



ውሃና ኢነርጂ ሚኒስቴር
MINISTRY OF WATER AND ENERGY
የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ | Federal Democratic Republic of Ethiopia

Terms of Reference (TOR) for Legal consultant firm

Contents

- Background.....3
- 1. Purpose of hiring the consultant firm.....3
- 2. Objectives of Assignment.....3
- 3. Scope of Work.....4
- 3.1 Overall duties and Responsibilities.....4
- 3.2 Accountabilities/Responsibilities:.....4
- 4. Deliverables.....5
- 4.1. Mode of deliverables (report and time table).....5
- 5. Consultant Team Composition (key stuffs).....6
- 6. Consultant’s Administration.....7
- 7. Knowledge and Skills:.....7
- 8. Timeline.....8
- 9. Payment Modality for the Consultant.....8
- 10. Job Location.....8
- 11. Confidentiality.....8
- 12. Languages.....9
- 13.ApplicationProcedure.....11

Background

The Ministry of Water and Energy of Ethiopia (MoWE) is a federal organization established under the law of proclamation no. 1263/2021 art.6/13 to undertake the management of water and energy resources of Ethiopia. This involves development, planning and management of water and energy resources, development of policies, strategies and programs, develop and implement water and energy sector laws and regulations, conduct study and research activities, provide technical support to regional water and energy bureaus and offices and sign international agreements.

The Ministry of Water and Energy has established organizational structure designed to effectively implement its founding mission and objectives.

To achieve its objective, strengthening the legal capacity of the ministry has been deemed essential. Accordingly, in recognition of the need to support and enhance the professionals within the ministry, and to ensure the provision of comprehensive legal assistance, the Ministry's leadership has decided to hire a Legal Advisor firm.

The legal consultant firm should play a critical role in ensuring that the Ministry's operations are conducted in compliance with applicable laws. It provides legal support and works collaboratively with the Ministry's core Executives to address legal matters arising from their activities.

1. Purpose of hiring the consultant firm

The purpose of legal consultant firm is to provide expert legal advice, interpretation of laws, and assistance in navigating complex legal matters for the ministry objectives based and ensuring compliance, protecting rights, and enabling clients to avoid legal risks through professional, tailored guidance and make informed decision without acting as traditional court-based legal representative and they focus on project-based work.

These legal consultant act as trusted advisors who offer practical solutions, assist in drafting documents to achieve their objectives.

2. Objectives of Assignment

The primary objective of hiring a legal consultant firm is to ensure compliance with applicable laws and regulations, provide legal advice, support without litigation, strategic guidance, offer project-based solution and manage legal risks associated with specific project or on the ministry needs.

3. Scope of Work

3.1 Overall duties and Responsibilities

The primary focus of the consultancy service is on matters related to agreements with internal parties, external parties or contractors. The Legal firm may work on assignments in other areas of activity based on needs and expressed institutional interests. The Legal Consultant will be assigned to the Contractual and other legal advisory services;

3.2 Accountabilities/Responsibilities:

Under the general supervision of the ministry, the Legal Consultant will be responsible for the following key duties:

- Undertake extensive legal research and analysis; handle a range of multi-disciplinary complex legal matters including interpretation and application of various legal instruments in the relevant area of concentration to facilitate the provision of quality legal services.
- Review legal documents, identify and analyze important issues, presenting findings and recommendations for internal review to contribute to the decision-making process,
- Prepare or assist in preparation of legal opinions or advice on a wide range of legal issues background papers, studies, memoranda, reports and other legal documents.
- Negotiate and prepare agreements and contracts with public and private entities and assisting with contractual interpretation and dispute resolution activities.
- Identify potential liabilities, particularly vis-à-vis third parties, and assist in the management of risks in the ministry's activities to facilitate well-informed decisions.
- Participate in negotiations and settlement of claims and disputes with public and private entities. Prepare and assess briefs of evidence to contribute to legal analysis and solutions.
- Assist in providing legal advice on all aspects in all law in general and construction law in particular.
- Maintain organized records of all legal documents and correspondence.
- Ensure confidentiality and security of sensitive information.
- Assist in providing legal advice on a full range of issues regarding the interpretation and application of contractual agreement on the legal framework.
- Assist senior Legal Officers in servicing committees, task forces, expert working groups and other bodies with legal advice and preparation/review of legal documents to contribute to the strict implementation of laws.
- Perform other related duties, as required.
- Trainings (if necessary)

4. Deliverables

The firm will be required to submit the following deliverables from time to time:

Based on individual contracts and standard legal practices, deliverables for legal consultant firm generally include various drafts and final legal documents, Internal rules of procedure, Policy documents and guidelines, standard forms and negotiation support, contract **review and analysis** and presentations

Periodic reports on all matters being handled (ongoing & completed) on behalf of the ministry is the focal point for receiving and approving of all reports related to the assignment.

4.1. Mode of deliverables (report and time table)

Here is a detailed breakdown of the modes of deliverables that a legal consultant firm can provide to the ministry.

- Formal Written Opinions & Reports: - in-depth, formal documents that provide a definitive analysis of a legal issue.
- Formal Legal Opinion Letter: - A binding document stating the firm's legal conclusion on a specific matter (e.g., the legality of a proposed action, tax implications of a transaction, interpretation of a contract clause) to provide the client with a defensible position, often used for internal governance, or to satisfy regulatory requirements.
- Due Diligence Report: - To identify legal risks, liabilities, and compliance gaps.
- Compliance Audit Report: - A systematic review of the ministry adherence to applicable laws and regulations (e.g., data privacy, environmental, employment laws). To uncover compliance gaps and recommend corrective actions.
- Drafted Legal Instruments: - These are the tangible legal "products" that govern the ministries relationships and operations like Drafting or heavily reviewing bespoke contracts.
- Policies & Procedures: - Developing internal policies to ensure legal compliance and mitigate risk. The policy document, often with implementation guidelines and training materials for staff.

- Strategic & Advisory Communications:- Concise, proactive updates on recent changes in law or emerging legal risks that could impact the ministry.

5. Consultant Team Composition (key stuffs)

5.1 Legal directorate: - The most senior role, responsible for the overall legal strategy and management of the legal department and its budget.

5.2 Legal consultant: -Lawyers, who provide day-to-day legal support, often specialize in specific areas like intellectual property, employment law, or corporate law.

5.3 Senior Legal Consultant:-More experienced lawyers who often handle complex legal work and provide advice in their area of expertise

S/N	Position	No of person	Qualification and Experience	Office	Field	Person Month
1	Legal directorate	1	LLM degree with eight years of practical experiences in law or LLB degree with 10 years of practical experiences of which At least 7 years relevant experiences in construction law or legal practice In-depth knowledge of civil law, construction law, contract law, and regulatory compliance Working with government Institutions dealing with construction projects or construction Contract	12	-	12
2	Senior legal consultant	1	LLM degree with six years of practical experiences in law or LLB degree with 8 years of	12	-	12

			practical experiences of which At least 5 years relevant experiences in construction law practice In-depth knowledge of civil law, construction law, contract law, and regulatory compliance Working with government Institutions dealing with construction projects or construction Contract			
3	Legal consultant	1	LLM degree with four years of practical experiences in law or LLB degree with six years of practical experiences of which At least 4 years relevant experiences in construction law or legal practice In-depth knowledge of civil law, construction law, contract law, and regulatory compliance Working with government Institutions dealing with construction projects or construction Contract	3	-	3

6. Consultant's Administration

The consultant firm is directly accountable to the MoWE but works in cooperation with the legal executive officer on issues regarding the execution of the intended work.

7. Knowledge and Skills:

Technical knowledge of, and experience in Comprehensive knowledge of civil law, construction law, contract law, and regulatory compliance and demonstrated ability to draft contracts that are appropriate to contractual counterparty and context.

- Solution oriented and proactive with excellent communication skills and commercial acumen
- Adaptability and ability to work on a wide range of legal issues.
- Strong time management and priorities management skills.
- Excellent verbal and written communication skills for clear reporting and stakeholder engagement.
- proficient at Microsoft office, excel,
- General knowledge of the legal system of the country, policies, rules, regulations and procedures is an asset.
- Extensive experience collaborating with government institutions on construction projects and contracts

8. Experience of the firm

The firm should have deep and current understanding of the Ethiopian legal frame work as well as international experience like international arbitration

The legal consultant firm should have an experience of 3-5 years

9. Timeline

- The Consultancy is full time assignment and will be contracted for a period of one year with the understanding that the contract will be renewed every year based on evaluation of performance.

10. Payment Modality for the Consultant

Payment modality will be made up on the Submission of summarized monthly report on time-based fee according to the contract.

11. Job Location

Addis Ababa, at the ministry of water and energy

12. Confidentiality

Requiring the consultant to maintain the confidentiality of all information accessed during the consultancy.

The consultant shall maintain the confidentiality of all proprietary and confidential information of the ministry and shall not disclose such information to any third party without the prior written consent of the ministry

13. Languages

Fluency in oral and written English, Amharic is an asset. (Add additional language)

14. Application Procedure

Interested applicants are invited to submit their applications with relevant documents. The Ministry is committed to fostering diversity and inclusion in our workforce and strongly encourages qualified female applicants to apply for this position.