

REQUEST FOR EXPRESSION OF INTEREST (EOI) FOR HIRING 5 LAW FIRMS

1. Background

Development Bank of Rwanda (BRD), is a public company limited by shares, registered on 05th August 1967, with company code 100003547. For almost five decades, BRD has been the major provider of long-term finance and has significantly facilitated the emergence of different productive enterprises in the private sector, this to achieve its vision to be an innovative and sustainable provider of development finance for socio-economic impact and its mission of a trusted strategic partner for Rwanda's development that offers financial solutions for enhanced values to our stakeholders.

In some cases, client's default, failing to respect repayments schedules as agreed upon in loan contracts letting the Bank with no other option than taking the case in the courts of law. The Bank also happens to be, as claimant or defendant, involved in other litigations related to civil liability and breach of contract. As the Rwandan legislation allows it, BRD Ltd does recourse to repossession process for loan repayment. Consequently, necessitating the services of legal professionals such as Law firm(s). It is against that background that the Bank wishes to hire a law firm (s) on the terms of reference set forth herein.

2. Objectives

The aim of this assignment is to update BRD database with five additional law firms that will be used to fastrack court cases against defaulters and other litigations, to provide legal opinion on complex projects as well as assist in resource mobilization.

3. Scope of services

The services to be provided by the selected Attorney(s) include and not limited to the following:

- Monitor and report on the assigned clients;
- Bad debts collection using the available legal tools;
- After deeper analysis, advise the Bank on proper option for collateral repossession;
- Advise the Bank and participate in negotiations with clients for amicable loan repayment where necessary;
- Advise the Bank and participate in negotiation with clients for amicable dispute settlement where necessary;
- Introduce lawsuits on behalf of the Bank;
- Follow-up of issuance of summons by the court's registry and advise on their servicing;
- Follow-up the fixation of hearings;
- Pleadings drafting and replies;
- Ensure pleadings are properly conducted;
- Lodge appeals where necessary;
- Attend pronouncement of judgments on behalf of the Bank;
- Collect copies of the judgments;
- Production of reports on each stage of the proceedings;

- Enforcement of court judgements and close of files,
- Procurement of probate and/or other lawful authority in case of deceased debtors, missing debtors, contested debtors, etc;
- Review, draft and or advise on the draft of new sector template in case of inadequacy of the existing template and non-existing sector and or collaterals and ensure they adequately protect the bank's interests.
- Review and submission of legal opinion on agreement between the Bank and their clients on complex and large projects;
- Advise and be able to negotiate on behalf of the Bank the Conditions for financing with lending institutions.

4. Shortlisting criteria

- Certificate of company incorporation including firm's address like (Telephone Number and e-mail address);
- Ownership & governance structure of the firm;
- The law firm should have at least 5 qualified lawyers/advocates in the law firm who have been on the final list of advocates of Rwanda Bar Association for at least 6 years, and with at least 3 years' experience in finance and banking sector;
- Providing CVs of lawyers/Advocates (detailing similar assignments in finance and Banking sector) and their copy of degrees and certificates;
- Only 10 best law firms will be shortlisted to provide financial proposals.

Interested Law Firms are invited to collect from BRD website the full Terms of Reference for this assignment.

Expression of interest shall be submitted to the Chief Executive Officer, Development Bank of Rwanda through the following link: <https://www.brd.rw/brd/procurement> not later than 05/04/2019 at 3:00pm.

For any clarification, please address it to the Chief Executive Officer of the Development Bank of Rwanda at the following email addresses: brd@brd.rw copying o.mbabazi@brd.rw; l.bamwine@brd.rw, r.gasana@brd.rw and a.gakwandi@brd.rw.

Sincerely,

Chief Human Capital and Administration Services

Chief Executive Officer