



## **Request for Proposals**

**Reference No: IL-PRC/2019/56**

### **Independent Legal Expert for the Maldives Payment System Development Project**

**Maldives Monetary Authority**

**20<sup>th</sup> June 2019**

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# 1. BACKGROUND AND OBJECTIVE

Maldives Monetary Authority (MMA), as the central bank and regulator of the financial system and payments systems, is undertaking the Maldives Payment System Development (MPSD) project with the aim of implementing an inclusive, real-time payment system to enable simple, fast and secure payments which caters to the payment needs of all the economic sectors of Maldives.

The scope of the MPSD project will focus heavily on enabling innovative payment solutions that:

- Allows the delivery of integrated payment solutions in addition to more common digital solutions
- Targets and caters to the needs of segments of the population that currently have the least access to electronic means of payment, irrespective of geographical location within the Maldives.
- Ensures the execution of real time payments
- Maximizes interoperability and caters for a broad range of payment types, including but not limited to person-to-person, business-to-business, person-to-business, and business-to-government transactions
- Encompasses the latest technology and features to maximize efficiency and security, which will also enable integration across international borders should the need arise in the future.

In this context, MMA is seeking to procure the services of an independent legal and regulatory expert on payment systems. The expert shall review drafts of necessary laws, regulations, rules and procedures drafted by MMA and other stakeholders, for its consistency, alignment and adherence to global best practices that promote innovation and competition in payment landscape.

## **2. INSTRUCTIONS TO BIDDERS**

### **2.1. GENERAL INFORMATION**

- 2.1.1. Project** a) Maldives Payment System Development Project.
- 2.1.2. Contract** a) Independent Legal Expert for the Maldives Payment System Development Project.
- 2.1.3. Proposal**
- a) Prospective bidders are invited to submit proposals for the Contract. The Proposal will be the basis for Contract negotiations and ultimately for a signed Contract with the selected Bidder. The title and reference number of this Request for Proposals are provided in “Invitation for Bids”.
- b) The MMA is not bound to accept any proposal, and reserves the right to annul the selection process at any time prior to Contract award, without thereby incurring any liability to the Bidder.
- c) The Bidders are permitted to submit only one proposal.
- 2.1.4. Clarifications**
- a) Bidders requiring any clarification regarding the RFP shall email their queries to [procurement@mma.gov.mv](mailto:procurement@mma.gov.mv). MMA will respond in writing to any request for clarification. MMA shall publish its response on Payment Systems Development Project website ([www.payments.mv](http://www.payments.mv)), including a description of the inquiry but without identifying its source.
- b) All clarifications shall be sought and/or provided only as specified in Clause 2.1.4 (a). MMA shall not be responsible for any clarifications sought and/or provided in any other manner of whatsoever nature.

### **2.2. PREPARATION OF BIDS**

- 2.2.1. Language** a) The language of the proposal shall be in Dhivehi or English.
- 2.2.2. Documents comprising the bid**
- a) The bid submitted by the Bidder shall comprise:
- i) Letter of Interest including the following details:
- o Name
  - o Contact email
  - o Contact number
- ii) Proposed monthly remuneration sheet as per Annex 1

- iii) ID Card copy or Passport copy
- iv) Curriculum Vitae
- v) Details of completed/on-going Contracts of Similar Nature and Complexity.
- vi) Supporting documents to demonstrate working experience with similar projects

- 2.2.3. Bid Validity Period**
- a) Bids shall remain valid, at a minimum, for a period of **6 (six) weeks** after the deadline for bid submission prescribed by the MMA.

### **2.3. SUBMISSION OF BIDS**

- 2.3.1. Submission**
- a) Please email your completed proposals to procurement@mma.gov.mv
  - b) Proposals must be submitted in a searchable PDF format.
  - c) The proposed monthly remuneration sheet (Annex 1) must be sent in a separate PDF file.
  - d) The attachment containing the Proposal and enclosed other documents should not be larger than 10 MB. If the archive is larger than this threshold amount, please send the proposal in multiple parts.

- 2.3.2. Submission Deadline**
- a) All bids must be submitted to MMA via email before 1500 hours (Local time) of 10th July 2019.

### **BID DATA SHEET**

No.	Key Dates	Actions
<b>2.3.3.</b>	23-Jun-19	<b><u>Publication of the Invitation to Bid for the following Contract</u></b>
<b>2.3.4.</b>	03-Jul-19	<b><u>Clarification regarding the RFP</u></b> Bidders may also obtain further clarifications regarding the RFP via email until 10 <sup>th</sup> July 2019.
<b>2.3.5.</b>	10-Jul-19	<b><u>Bid Submission Deadline (1500 hours, local time)</u></b>
<b>2.3.6.</b>	Fourth week of July	Award and contract
<b>2.3.7.</b>	1-Aug-19	Expected date for commencement of service

## **3. TERMS OF REFERENCE AND SCOPE OF WORK**

### **3.1. SCOPE OF WORK**

- 3.1.1. Undertake review and assessment of existing and anticipated legal framework of the Maldives Payment System
- 3.1.2. Provide guidance in developing the Maldives Payment System's legal framework (laws, regulations, procedures and other legal documents) keeping in view international best practices
- 3.1.3. Identify enabling regulations and laws for the Maldives Payment System legal framework
- 3.1.4. Conduct consultations with relevant stakeholders pertaining legal and regulatory requirements of Maldives Payment System
- 3.1.5. Coordinate and work with relevant State Agencies to mainstream cross cutting issues
- 3.1.6. Work closely with Project's legal and regulatory framework development team and assist in drafting applicable laws and regulations

### **3.2. QUALIFICATIONS REQUIRED**

- 3.2.1. Minimum master's degree in law (LLM)
- 3.2.2. Minimum five years of relevant work experience. Previous experience with a central bank, or donor/multi - lateral institution would be highly advantageous
- 3.2.3. Expertise in Payments and other related laws and regulations
- 3.2.4. Up to date subject matter legal knowledge and strong drafting and communication skills
- 3.2.5. Adequate knowledge and work experience on the implementation of legal requirements under PSD2 and/or Open Banking standards would be highly advantageous.

### **3.3. PAYMENT TERMS**

- 3.3.1. A consultancy fee will be agreed based on offered financial proposal and paid on monthly basis.

### **3.4. ENGAGEMENT PERIOD**

- 3.4.1. The initial period of contract shall be 12 months. The contract may be renewed by mutual written agreement of the parties.

### **3.5. WORKING LOCATION AND WORKING HOURS**

- 3.5.1. Working location will be Maldives Monetary Authority
- 3.5.2. Working hours will be weekdays 8:00AM to 4:00PM.

## 4. BID EVALUATION METHODOLOGY

- 4.1. MMA shall designate an Evaluation Committee to evaluate the proposals, in accordance with the following assumptions below.
- 4.2. The Bid Evaluation Methodology proposed in this section provides the framework to evaluate the Bids for the Contract. The methodology includes technical and cost evaluation criteria to assess the suitability of bidders for the Contract.
- 4.2.1 **Technical Evaluation:** The technical evaluation of the Bidder will be done by MMA based on the evidence of technical expertise to carry out the Terms of Reference as per the Scope of Work provided in this RFP and the Proposal submitted by the Bidder. MMA will use the information provided by the **Bidder** as the base for evaluation.
- 4.2.2 **Cost Evaluation:** MMA will evaluate the quoted price as explained in Clause 4.6.
- 4.3. The total score shall be obtained by weighing the technical and cost scores and adding them. The weight for the “technical evaluation” shall be 60% and “cost evaluation” shall be 40%.
- 4.4. The Bidder obtaining the highest total score shall be awarded the contract.

### 4.5. TECHNICAL EVALUATION CRITERIA

- 4.5.1. The total score for this criterion will be 60%.
- 4.5.2. The following are the categories that will be taken into consideration when evaluating the proposals.

Categories	Score
(a) Academic qualifications	40
(b) Experience in projects similar in nature and complexity and expertise in the field.	60
<b>Total Score</b>	<b>100</b>

### 4.6. COST EVALUATION CRITERIA

- 4.6.1. The total score for this criterion will be 40%.
- 4.6.2. The proposal with the lowest cost shall be given a financial score of 40% and other proposals will be given a weighted score proportional to their prices against this lowest cost.

## **ANNEX 1: PROPOSED MONTHLY REMUNERATION SHEET**

<b>Details</b>	<b>Proposed monthly fee</b>	<b>No. of Months</b>	<b>Total</b>
Proposed monthly remuneration		12	

Name of Bidder:	
Signature	

\* Price shall be quoted in Maldivian Rufiyaa.