

TERMS OF REFERENCE – RETAINER LAWYER

Background:

ZO-Dorcas South Sudan is an international NGO that was established in March 2022 as a result of the merger between ZOA and Dorcas in South Sudan. Both organisations were individually present in South Sudan for years (ZOA since 1998 and Dorcas since 2008) and the partnership is expected to further increase impact.

ZOA-Dorcas South Sudan is implementing humanitarian, recovery and development programs, applying the (triple) nexus approach that aims to enhancing resilience and adaptation to ever changing circumstances, including climate change. It is building upon its extensive experience and expertise in especially TVET & entrepreneurship, FSL and WASH, Nutrition and Peacebuilding & Reconciliation.

ZOA-Dorcas South Sudan is active in Western Bahr El Ghazal, Warrap and Jonglei States as well as Greater Pibor Administrative Area. The main office of the organisation is in Juba, with program offices in Akon North (Warrap), Bor (Jonglei), Pibor (GPAA) and Wau (WBEG).

Purpose / Project Description:

ZOA-Dorcas would like to engage the services of an experienced Law Firm to provide outsourced legal and other related services on retainer agreement basis.

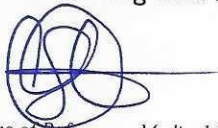
Objective(s):

- To ensure that ZOA-Dorcas South Sudan and its staff is fully and legally represented in case of Lawsuits and other related matters.

Scope of the service:

In consultation with ZOA-Dorcas, the law firm shall be in connection with, but not limited to the following areas:

1. Drafting or preparation of agreements for ZOA-Dorcas regarding its operations.
2. Representation in the case of disputes with local or national authorities as well as other parties in South Sudan.
3. Drafting or preparation of staff employment contracts
4. Handling labour disputes and representation at labour office/court hearings in places where the court proceedings will take place
5. Drafting or preparation of rental leases and/or tenancy agreements for offices and accommodation
6. Handling problems with staff in issues of employment, landlords and/or tenants
7. Drafting or preparation of contracts with suppliers and service providers and handling disputes with the same
8. Liaising with the South Sudan police service as needed
9. Preparing settlement agreements, and attending settlement meetings as the client's attorney, and ensuring that all settlement agreements are legally enforceable.
10. Assisting/negotiating in cases of arrest or detention of staff by police or military to obtain release or endeavor to ensure safety of staff from abuse until release
11. Helping ZOA-Dorcas in securing exemptions whenever needed from local authorities
12. Providing regular updates on any changes in South Sudan laws and Government policy
13. Attending meetings or conferences with ZOA-Dorcas when required on legal matters
14. Dealing with cases of injury to the public by agency vehicles or other accidental injuries
15. Dealing with demands of families of staff in case of staff death or injury on the job;
16. Dealing with registration matters.



Duration of Service:

The initial service agreement will cover the period of one year from the date of successfully signing a contract with ZOA-Dorcas South Sudan and shall be renewable for another one year based on performance, need, and availability of funding. At the end of the 2nd year, this agreement shall terminate automatically and a fresh market assessment shall be conducted and therefore a new ToR shall be developed for a new retainer lawyer sourcing all together.

Qualification and experience:

The retained firm must;

1. Be registered with all the relevant government authorities in South Sudan and operating legally in South Sudan.
2. Demonstrate capacity to render the said services through a team of qualified advocate(s) based in and familiar with the South Sudan context.
3. Demonstrate experience in rendering similar services to other INGOs and/or organizations of similar nature.

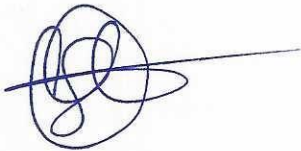
Selection Criteria:

Applications will be scored on the following criteria:

1. Technical offer (40%);
2. Financial offer (60%)

Information on submission of proposals: Interested firms can send a proposal to procurement.southsudan@zoadorcas.ngo demonstrating their experience in rendering such assignments + the relevant registration documents, qualifications of key personnel / recommendations letters from at least 3 organisations on same assignments. The proposal should include the proposed retainer rate in USD/month.

Deadline: Not later than **04:00pm** on **Friday** the **5th August, 2022**



ZOA  **Dorcas**
South Sudan