Clarification to the Request for Proposals – External Counsel Panel

Local Counsel and Jurisdictional Coverage

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Clarification regarding local counsel and jurisdictional coverage

The RFP already provides for legal services to be delivered directly by an appointed Panel Firm or, where appropriate, through affiliated offices, network firms or local counsel.

For the jurisdictions in which EIT Culture & Creativity currently has Participating Entities / CLCs, tenderers should provide the information requested in the RFP regarding their proposed coverage model and the applicable treatment of local counsel / affiliated office fees.

EIT Culture & Creativity may also require legal advice in other jurisdictions during the term of the Framework Agreement. Tenderers are not required to provide advance rates for every possible additional jurisdiction worldwide.

Where legal advice is required in a jurisdiction that is not covered directly by the relevant Panel Firm, or where the proposed local counsel / affiliated office and its fees have not already been addressed in the tender, the Panel Firm may propose a suitably qualified affiliated office, network firm or local counsel for the specific assignment. The Panel Firm should provide EIT Culture & Creativity with the proposed fee arrangement or estimate for approval before such local counsel is engaged.

In proposing local counsel, the Panel Firm should have regard to relevant expertise, jurisdictional capability, conflicts of interest, availability and value for money.

The intended model under the Framework Agreement is that the appointed Panel Firm remains EIT Culture & Creativity's contractual counterparty and remains responsible for the coordination and delivery of the relevant legal services, including services provided through local counsel. Local counsel fees or charges must be transparent and agreed as part of the relevant Call-off or approved in advance.

Where EIT Culture & Creativity instead decides to contract directly with a separate local law firm, such engagement would be treated separately and would be subject to the applicable procurement requirements.