



**Request For Applications Ref No: MCA-M/ICS/032
FIDIC Legal Advisory Services for MCA-Mongolia**

**ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1 (Questions 1 and 2)
January 22 , 2024**

Question 1:	Paragraph 4 (Reporting Requirements) of the Section 4 (Terms of Reference) states the following: “... <i>The sample Task Order is attached as Annex D</i> ” I have however been unable to locate the said Annex D. Could you please forward it, as well as any other Annexes which may be associated with the ToR?
Answer 1:	<p>As set forth in Paragraph 4 of Terms of Reference “<i>For the duration of the Contract, the Consultant will be required to submit a proposed estimate of hours prior to each task to the General Counsel of MCA-Mongolia. MCA-Mongolia will then request Consultant to provide the services through individual task orders. The authorized ceiling of the Level of Efforts (LoE) will be stated in the individual Task Order agreed by the parties for each task order....</i>”</p> <p>As the Sample Task Order will be required during the contract implementation stage, it will be attached to the Contract executed by the MCA-Mongolia and the Selected Consultant.</p>
Question 2:	<p>I believe your description of services required are misguided, and does not cater to the services required and unnecessarily restricts the more suitable candidates from applying. FIDIC are Standard Contract forms - Why do you state/ require the following:</p> <p>a) There may be a need for Contractual Advisory services but not “legal” advisory services. Mongolia may have legislation that is applicable in contracts, but this does not require “legal” advisory services?</p> <p>b) To provide advisory services in use of FIDIC Contracts, you do not require a degree in Law. Certification by FIDIC as an expert, such as; Certified Adjudicator, Certified Trainer is more appropriate. Why do you need candidate to hold a degree in Law?</p>
Answer 2:	<p>Paragraph 3 (Scope of Required Services) of the Section 4 (Terms of Reference) of the “Request for Applications” provides details of the required “Legal Advisory Services”. The required specific skills and expertise set forth in the Evaluation Criteria were developed based on the specific needs of MCA-Mongolia that are clearly indicated in the Terms of Reference.</p> <p>With regard to Educational Background; The Consultant shall hold a minimum of a Bachelor’s degree in law; and in addition, if that person holds an Engineering Degree, it will be considered as an advantage</p>