

Ministry of Defence  
Department of Defence

EXPRESSION OF INTEREST (EOI)  
FOR EMPANELMENT OF LEGAL CONSULTING FIRMS FOR DoD, MoD

The Department of Defence is mandated with Defence of India and every part thereof including defence policy. It deals with Inter-Services Organizations, Defence Accounts Department, Canteen Stores Department (CSD), Coast Guard, National Cadet Corps, Border Roads Organisation, Institute for Defence Studies and Analysis, National Defence College etc. It is responsible for the Defence Budget, Defence Lands and Cantonments, matters relating to Parliament, and defence cooperation with foreign countries. It is headed by Defence Secretary who is assisted by Director General (Acquisition), Additional Secretaries and Joint Secretaries. Defence Secretary is also responsible for coordinating the activities of the other Departments i.e. DMA, DDP, DESW and DDR&D in Ministry of Defence. Further details of the organization can be obtained from our website <http://mod.gov.in/dod>.

2. DoD proposes to empanel Legal Firms, for a period of 3 years, Expression(s) of Interest (EOI) are invited from the Legal Firms which have adequate experience in dealing with matters pertaining to public policies, legislative enactments, security/defence agreements etc.
3. The Firm shall be required to perform various activities on a case to case basis based on a stipulated TOR. Some of the activities following duties:
  - 1) Developing suitable legal framework regarding new initiatives and policies of DoD.
  - 2) Undertaking comparative analysis of existing laws, and advise the legal course of action based on best practices available on issues referred by the Department.
  - 3) Legal vetting of documents/agreements/MoUs.
  - 4) Updation of existing legislatives pertaining to DoD in light of other laws, court orders, Govt instructions & policies.
  - 5) To prepare DPR or conduct feasibility study in legal matters.
  - 6) Such other duties of legal nature which may be assigned by DoD.
4. Eligibility @ Qualification Criteria:

The following are the eligibility criteria for submission of EOI:

  - 1) The legal Firms shall be well acquainted with the statutory & regulatory environment in the defence sector and international guidelines and possess relevant experience.
  - 2) The legal Firms shall be at least on the panel of any one Central/State/PSU/Autonomous Organization/Institution.

- 3) The legal Firms shall have adequate legal, administrative and financial capability to undertake the tasks assigned.
  - 4) The legal Firms should have completed operation for a minimum of 5(five) years since its inception/ formation.
  - 5) Preference may be given to the legal Firms who have dealt earlier with matters pertaining to security and defence related issues.
6. The applicant firm should provide details of successful legal assignments in the last 03 years to demonstrate experience in providing the legal services in the relevant field.
7. Legal Firms to provide a list of all Partners with qualifications along with Revenue earned by the Firm over the last 3 financial years and a certificate to this effect should be submitted from the Auditor of the Firm.
8. The Firm shall furnish copies of certificate of registration/agreement/articles of association, as the case may be, as service firm and PAN, and GST Registration.
9. Tenure of Empanelment:
- The initial empanelment will be for one year or until further orders whichever is earlier. The same may be extended for one year at a time for a total period not exceeding 3 years.
10. Firms are required to give their proposals in writing providing their credentials and requests for empanelment.
11. The proposals so received from the legal Firms shall be evaluated to the following criteria. Please note that only those firms shall be considered for empanelment that would score a minimum of 50 marks out of 100 marks of the following criteria.

Sl. No.	Parameters	Marks
1.	Length of experience of providing legal services (The applicants/ firms have to submit documentary proof thereof and a list of clients)	<b>Maximum 30 marks as follows:</b> i. Above 15 years = 30 marks ii. Above 10 upto 15 years= 25 marks iii. Above 08 upto 10 years = 15 marks iv. Above 06 upto 08 years = 10 v. From 05 to 06 years = 05 marks vi. Below 05 years zero (0) marks vii. DoD reserves the right to allot additional 5 marks, if the experience relates to security and defence related matters.

2	Number of qualified Lawyers enrolled in respective State Bar Council (Please indicate enrolled number and enclose a copy of the same) engaged in the firm, having experience of more than 05 years in providing legal services. (The applicants/ firms have to furnish CV's of the Lawyers/ Law consultant firm engaged in the firm).	<b>Maximum 20 marks as follows:</b> i. 11 and above persons – 20 Marks ii. Upto 10 persons – 15 marks iii. Upto 08 persons – 10 marks iv. Upto 06 persons – 08 marks v. Upto 03 persons – 05 marks
3	Level of Client Satisfaction (Certificate from client's organization to be attached)	<b>Maximum 30 marks as follows:</b> (Only First 5 Certificates shall be taken into consideration). i. 6 marks for each client Certificate with Outstanding/Excellent, ii. 4 marks for Very Good, and iii. 2 marks for satisfactory service.  Applicants/ Firms are advised to place their best certificates only
4	Sound Financial standing of the Applicants/ Firms in terms of annual turnover, during the last three years i.e. 2016-17, 2017-18, 2018-19 (relevant certificate from CA must be appended)	<b>Maximum 20 marks as follows:</b> i. More than 05 Crore = 20 Marks ii. Upto 05 Crore = 15 Marks iii. Upto 04 Crore = 10 Marks iv. Upto 03 Crore = 05 Marks v. Upto 02 Crore = 03 Marks vi. Below 01 Crore zero (0) Marks.

12. Interested and eligible legal Firms may submit their Application Form in the prescribed format (enclosed hereto) with complete information. The Application Form duly filled in, along with all supporting documents/information should be submitted in a closed envelope super scribing as "Expression of Interest (EOI) for Empanelment of legal Firms in DoD" at the following address:

Mr. Nikhil Saxena, Deputy Secretary (Gen./IT), Room No- 316 A , 'B' Wing, Sena Bhawan, New Delhi -110011.

The last date of receipt of proposal is 21 days from the date of issue of this Notice/Advertisement.

13. Any clarification may be obtained from DS(Genl.) on following no.:- 23019713.

14. Entities currently debarred/blacklisted by any multilateral agency or any authority in India or elsewhere shall be ineligible to apply or be considered for empanelment.

15. The criteria and weightage indicated are for the purpose of empanelment only. Specific evaluation criteria may be included in the RFP for selection process for individual assignment, if required.

16. Department of Defence (DoD), reserves all rights to reject one or all the proposals without assigning any reason thereof.



(Nikhil Saxena)

Deputy Secretary (Gen. /IT)

28/09/20

Copy to: IT Cell – for uploading in MoD website.

**ANNEXURE A**  
**PROFORMA FOR APPLICATION FOR EMPANELMENT OF LEGAL FIRMS**

- 1) Name of the Firm
- 2) Address\*
- 3) Pan Number\*
- 4) GST Registration No
- 5) Date of Registration of the Firm\*
- 6) Details of Experience/ practice/ achievements
- 7) Details of the Manpower structure and their expertise
- 8) Details of penalty imposed on the firm, if any
- 9) Details of firm's policy on confidentiality and conflict of interest
- 10) Annual income tax returns filed with the Income tax Authorities for the last three years\*
- 11) Information alongwith documentary proof for each of the parameter in para II of the EOI document.

\* Documentary proof to be attached. Supporting documents may be attached for heads wherever a need is felt to provide enclosures.

**DECLARATION:**

We hereby declare that the information so provided for empanelment is factually correct.

Date:

Place

Authorized Signatory

(Representative of the Law Firm)

(Completer postal address with mobile number and email id) (Office Seal/Stamp)

**ANNEXURE B**  
**UNDERTAKING**

"I/we hereby certify that in the last three years, I/we any of the consortium members have neither failed to perform on any contract, as evidenced by imposition of Penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award, nor been expelled from any project or contract by any public authority nor have had any contract terminated by any public authority for breach on our part".

Authorized Signatory

(Representative of the Law Firm)

(Completer postal address with mobile number and email id) (Office Seal/Stamp)