

## **CALL FOR EXPRESSION OF INTEREST FOR PROVISION OF LEGAL SERVICES**

**Issuing Entity:** The Indian Ocean Rim Association

**Location:** Republic of Mauritius

**Deadline for Submission of Interest:** 18 April 2025

### **1. OVERVIEW:**

The Indian Ocean Rim Association is an inter-governmental organization comprising of 23 Member States (Countries on the rim and in the Indian Ocean) and 12 Dialogue Partners (Countries outside the Indian Ocean Region), and which office, known as the IORA Secretariat, is situated in Ebene, Mauritius. The organization has the equivalent status of a diplomatic mission in the Mauritian jurisdiction.

### **2. SCOPE OF SERVICES:**

The organization is looking to hire a law firm and/or law practitioners to enquire, negotiate and potentially litigate to recover funds which has been fraudulently abstracted due to the negligence of a financial institution. The amount to be recovered is around 1 million USD, which was embezzled 2 years ago, and whereby the investigation report from the external audit company disclosed responsibility of the financial institution. Therefore, the services to be provided shall include litigation strategies to be adopted, all the stages of legal action, including investigation, negotiation, litigation, and recovery processes. Further, it is to be noted that there is an ongoing criminal investigation regarding the matter.

### **3. REQUIREMENTS FROM THE LAW FIRM AND/OR LAW PRACTITIONERS**

#### **3.1 Authorized to operate within the jurisdiction of Mauritius**

- 3.1.1 Law firms must be duly registered with law practitioner authorized to litigate in the courts of Mauritius
- 3.1.2 Law practitioners must be on the roll of barristers/attorneys of Mauritius and are allowed to litigate in the courts of Mauritius

#### **3.2 Experience in Fraud Litigation**

- 3.2.1 The applicant must have demonstrated experience in fraud litigation and embezzlement against financial institutions.
- 3.2.2 The applicant must have experience in litigation against financial institutions, with good knowledge of banking laws, procedures, protocols and regulations.

- 3.2.3 International experience in recovery of embezzled funds is encouraged, that is experience of recovery of funds which have been transferred to other jurisdictions.

### **3.3 Demonstrated success rate in recovery of embezzled funds**

- 3.3.1 The applicant must have proven track-record of recovery of embezzled funds (i.e skills in handling case of similar) showing total value of funds recovered.
- 3.3.2 Applicants having experience in the recovery of funds within the range of funds IORA seek to recover may be preferred

### **3.4 Legal strategy**

- 3.4.1 The applicant is requested to advise on a basic legal strategy, with the timeline and equivalent costs.
- 3.4.2 The legal strategy outline may include a risk management plan.
- 3.4.3 The applicant may advise on Alternative Dispute Resolution approach and/or litigation approach.

### **3.5 Confidentiality and disclosure of any Conflict of Interest**

- 3.5.1 The applicant must ensure that at all times of provision of the services, confidentiality is kept.
- 3.5.2 The applicant must disclose any conflict of interest whenever it arises, especially if they have represented financial institutions in Mauritius in the past.

## **4. FEE STRUCTURE (aligned with the strategy proposed in 3.4, Refer to Bidding Documents – Annex 3)**

## **5. EXPRESSION OF INTEREST PROCEDURE**

- 4.1 The applicant is requested to send his bidding documents as per the template provided to "corporate.services@iora.int" or by post to IORA Secretariat, *NeXTeracom Building, Tower 1, 3rd Floor, Cyber-city, Ebene 72201, Republic of Mauritius*
- 4.2 As per IORA procedures, this is an invitation to bid to provide legal service as per the scope mentioned above.
- 4.3 Following which, there shall be an opening of the bids, and an evaluation of the bids received.
- 4.4 The unsuccessful and successful bidders shall be informed accordingly.

## **BIDDING DOCUMENTS (ANNEX 1, 2 and 3)**

ANNEX 1 – PERSONAL DETAILS

ANNEX 2 – TECHNICAL REQUIREMENT BIDDING DOCUMENT

ANNEX 3 – FINANCIAL BIDDING DOCUMENT (FEE STRUCTURE)

**ANNEX 1 – PERSONAL DETAILS**

Annex 1 shall be placed in the same envelope as Annex 2.

	<b>Item</b>	<b>Applicant details</b>
1.	Name of Applicant	
2.	Name of registered Law Firm/ Chamber (as applicable)	
3.	Address of Office	
4.	Email Address	
5.	Telephone Number	

**ANNEX 2 – TECHNICAL REQUIREMENT BIDDING DOCUMENT**

The applicant is invited to fill in the template below, and to submit it in an envelope together with Annex 1.

	<b>REQUIREMENTS</b>	<b>RELEVANT INFORMATION/ DOCUMENTATION FROM APPLICANT</b>
3.1	<b>Authorized to operate within the jurisdiction of Mauritius</b>	To provide proof that applicant is registered to practice in the courts of Mauritius (may be annexed to the documents)
3.2	<b>Experience in Fraud Litigation</b>	<p>Detail 3 instances (local and international/if any) where the applicant has <u>led litigation in relation to embezzlement against a financial institution.</u></p> <p>1. Year _____ Short description of case, and its outcome.</p> <p>2. Year _____ Short description of case, and its outcome.</p> <p>3. Year _____ Short description of case, and its outcome.</p>
3.3	<b>Demonstrated success rate in recovery of embezzled funds</b>	<p>Detail 3 instances (local and international/if any) where the applicant <u>has recovered embezzled funds</u>, providing the amount recovered and a brief overview of the nature of the case.</p> <p>1. Year _____ Short description of case, and its outcome.</p> <p>2. Year _____ Short description of case, and its outcome.</p>

		<p>3. Year _____ Short description of case, and its outcome.</p>
3.4	<b>Legal strategy</b>	<p>Provide details of the basic legal <u>strategy</u> to be adopted, that is, whether negotiation, ADR, litigation, or a combination of all, etc shall be advised, providing the <u>justification for the strategy</u>. Further, the applicant is advised to provide a <u>timeline</u> for the legal strategy as far as possible, and <u>any risk associated</u>. If the applicant is successful, the first requirement of the consultancy will be to develop a comprehensive legal strategy based on the forensic audit report and other relevant information for discussion and approval with the client.</p>
3.5	<b>Confidentiality and disclosure of any Conflict of Interest</b>	<p>State whether you have represented any of the financial institutions listed by the Bank of Mauritius [ <a href="https://www.bom.mu/financial-stability/supervision/mcib/list-participants">https://www.bom.mu/financial-stability/supervision/mcib/list-participants</a> ] in the last 5 years, by providing the name of the entity, and the year you represented it.</p> <ol style="list-style-type: none"> <li>1. Entity, year:</li> <li>2. Entity, year:</li> <li>3. Entity, year:</li> <li>4. Entity, year:</li> <li>5. Entity, year:</li> <li>6. Entity, year:</li> <li>7. ....</li> <li>8. ....</li> <li>9. ....</li> <li>10. ....</li> </ol>

**ANNEX 3 – FINANCIAL BIDDING DOCUMENT (FEE STRUCTURE)**

1. The applicant is invited to fill in the template below and submit in an envelope separate from Annex 1 and Annex 2 (technical bidding documents).
2. The applicant is advised that the fee structure to be provided below should be aligned to the legal strategy provided in section 3.4 of the technical requirement bidding document.
3. The applicant is further informed, that the IORA organization is exempted from VAT, and hence, costs provided should be VAT exclusive.
4. The applicant may add further row, as required.

	<b>ITEM (DETAILS, DESCRIPTION)</b>	<b>UNIT PRICE /MUR (IF APPLICABLE)</b>	<b>QUANTITY EXPECTED (IF APPLICABLE)</b>	<b>TOTAL COST/ MUR</b>
<b>A.</b>	<b>Compréhensive Legal Strategy</b>			
1.	Hourly fee (if applicable)			
2.	Negotiation (lump sum- if applicable)			
3.	Initiating action/ Hearing/ litigate/ Application of judgment (recovery of funds) etc			
4.				
5.				
6.				
	<b>TOTAL COSTS :</b>			