Montenegro

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Ministry of Economic Development

**PUBLIC INVITATION TO DOMESTIC AND INTERNATIONAL LAW FIRMS TO SUBMIT BIDS FOR ADVOCACY OF MINISTRY OF ECONOMIC DEVELOPMENT IN ARBITRAL PROCEDURE**

**INITIATIED BY ADRIATIC PROPERTIES LLC**

Adriatic Properties LLC Budva has submitted the Request for Arbitration to the Ministry of Economic Development, and to the companies Budvanska Rivijera JSC, HTP Miločer and Sveti Stefan Hoteli JSC, in accordance with the:

* article 39 of the lease agreement signed on 31 January 2007 between the parties – HTP Budvanska Rivijera JSC (landlord), Adriatic Properties LLC (tenant), Aidway Investments Limited (guarantor) and Ministry of Tourism of Montenegro, now Ministry of Economic Development (guarantor);
* article 40 of the lease agreement signed on 31 January 2007 between the parties – HTP Miločer LLC (landlord), Adriatic Properties LLC (tenant), Aidway Investments Limited (guarantor). General Hotel Management Limited (operator) and Ministry of Tourism of Montenegro, now Ministry of Economic Development (guarantor).

Ministry of Economic Development invites all interested domestic and international law firms, with experience in representing states and/or state owned enterprises in arbitral procedures under the LCIA Rules, to submit a bid with a specification of prices of services, individually in stages, for Ministry of economic development in arbitral procedure initiated by Adriatic Properties LLC Budva against Ministry of Economic Development, and to the companies Budvanska Rivijera JSC, HTP Miločer and Sveti Stefan Hoteli JSC.

The law firm shall offer legal advice and legal assistance concerning Arbitral procedure, i.e. the following services:

1. making of legal analysis of the case – overview and legal analysis of documentation concerning the Arbitral procedure;
2. drafting and submitting of pleadings for the purpose of running the Arbitral procedure;
3. making of pleadings in relation to appointment of arbiter, i.e. in relation with forming of court in the Arbitral procedure;
4. consultations with clients at hearings concerning the issues of significance to running the Arbitral procedure;
5. advocacy of clients at hearings within the Arbitral procedure;
6. other legal services in relation with the Arbitral procedure.

Qualification (obligatory) terms which are subject of scoring:

* Previous experience in representing states in arbitral procedures under LCIA Rules;
* Previous experience in arbitral procedures under LCIA Rules, by at least 3 members of the law firm that would offer services in the Arbitral procedure;

The offer shall specifically encompass the following elements:

* Names and biographies of the team’s proposed members;
* Structure and references of lawyers that would offer services in accordance with the arbitral procedure;
* Candidate’s profile, details on experience and similar engagements, including information and detailed description of the role of the attorney within the similar affairs (especially within the arbitral procedures under LCIA Rules);
* Declaration on non-existence of conflict of interest, in written form;
* Declaration on lawyer’s availability until the closing of the procedure, in written form;
* Financial offer.

*Note: Unless specified in the offer, it shall be deemed that costs of hiring a local counsel are included in the financial offer of international bidders, and vice versa.*

Election of the attorney will be done in accordance with the following criteria:

* Qualification (obligatory) terms ......................................................70 points,
* Financial offer …….........................................................................30 points.

Deadline for submitting offers is November 26 2021, at 15:00 (local time).

Qualification and financial offers are to be submitted in electronic form in Montenegrin or English, , with clearly written subject designation: “*Bid for election of legal representative for advocacy of Ministry of Economic Development in arbitral procedure against Adriatic Properties LLC “* to the following email address [vasilije.carapic@mek.gov.me](mailto:vasilije.carapic@mek.gov.me).

**Law on Public Procurements is not applied to procurements of services of arbitrage (article14, paragraph 1, line 4 and 5a).**