

Call for Expression of Interest (EOI)
For Shortlisting of
Consultancy Organizations
for
Preparing draft comprehensive amendment to
the Indian Forest Act, 1927

22nd June, 2021



Government of India
Ministry of Environment, Forest and Climate Change
Forest Policy Division,
Sixth Floor, Vayu Wing
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi – 110003
www.moef.gov.in

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1. LETTER OF INVITATION

**Ministry of Environment, Forest and Climate Change
Forest Policy Division,
Sixth Floor, Vayu Wing
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi – 110003**

LETTER OF INVITATION FOR EOI

F. No. 2-1/2020-FP

Dated: 22nd June, 2021

Dear Sir/Madam,

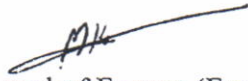
Ministry of Environment, Forest and Climate Change(MoEFCC) invites Expression of Interest (EOI) from Indian consulting agencies/firm/institution/joint venture/consortium for preparing draft comprehensive amendment of Indian Forest Act, 1927.

The EOI Document containing the details of qualification criteria, submission requirement, brief objective and scope of work and method of evaluation etc. has been uploaded on CPP portal (www.eprocure.gov.in).

The EOI Document is also available on the website of MoEFCC (www.moef.gov.in).

| S. No. | Critical Dates | Date | Time |
|--------|------------------------------|-----------------------------|----------|
| 1. | Document Download Start Date | 22 nd June, 2021 | 1800 Hrs |
| 2. | Document Download End Date | 01 st July, 2021 | 1700 Hrs |
| 3. | EOI Submission Start Date | 23 rd June, 2021 | 0900 Hrs |
| 4. | EOI Submission End Date | 02 nd July, 2021 | 1200 Hrs |
| 5. | EOI Opening Date | 02 nd July, 2021 | 1600 Hrs |

Yours faithfully,


Assistant Inspector General of Forests (Forest Policy)
For & on behalf of President of India

2. Background:

The Central Government is undertaking a comprehensive review of legislations implemented by different Ministries/ organizations in order to make them synchronize with contemporary needs. The exercise is focusing on decriminalizing relatively minor violations of law, expeditious resolution through compounding relatively small offences, reducing compliance burden on citizens, rationalization of penalties, preventing harassment of citizens, de-clogging criminal justice system, expanding and improving of the use efficiently of resources, and promoting people participation and ease of doing business.

The exercise of bringing about legislative reforms on forest governance has also been going on in the Ministry of Environment, Forest and Climate Change (MoEFCC) for some time now. The Indian Forest Act (IFA), 1927 is one of the major Acts which is administered in the forestry sector. The last such exercise on IFA started in 2017 and the first draft was placed in public domain. Based on comments received, it has been considered that a more comprehensive and pragmatic amendment of the Indian Forest Act, 1927 may be examined that may encompass, in addition to issues that have been described herein before, elements such as provision of graded penalty, removing difficulties in trade and transit of forest products across States, or across national borders in order to encourage forest sector economic growth in the country, encouraging specially non-government actors/ private sector/ civil society/ individuals to take up afforestation/tree planting and/or to develop/manage private forest on non-forest lands on their own, and incorporating pragmatic legal provisions already made in State forest laws and State amendments in the Indian Forest Act so that all States benefit similarly.

The above Central level legislative reform process will require wide consultation with the States and other stakeholders. They should also take into account leading orders/ judgements of Hon'ble NGT, Hon'ble High Courts and Hon'ble Supreme Court of recent years.

3. Aims & Objectives:

The objective of this exercise is to prepare a draft of the comprehensive amendment of Indian Forest Act, 1927 in consultation with State Governments/UT Administrations, Central Government ministries and other stakeholders.

4. Venue & Deadline for submission of proposal

Proposal, in its complete form in all respects as specified in the EOI, must be deposited in the Sealed Box (with name plate: "EOI for Amendment of IFA") kept at Reception of the Indira Paryavaran Bhawan, New Delhi by the last date and time specified herein. The MoEFCC may in its discretion extend the deadline for submission of proposals, and the same will be published on the MOEFCC website, in which case all rights and obligations of MoEFCC and the applicants previously subject to the original deadline will thereafter be subject to the deadline as extended.

5. Validity of Offer:

The offer for EOI as per this document shall be valid for a period of three (3) months initially which may be extended further if required by MoEFCC.

6. TERMS OF REFERENCE

The detailed terms of reference (ToR) will be issued with the Bid Document to shortlisted candidates. The ToR would be based on the requirement as detailed in section 2 (Background) of this EOI document.

7. INSTRUCTIONS TO APPLICANTS

7.1 The Application for Expression of Interest is to be submitted as per **Annexure-1** along with all other requisite information as detailed below (in various Annexures) are to be submitted in two hard copies in **one sealed envelope and one soft copy in CD: -**

1. Organizational Details (**Annexure-1A**)
2. Experience of the Organization in related fields (**Annexure-1B**)
3. Financial strength of the organization (**Annexure-1C**)
4. Organization Strength: (**Annexure-1D**)
5. Any Additional information (**Annexure-1E**)
6. Declaration (**Annexure-1F**)
7. Power of Attorney in favour of Authorized Signatory with long and short signature of Authorized person.

7.2 EOI Documents have been hosted on the website www.eprocure.gov.in /www.moef.gov.in and may be downloaded from the website.

7.3 The applicants are expected to examine all instructions, forms, terms and other details in the EOI document carefully. Failure to furnish complete information as mentioned in the EOI document or submission of a proposal not substantially responsive to the EOI documents in every respect will be at the applicant's risk and may result in rejection of the proposal.

8. Eligibility/Pre-Qualification Criteria:

Following will be the minimum eligibility/pre-qualification criteria for screening/shortlisting of EOIs.

- (i) The applicant shall be a registered legal firm/ company/ proprietorship firm/institution/ joint venture/ consortium with registered offices in India (Self-certified copy of Certificate of incorporation/Partnership Deed/ Article of Association/Certificate issued by registrar of companies to be attached as per Annexure 1A).
- (ii) It shall not have been blacklisted by any Government, para-statal or public sector organization (certificate signed by the Authorized signatory to be attached as per Annexure-1A).
- (iii) It shall have a valid PAN No. / Service Tax Registration Certificate / UAM Number (Self-certified copy of relevant certificates/ registrations as per Annexure-1A to be attached)
- (iv) It shall have been in operation for a minimum period of 10 years continuously as on 31st March, 2021 and should have been in business of providing legal services of which minimum 5 years shall be in the field of forest and environmental laws and / or policy (certificate by Company Secretary of the

applicant's organization or Statutory Auditor to certify period of operation of the applicant as per Annexure 1B to be attached).

- (v) It shall have prepared at least (a) one judicial documents and/ or briefs on behalf of Government, para-statal or public sector organisations;(b) one advice or appearance in the Courts for or on behalf of Government, para-statal or public sector organisations; and (c) one stakeholder consultation for preparation of legal/ policy documents during last 5 years in the field of forestry and environmental laws (self-certified copies of supporting documents to be attached as per Annexure-1B)
- (vi) It shall have average annual turnover of at least Rs.1 (one) core in each of the last three preceding financial years (self-certified copies of Income Tax Returns / annual returns/ other supporting documents to be attached as per Annexure 1C).
- (vii) It shall have handled at least one assignment of the value of Rs. 50 lakhs or above during last three preceding financial years (self-certified copies of Work Order/Contract of highest value may be attached as per Annexure 1C).
- (viii) It shall have at least 10 employees of which at least 03 shall be full time employees for a continuous period of last 03 years on its pay rolls, and the team leaders shall have a minimum professional experience of 15 years in the field of practice of law/ policy (Self-certified copies of certificate issued by Statutory Auditor or Company Secretary of the Applicant's organization to be attached as per Annexure 1D).

Responses not meeting the minimum eligibility/qualification criteria will not be evaluated for shortlisting. Self-certified copies of supporting documents in support of eligibility/qualification criteria must be attached.

9. Evaluation Criteria:

Those EOIs which meet the minimum eligibility/pre-qualification criteria will be evaluated for shortlisting *inter-alia* based on the following given criteria:

| S.No | Qualification/Evaluation Criteria | Supporting documents |
|------|--|--|
| 1. | <u>Organization Details (Annexure-1A)</u> Weightage shall be given to number of Pan India branches / offices in major States; (maximum marks 10) | <ul style="list-style-type: none"> • Details to be given in Annexure-1A. • Any other supporting documents/ certificate is to be attached. |
| 2. | <u>Experience of Organisation in related field (Annexure-1B)</u> Length of relevant experience of providing legal services. The applicant has to submit the documentary proof and list of clients with regard to expertise in litigation work as demonstrated by following: <ul style="list-style-type: none"> • preparation of judicial documents and/ or briefs on behalf of Government, para-statal or public sector organisations; | <ul style="list-style-type: none"> • Self-certified copies in support of experience of preparing judicial documents, appearance in Courts, advice given in legal matters, preparation of policy document/ bill etc to be attached (documents should clearly mention the name of clients and the period in |

| | | |
|----|--|---|
| | <ul style="list-style-type: none"> • advice or appearance in the Courts for or on behalf of Government, para-statal or public sector organisations; and • stakeholder consultation for preparation of legal/ policy documents. <p>Weightage shall be given for number of years in operation, number of years of experience in forest and environmental law and policy, type (local/ state/ national/ international levels) and number of assignments completed (maximum marks 50).</p> | <p>which the work was undertaken).</p> <ul style="list-style-type: none"> • Documents shall be assessed as per weightage criteria; therefore, all relevant documents shall be provided. • All necessary details to be attached as per Annexure-IB. |
| 3. | <p><u>Financial Strength of the Organization (Annexure 1C)</u></p> <p>Weightage shall be given to:</p> <p>(i) turnover in each of the last three preceding financial years (Maximum 10 marks)</p> <p>(ii) number and value of assignments of Rs 50 lakhs and above and number of such assignments pertaining to forest and environmental law or policy (Maximum 10 marks)</p> | <ul style="list-style-type: none"> • Self-certified copies of Income Tax Returns / annual returns/ other supporting documents to be attached • Details to be given in Annexure 1C. |
| 4. | <p><u>Organization Strength (Annexure 1D)</u></p> <p>Weightage shall be given to number of employees on permanent rolls, experience of the team leader/ co-team leader/s, and for employee's/ team leader/ co-team leader/s with experience in forest /environment policy/ law (maximum marks 20)</p> | <ul style="list-style-type: none"> • Certificate by Statutory Auditor or Company Secretary of the Applicant's organization • Details to be given in Annexure 1D. |
| 5. | Total maximum marks: 100 | |

10. Method of Evaluation:

- First, screening of EOIs shall be carried out as per eligibility conditions mentioned in this document as verified from the documents submitted, and those EOIs which do not meet the qualification criteria shall be summarily rejected.
- Thereafter, the EOI may be evaluated for shortlisting *inter-alia* based on overall assessment of the strength of the applicants for EOI against the given criteria. The bid selection committee of the MoEFCC shall assign weightage to different components of the criteria mentioned herein-before in section 9. The decision of the bid selection committee in this regard shall be final.
- Short listed agencies will be issued Bid documents and asked to submit their bid. The Bid shall consist of two parts (a) Technical Bid and (ii) Financial Bid. Technical and Financial Bids shall be submitted in separate sealed envelopes by specified date and time.
- The received bids shall be evaluated based on Quality cum Cost basis assigning technical bid maximum 70 marks and financial bid maximum 30 marks.

- (e) The weights to the broad parameters in the technical bid will be specified in the Bid document, however, the indicative weights are as follows:
- (i) Qualification and experience of the Team deployed by the bidder to complete the assignment: max marks 25.
 - (ii) Experience of the applicant in carrying out similar or relevant assignments: max marks 45
 - (iii) Methodology for producing the required outputs as per the ToR and presentation of the proposal: max marks 30.

The bid selection committee shall finalize the evaluation criteria for each of the above broad parameters and assign maximum marks to each criterion before starting the evaluation of bids.

- (f) The bid selection committee may, in its discretion, seek independent references and also reserve its right to pay due heed to the bidder's performance elsewhere and any past experience in the MoEFCC. The decision of the bid selection committee in this regard shall be recorded and the same shall be final.

11. Work Order:

- 11.1 The bid selection committee shall recommend a panel of names of three bidders (if possible) in order of priority, and work shall be awarded to the first bidder in order of priority by the MoEFCC. The MoEFCC may evaluate the performance of work in terms of pace and quality between 15 and 45 days of award of work. In case the bidder awarded the work does not accept the work in 3 days of award of work, or the MoEFCC finds within 45 days of award of work that the pace and quality of work awarded is not satisfactory, it may award the work to the next bidder in the order of priority. Provided, in case MoEFCC finds the work unsatisfactory it shall issue notice giving summary of the reasons and ask the bidder to provide explanation within 7 days and may take decision, thereafter, to cancel the work awarded to the bidder and award it to the next bidder in order of priority. The decision of MoEFCC shall be final in this regard.
- 11.2 The work order is expected to be issued to the selected bidder within 3 (three) months from the date of publication of call for EOI.

12. Time of completion of the Work Order:

- 12.1 The selected bidder is expected to complete the work in maximum 7 (seven) months from the date of award of work. However, the final deadlines for both completion of the work and also for meeting the intermediary milestones (deliverables) shall be specified in the Bid document issued to applicants selected after evaluation of EOI applications. **This is a time-sensitive work**, and strict timelines shall be followed. Only those desirous of meeting the timelines by deploying adequate and competent resources need to apply.

13. Deliverables:

- 13.1 The deliverables and the deadlines for supplying the deliverables (intermediary milestones) shall be specified in the Bid Document. These would comprise of submission of an initial Desk Review report (after reviewing State, national and international laws/ rules/ regulations/ policies, leading Court judgements/ orders, national and international experiences in the forestry and allied sectors, etc), regional (at least 5 regions in the country) and national stakeholder consultation reports, monthly

progress reports, draft reports, and final report accepted by the MoEFCC. All the deliverables must be to the satisfaction of MoEFCC.

14. Response:

- 14.1 It shall be the responsibility of the applicant/ bidder to ensure that their EOI/ Bid response is submitted as per the prescribed formats/Annexures along with complete documents to the designated authority in time as per the process specified in this call for EOI/ Bid.

15. Conflict of Interest:

- 15.1 Where there is any indication that a conflict of interest exists or may arise, it shall be the responsibility of the applicants to inform MoEFCC, detailing the conflict in writing as an attachment to this EOI.
- 15.2 MoEFCC will be the final arbiter in cases of potential conflicts of interest. Failure to notify MoEFCC of any potential conflict of interest will invalidate any verbal or written agreement.
- 15.3 A Conflict of Interest is where a person who is involved in the procurement has or may be perceived to have a personal interest in ensuring that a particular Bidder is successful. Actual and potential conflicts of interest must be declared by a person involved in a Bid process.

16. Condition under which EOI is issued:

The EOI is not an offer and is issued with no commitment. MoEFCC reserves the right to withdraw EOI and or vary any part thereof at any stage. MoEFCC further reserves the right to disqualify any applicant/ bidder, should it be so necessary at any stage.

17. Last date of submission of EOI:

| S. No. | Critical Dates | Date | Time |
|--------|------------------------------|-----------------------------|----------|
| 2. | Document Download Start Date | 22 nd June, 2021 | 1800 Hrs |
| 3. | Document Download End Date | 01 st July, 2021 | 1700 Hrs |
| 4. | EOI Submission Start Date | 23 rd June, 2021 | 0900 Hrs |
| 5. | EOI Submission End Date | 02 nd July, 2021 | 1200 Hrs |
| 6. | EOI Opening Date | 02 nd July, 2021 | 1600 Hrs |

18. Address at which EOI to be submitted:

Proposal, in its complete form in all respects as specified in the EOI, must be deposited in the Sealed Box (with name plate: "EOI for Amendment of IFA") kept at Reception located at Ground Floor, Jal Wing, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003. The EOI must be submitted in the name of "The Assistant Inspector General of Forests (Forest Policy), Forest Policy Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110003".

19. FORMATS FOR SUBMISSION:

Formats are enclosed as Annexures.

ANNEXURE-1: APPLICATION FOR EXPRESSION OF INTEREST

To,

The Assistant Inspector General of Forests (Forest Policy)
Forest Policy Division,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi – 110003

Sub: Submission of Expression of Interest to prepare a draft of the comprehensive amendments to the Indian Forest Act, 1927.

Sir/ Madam,

In response to the Invitation for Expressions of Interest (EOI) published at CPP portal and MoEFCC website (www.moef.gov.in) for the above purpose, we would like to express interest to carry out the above proposed task. As instructed, we have uploaded Expression of Interest on CPP portal in prescribed format containing following documents and attach herewith 2 sets of the same:

1. Organizational Details (**Annexure-1A**)
2. Experience of the Organization in related fields (**Annexure-1B**)
3. Financial strength of the organization (**Annexure-1C**)
4. Organization Strength: (**Annexure-1D**)
5. Any Additional information (**Annexure-1E**)
6. Declaration (**Annexure-1F**)
7. Power of Attorney in favour of Authorized Signatory with long and short signature of Authorized person.

Sincerely yours,

Signature of the Authorised Person.....
Full name of the Signatory.....
Designation in the Organisation:.....

Date:.....

Place:

Seal of the Organisation:

Important Note: This letter **must be** furnished on the letter head of the organization.

ANNEXURE-1A
Organizational Details

| | | |
|-------|---|--|
| S.No. | Organizational Contact Details | |
| 1. | Name of Organization | |
| 2. | Main areas of Business | |
| 3. | Type of Organization e.g. firm/ company/ partnership firm// proprietorship firm/ institution/joint venture/consortium registered under the Indian Companies Act, 1956/ the partnership Act, 1932, etc. (Self-certified copy of Certificate of incorporation/Partnership Deed/ Certificate issued by registrar of companies / copy of Article of Association/any other additional supporting documents/ certificate is to be attached). | |
| 4. | Whether the applicant has been blacklisted by any Central Govt. / Para-statal/State Govt./PSU/ Govt. Bodies / Autonomous? (If no, self-certified copy of undertaking to be attached). | |
| 5. | Details of valid PAN/Service Tax/UAM Number (Self-certified copy of relevant certificate/document to be attached). | |
| 6. | Complete Address of registered office with Telephone No., Email & Fax. | |
| 7. | Complete Address of offices in (i) National Capital Region of Delhi (ii) All other State/UTs' | |
| 8. | Contact Person with Mobile Number, Telephone No. & E-mail ID | |

Enclosures: as above all mentioned certificates

Date

Place:.....

Seal of Organisation:

Signature of the Authorised Person.....

Full name of the Signatory.....

Designation in the Organisation:

Name of the Organisation:

ANNEXURE-1B

Experience of the Organization in Related Fields

| Overview of the past experience of the Organization in all aspects related to Brand Building | | |
|--|---|---|
| S.No. | Items | Specify the Details |
| 1. | Year of Incorporation/Registration: (Minimum 10 years of continuous operation required) | (Attach Certificate by Company Secretary of the Bidder's organization or by Statutory Auditor certifying period of operation of the bidder) Self-attested copies of documents to be attached. |
| 2. | Year since which providing legal services in the field of forest and environment law/policy. (Minimum 5 years of service in this field is required). | (Attach self- certified supporting documents) |
| 3 | Number of judicial documents and/or policy briefs on behalf of Government, para-statal or public sector organisations prepared in the field of forest and environmental laws/policy during last 5 years; | (Attach self- certified supporting documents) |
| 4 | Number of advices or appearances in the Courts for or on behalf of Government, para-statal or public sector organisations completed in the field of forest and environmental laws/policy during last 5 years; and | (Attach self- certified supporting document) |
| 5 | Number of Stakeholder consultation for preparation of legal/ policy documents completed in the field of forest and environmental laws/policy during last 5 years | (Attach self- certified supporting document) |

Date

Place:

Seal of Organisation:

Signature of the Authorised Person.....

Full name of the Signatory.....

Designation in the Organisation:

Name of the Organisation:

ANNEXURE-1C

Financial Strength of the Organization

| S. No. | Financial Year | Items | | |
|--------|--------------------------------------|--|---|---|
| | | Annual turnover (in lakh Rupees) (Attach self-certified supporting document) | Whether any one assignment of value of more than Rs. 50 lakhs handled. If yes, provide number, value and details of such assignments. (Attach self-certified supporting document) | Number of assignments above Rs. 50 lakhs pertaining to forest and environmental law or policy (provide number, value and details of such assignments) (Attach self-certified supporting document) |
| 1. | 2017-18 | | | |
| 2. | 2018-19 | | | |
| 3. | 2019-20 | | | |
| 4. | 2020-21 (current FY; optional) | | | |

Date

Place:

Seal of Organisation:

Signature of the Authorised Person.....

Full name of the Signatory.....

Designation in the Organisation:

Name of the Organisation:

ANNEXURE-1D
Organization Strength:

(i) Number of Employees

| S. No. | Total no of employees on Permanent Rolls | Total no of employees on Short term contract | No. of full time (permanent rolls) employees continuously for the last 3 (three) years | Total no of employees on Permanent Rolls with experience in Forest/ Environment Law/ Policy | Total no of employees on Short Term Contract with experience in Forest/ Environment Law/ Policy |
|--------|--|--|--|---|---|
| | | | | | |

(ii) Details of Team Leader/ Co-Team Leader/s to be deployed for the proposed work

| S.No. | Items | | | | | |
|----------------------------|--|-------------------------------|---------------------------------|------------------------------------|---|---|
| | Name of and designation (Legal/ Policy personnel only); specify Team Leader / Co-Team Leader | Whether on permanent Pay Roll | Whether on Short Term Contract* | Highest professional Qualification | Total No. of years of professional experience | No. of years of professional experience in the field of forest/ environment law/ policy |
| 1. | Team Leader** | | | | | |
| 2. | Co-Team Leader | | | | | |
| Add more rows, if required | | | | | | |

*Short Term Contract means an employee contracted for up to one year; all employees contracted for more than one year will be permanent employees (Attach self-certified supporting document)

** Team leaders shall have a minimum professional experience of 15 years in the field of practice of law / policy (Attach self-certified supporting document)

Date

Place:

Seal of Organisation:

Signature of the Authorised Person.....

Full name of the Signatory.....

Designation in the Organisation:

Name of the Organisation:

ANNEXURE-1E

Any Additional information

| Additional Information | | |
|---|-------------|--------------|
| 1. Additional information to support the experience and expertise | | |
| S.No | Description | No. of Pages |
| | | |
| | | |
| | | |

Date

Place:

Seal of Organisation:

Signature of the Authorised Person.....

Full name of the Signatory.....

Designation in the Organisation:

Name of the Organisation:

ANNEXURE-1F

Declaration

We hereby confirm that we are interested in competing for the Consultancy Services to undertake the preparation of draft of the comprehensive amendments to the Indian Forest Act, 1927.

All the information provided herewith is genuine and accurate.

Authorized Person's Signature.

Name and Designation of the Authorized Person:

Date:

Place:

Seal of Organization:

Note: The declaration must be furnished on the letter head of the organization
