

ROADS AND BRIDGES DEVELOPMENT CORPORATION OF KERALA LTD;

2ND FLOOR, PREETHI BUILDING, M.V. ROAD, PALARIVATTOM, KOCHI – 682 025

Ph: 0484 2338205 E –mail –aorbdc@gmail.com

Website –www.rbdck.com

No.RBDCK/CS/Legal/2019

Dtd: 09.10.2019

WANTED

LEGAL STANDING COUNSEL (S)

Expression of Interest are invited in prescribed form from Law firm(s) having office in Ernakulam. Eligibility criteria and application form can be downloaded from www.rbdck.com. Filled up applications shall be submitted within 15 days from the date of this advertisement.

Sd/-

Managing Director

ROADS AND BRIDGES DEVELOPMENT CORPORATION
OF KERALA LTD (RBDCK)

(A Government of Kerala Undertaking)

Registered Office :---2nd Floor, Preethi Buildings, Palarivattom, Kochi,
Kerala-682025

NOTICE INVITING EXPRESSION OF INTEREST FOR SELECTION
OF LAW FIRM(S) AS LEGAL STANDING COUNSELS IN RBDCK

SECTION-I (ELIGIBILITY PROPOSAL)

Introduction

Roads and Bridges Development Corporation of Kerala Limited (RBDCK) is a corporation established and fully owned by the Government of Kerala and has been incorporated as a limited company under the Companies Act 1956 on 23rd September 1999. RBDCK mainly deals with development of various infrastructure projects like roads, flyovers, Road/Railway Over Bridge(ROB) projects etc including allied works like land requisition, user fee collection etc. Currently RBDCK is dealing with more than 100 projects in various stages.

RBDCK (Company) intends to appoint a law firm(s) as Standing Legal Counsel(s) to represent the Company in legal matters in various courts of law, tribunals etc who shall be responsible for handling with due diligence the legal matters entrusted to them/it from time to time by the Company.

A. Eligibility Criteria

- 1) The Law Firm should be having established offices in Ernakulam.
- 2) The Law Firm should have acted as legal counsel for Public Sector Companies preferably in construction.

- 3) The Law Firm should have completed operation for a minimum of 7 (seven) years since its inception/formation, in rendering services as legal counsel and should have experience in handling Civil, Criminal, Service, Taxation laws, Labour Laws, Land Acquisition Laws and other relevant laws applicable to Public Sector Companies (*preferably in construction sector but not mandatory*).
- 4) The Law Firm should have worked as legal counsel for Public Sector Companies and letter/correspondence in proof of the same shall be produced.
- 5) The Law Firm should have an average annual turnover of not less than Rs. 10.00 lakhs (Rupees Ten Lakhs only) for the past 3 (three) years (i.e. FY 2017-18, 2016-17 & 2015-16) and a certificate to this effect should be submitted from the Auditor of the Firm.
- 6) The Law Firm should have minimum one partner supported by minimum 4 Sr. Associate/Associates as legal professionals who have experience preferably in construction sector projects and who are able to handle cases in the absence of Senior Advocate under his supervision.
- 7) A Certificate from the Managing Partner/Director of the Law Firm certifying that the firm meets all the above criteria along with the profiles of the Partner, Senior Associates and other team members clearly specifying the names of the projects handled.

B. General Information

- 1) The initial appointment of the Law Firm(s) as Standing Counsel(s) will be for a period of two years. Performance of Standing Counsel(s) shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the Standing Counsel(s), the appointment may be renewed for further period as the Company may decide. RBDCK reserves the right to terminate the appointment at any time.
- 2) Mere submission of Application and fulfilling of eligibility criteria does not entitle the Law Firm for appointment.
- 3) RBDCK reserves the right to modify/relax the eligibility criteria in case sufficient no. of eligible Applications are not received.

- 4) RBDCK reserves the right to summarily reject the Applications for any of the reasons (i) not submitted in the prescribed format or (ii) do not meet any of the eligibility criteria or (iii) not accompanied with requisite documents/information or (iv) incomplete in any respect (v) any other valid reason or without assigning any reasons thereof. \
- 5) RBDCK reserves the right to verify/cross check the information furnished/submitted by the Law Firm.
- 6) The Law Firms may send their presentations giving the background of their Law Firm, experience in handling legal matters of Public Sector Undertakings (*giving emphasis to construction sector cases*) in soft copy as well as in hard copy in support of information to be furnished in their Application.
- 7) The Standing Counsel shall not advice any party or accept any cases against RBDCK which is likely to affect or lead to litigation against RBDCK.
- 8) The Law Firm shall not take up any case against RBDCK in any Court of Law/ Tribunal / Commission or any appeal or revision arising out of those cases .
- 9) In cases where on the interest of the Government of Kerala have also to be protected, no extra fees shall be paid to the advocate to watch and safeguard the interest of Government of Kerala.
- 10) The Standing Counsel shall obtain prior permission from RBDCK before taking up cases for which legal notices were received by them on a case to case basis. RBDCK may also choose not to avail the services of the Standing Counsel on specific cases at its discretion.
- 11) RBDCK reserves the right to terminate the appointment by giving notice without assigning any reason. The Standing Counsel may also resign by serving 3 month's notice.
- 12) RBDCK would be free to engage any Advocate of its own choice and Standing Counsel shall not make any claim of exclusivity that they should only be entrusted with case.
- 13) Appointment of the Law Firms will be at the sole discretion of RBDCK.
- 14) RBDCK reserves the right to cancel/defer the entire process of appointment of Law Firms without any notice or assigning any reasons whatsoever.

C. Scope of Services

- (i) Representing RBDCK before various Courts and Judicial Bodies and Tribunals with highest professional standards whenever they are engaged.
- (ii) Provide Legal advice / opinion in any matter referred to the Legal Counsel for their opinion.
- (iii) Furnishing the certified copy of the order / Judgment of the cases attended by him / her/law firm as early as possible after the pronouncement of Judgment / Order.
- (iv) If required, assist Senior Advocates engaged in any particular case before Supreme Court, High Court and other Judicial Bodies.
- (v) Update and inform all development in the designated cases, date of hearing order of the Court and giving his/her/their opinion regarding future course of action against the Judgment / Order
- (vi) Assist the Management with alternative legal strategy for successfully defending the case.
- (vii) Once the Firm(s) is appointed as Legal Standing Counsel(s) of RBDCK, the responsibility to handle all the current pending cases of RBDCK may also be vested in the firm(s) appointed vide this EOI as decided by RBDCK.
- (viii) Perform other duties of legal nature which may be assigned by the Company from time to time.
- (ix) Act as Standing Counsel in the High Court of Kerala and receive all notices on behalf of the Company, diligently inform such notices to the company, appear and defend the cases coming up against the company.

D. PROCEDURE TO APPLY

Interested and eligible Law Firms may submit their Application in 2 covers.

Cover 1:-Pre-qualification Document

Application form in the prescribed format (enclosed hereto) with complete information to be submitted at this stage. All supporting documents/information proving competency should be submitted in a closed envelope (*along with application*) superscribing as “**Expression of Interest (EOI)for Selection as Legal Standing Counsel of RBDCK-Cover-I**” addressed to:

*The Managing Director,
Roads and Bridges Development Corporation of Kerala Ltd.,
2nd Floor, Preethi Buildings,
M.V Road, Palarivattom,
Kochi, Kerala-682 025.*

Cover 2:- Price Proposal

The Applicant shall complete and submit in a sealed cover the Price Proposal as per format given below. Price Proposal should be submitted in a closed envelope superscribing as “**Expression of Interest (EOI)for Selection as Legal Standing Counsel of RBDCK-Cover-II**” addressed to:-

*The Managing Director,
Roads and Bridges Development Corporation of Kerala Ltd.,
2nd Floor, Preethi Buildings,
M.V Road, Palarivattom,
Kochi, Kerala-682 025.*

Cover-I and Cover-2 shall be submitted to RBDCK in a sealed envelop superscribing as “Expression of Interest (EOI) for selection as Legal Standing Counsel of RBDCK. The aforesaid documents may also be submitted at the Registered Office of RBDCK located at 2nd Floor, Preethi Buildings, M.V Road, Palarivattom, Kochi, Kerala-682025 .

The last date of submission Application Form is October 30th 2019. Incomplete Applications/Applications received after last date whether by post/courier or by hand delivery or otherwise will not be entertained at any cost.

(Managing Director)

E. FORMAT

**Application Form for Selection of Law Firm(s) as Legal Standing Counsel
of RBDCK**

To
The Managing Director,
Roads and Bridges Development Corporation of Kerala Ltd,
2nd Floor, Preethi Buildings, M. V Road,
Palarivattom, Kochi,
Kerala-682 025.

1. Name of the Law Firm:
2. Year of Establishment/Formation of the Law Firm:
(With documentary evidence/proof)
 - (i) *In case of Company, a certified copy of the certificate of incorporation.*
 - (ii) *In case of Partnership Firm, a certificate from CA certifying the date of registration along with a certified copy of the Partnership Deed.*
3. Total No. of Experience of the Law Firm:
4. Address Details:
5. Contact No. of the Authorised person and Email Id.:
6. Name(s) of the Managing Partner(s):
7. No. of Public Sector Companies which the Firm acted as Legal Counsel :
(A separate list mentioning the details of cases handled along with the name of Public Sector Companies/Organizations)
8. No. of Civil Engineering/Contracting/Construction cases handled
With names of client :
9. Name(s) of the Public Sector Companies/Government Agencies where the Law Firm is empanelled currently *(Please submit proof):*

10. Annual Turnover for past three financial years:

(FY2017-18, 2016-17 & 2015-16)

(Audited Financial Statements for past 3 FYs along with Copies of ITR to be submitted)

11. Names & Experience details/Profiles of the Partner & other team members
(Proposed to be associated with RBDCK, If selected)

(i) Partner

(ii) Sr. Associate(s)

(iii) Associate(s)

12. No. Of Civil Engineering/Contracting/Construction/Land Acquisition Cases handled by each partners to be associated with RBDCK *(A separate sheet containing details of cases handled by each associate to be attached)*

13. Other Details

PAN Number of Firm :-

GST Registration Number :-

Declaration

I hereby declare that I have verified the details indicated above and also confirm that all the information submitted is true to the best of my knowledge.

(Signature_____)

Name:_____

(Managing Director/ Partner with Seal)

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SECTION-II (PRICE PROPOSAL)

Schedule of Fee to Legal Standing Counsel

Sl.No.	Item of Service	High Court/ CAT fee	District Court and other courts	Tribunals including Arbitration
1	For Cases Disposed on Admission itself			
2	For Cases with less than 10 postings			
3	For Cases disposed with more than 10 postings			
4	For Legal Opinion in Writing			
5	Clerkage			

- NB:-**
- 1. No Retainer Fee shall be paid to Standing Counsel(s).**
 - 2. Applicants shall quote the fee strictly in the above format.**
 - 3. Fee to be quoted shall be inclusive of stationery and clerical charges**
 - 4. Travelling Allowance (TA) will be paid extra as applicable for Class-1 Officers of RBDCK.**