

**Notification: Scoping/ need assessment study in Mozambique**  
**Organisation: The Netherlands Enterprise Agency**

The Netherlands Enterprise Agency (in Dutch: Rijksdienst voor Ondernemend Nederland, RVO) encourages entrepreneurs in sustainable, agrarian, innovative and international business. It helps with grants, finding business partners, know-how and compliance with laws and regulations.

The aim is to improve opportunities for entrepreneurs and strengthen their position. The Agency works at the instigation of ministries and the European Union.

RVO is part of the Ministry of Economic Affairs.

More information about RVO can be found on: [www.rvo.nl](http://www.rvo.nl) and <http://english.rvo.nl/>.

**Purpose of the notification**

The purpose of the notice is to determine whether there are on the short term suppliers able to contribute to the project:

**Extent and duration**

The project will run from March until 31 December 2016.

**Background information**

Mozambique has been a strong economic performer in Africa since the end of the Civil war in 1992. The growth record has been remarkable, averaging above 7 percent from 1993 to 2010, making Mozambique the fastest growing non-oil economy in Sub-Saharan Africa. Despite the promising progress, significant challenges remain. Despite the fact that the country's social performance indicators show some improvement compared to previous years, they are still at a low level.

Infrastructure is still insufficient, and the business environment needs to be improved further. The gas discovered demands for a huge investment for its exploration and production, coupled with the complexity of the technologies to be used and lack of proper legal regime, being all this the reason why the Concessionaires have proposed approval of a special legal regime different from the existing and in force.

Thus, by Decree-Law No. 2/2014, of 2 December, the Council of Ministers approved Special Legal and Contractual Regime Applicable to LNG Project in Areas 1 and 4 of the Rovuma Basin, able to tailor the current legislation in the various sectors to the particularities and peculiarities of the Liquid Natural Gas (LNG) Project, such as in regard to the labour regime, tax, maritime, foreign exchange, insurance, immigration and administrative procedures.

Given the specificity of the subject and the lack of knowledge and experience, it is important and necessary to hire a highly qualified consultant team to provide advice to Ministry of Transport and Communication (MTC) in the structuring of concession contracts for the Material Offloading Facility (MOF) and LNG Maritime Terminal, as well as the preparation of relevant and necessary documents for the best implementation and operation of LNG and commercial port facilities in Palma, North Mozambique. In order to cope with this subject, the Ministry of Transport and Communication (MTC) requested the Embassy of the Kingdom of the Netherlands for assistance.

In November/December 2015 an need assessment study was implemented by a consortium of consultants in close cooperation with The Ministry of Transport and Communication.

### **Aim of the study**

The aim of the underlying assignment is to advise the Ministry of Communication and Transport during the next months in the areas identified in the needs assessment study. During this period, the MTC staff will get on-the-job training in order to have successful negotiations with the concessionaires of the port of Palma.

### **Goals and deliverables**

The goal of the assignment is to support the MTC getting insight in the complexity of concession contract negotiations and structuring of concession contracts documents needed for the implementation of LNG and commercial port facilities. It will strengthen the capacity of MTC staff were needed.

In the need assessment study, a number of options have been formulated. The options vary depending on MTC's role in the context of the negotiation at large and the relevant information available related which would be required for the role concerned. The options have been divided in *Legal Options* and *Maritime Options*. Also *Integrated Options* have been suggested. These option will be further discussed with the MTC team and will form the basis of the work plan. The selected option(s) need to be further elaborated and related activities presented in a time line.

The deliverables of the assignment will be:

- A work plan elaborated together with the staff of MTC and approved by the management of MTC.
- Report describing the flow of the work plan and the results of the interventions implemented by the team.

The work plan will be submitted as Result 1; the report as Final Report.

### **Required Skills/ Experience**

The company or companies (in case of an consortium) should indicate that they

- Have experience in integrated multidisciplinary port and infrastructure development and port privatisation
- Have knowledge and skills with regard to negotiation of LNG port concession contracts and port management contracts;
- Have knowledge and skills in financial modelling of LNG port management and operations;
- Have knowledge and experience in the field of oil and gas Production Sharing Agreements, their legislative regimes, investment treaties and tax treaties;
- Have sufficient proven skills in negotiation and capacity building processes to implement the assignment;
- Have knowledge of the LNG sector developments and port infrastructure development in Mozambique;
- Ability to read and understand Portuguese contract language; basic ability to speak Portuguese.

### **Application**

Interested companies / consultants, fitting the above mentioned requirements, are invited to respond if they are interested to the Ministry of Economic Affairs, to the attention of Ms A. Ramadhin by e-mail [andjanie.ramadhin@rvo.nl](mailto:andjanie.ramadhin@rvo.nl)

You do not have to send documents; only a response if you are interested.

### **Question**

**Are you able to start and perform the assignment on a very short notice?**

The deadline for responding to this Notification is set at 15 February 2016.