

22-08-2023

Expression of Interest for Legal Consultation on setting up an international campus of IIT Delhi

Indian Institute of Technology Delhi (IIT Delhi), an autonomous institution of the Government of India, is a premier educational institution in India, involved in higher education in engineering, sciences, management, and humanities. Details about IIT Delhi may be found at: <https://www.iitd.ac.in/>.

A Memorandum of Understanding has been signed recently between the Ministry of Education, Government of India (MoE), Abu Dhabi Department of Education and Knowledge (ADEK), and IIT Delhi for setting up an international campus of IIT Delhi in Abu Dhabi. The international campus of IIT Delhi is aimed at expanding the reach and impact of IIT Delhi's academic excellence abroad, with the objective of providing an efficient and effective higher educational platform to the UAE. It is envisioned that IIT Delhi's Abu Dhabi campus should set the highest standards of academics and research in the UAE and contribute to the local ecosystem, as well as address global challenges. The proposed international campus will be funded by various stakeholders and governed by the laws of Abu Dhabi and the UAE. However, academic control and overall governance will remain with IIT Delhi.

In light of these considerations, we invite a law firm to submit an Expression of Interest (EOI) for providing legal consultation services pertaining to the establishment of IIT Delhi's international campus in Abu Dhabi.

Relevant expertise in international law, cross-border collaborations in higher education, and past experience in providing legal services setting up international campuses/institutions of higher education is a requirement for being considered for the proposed engagement.

The scope of services in Phase I (3 months) expected from the selected law firm may include, but is not limited to:

- Conducting a comprehensive review and analysis of the legal implications associated with cross-border educational collaborations, particularly in the context of India and the relevant partner country.
- Advising on the legal requirements and compliance obligations under Indian law, partner country law, and any applicable international laws and regulations.
- Advising on different statutory forms of the international campus entity that can be established and the pros and cons of each, and different modes of revenue sharing that can be adopted under each of the statutory forms.
- Advice on the creation of a non-profit Special Purpose Vehicle (SPV) for managing the funds and relevant operations of the campus and legal consultation for matters pertaining to the SPV.
- Assisting in drafting and reviewing agreements, contracts, and other legal documents necessary for the establishment and operation of the campus.
- Providing guidance on intellectual property rights, licensing, and technology transfer agreements, ensuring the protection and enforcement of IIT Delhi's intellectual assets.
- Facilitating negotiations and interactions with relevant authorities, stakeholders, and regulatory bodies in India and the partner country.

- Offering expertise in resolving any legal disputes or challenges that may arise during the course of the engagement. If required, representing IIT Delhi for legal negotiations with partners.
- Conducting due diligence and risk assessments to identify potential legal and regulatory issues that may impact the project.
- Draft the requirements of other clauses that may be required for the smooth running of the international campus (including an exit clause in case such an eventuality arises).
- Any other legal / statutory / governance matter brought forward by IIT Delhi.

(The above-specified works are indicative in nature. The actual work elements may differ from this within the broader scope of the legal consultation.)

To express interest in this engagement, the law firm is requested to provide the following information:

- An overview of your law firm, including its expertise and experience in international higher education collaborations and cross-border legal matters.
- The overview should include information on the annual turnover of the law firm for the past five years, specifically highlighting the engagements in the higher education space and, in particular, revenue generated from setting up of offshore campus projects.
- Details of previous engagements with educational institutions and organizations involved in international projects, especially those related to India and outside-India jurisdictions (in particular in the UAE and the Middle East, if applicable).
- Information on key cases related to higher education fought by the firm in India and/or abroad, and their outcomes.
- A summary of the key legal professionals who would be involved in this engagement, highlighting their relevant experience and qualifications.
- A proposed approach and timeline for conducting the necessary legal research, analysis, and deliverables.
- **Financials are not to be included in the Expression of Interest.** The evaluation at this stage will only be based on the expertise, past track record, and capability and plan for timely delivery of the project objectives. Separate financial proposals will be sought from the shortlisted parties.

Expressions of interest are being sought for Phase 1 (which will be an initial engagement for advice for a period of 2 months). In this phase, legal advice is being sought for drafting appropriate partnership documents and for enabling the startup of the venture. Terms and conditions of this contract will be agreed to before initiation of this contract.

During the 3-month period, continuous engagement on a daily basis is expected between your firm and officials at IIT Delhi. During the 3-month period, there will be a weekly update meeting covering the various parts of the project (listed above), and a strict timeline will be required to be adhered.

It is expected that the 3-month engagement will be followed by a Phase 2 long-term legal consulting during the startup and operationalization phase of the campus. Phase 2 contract will be awarded on completion of Phase 1 and on satisfactory delivery of required legal services. Terms and conditions will be negotiated at that time.

Based on the responses received to this EOI, one or more than one bidder shall be shortlisted to participate in a second stage (RFP).

It is requested that your expression of interest, along with the requested information, be submitted latest by 31.08.2023 via the e-procurement link.

Name of Organization	Indian Institute of Technology Delhi
Tender Type (Open/Limited/EOI/Auction/Single/Global)	EOI
Tender Category (Services/Goods/works)	Services
Type/Form of Contract (Work/Supply/ Auction/ Service/ Buy/ Empanelment/ Sell)	Expression of Interest for Legal Consultation on setting up an international campus of IIT Delhi
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Last Date and Time for submission of Application form	01-09-2023 at (15:00 Hrs)
Address for Communication	Prof. Shantanu Roy, LH-326, Abu Dhabi Campus, IIT Delhi-110016
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Please reach out to coordinator_iit_ad@iitd.ac.in for further information, with a copy to office_iit_ad@admin.iitd.ac.in .

Disclaimer:

This Eol is not an agreement and is neither an offer nor an invitation by the Authority to the prospective applicants or any other person. The purpose of this Eol is to provide interested parties with information that may be useful to them in the formulation of their applications pursuant to this Eol. This Eol includes statements that reflect various assumptions and assessments arrived at in relation to the legal consultancy, that may not be entirely accurate. The Authority may, in its absolute discretion but without being under any obligation to do so, update, amend, or supplement the information, assessment, or assumptions contained in this Eol. The Authority reserves the right to recall the Eol in its entirety or in part.