakeholders involved in the petroleum sector.

III. THE APLA POST PILOT PLATFORM (YEAR 1)

As a precursor to the APLA Platform, a pilot platform was first developed as a one stop database hosting all the petroleum laws, regulations and related legislations from four (4) African countries: Nigeria, Ghana, Republic of Congo (Brazzaville) and Chad, in an easily readable, searchable and downloadable format (APLA Pilot Platform).

The APLA Post Pilot Project (Year 1) activities will include uploading the petroleum legislation, regulations, related legislation and regulations of sixteen (16) African countries, namely: Algeria, Cote d'Ivoire, Mauritania, Senegal, Liberia, Uganda, Cameroun, Egypt, Tunisia, The Gambia, Sierra Leone, Rwanda, Kenya, Equatorial Guinea, Angola and Mozambique.

The APLA Post Pilot Platform will be populated by LRT selected by the APLA Secretariat. After their selection by the APLA Secretariat, the LRT will undergo a one-week training on (i) how to use the APLA platform; (ii) how to process and analyse petroleum laws for the purpose of populating the platform; and finally, (iii) how to upload petroleum laws, regulations and related legislations.

IV. RATIONALE FOR THE CALL FOR HOST UNIVERSITY FOR APLA POST PILOT PROJECT (YEAR – 1)

The APLA Secretariat seeks to procure the services of four (4) African universities to work in partnership with to host and implement the APLA Post Pilot Project (Year 1). These terms of reference (TORs) describe the scope of services that will be performed by the universities. The four universities will be selected taking into consideration regional and language balance in the continent.

V. THE ROLE OF THE HOST UNIVERSITY

The primary role of the universities during the APLA Post Pilot Project (Year 1) will be to:

- collate and process petroleum laws, regulations, related legislations and regulations of sixteen African countries, namely: Algeria, Cote d'Ivoire, Mauritania, Senegal, Liberia, Uganda, Cameroun, Egypt, Tunisia, The Gambia, Sierra Leone, Rwanda, Kenya, Equatorial Guinea, Angola and Mozambique;
- shortlist thirty-two (32) law students, eight (8) student per university, among which sixteen (16) will be selected and trained by the APLA Secretariat on the use of the Platform; and
- from the four (4) universities one (1) will be selected to host the workshop for training law students from across the continent on petroleum legislative frameworks and the use of the online platform.

Other key outcomes for the APLA Post Pilot Project (Year 1) include the establishment of formal partnerships and facilitation arrangements to guide and implement project activities going forward.

The table below summarizes the universities role in the implementation of the APLA Post Pilot (Year 1) Project.

<p>Shortlist and submit candidate CVs of students to the APLA Secretariat for training purposes.</p>	<ul style="list-style-type: none"> ○ Each of the four (4) universities shall submit a maximum of eight (8) CVs from their best students from which the APLA Secretariat will choose four (4) students to be LRTs. <p>The selection of candidates shall take gender representation into consideration.</p>
<p>Host the APLA Secretariat training</p>	<ul style="list-style-type: none"> ○ One (1) of the four (4) selected universities will additionally be chosen to host the APLA workshop. ○ provide the facilities to host the APLA Secretariat’s training of the sixteen (16) selected students on: (i) the general use of the APLA Pilot Platform and on overall petroleum issues; (ii) the process of populating the platform; and (iii) quality control and review process.
<p>Choose representatives to monitor activities of the LRT</p>	<ul style="list-style-type: none"> ○ Each of the four (4) universities will select two (2) staff among which the APLA Secretariat will choose one (1) as a representative of the university to monitor the LRT’s assignments and provide general support on other ad-hoc issues.
<p>Attend monthly support meetings with APLA Secretariat</p>	<ul style="list-style-type: none"> ○ The representatives shall attend virtual monthly meetings with the APLA Secretariat where progress reports, status updates, and any challenges faced will be discussed.
<p>Disbursements</p>	<ul style="list-style-type: none"> ○ Disbursements will be made by each university to its LRTs.

VI. SECRETARIAT’S ROLE IN THE APLA POST PILOT PROJECT

The APLA Secretariat will remain responsible for the overall management of the APLA Post Pilot (Year 1) Project. The roles of the APLA Secretariat will be to: (i) select four universities in the continent to be part of the APLA Post Pilot (Year 1) Project; (ii) select sixteen (16) students from the thirty two (32) shortlisted by the universities; (iii) organize the training of the selected students on the use of the APLA Platform; (iv) design the assignments based on the platform content needs; (v) retain the final ownership and publishing rights of the APLA Post Pilot (Year 1) Project content; (vi) disburse to the universities the amount to be spent during the training period; (vii) oversee the services of the IT consultant responsible for maintaining the platform; (viii) retain control over the Guiding Template (viii) coordinate the LRTs career development over the course

of the Project; and (ix) provide general support services to the four (4) universities in relation to the Project.

VII. MINIMUM REQUIREMENTS FOR THE UNIVERSITY SELECTED TO HOST THE APLA POST PILOT (YEAR 1) WORKSHOP

The university selected to host the APLA Post Pilot (Year 1) workshop must meet the following requirements: (i) the university must have previous experience with hosting workshops of a similar nature; (ii) have a faculty willingness to host the workshop; (iii) agree with the APLA Secretariat on an agreeable timeframe to host the workshop; and (iv) have satisfactory security conditions.

Additionally, the APLA Secretariat will conduct an on-ground¹ mission to the selected host university where the following elements will be verified to assess the most suitable university to host the workshop.

Faculty's training facilities:

- location, including host city's airport connectivity with the rest of the continent and city roads/traffic conditions;
- capacity (total participants of 25 people²: 16 students, 4 reviewers, and 5 trainers);
- hours of operation (ideally from 8 AM to 6 PM);
- technological equipment, including availability and quality of desktops/laptops, microphones, sound system, projector, internet connection (available for 16 individuals);
- presence of administrative staff for both workshop support and security;
- other services, including printing, transportation to and from training venues, functioning toilets, medical assistance, catering and security.

Faculty's administrative staff' proven organization and logistical skills (there should, ideally be a dedicated unit for conference organization).

VIII. SECRETARIAT'S ROLE IN RELATION TO THE WORKSHOP

In partnership with the selected host university, the APLA Secretariat will be responsible for the overall delivery of the workshop. In the preparation phase, the APLA Secretariat and host university will decide on the division of tasks based on the outcome of the on-ground mission and other considerations not specifically related to the said mission. The APLA Secretariat shall take the lead on the design of the training program. However, the APLA Secretariat will take into consideration

¹ The on-ground mission will be conducted subject to traveling restrictions due to COVID-19 not affecting the mission. Alternatively, the assessment will be done virtually.

² This is provided that the training is conducted in person. If not, an online training will be conducted.

comments and suggestions from the host university and other collaborating partners. Additionally, the APLA Secretariat shall be responsible for the coordination of the more expensive elements of workshop budget, e.g. travel and accommodation for all organizers of the workshop.

In summary, the APLA Secretariat's role will be to: (i) select four (4) universities to work with on the APLA Post Pilot (Year 1) Project; (ii) select one (1) university out of the four (4) universities to be the host university for the APLA Post Pilot (Year 1) workshop based on the outcomes of the scoping mission; (iii) select the trainers and the participating students; (iv) design the training curriculum; (v) arrange travel and accommodation for workshop organizers; and (vi) deliver the workshop.

IX. HOST UNIVERSITY SELECTION PROCESS AND RELATED MATTERS

1. Interested universities are invited to respond to the current call for host university, outlining whether they meet the prescribed requirements. The candidate host university shall ideally provide for the following information:
 - a technical proposal comprised of CV profile of the task team members that will be in charge of hosting the workshop, including the two representatives proposed to monitor the LRTs;
 - the task team members shall have a petroleum law background or shall have at least a good understanding of petroleum law related issues;
 - the ability and experience of the candidate university to carry out such project(s);
 - a letter from the Dean of the Law Faculty confirming the interest of the university to host the project and the task team members willingness to complete the APLA Secretariat training in support of the university's application;
 - a well drafted financial proposal detailing the budget lines and resources needed;
 - the link to the candidate host university's website and pictures that depict the university's infrastructure, research center(s), meeting venue(s), offices etc.
2. The APLA Secretariat will shortlist potential host universities based on the relevance of the information provided in the application, and shall begin preliminary discussions to verify whether minimum requirements are satisfied;
3. A Secretariat on-ground/online mission will follow to verify and confirm the suitability of pre-identified candidate universities in hosting the APLA Post Pilot Project and the workshop;

4. Based on the on-ground/online assessment, the APLA Secretariat will determine which of the selected candidate universities are best equipped to host the APLA Pilot Project and the workshop;
5. The final decision on the selected university will be announced, followed by the commencement of the APLA Secretariat-host coordination;
6. The LRT candidate's selection process will begin;
7. The training curriculum and trainers' list will be finalized;
8. Outstanding issues will be completed; and
9. A seven (7) day workshop will be delivered in between **November 2021 and January 2022.**

X. DURATION OF THE ASSIGNMENT FOR THE HOST UNIVERSITIES

The agreement shall be for a period of twelve (12) months. The workshop preparations shall commence as soon as the host is selected, and the workshop will be delivered in between November 2021 and January 2022.

XI. FUNDING

The ALSF will fund the implementation of the APLA Pilot Project. The host university will be paid a lump sum, comprising LRTs fees, and university's expenses for hosting the workshop.

XII. EVALUATING CRITERIA

Applicants will be evaluated on their demonstrated ability to carry out the scope of work described herein. The proposals should outline, *inter alia*, (i) any prior experience in implementing similar projects on time and within budget; (ii) plans to create a task team responsible for coordinating the APLA Post Pilot Project, indicating the technical capacity, qualifications and related experience of the members of the task team; (iii) description of suitable facilities to host the workshop; and (iv) ability to coordinate events.

The weighted evaluation criteria is summarized in the table below.

Criteria	Weight
Technical Proposal	70%
The university's experience relevant to the assignment	10%
Understanding the terms of reference and scope of work	20%
Qualifications and experience of task team to coordinate the APLA Pilot Project, including two representatives to monitor the LRTs	20%
Demonstration of suitable facilities to host workshop	10%

Bonus points for universities from transitioning states ³	10%
Financial Proposal	30%
A detailed proposal with budget lines. Eg. task team, LRTs, quality control team based lump sum, internet access cost, computers ⁴ etc.,	15%
A brief presentation of the disbursement method and procedure: time frame to issuing payment inside and outside the country.	15%
TOTAL	100%

XIII. EXPRESSIONS OF INTEREST AND SUBMISSION OF PROPOSALS

Kindly note that expression of interest and submission of proposals, including both technical and financial proposals, must be written in English or French and submitted jointly by **6:00 pm GMT on 30 September 2021** through electronic mail to alsf@afdb.org with a copy to Mr. Mohamed Stevens, Legal Counsel and APLA Task Manager (m.stevens@afdb.org) and Ms. Mariame Bah, Legal Counsel (m.bah@afdb.org) who will be the primary points of contact for any questions relating to the terms of reference and the selection procedure. Expressions of interest and Proposals must specifically mention: **“Host University for the APLA Post Pilot Project (Year 1)”**.

Please further note that the deadline for the submission of questions regarding the attached terms of reference is **6:00 pm GMT on 17 September 2021**.

³ Cabo Verde, Central African Republic, Chad, Comoros, Democratic Republic of Congo, Djibouti, Eritrea, The Gambia, Guinea, Guinea Bissau, Liberia, Mali, Mozambique, Sao Tome & Principe, Sierra Leone, Somalia, South Sudan, and Zimbabwe.