

Ref No: MCA-M/CF/AD/CS/01**PROCUREMENT OF MCA-MONGOLIA
EXTERNAL LEGAL COUNSEL****ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1 (Questions 1-2)
(Date of Issuance: June 9, 2022)**

Question 1:	Our law firm has been operating for (4) years and cooperating with a law firm with more than (15) years of legal experience based on Proposal Engagement and Joint Working agreements. Is it possible to participate in the tender jointly with a law firm with more than (15) years of legal experience based on such a joint working agreement?
Answer 1:	Yes. According to the Mandatory Criterion 1 of the Sub-Clause 5.1 of “Section 2. Instruction to Consultants” of the RFP: “The law firm must have at least ten (10) years of relevant legal experience”. The proposals will be evaluated strictly in accordance with the Evaluation Criteria for Technical Proposal indicated in Clause 5 of “Section 2. Instruction to Consultants” of the RFP. However, one member law firm within a joint venture satisfying the mandatory criteria will be satisfactory even if other member law firms within such joint venture do not meet such criteria. In addition, the experience of the sub-consultants will not be taken into consideration during the evaluation of the Proposals. Consultants (including their partners and associates, if any), sub-consultants, and personnel shall satisfy the eligibility criteria set forth under Sub-Clause 1.6 of “Section 2. Instructions to Consultants” of the RFP.
Question 2:	If it is possible to participate in the tender by cooperating with another law firm, as mentioned above, should we send information about Key Personnel from our law firm? Or should the Key Personnel be from the law firm we are cooperating with?
Answer 2:	Normally, any individual, who agrees to be part of a proposal, can be proposed by the consultants as Key Professional Personnel. The proposed Key Professional Personnel can be a consultant or employee of a firm, an association/JV of firms, or a sub-consultant. However, if the law firm you are cooperating with is relied upon to satisfy the mandatory criterion of being a law firm with at least 10 years of relevant legal experience, then the Key Professional Personnel, who must have an aggregate of 17 years of post-qualification experience, should also be from such law firm.