

TERMS OF REFERENCE

HIRING OF PUBLIC PRIVATE PARTNERSHIP LEGAL
FRAMEWORK EXPERT FOR AN UPCOMING CAPACITY
BUILDING PROJECT



Posted date	23-Jan-24	Last date to apply	27-Jan-2024
Country	Pakistan	Location	Peshawar
Type of Services	Consultancy (contractual)	Category	Institutional development
Position	1	Tentative commencement date	01 st Mar 2024
Length of Assignment	Eight months (intermittent support)	Tentative Duration	01 st Mar 2024 to 31 st October 2024

Proposals / applications to be submitted at: hr.cgpa@gmail.com.

A. ABOUT CENTER FOR GOVERNANCE AND PUBLIC ACCOUNTABILITY

Centre for Governance and Public Accountability (CGPA) is a not-for-profit, non-governmental, non-partisan, civil society organization working for the promotion of public accountability and good governance. CGPA was established in 2011, and registered in January 2012 under the Societies Registration Act, 1860. CGPA is governed by a Board of Directors, comprising of seven members. CGPA has been actively providing specialized and expert technical services in public policy and governance, service improvement, promotion of peace and tolerance, inclusivity, rule of law, local governance, local finance & planning & revenues, digital solutions for service delivery and improved governance, transparency and access to information, civic education through research and analytical work, budget accountability and social audit, electoral reforms, legislative strengthening, and democratic development.

B. ABOUT THE ASSIGNMENT

B. 1. PURPOSE AND OBJECTIVES OF THE ASSIGNMENT

The primary objectives of the assignment will be to:

- a. Conduct a detailed review and analysis of the newly enacted Public Private Partnership Act 2020, identifying its implications, requirements, and legal intricacies.
- b. Provide legal guidance and assistance in the formulation, negotiation, and execution of PPP agreements, ensuring compliance with the legal framework and relevant regulations.
- c. Develop standardized legal templates and documents for PPP projects, including but not limited to concession agreements, risk allocation frameworks, and dispute resolution mechanisms.
- d. Collaborate with the PPP Expert and Capacity Building Expert to integrate legal considerations into the capacity building program for relevant government officials.

B. 2. KEY RESPONSIBILITIES

- a. Reviewing and interpreting the provisions of the Public Private Partnership Act 2020 to identify legal requirements and obligations for government departments and private partners.
- b. Drafting, reviewing, and advising on PPP-related legal documents, including contracts, agreements, and other legal instruments.
- c. Conducting legal due diligence on potential PPP projects, assessing risks, and proposing risk mitigation strategies.
- d. Providing legal support in negotiations with private partners, ensuring that agreements are equitable, enforceable, and aligned with the objectives of the PPP Act 2020.
- e. Collaborating with government legal teams and stakeholders to address legal challenges and ensure the smooth implementation of PPP projects.
- f. Developing and delivering legal training sessions as part of the capacity building program for relevant government officials.
- g. Staying abreast of legal developments related to PPPs and advising the government on any necessary amendments or updates to the legal framework.

B. 3. QUALIFICATIONS AND EXPERIENCE

Qualification:

- Master's degree legal studies or Bar-at-Law or Juris Doctor

Relevant Experience:

- At least 10 years of experience of advising infrastructure/ PPP projects and drafting bid documents, advising PPP policy frameworks, developing PPP institutional arrangement etc.

C. HOW TO APPLY

Interested individuals can send their detailed CVs at: hr.cgpa@gmail.com by mentioning the title of the position in the subject line. Interested individuals are also required to mention their desired daily fee rate for this assignment.

Last date for receiving applications is provided in the summary table above. CGPA may call for tests or interview for which no TADA will be admissible. Females are encouraged to apply. CGPA holds the right to cancel the process of hiring before award of contract without assigning any reason thereof.

*Late submissions will not be entertained.