
Terms of Reference for Consultancy on Public-Private Partnership

Transaction Structuring for 159 Service Centers

Legal Expert

1. Background:

1.1: Board of Revenue, Government of Punjab, through a dedicated Project Management Unit (PMU), is executing a project for computerization of land records in Punjab. The project, titled 'Land Records Management and Information Systems (LRMIS)', aims to establish a total of 159 Service Centers in all *Tehsils* (136) and *Sub-Tehsils* (23) of Punjab. Board of Revenue is in the process of establishing these Service Centers including undertaking civil works, software development, database design and data entry of land records. The Government of Punjab has proposed to outsource the service delivery in these Service Centers to one or more private sector partners on the basis of a public-private partnership (PPP) model. Public-private partnerships (PPPs) have been recognized worldwide as an essential mode of public service delivery. The objective of such a partnership in this project would be to run the service centers in a more efficient and effective manner without compromising on the quality of services to be delivered. These services would include provision of copies of land records (*fards*) and receipt and processing of requests for changes in the records (mutation requests, requests for correction of clerical errors etc.).

1.2: The Board of Revenue recognizes that in order to undertake this project in the PPP mode, it is essential to design the project accordingly and roll-out the PPP transaction in a structured manner. The Board of Revenue is therefore commencing a transaction advisory project for this PPP project. The objective of the assignment is to prepare the project for the PPP transaction and to provide comprehensive advice and assistance to the PMU-LRMIS on project issues that will arise in connection with undertaking the PPP transaction. The project preparation would include developing the feasibility report for the Service Centers, undertaking a pre-market sounding exercise, structuring the PPP design and developing the tender documents.

1.3: The World Bank has been supporting the Board of Revenue in undertaking the LRMIS project and under the project loan for LRMIS.

2. Objectives:

The objective of the assignment is to support the project preparation for undertaking the management/service delivery of 159 Service Centers through a public-private partnership (PPP) model. The consultant – PPP Legal Specialist - will support in the legal aspects of the PPP feasibility study.

3. Scope of the Assignment:

The consultant will report to the PD PMU LRMIS, and will have the following responsibilities:

- A.** To prepare the draft PPP contract for the project
- B.** To provide advice on risk management/assessment and mitigation for the project
- C.** To prepare a brief on the completed and required changes in revenue laws/rules to facilitate the working of the Service Centers to assure the private sector that the government is committed to make the project work. The brief would also include a clear timeline and responsible department/organization for making these changes. The Land Revenue Specialist will assist the PPP Legal Specialist in this task.
- D.** Any other tasks assigned by the PD, PMU LRMIS

4. Deliverables:

The PPP Legal Specialist will be responsible for the following deliverables:

- i) Detailed draft PPP contract
- ii) Input/comments on risk management/assessment part of the feasibility
- iii) Brief on existing and required legal changes in the land revenue legal regime

5. Eligibility Criteria:

The ideal candidate would:

- Have a bachelors/masters/bar degree in law with emphasis on contract law, corporate law etc. from a well reputed national or international university.
- Have at least 10 years of successful and verifiable experience in corporate law, privatization, transaction advisory, public-private partnerships, mergers and acquisitions or similar areas
- Have in-depth knowledge of PPP contracts

6. Level of Effort:

This position would approximately require a level of effort of 20 days.