

AFRICAN DEVELOPMENT BANK



REQUEST FOR EXPRESSIONS OF INTEREST IN A LEGAL CONSULTANCY IN THE PUBLIC SECTOR OPERATIONS, POLICY AND GOVERNANCE DIVISION (PGCL.1) OF THE GENERAL COUNSEL AND LEGAL SERVICES DEPARTMENT

1. **The African Development Bank (the “Bank”)** hereby invites Individual Consultants to submit their proposal in respect of the following consultancy assignment : “ **Legal Consultant Public Sector Operations, Policy and Governance Division (PGCL.1)**” N.B : to participate in this request for proposals you need to be a national of one of the AfDB member countries: (<https://www.afdb.org/en/about-us/corporate-information/members/>).
2. The General Counsel and Legal Services Department (PGCL) provides legal services to the statutory organs of the Bank and the African Development Fund (ADF) and advises on the administration, operations and financial activities of the Bank. PGCL also ensures that the Bank’s activities and operations are consistent with the constitutive documents and other legal instruments of the Bank, its policies, the relevant norms and principles of international and commercial law, and the best practices of international development. The principal objective of the Public Sector Operations, Policy and Governance Division (PGCL.1) is to provide legal advice in connection with public sector projects and programs financed by the Bank , the Fund and other trust funds and special funds of the Bank.
3. **PGCL.1 is seeking to recruit one (1) legal consultant** who will work under the direct supervision of the Division Manager, Public Sector Operations, Policy and Governance Division (PGCL.1) and/or the PGCL. 1 legal officer(s) designated by the latter. The Legal Consultant will carry out the following activities:
 - (a) Liaise with staff in the operations and finance complexes to develop the appropriate terms and conditions of transactions;
 - (b) Conduct legal due diligence on proposed transactions;
 - (c) Ensure compliance with applicable rules, regulations and policies;
 - (d) Draft and negotiate financing agreements, guarantee agreements, grant agreements for Trust fund operations;
 - (e) Review appraisal reports to be presented to the Board(s) of Directors, draft the conditions, verify the financial terms and other salient terms and prepare resolutions and other legal documents required for the meetings of the Board(s) of Directors;

- (f) Provide legal support for the implementation and monitoring of projects, particularly in connection with the fulfilment of conditions, and the use of the proceeds of the financing;
 - (g) Assist with request for consents, cancellations, waivers or amendments (including ensuring that the internal procedures for approval of waivers and amendments are met);
 - (h) Provide legal opinions on fulfillment of conditions precedent; and
 - (i) Undertake any other assignments as required in the furtherance of the Department's mandate.
4. The Bank hereby invites Individual Consultants interested in applying for the consultancy to submit their proposals pursuant to paragraph 10 below. Proposals must mention/ refer to **“Selection of Legal Consultant - Public Sector Operations Policy and Governance Division, Legal Department (PGCL.1)”** and include the following documentation:
- (a) a short statement commenting on the consulting assignment, stating the consultant's relevant experience and capacity to perform the services set out therein and confirming her/his availability for a period of six (6) months starting 25 April 2023; and
 - (b) a detailed Curriculum Vitae (CV).
5. The Legal Consultant should meet the following qualifications and requirements:
- (a) (i) At least a Master's degree in Law or a first university degree plus a relevant combination of academic qualification in Law (e.g. Juris Doctor (JD) and (ii) admission to the Bar of (or diploma to practice law in) one of the African Development Bank's Member Countries;
 - (b) At least five (5) years of relevant professional experience, preferably with an established law firm or an international financial institution, with proven writing and analytical skills and experience in major international financial transactions;
 - (c) Proven competence in Project Finance, International Finance, Corporate, Development finance and Public International Law;
 - (d) Demonstrated communication, team building, inter-personal relations, writing and analytical skills;
 - (e) Ability to communicate and write effectively in English or French, with a good working knowledge of the other language;
 - (f) Competence in the use of standard software such as MSWord, Power Point, Excel; and
 - (g) Demonstrated effective coordination skills and an ability to work under pressure in a multicultural environment to complete multiple tasks and meet deadlines.

6. This Request for Proposals does not constitute in any way an offer or an undertaking by the Bank to retain any consultant who submits a proposal. It is expected that interested consultants shall already be registered or register in the Bank's database for consultants. The link to the relevant registration is <https://www.afdb.org/fr/projects-and-operations/procurement/consultancy-services-e-consultant/>.
7. The services are indicatively expected to be provided as from 25 April 2023 for a six (6) month period and may be renewed depending, *inter alia*, on internal approval, budget availability and performance of the consultant.
8. The consultancy will take place in Abidjan (Côte d'Ivoire); missions travels may also be required. The Consultant shall take steps to obtain the visas or certificates of residence required to perform his/her duties and fulfill his/her obligations under the consultancy agreement; the Bank will assist the Consultant in these tasks whenever necessary.
9. The Consultant will receive a monthly lump sum commensurate with his/her experience; no additional benefits will be paid. The Consultant is responsible for her/his own health insurance as well as medical and accommodation costs during the consultancy. The Bank will cover full costs of any required missions in accordance with its rules governing consultant mission travel.
10. The proposals submitted shall be evaluated on the basis of the following criteria:
 - (a) general qualifications and suitability of such qualifications for the assignment described above (25%);
 - (b) relevant experience in a law firm and/or in an MDB or IFI as a transactional lawyer and, in particular, proven experience in drafting lending documentation, guarantees and counter-indemnity agreements in relation to sovereign lending (50%);
 - (c) excellent drafting skills in English or French language with a good working knowledge of the other language (20%); and
 - (d) familiarity with basic office computer software (5%).Only proposals scoring seventy percent (70%) or above shall be considered for this assignment.
11. Proposals must be sent via email and received by the Bank by no later than Friday 21 April, 2023, 17.00 hours, Abidjan time, to the attention of Ms. **Muriel KEI- BOGUINARD**, (m.kei-boguinard@afdb.org), copy to Mr. **Tokou Landry ASSEMIEN** (t.assemien@afdb.org), and mention "*Selection of Legal Consultants – Public Sector Operations, Policy and Governance Division (PGCL.1)*".