

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE
P.O. BOX 160 KIGALI

Kigali, ... 08 FEB. 2017
Ref N° 283/08/2017/FD/LSD

- Honourable Minister
 - Honourable Minister of State
 - Chief Executive Officer(RDB)
- KIGALI**

Honourable,

Re: Pre-qualified List of International Law Firms and User Guide

The Ministry of Justice/Office of the Attorney General (MINIJUST) undertook a survey to identify areas requiring specialized assistance and the following practice areas were identified: Alternative Dispute Resolution; Litigation; Corporate; Commercial; Banking; Finance; Projects and Energy.

After the Survey, the Ministry established, through public procurement, a pre-qualified list of international law firms. The list is intended to help public institutions to efficiently procure international specialized legal services, including legal advisory, contract drafting and legal representation.

We are therefore submitting the list to your institution and encourage you to use it in procuring the specialized legal services or legal representation when the need arises. It is important to note that an institution which intends to procure from the pre-qualified list should ensure availability of funds.

The pre-qualified list of international law firms shall be valid for a period of twelve (12) months effective from 1st February 2017. The period can be extended upon successful evaluation.

Please find attached to this letter a detailed **User Guide** for your guidance. The User Guide indicates, among others, details of law firms and the range of fees for each law firm.

Please accept, Sir/Madam, the assurances of my highest consideration.


BUSINGYE Johnston
Minister of Justice/Attorney General

Cc
Rt. Hon. Prime Minister
KIGALI

PRE-QUALIFIED LIST OF INTERNATIONAL LAW FIRMS

FIRM NAME	OFFICE LOCATIONS	PRACTICE AREAS
Omnia Strategy	UK	Litigation and ADR, Corporate and Commercial, Banking and Finance
Fasken Martineau	UK, Canada, South Africa	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
Slaughter & May	UK	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
Holland & Knight	USA, Latin America	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
ENS Africa	Africa (incl. Rwanda)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
Squire Patten Boggs	International (45 offices)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
DLA Piper	International (30+ offices)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
Paul Hastings	International (10+ offices)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
CDH	South Africa	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy
Olaniwun Ajayi	Nigeria	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy



User Guide:
How to engage an international
law firm from the pre-qualified
list

MINIJUST

DECEMBER 2016

Contents

1.	Introduction	4
2.	Who can use the pre-qualified list?	4
3.	When should I use the pre-qualified list?	4
4.	How can I access firms from the pre-qualified list?	5
5.	How and when do I provide feedback on the services?	6
	Annexes	7
	A. The pre-qualified list	7
	B. Guidance on use of private legal providers	7
	C. Checklist for engaging a firm from the list	7
	D. Feedback form	7
	E. How was the pre-qualified list established?	7

Acronyms

ADR	Alternative Dispute Resolution
Eoi	Expression of Interest
GoR	Government of Rwanda
MINIJUST	Ministry of Justice
RFP	Request for Proposals
RPPA	Rwanda Public Procurement Agency

1. Introduction

- 1.1 MINIJUST has established a pre-qualified list of international law firms. The list is intended to help Government of Rwanda (GoR) institutions efficiently procure international specialist legal advice to improve large contract management, better handle conflicts of interest and develop ongoing relationships with international firms with particular areas of expertise.
- 1.2 This user guide has been produced to help institutions understand how to access law firms from the pre-qualified list. Section 2 provides background on the establishment of the list and its composition. Section 3 outlines when you should consider using the list. General guidance has already been produced by MINIJUST on when to use private legal providers; this guidance is replicated at Annex B and should be consulted prior to considering whether to use a private international firm.. Section 4 outlines the procedures for institutions to follow when accessing services from the list and section 5 explains what feedback should be provided to MINIJUST after using a firm from the list.

2. Who can use the pre-qualified list?

- 2.1 All government institutions are eligible to use the list.
- 2.2 Although it is not always possible to predict or plan for legal service requirements, institutions are encouraged to consider those requirements in their annual procurement plans. Annex A provides the indicative fee rates provided by the law firms to help institutions estimate the cost of procuring international legal services.

3. When should I use the pre-qualified list?

- 3.1 The first step in using the pre-qualified list is determining that the matter is one that is appropriate for private outsourcing. To do so, you should refer to the guidance on using private providers to undertake government legal work found at Annex B and if you are uncertain, seek guidance from the Attorney-General/MINIJUST.
- 3.2 Government institutions are encouraged to engage international law firms on matters suitable for private outsourcing and involving:
- Advice on an area of commercial law in which the institution or the Attorney General's office does not have the required legal expertise, or
 - International arbitration and complex litigation, or
 - Drafting of complex contracts (e.g. where advice is required on tendering, due diligence, contract negotiations, contract drafting, transitional arrangements etc).
- 3.3 Institutions are particularly encouraged to engage international law firms on the above matters where:
- The institution or the Attorney General's office does not have the resources to do the legal work without undue delay, and/or

- The potential long-term benefit to Rwanda (e.g. in ensuring that major investments and projects are managed effectively) outweighs the cost of engaging specialized international services.
- 3.4 It is not compulsory to procure international legal services from this list, however it is highly encouraged given it provides a simplified procurement method, the firms have already been evaluated by MINIJUST, and to further the objectives outlined in paragraph 1.1 above. If there are particular reasons why the pre-qualified list cannot be used, the institution should request permission from MINIJUST.
- 3.5 In case an institution is willing to use another international Law firm other than those on the pre-qualified list, it should first seek the authorization from the Attorney General.

4. How can I access firms from the pre-qualified list?

- 4.1 After determining that the matter is eligible for private outsourcing (see 3.1 above), you will need to issue a request for proposals (RFP) in accordance with the 'restricted tendering' procedure under Rwandan procurement law. The Rwanda Public Procurement Agency (RPPA) has authorised this method as suitable for use by GoR institutions.
- 4.2 To issue a RFP you must:
- Specify your requirements in an RFP document, including setting out;
 - The service required – estimated number of days and technical scope of work
 - Skills and experience required
 - Key deadlines for the RFP
 - Budget
 - Evaluation criteria
 - The parties involved (to enable the firm/s to identify any conflict of interest)
 - Any other relevant information necessary for the firm/s to respond effectively;

Note that the RFP must comply with the Rwandan procurement laws and guidance, see in particular articles 24, 25, 26, 53 and 61 of the Law n°12/2007 of 27/03/2007 on Public Procurement, and chapters 3 and 4 of Ministerial Order n° 001/14/10/TC of establishing Regulations on Public Procurement, Standard Bidding Documents and Standard Contracts.
 - Send the RFP document to at least three (3) suppliers within the relevant practice area, or if the matter doesn't fall within one area, to at least three (3) suppliers within two (2) of the relevant practice areas.
 - If the RFP document is sent to a selection of suppliers (e.g. between three (3) to nine (9)), then these firms should be selected in a **fair and non-discriminatory manner**. This means that firms should be chosen with no bias towards a particular firm. Institutions should consider the following factors when making this selection:
 - The summary information available at Annex A to this User Guide.
 - Whether any actual or perceived conflict of interest exists for any firms on the list.

- If the matter is complex and/or the anticipated value of services will be large, then Institutions should consider sending the RFP to a larger number of firms on the list.
- At least three proposals must be received – it is recommended you contact firms in advance and discuss needs with them to ensure that you understand their interest and capacity to respond.
- Once the proposals are received, evaluate them according to the technical and financial criteria outlined in the RFP.
- Once a firm has been selected on the basis of their proposal, they must be engaged using the adequate consultancy contract. The Contract Management Handbook can be referred to when monitoring the firm’s execution of the contract to ensure it meets the key deliverables.

4.3 A checklist of key actions in engaging a firm is at Annex C.

5. How and when do I provide feedback on the services?

- 5.1 After your legal matter is concluded, you should provide MINIJUST with feedback on the quality and cost of the services. The feedback form at Annex D should be completed, approved by the Chief Budget Manager and sent to the Attorney General/ MINIJUST at the end of each quarter.
- 5.2 MINIJUST intends to review the pre-qualified list after 12 – 18 months of operation. The review will consider demand for international legal services and whether additional practice areas should be included in the pre-qualified list.

Annexes

- A. The pre-qualified list of international law firms
- B. Guidance on use of private legal providers to undertake Government legal work
- C. Checklist for engaging a firm from the list
- D. Feedback form on use of pre-qualified list of international law firms
- E. How was the pre-qualified list established?

ANNEX A: THE PRE-QUALIFIED LIST OF INTERNATIONAL LAW FIRMS

This Annex provides an overview of the key information provided by each of the firms on the pre-qualified list. It is intended to guide GoR institutions in selecting appropriate firms and in budgeting for the procurement of international legal services from private providers.

A.1 Firm information at a glance

Firm name	Office locations	Practice areas	Fee rates (overview) (USD per hour)				
			Partner	Senior Assoc.	Mid-level Assoc.	Junior Assoc.	Trainee
Omnia Strategy	UK	Litigation and ADR, Corporate and Commercial, Banking and Finance.	503 - 1,078	230 - 374		115 - 201	
Fasken Martineau	UK, Canada, South Africa	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	250 - 450	150 - 210	100 - 125		65 - 90
Slaughter & May	UK	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	802 - 948	620 - 766	554 - 700	438 - 584	182 - 328
Holland & Knight	USA, Latin America	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	Blended rate of 1,500 per lawyer per day				
ENS Africa	Africa (incl. Rwanda)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	Rates are assigned according to practice area (see below for further details), but range from 144 for junior level to 381 for senior level.				
Squire Patten Boggs	International (45 offices)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	750	550	450		220
DLA Piper	International (30+ offices)	Litigation and ADR, Corporate and Commercial, Banking and	750	550	500	400	250

		Finance as well as Major investment Projects and Energy					
Paul Hastings	International (10+ offices)	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	730	510	N/A	263	No charge
CDH	South Africa	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	Fee rates provided for partners only and differ according to practice area (see below for further details). Fees range from minimum 255 for Finance and Banking to maximum 420 for Corporate and Commercial.				
Olaniwun Ajayi	Nigeria	Litigation and ADR, Corporate and Commercial, Banking and Finance as well as Major investment Projects and Energy	400	275	150		100

A.2 Detailed information

Omnia Strategy

Contact details	James Palmer
Contact details (general)	Omnia Strategy LLP PO Box 60519 London W2 7JU +442075635050
Email	jpalmer@omniastrategy.com
Website	www.omniastrategy.com
Location and office network	London, UK
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance
Fee rates	<p>The following discounted rates apply to all practice areas:</p> <p>Cherie Blair CBE, QC: £750 per hour (\$1,078)¹ Partner: £350 to £450 per hour (\$503 to \$647) Of Counsel: £275 to £325 per hour (\$395 to \$467) Associate: £160 to £260 per hour (\$230 to \$374) Junior: £80 to £140 per hour (\$115 to \$201)</p>
Alternative fee structures?	Previous experience of working to capped, fixed, conditional and contingency fees. Would be willing to explore these with GoR.

¹ All currency conversions based on rates available on www.xe.com as at 18 May 2016

	Can also advise on how GoR may secure third party funding for any claims which involve the Government or state entities.
--	--

Fasken Martineau

Contact details	Ashen Jugoo ajugoo@fasken.com +27115866098
Contact details (general)	Inanda Greens 54 Wierda Road West Sandton 2196 +27 11 586 6000
Website	www.fasken.com
Location and office network	African office in Johannesburg, South Africa. International offices are in the UK (London) and Canada (Vancouver, Calgary, Toronto, Ottawa, Montréal, Quebec)
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	The following rates apply to all practice areas: Partner: \$250 to \$450 per hour Senior Associate: \$150 to \$210 per hour Associate: \$100 to \$125 per hour Candidate Attorneys: \$65 to \$90 per hour Paralegal: \$30 per hour
Alternative fee structures?	Fasken Martineau would be happy to discuss discounted fee rates for GoR. Flexible work fees and payment structures can be negotiated. These include capped fees, reduced fees, deferred payment structures, and fixed fees.

Slaughter & May

Contact details	Nigel Boardman +442070903418 nigel.boardman@slaughterandmay.com Ngozie Azu +442070904378 ngozie.azu@slaughterandmay.com
Contact details (general)	One Bunhill Row London EC1Y 8YY
Website	www.slaughterandmay.com
Location and office network	London, UK, with offices in Brussels, Hong Kong and Beijing.
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance

	<ul style="list-style-type: none"> Major Investment Projects and Energy
Fee rates	<p>The following rates apply to all practice areas:</p> <p>Partner: £550 to £650 per hour (\$802 to \$948)²</p> <p>Senior associate: £425 to £525 per hour (\$620 to \$766)</p> <p>Middle associate: £380 to £480 per hour (\$554 to \$700)</p> <p>Junior associate: £300 to £400 per hour (\$438 to \$584)</p> <p>Trainee: £125 to £225 per hour (\$182 to \$328)</p>
Alternative fee structures?	<p>Fixed fees are available where work has sufficient boundaries to make the fee realistic. There is also an option to use 'value billing' where this takes into account the work carried out and the value contributed by the firm to completing the transaction.</p> <p>Do not normally agree to large contingency fees or conditional fees as this could lead to conflict between client and law firm.</p>

Holland & Knight

Contact details	<p>J Michael Cavanaugh michael.cavanaugh@hklaw.com +2028285084</p>
Contact details (general)	<p>800 17th Street, Suite 1100 Washington, DC 20006 +2029553000</p>
Website	<p>www.hklaw.com</p>
Location and office network	<p>Headquarters in Washington, DC (USA).</p>
Practice areas	<ul style="list-style-type: none"> Litigation and Alternative Dispute Resolution Corporate and Commercial Banking and Finance Major Investment Projects and Energy
Fee rates	<p>Blended per diem rate of \$1,500 for each lawyer (regardless of experience).</p>
Alternative fee structures?	<p>Can provide fixed fee quotations for work, which would depend on the scope of work. Typical fixed fee projects relate to capacity building, e.g. advising on updates for laws and regulations.</p> <p>Also offer standard fees for mergers and acquisitions, subject to 25% 'break up' discounts if deal fails to reach closing within fixed time, or 25% success fee if deal successful.</p> <p>Willing to discuss other alternative fee arrangements, e.g. agreed monthly amounts for longer term projects.</p>

ENS Africa

Contact person	None provided.
Contact details	Kigali offices

² All currency conversions based on rates available on www.xe.com as at 18 May 2016

(general)	Blue Star House, 1st floor KG 7th Avenue, #35 Kacyiru Kigali tel: +250 733 300 301
Website	www.ensafrica.com
Location and office network	Main offices are in South Africa (Cape Town, Durban, Johannesburg, Stellenbosch). Other offices in Accra, Cape Town, Dar es Salaam, Kampala, Kigali, Mauritius, Mitchells Plain, Port Louis, Swakopmund, Walvisbay, Windhoek
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	<p>Litigation and Alternative Dispute Resolution: from \$144 to \$350 per hour depending on seniority</p> <p>Corporate and Commercial: from \$144 to \$381 per hour depending on seniority</p> <p>Banking and Finance: from \$160 to \$353 per hour depending on seniority</p> <p>Major Investment Projects and Energy: from \$88 to \$353 per hour depending on seniority</p>
Alternative fee structures?	<p>Note that ENS Africa provided also provided fee rates with a 15% discount applied. It is not clear whether the discount applies automatically to GoR or whether it applies in the event certain fee thresholds are reached. Figures above are for fees without the 15% discount applied.</p> <p>No other alternative fee structures were provided.</p>

Squire Patten Boggs

Contact details	Rob Holmes (Director of Business Development - Europe/Asia/Middle East) +44 20 7655 1673 robert.holmes@squirepb.com
Contact details (general)	Squire Patton Boggs (UK) LLP 7 Devonshire Square London EC2M 4YH
Website	www.squirepattonboggs.com
Location and office network	London, UK, with offices in Europe, the Middle East, the Americas, and Asia Pacific, and 'Regional Business Group' in Africa.
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	<p>The following rates apply to all practice areas:</p> <p>Partner: \$750 per hour Senior Associate: \$550 per hour Associate: \$450 per hour</p>

	Trainee: \$220 per hour
Alternative fee structures?	Options available include: <ul style="list-style-type: none"> • Fixed fees, where work is reasonably predictable. • Volume discounts, e.g. 5% discount for fees between \$100,000 - \$250,000, 10% discount for \$250,000 to \$500,000, and 12.5% for more than \$500,000. • Risk-sharing mechanisms, e.g. reduced fees if transaction aborted. • Blended rates, i.e. one hourly rate regardless of level of seniority. • Annual fixed price retainer.

DLA Piper

Contact details	Ben Sanderson +442077966475 ben.sanderson@dlapiper.com
Contact details (general)	DLA Piper UK LLP 3 Noble Street London EC2V 7EE United Kingdom +442077966475
Website	www.dlapiper.com
Location and office network	Head office in London, UK, with more than 30 offices around the world.
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	The following rates apply to all practice areas: Partner: \$750 per hour Legal Director: \$625 per hour Senior Associate: \$550 per hour Mid-level Associate: \$500 per hour Junior Associate: \$400 per hour Trainee: \$250 per hour
Alternative fee structures?	Alternative fee arrangements such as capped fees, fixed fees and volume discounts can be arranged depending on the nature of the work.

Paul Hastings

Contact details	Michelle Duncan +442030235162 michelleduncan@paulhastings.com Stephen Parker +442030235168
------------------------	---

	stephenparker@paulhastings.com
Contact details (general)	Paul Hastings (Europe) LLP Ten Bishops Square, Eighth floor London E1 6EG +442030235100
Website	www.paulhastings.com
Location and office network	Headquarters in London, UK, with ten offices in North America, and offices in Sao Paulo, Brussels, Frankfurt, Milan, Paris, Tokyo, Shanghai, Beijing, Hong Kong and Seoul.
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	The following discounted rates apply to all practice areas: Partner: £500 per hour ³ (\$730) Senior Associate: £350 per hour (\$510) Junior Associate: £180 per hour (\$263) Trainee: No charge Paralegal: No charge
Alternative fee structures?	Willing to discuss fixed fee arrangements, with fees to be assessed and agreed at the outset. Fixed fees would be appropriate for opinions, initial advice and contract drafting tasks, but not for trial matters. Conditional fee arrangements can be considered in appropriate circumstances. This would involve paying a percentage of fees on an ongoing basis, with an uplift in the event of a successful outcome.

CDH

Contact person	Claire Barclay claire.barclay@cdhlegal.com +27115621154
Contact details (general)	1 Protea Place Sandown 2196 Private Bag X40 Benmore 2010 South Africa DX 42 Johannesburg
Website	www.cliffedekkerhofmeyr.com
Location and office network	Offices in Johannesburg and Cape Town, South Africa
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	Litigation and Alternative Dispute Resolution: \$300 / \$400 per hour Corporate and Commercial: \$420 per hour

³ All currency conversions based on rates available on www.xe.com as at 18 May 2016

	<p>Banking and Finance: \$340 / \$255 per hour</p> <p>Major Investment Projects and Energy: \$300 per hour (Employment also listed at \$340 per hour)</p>
Alternative fee structures?	<p>Fixed price arrangements are available dependent on the nature of work.</p> <p>Escalating Discount Model: invoices can be discounted at certain rates depending on fee thresholds achieved. Benefits are passed on when clients are debited. However this is difficult to manage.</p> <p>Combined Discounting/Rebate Model: flat discount rate applies, rebates provided at the end of the financial year.</p>

Olaniwun Ajayi

Contact person	<p>Yuli Eyesan +234 1 2702551 Ext 2630 yeyesan@olaniwunajayi.net</p>
Contact details (general)	<p>The Adunola, Plot L2 Banana Island, Ikoyi, Lagos, Nigeria +234 1 2702551</p>
Website	<p>www.olaniwunajayi.net</p>
Location and office network	<p>Lagos, Nigeria</p>
Practice areas	<ul style="list-style-type: none"> • Litigation and Alternative Dispute Resolution • Corporate and Commercial • Banking and Finance • Major Investment Projects and Energy
Fee rates	<p>The following discounted rates apply to all practice areas:</p> <p>Partner: \$400 per hour Senior Associate: \$275 per hour Associate: \$150 per hour Trainee: \$100 per hour</p>
Alternative fee structures?	<p>These can include capped fee arrangements for specific projects, volume discounts for set levels of work within an 18-month period, and fixed fees where the amount and type of resources for a specific project can be calculated.</p>

ANNEX B: MATTERS TO BE CONSIDERED WHEN USING PRIVATE PROVIDERS TO UNDERTAKE GOVERNMENT LEGAL WORK

Introduction

Government legal work can be contracted out to private providers, in accordance with previous letters and guidance, in two ways.

1. To Rwandan law firms on the list availed to institutions for advisory and litigation
2. To international law firms from the pre-qualified list (established) for advisory, litigation or international dispute resolution matters.

I. When to use Rwandan Law firms

The process and circumstances in which Rwandan law firms can be contracted has been communicated to Government institutions through a different document

II. When to use International Law firms

Government institutions should consider contracting out legal work to international law firms when:

- The institution or Attorney General's office do not have the resources to do the work without undue delay (specifically with regard to domestic litigation), or
- The institution or Attorney General's office do not have the required expertise, or
- When the expertise cannot be locally found
- The cost of engaging specialized international services is outweighed by the potential long-term benefit to Rwanda (eg. to ensure major investments and projects are drafted, negotiated and managed effectively).
- Complex contracts (eg where advice is required on tendering, due diligence, contract negotiations, contract drafting, transition arrangements etc), or
- Advice on an area of commercial law in which the institution or Attorney General's office do not have the required legal expertise, or
- International arbitration and litigation.

III. Categories of matters not to be contracted out

In deciding whether to contract out legal work, an institution should consider whether the matter falls into one of the below categories. These categories of work are not eligible to be undertaken by private providers (local or international law firms) unless the Attorney-General approves otherwise. Matters related to these categories shall solely remain in the competence of Government legal advisers, the Attorney-General or any other person he delegates.

These restrictions apply because government legal officers understand the broader implications of legal work for government policy or public interest concerns. The restrictions also support the ongoing relationship of confidence between government officers and Minister's and recognizes that government legal officers will have the most appropriate knowledge and experience in these practice areas. The restrictions do not apply to the National Public Prosecution Agency.

The restrictions relate to every legal work that involves:

1. National security or other specially sensitive implications
2. Major policy or constitutional issues
3. Government to Government and aspects of public international law work (eg. treaty negotiations, Rwanda's obligations under international law)
4. Where co-ordination with the cabinet office is necessary
5. Litigation related to expropriation and
6. Litigation emanating from a contract that involves more than 500,000,000 Rwf or its equivalent in the foreign currency should not be outsourced.

In case an institution is not sure on whether a matter is or is not eligible to be undertaken by private providers, or if it wishes to outsource a matter that falls within one of these categories of matters not to be outsourced due to special circumstances , it must seek written advice and/or written approval from the Attorney-General.

Annex C: Checklist for engaging a firm from the list

No	Action	Status
1	Guidance on use of private providers checked? (see Annex B)	
2	Has a request for proposals been drafted? Does the RFP provide information on: <ul style="list-style-type: none"> • Service required – estimated number of days and technical scope of work • Skills and experience required • Key deadlines • Budget • Evaluation criteria • Is it in compliance with Rwandan procurement laws and guidance? 	
3	Has an evaluation of the proposals been undertaken according to the criteria outlined in the RFP?	
4	Successful Service Provider contacted about the services	
5	Model contract used and agreed	
6	Execution of contract in accordance with agreed deliverables (see Contract Management Handbook)	
7	Provide feedback to MINIJUST using the form at Annex D	

ANNEX D: FEEDBACK FORM ON USE OF PRE-QUALIFIED LIST OF INTERNATIONAL LAW FIRMS

Question	Response
Institution	
Legal officer	
Date services used (length of contract)	
Cost of services	
Practice area	
Firm used	
Outline of scope of services	
<p>Please provide feedback on the quality of service provided by the firm, considering the below:</p> <ul style="list-style-type: none"> • Insert criteria • Timeliness • Value for money • Expertise • Language and ease of understanding • Practical and relevant to context • Good relationship 	
<p>Is this the first time your institution used this firm? If yes, how did you find the process of engaging from the list? If no, please attach previous feedback forms with this form.</p>	
Other comments	

ANNEX E: HOW WAS THE PRE-QUALIFIED LIST ESTABLISHED?

MINIJUST undertook a survey of GoR institutions in 2014, to identify the practice areas requiring specialised assistance. Four practice areas were identified: ADR and litigation, corporate and commercial, banking and finance, projects and energy. After the Survey, it initiated a process of establishing a pre-qualified List of International Law Firms from which Government institution can procure international legal services.

MINIJUST received permission from the Rwanda Public Procurement Authority (RPPA) in accordance with article 17 of the Law N°05/2013 of 13/02/2013 modifying and completing the Law n°12/2007 of 27/03/2007 on Public Procurement, to undertake a special procurement process to establish the pre-qualified list.

MINIJUST advertised internationally for Expressions of Interest (Eoi) for the pre-qualified list on 3rd August 2015, including through an advertisement in The New Times, and evaluated the Eois received on the following criteria:

- Demonstrated capacity to provide quality legal services to government in the four identified practice areas;
- Capacity to identify and manage conflict of interest;
- Commitment to pro bono services and/or training;
- Experience working with Rwandan and East African government;
- Ability to provide expertise at short notice, in English and in French.

As a result of the procurement process 14 Eois were received and ten firms have been pre-qualified overall, with all of these firms providing services across multiple practice areas. The firms' respective headquarters are based in the United Kingdom (five), the United States (one), Canada (one), Nigeria (one), and South Africa (two), with most of these firms able to draw on extensive international networks of offices. The pre-qualified list is at Annex A.

MINIJUST received permission from RPPA to share this pre-qualified list with GoR institutions in accordance with article 23 *bis* of the Law N°05/2013 of 13/02/2013 modifying and completing the Law n°12/2007 of 27/03/2007 on Public Procurement, authorising institutions to use a simplified method (restricted tendering) for accessing firms on the list. This method is outlined in section 4 of the User Guide above.