



**Democratic Socialist Republic of Sri Lanka
Ministry of Justice**

**Pre-Qualification
for
Design, Supply, Implementation and
Maintenance of a Court Automation System
for Judicial System of Sri Lanka**

RQPQ No: MOJ/AC/26/21/2021

April 2021

Invitation for Pre-Qualification of Information Systems

Design, Supply, Implementation and Maintenance of a Court Automation Solution for the Judicial System of Sri Lanka **MOJ/AC/26/21/2021**

1. The Chairman, Cabinet Appointed Procurement Committee on behalf **Ministry of Justice, Sri Lanka** intends to prequalify Applicants for Design, Supply, Implementation and Maintenance of a Court Automation System covering below key functionalities but not limited to:
 - e-Filing System
 - Court Management System
 - Court Recording and Transcription System
 2. Applicant should be capable of Design, Supply, Implementation and Maintenance of a Court Automation System in the selected 100 Court houses within stipulated project timeline. A detailed scope is indicated in the Section V, Scope of Purchaser's Requirement of the Pre-Qualification document.
 3. Pre-Qualification and the Bidding Process will be conducted through the procedures as specified in the GOSL Procurement Guidelines: Information Systems and the request for proposal (RFP) will be conducted through 'Single Stage Two Envelope Bidding procedure'.
- In the case of a joint venture, foreign companies are eligible to participate as joint venture partners. However, the prime bidder should be a company registered in Sri Lanka.**
4. Interested eligible applicants may obtain further information and collect the Pre-Qualification document during office hours (**from 0900 hrs. to 1600 hrs.**) from:

Mr. D. Thushara F. Suraweera
Additional Secretary (Reforms)
Ministry of Justice
Kaluthota Building,
No- 19, Sangharaja Mawatha,
Colombo 10, Sri Lanka
Email: adlsec reforms@moj.gov.lk | Contact: 0112-446218

Further, the Pre-Qualification document will be made available on the Ministry of Justice website - www.moj.gov.lk . Potential applicants are requested to register online by filling the online registration form published in the Ministry of Justice Website - www.moj.gov.lk under procurement notices.

Responses should be delivered to below mentioned address on or before **1500 hrs., 25th May 2021**. Envelope containing the Pre-Qualification documents to be marked on the top left-hand corner ***“Pre-Qualification: Design, Supply, Implementation and Maintenance of a Court Automation System”*** and responses should be sent in two (02) hard copies (original & a copy) and one (01) soft copy in pdf format, to the following address:

Accountant (Procurement)
Ministry of Justice
3rd Floor, Superior Courts Complex
Colombo 12, Sri Lanka
Contact: 0112438178

Chairman
Cabinet Appointed Procurement Committee
Court Automation Project - Ministry of Justice

Table of Contents

PART 1: Pre-Qualification Procedures

Section I - Instructions to: Applicants (ITA).....	06
Section II - Pre-Qualification Data Sheet (PQDS).....	18
Section III - Pre-Qualification Criteria and Requirements.....	23
Section IV - Application Forms.....	26

PART 2: Purchaser's Requirements

Section V - Scope of Purchaser's Requirement.....	38
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PART 1 – Pre-Qualification Procedures

Section I - Instructions to Applicants

A. General

1. Scope of Application

- 1.1 In connection with the invitation for Pre-Qualification indicated in Section II, Pre-Qualification Data Sheet (**PQDS**), the Purchaser, as defined **in the PQDS**, issues this Pre-Qualification Document (“Pre-Qualification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for Pre-Qualification to submit Proposals for the Information Systems Supply and Installation described in Section V, Scope of Purchaser’s Requirement. In case proposals for the Information Systems Supply and Installation are to be invited as individual contracts (i.e., the slice and package procedure), these are listed **in the PQDS**.
- 1.2 For the purposes of this Pre-Qualification Document, the term “Information System” means all:
 - (a) the required information technologies, including all information processing and communications-related hardware, software, supplies, and consumable items that the Supplier is required to supply and install under the Contract, plus all associated documentation, and all other materials and goods to be supplied, installed, integrated, and made operational; and
 - (b) the related software development, transportation, insurance, installation, customization, integration, commissioning, training, technical support, maintenance, repair, and other services necessary for proper operation of the Information System to be provided by the selected Proposer as specified in Section V, Scope of Purchaser’s Requirement.

2. Eligible Applicants

- 2.1 Applicants shall meet the eligibility criteria as per this Instruction.
- 2.2 An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 2.8 - or any combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire

Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the Pre-Qualification process, RFP process (in the event the JV submits a Proposal) and during contract execution (in the event the JV is awarded the Contract). Unless specified **in the PQDS**, there is no limit on the number of members in a JV.

- 2.3 A firm is not permitted to participate for Pre-Qualification for the same contract both as an individual firm and as a part of a joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Application but only in the capacity of a subcontractor. Applications submitted in violation of this procedure will be rejected.
- 2.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) are not permitted to submit more than one application for Pre-Qualification for the same contract, either individually, as joint venture or as a subcontractor among them. Applications submitted in violation of this procedure will be rejected.
- 2.5 Only Sri Lankan Firms/ Applicants are allowed to submit the applications **unless specified in PQDS**.
- 2.6 Applicants and proposed specialized sub-contractors or suppliers for any part of the Contract including related services (for the purpose of this ITA 2.6 referred to as “Applicants”) shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the Purchaser’s Requirement (other than design to be carried out as part of this Information System Supply and Installation contract) or have been hired or proposed to be hired by the Purchaser as Project Manager for contract implementation of the Information Systems Design, Supply and Installation that are the subject of this Pre-qualification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Purchaser (or of the project implementing agency) who:
 - (i) are directly or indirectly involved in the preparation of the Pre-Qualification Document or Request for Proposals (RFP) Document or specifications of the Contract, and/or

the Proposal evaluation process of such Contract; or (ii) would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable throughout the procurement process and execution of the Contract.

- 2.7 The list of debarred firms and individuals is available as specified **in the PQDS**.
- 2.8 Applicants that are state-owned enterprise or institutions in the Purchaser's Country may be eligible to be initially selected, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to purchaser, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of the Purchaser.
- 2.9 An Applicant shall not be under suspension from bidding or submitting proposals by the Purchaser as the result of the execution of a Bid or Proposal–Securing Declaration.
- 2.10 An Applicant shall provide such documentary evidence of eligibility satisfactory to the Purchaser, as the Purchaser shall reasonably request.

B. Contents of the Pre-Qualification Document

3. Sections of Pre-Qualification Document

- 3.1 This Pre-Qualification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 5.

PART 1 Pre-Qualification Procedures

- Section I - Instructions to Applicants (ITA)
- Section II - Pre-Qualification Data Sheet (PQDS)
- Section III - Pre-Qualification Criteria and Requirements
- Section IV - Application Forms

PART 2 Purchaser's Requirements

- Section V - Scope of Purchaser's Requirement

- 3.2 Unless obtained directly from the Purchaser, the Purchaser accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Pre-Qualification Document in accordance with ITA 5. In case of any discrepancies, documents issued directly by the Purchaser shall prevail.
 - 3.3 The Applicant is expected to examine all instructions, forms, and terms in the Pre-Qualification Document and to furnish with its Application all information or documentation as is required by the Pre-Qualification Document.
- 4. Clarification of Pre-Qualification Document and Pre-Application Meeting**
- 4.1 An Applicant requiring any clarification of the Pre-Qualification Document shall contact the Purchaser in writing at the Purchaser's address indicated **in the PQDS**. The Purchaser will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Purchaser shall forward a copy of its response to all prospective Applicants who have obtained the Pre-Qualification Document directly from the Purchaser, including a description of the inquiry but without identifying its source. If so, indicated **in the PQDS**, the Purchaser shall also promptly publish its response at the web page identified **in the PQDS**. Should the Purchaser deem it necessary to amend the Pre-Qualification Document because of a clarification, it shall do so following the procedure under ITA 5 and in accordance with the provisions of ITA 14.2.
 - 4.2 If indicated **in the PQDS**, the Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned **in the PQDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Pre-Qualification Document.
 - 4.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Pre-Qualification Document. Any

modification to the Pre-Qualification Document that may become necessary as a result of the pre-Application meeting shall be made by the Purchaser exclusively through the use of an Addendum pursuant to ITA 5. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

5. Amendment of Pre-Qualification Document

- 5.1 At any time prior to the deadline for submission of Applications, the Purchaser may amend the Pre-Qualification Document by issuing an Addendum.
- 5.2 Any Addendum issued shall be part of the Pre-Qualification Document and shall be communicated in writing to all Applicants who have obtained the Pre-Qualification Document from the Purchaser. The Purchaser shall promptly publish the Addendum at the Purchaser's web page identified **in the PQDS**.
- 5.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Purchaser may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 14.2.

C. Preparation of Applications

6. Cost of Applications

- 6.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Purchaser will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Pre-Qualification process.

7. Language of Application

- 7.1 The Application as well as all correspondence and documents relating to the Pre-Qualification exchanged by the Applicant and the Purchaser, shall be written in the English language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant documents, in which case, for purposes of interpretation of the Application, the translation shall govern.

8. Documents Comprising the Application

- 8.1 The Application shall comprise the following:
 - (a) **Application Submission Letter**
 - (b) **Eligibility:** documentary evidence establishing the Applicant's eligibility
 - (c) **Qualifications:** documentary evidence

establishing the Applicant's qualifications

- (d) any other document required as specified **in the PQDS**.

8.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application

9. Application Submission Letter

9.1 The Applicant shall complete an Application Submission Letter as provided in Section IV, Application Forms. This Letter must be completed without any alteration to its format.

10. Documents Establishing the Eligibility of the Applicant

10.1 To establish its eligibility in accordance with ITA 2, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV, Application Forms.

11. Documents Establishing the Qualifications of the Applicant

11.1 To establish its qualifications to perform the contract(s) in accordance with Section III - Pre-Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.

11.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:

- For turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year are to be converted).
- Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified **in the PQDS**. Any error in determining the exchange rates in the Application may be corrected by the Purchaser.

12. Signing of the Application and Number of Copies

12.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 8 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign

on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

12.2 The Applicant shall submit copies of the signed original Application, in the number specified **in the PQDS**, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

13. Sealing and Marking of Applications

13.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

- (a) bear the name and address of the Applicant.
- (b) be addressed to the Purchaser
- (c) bear the specific identification of this Pre-Qualification process indicated **in the PQDS**

14. Deadline for Submission of Applications

14.1 Applicants may either submit their Applications by registered post or by hand. Applications shall be received by the Purchaser at the address and no later than the deadline indicated.

14.2 The Purchaser may, at its discretion, extend the deadline for the submission of Applications by amending the Pre-Qualification Document, in which case all rights and obligations of the Purchaser and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

15. Late Applications

15.1 The Purchaser reserves the right to accept applications received after the deadline for submission of applications for the pre-qualification.

16. Opening of Applications

16.1 The Purchaser shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

17. Confidentiality

17.1 Information relating to the Applications, their evaluation and results of the Pre-Qualification shall not be disclosed to Applicants or any other persons not officially concerned with the Pre-Qualification process until the notification of Pre-Qualification results is made to all Applicants

17.2 From the deadline for submission of Applications to the time of notification of the results of the Pre-qualification, any Applicant that wishes to contact the Purchaser on any matter related to the Pre-Qualification process may do so only in writing.

18. Clarification of Applications

18.1 To assist in the evaluation of Applications, the Purchaser may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period. Any request for clarification from the Purchaser and all clarifications from the Applicant shall be in writing.

18.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Purchaser's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

19. Responsiveness of Applications

19.1 The Purchaser may reject any Application which is not responsive to the requirements of the Pre-Qualification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification. and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

20. Subcontractors

20.1 Unless otherwise stated **in the PQDS**, the Purchaser does not intend to execute any specific elements of the Information Systems Design, Supply and Installation by sub-contractors selected in advance by the Purchaser (so-called "Nominated Subcontractors").

20.2 The Applicant shall not propose to subcontract the whole of the contract. The Applicant may propose subcontractors for certain specialized parts of the contract. Applicants planning to use such specialized **subcontractors** shall specify, in the Application Submission Letter, the parts of the contract proposed to be subcontracted along with details of the proposed

subcontractors including their qualification and experience.

F. Evaluation of Applications and Pre-Qualification of Applicants

21. Evaluation of Applications

21.1 The Purchaser shall use the factors, methods, criteria, and requirements defined in Pre-Qualification Criteria and Requirements and the PQDS, to evaluate the qualifications of the Applicants, and no other factors, methods, criteria, or requirements shall be used. The Purchaser reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

21.2 Subcontractors proposed by the Applicant shall be fully qualified for their parts of the contract. The subcontractor's qualifications shall not be used by the Applicant to qualify for the contract unless the applicant designates them as Specialized Subcontractors, in which case, the qualifications of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation,

21.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Purchaser shall initially select each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements specified in Pre-Qualification Criteria and Requirements.

21.4 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors, or any other firm(s) different from the Applicant shall not be considered.

22. Purchaser's Right to Accept or Reject Applicants

22.1 The Purchaser reserves the right to accept or reject any Application, and to annul the Pre-Qualification process and reject all Applicants at any time, without thereby incurring any liability to the Applicants.

23. Pre-Qualification of Applicants

23.1 The range of Applicants that the Purchaser may Initially Select (x = minimum number, y = maximum number) is specified in the PQDS.

23.2 The Selection of Applicants involves several steps, as follows:

- (a) **Step 1 - Evaluation:** The first step of Pre-Qualification involves evaluation against the methods, criteria and requirements described in Section III, Table 2: Qualification Criteria and Requirements.
- (b) **Step 2 - Rejection:** Applicants that do not substantially meet the qualification criteria and requirements in Table 2: Qualification Criteria and Requirements will not be evaluated further and will be eliminated from the Pre-Qualification process.
- (c) **Step 3 - Long List:** Applicants that substantially meet the qualification criteria and requirements in Table 2: Qualification Criteria and Requirements are long listed, and will be evaluated further;
- (d) **Step 4 -** Depending on the number of Applicants that are long listed, one of the following options will apply:

All are Initially Selected: Where the number of long listed Applicants is $\leq x$, all long-listed Applicants are Initially Selected. In this scenario, there is no requirement to evaluate these long-listed Applicants.

24. Notification of Pre-qualification

24.1 The Purchaser shall notify all Applicants in writing of the names of those Applicants who have been initially selected. In addition, those Applicants who have been disqualified will be informed separately.

24.2 Applicants that have not been initially selected may write to the Purchaser to request, in writing, the grounds on which they were disqualified.

25. Request for Proposals

25.1 Promptly after the notification of the results of the Pre-qualification, the Purchaser shall invite Proposals from all the Applicants that have been initially selected.

25.2 A shortlist of potential vendors will be selected and formally notified. The shortlisted vendors will then be invited to take part in the Request for Proposal (RFP) process, whereby they provide detailed information relating to the tender in a formal proposal. Vendor RFP's

will then be evaluated, and a substantially responsive bidder will be chosen. A formal contract will be signed with the selected vendor and, if endorsed, the vendor will begin supplying the requested product/ services to the project.

25.3 Bid bond requirement – There is NO bid Bond Required in Pre-Qualification Stage.

**26. Procurement Related
Complaint**

26.1 The procedures for making a Procurement-related Complaint are as specified in the PQDS.

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Section II – Pre-Qualification Data Sheet (PQDS)

Table 1 Pre-Qualification Data Sheet (PQDS)

A. General	
ITA 1.1	The identification of the Invitation for Pre-qualification: Design, Supply, Implementation and Maintenance of a Court Automation System the Purchaser: Ministry of Justice, Sri Lanka
ITA 2.2	Maximum number of members in the JV shall be: Three Authorized representative shall be a member from prime bidders' company.
ITA 2.5	Registered companies in Sri Lanka / Overseas are allowed to participate. In the case of a joint venture, foreign companies are eligible to participate as joint venture partners. However, the prime bidder should be a company registered in Sri Lanka.
B. Contents of the Pre-Qualification Document	
ITA 4.1	For clarification purposes , the Purchaser's address is: Mr. D. Thushara F. Suraweera Additional Secretary (Reforms) Ministry of Justice Superior Courts Complex Colombo 12, Sri Lanka Email: adlsec reforms@moj.gov.lk Contact: 0112446218
ITA 4.2	Pre-Application Meeting will be held: No
C. Preparation of Applications	
ITA 7.1	This Pre-Qualification document has been issued in the English . All correspondence exchange shall be in only in English language. The Application as well as all correspondence shall be submitted in English .

ITA 11.2	The source for determining exchange rates is <i>Central Bank of Sri Lanka</i>
ITA 12.2	In addition to the original, the number of copies to be submitted with the Application is: <i>Two (02) hard copies and One (01) Soft copy in PDF</i>
D. Submission of Applications	
ITA 14.1	<p>The deadline for Application submission is: Date: 25th May 2021 Time: <i>1500 hours</i></p> <p>For Application submission purposes only, the Purchaser's address is: Accountant (Procurement) Ministry of Justice 3rd Floor, Superior Courts Complex Colombo 12, Sri Lanka</p> <p>Applicants <i>shall not</i> have the option of submitting their Applications electronically.</p>
ITA 15.1	Late Applications will be returned unopened to the Applicants.
ITA 16.1	<p>The opening of the Applications shall be at: Date: 25th May 2021 Time: <i>1500 hours</i> Address: Ministry of Justice 3rd Floor, Superior Courts Complex Colombo 12, Sri Lanka</p>
E. Procedures for Evaluation of Applications	
ITA 20.1	<p>At this time, the Purchaser <i>intends</i> to execute certain specific parts of the contract by sub-contractors selected in advance.</p> <p>However, subcontracting will be allowed & evaluated during the RFP stage. Areas of subcontracting will be disclosed in RFP document.</p>

F. Evaluation of Applications and Pre-Qualification of Applicants	
ITA 21.2	The relevant qualifications of the proposed Specialized Subcontractors <i>will not be</i> added to the qualifications of the Applicant for the purpose of evaluation as indicated in Section III - Pre-Qualification Criteria and Requirements.
ITA 23.1	All pre-qualified applicants will be selected
ITA 26.1	<p>The procedures for making a Procurement-related Complaint are detailed in Government procurement guideline.” If an Applicant wishes to make a Procurement-related Complaint, the Applicant should submit its complaint following these procedures, in writing (by the quickest means available, that is either by email or handover), to:</p> <p style="padding-left: 40px;">Secretary, Ministry of Justice Superior Courts Complex Colombo 12, Sri Lanka E-Mail : secretary@moj.gov.lk</p> <p>In summary, at this stage, a Procurement-related Complaint may challenge any of the following:</p> <ol style="list-style-type: none"> 1. the terms of the Pre-Qualification Documents; and 2. the Purchaser’s decision not to initially select an Applicant.

Section III – Pre-Qualification Criteria and Requirements

Table 2 Qualification Criteria and Requirements

[Note to Purchaser: Only applications that are substantially responsive to the qualification criteria and requirements in Table 1 will be selected in this Pre- Qualification process.]

1. Eligibility

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
1.1	Entity	Registered company in Sri Lanka /Overseas	Registered Company in Sri Lanka	Prime bidder Must be a registered company in Sri Lanka	Must Meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter

2. Financial Situation and Performance

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
2.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements estimated as <i>LKR</i> 100 Million	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN – 2.1, with attachments
2.2	Average Annual Turnover	Minimum average annual turnover in Information Systems Design, and/or Supply and/or Installation of <i>LKR</i> 1 Billion calculated as total certified payments received for contracts in progress and/or completed within the last five years.	Must meet requirement	Must meet requirement	Must meet 25 % of the requirement	Prime Bidder must meet 70 % of the requirement	Form FIN – 2.2

3. Experience

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
3.1	General Experience	Experience in Information Systems Design, System Integration and/or Supply and/or Installation contracts in the role of prime contractor, JV member, subcontractor, or management contractor for at least the last five years,	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 3.1
3.2	Specific Experience	A minimum number of <i>three</i> ICT contracts, each valued at least LKR 100 million that have been satisfactorily and substantially ¹ completed as a prime contractor, joint venture member ² or sub-contractor ² , within last five years.	Must meet requirement	Must meet requirement ³	N/A	Prime bidder shall have at least one project in ICT contracts, valued at least LKR 100 million that have been satisfactorily and	Form EXP 3.2

¹Substantial completion shall be based on 80% or more of the contracts completed.

² For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's role and responsibilities shall be considered to meet this requirement.

³ In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated.

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
						substantially ¹ completed as a prime contractor, joint venture member ² or sub-contractor ² , within last five years.	

Section IV – Application Forms

Application Submission Letter

Date: *[insert day, month, and year]*

Project code. and Contract title: *[insert Project code and Contract title]*

To: *[insert full name of Purchaser]*

We, the undersigned, apply to be initially selected for the referenced Request for Proposal (RFP) and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Pre-Qualification Document, including Addendum(s) No(s), issued in accordance with ITA: *[insert the number and issuing date of each addendum]*.
- (b) **No conflict of interest:** We have no conflict of interest in accordance with ITA.
- (c) **Not bound to accept:** We understand that you may cancel the Pre-Qualification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the initially selected Applicants to submit Proposal for the contract subject of this Pre-Qualification process, without incurring any liability to the Applicants, in accordance with ITA.
- (d) **True and correct:** All information, statements and description contained in the Application are in all respect true, correct, and complete to the best of our knowledge and belief.
- (e) **Litigation History:** No consistent history of court/arbitral award decisions against the Applicant¹ since 1st January 2016.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

¹ The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in rejection of the Application.

Duly authorized to sign the Application for and on behalf of:

Applicant's Name *[insert full name of Applicant or the name of the JV]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

Form ELI -1.1

Applicant Information Form

Date: *[insert day, month, year]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <ul style="list-style-type: none"> <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA. <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITA documents establishing: <ul style="list-style-type: none"> • Legal and financial autonomy • Operation under commercial law • Establishing that the Applicant is not under supervision of the Purchaser
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2 Applicant's JV Information Form

[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this Pre-qualification]

Date: *[insert day, month, year]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA. <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Purchaser, in accordance with ITA.
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form FIN – 2.1 Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant’s Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in LKR	Historic information for previous <i>[insert number]</i> years, <i>[insert in words]</i>				
	Year 1	Year 2	Year 3	Year4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information					
Cash Flow from Operating Activities					

2. Sources of Finance

[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.

No.	Source of finance	Amount (LKR)
1		
2		
3		

3. Financial documents

The Applicant and its parties shall provide certified copies 5 most recent annual audited financial statements pursuant Section III, Table 2 –Qualification Criteria, and Requirements Sub-factor 2.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member, and not an affiliated entity (such as parent company or group member).
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

Attached are copies of financial statements² for the *[number]* years required above; and complying with the requirements

² If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Form FIN - 2.2
Average Annual Turnover in Information
Systems Design and/or Supply and/or
Installation

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

Year	Amount Currency	LKR equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>	
** Average Annual Turnover		

** Total LKR equivalent for all years divided by the total number of years. See Section III, Table 2 Qualification Criteria, and Requirements, Sub-factor 2.2.

Form EXP - 3.1

General Experience in Information Systems Design and/or Supply and/or Installation

[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

[As per Section III, Table 2 Qualification Criteria, and Requirements, Sub-Factor 3.1. list contracts chronologically, according to their commencement (starting) dates.]

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

* Refer ITA for date and source of exchange rate.

Form EXP - 3.2 Specific Experience

(Table 2, 3.2)

[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 Project code. and Contract title: *[insert Project code and Contract title]*
 Page *[insert page number]* of *[insert total number]* pages

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October 2017]</i>			
Original contractual completion period				
If there was any delay in completion, provide the period of delay due to contractors default Cause of delay	Force Majeure	Contractually justified extension of time	Contractors default	Others
Period corresponding to cause of delay (months)				
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		LKR	
If member in a JV or sub-contractor, specify share in value in total Contract amount and roles and responsibilities	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>		
	<i>[insert roles and responsibilities]</i>			

Description of the similarity in accordance with Section III Table 2, 3.2	
Complexity	<i>[insert description of complexity]</i>
Scope/Methods/Technology	<i>[insert specific aspects of the Scope/methods/technology involved in the contract]</i>
Other Characteristics	<i>[insert other characteristics as described in Section VII, Scope of Purchaser's Requirements]</i>
Purchaser's Name:	<i>[insert full name]</i>
Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert e-mail address, if available]</i>

* Refer ITA 14 for date and source of exchange rate.

Contract / Applicant's Capability

The applicant shall demonstrate their capability in terms of implementing similar contracts, project management and innovation. (not more than 1000 words)

Note: This will not be considered as a Pre-Qualification criterion.

PART 2 – Purchaser’s Requirements

1. Description of the Information Systems Supply, Installation, Maintenance

1. Background

Ministry of Justice

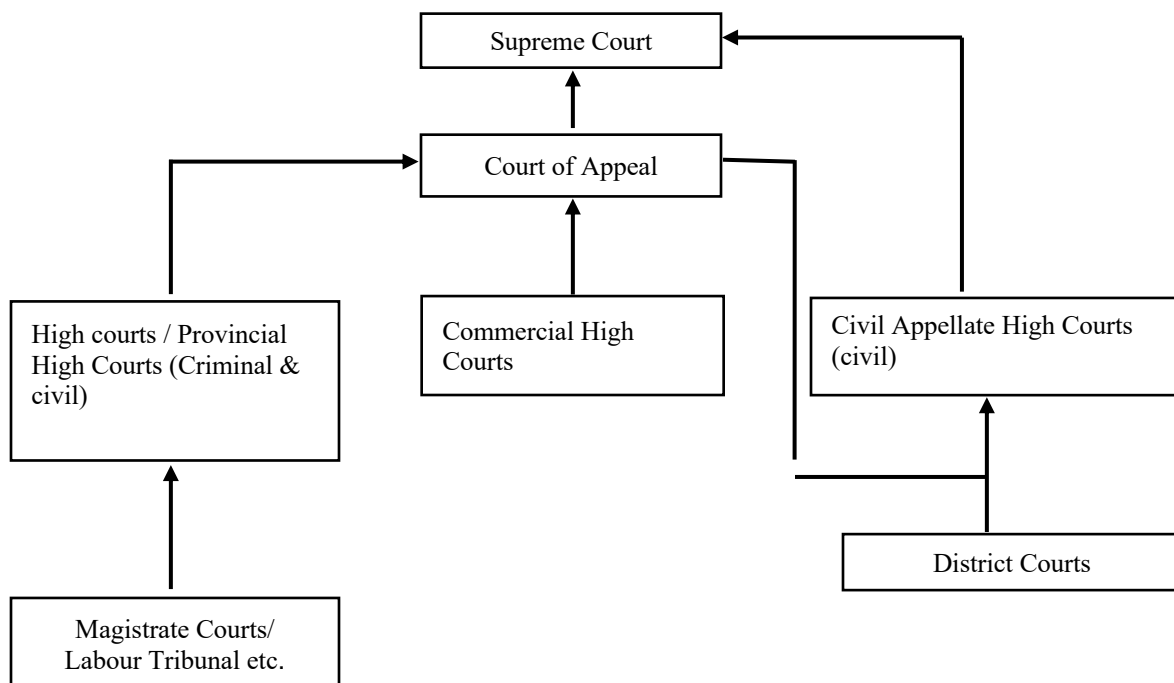
The mission of Ministry of Justice (MOJ);

- ▶ Formulation and implementation of policies plans and programmes aimed at the efficient and meaningful administration of Justice.
- ▶ Law reform for greater recognition, protection and promotion of the rights of the citizens.

The Judicial Service Commission

Judicial Service Commission is vested with the responsibilities of administration of justice, safeguarding independence of judges and maintaining proper human resource management in the support staff in courts. It was incepted as Judicial Services Advisory Board as per the 1972 constitution but was later amended as Judicial Service Commission according to the 1978 constitution. Further, it was given the status of an independent and closed body entity as per the amendments made in 1982 to the constitution.

The Sri Lankan Judiciary system is functioned in the below mentioned hierarchy:



Challenges faced by Judicial system.

The Sri Lankan judicial system faces many issues at present. Prominent issues that the current judicial system confront are as below;

- High backlog of cases
- Overcrowded prisons
- Delays in legal proceedings
- Delays in dispensing judgement
- Lack of mediation boards
- Manual processing of files
- Lack of proper IT infrastructure

While several initiatives have been taken to deploy e-filing systems due to the efforts of several Judges and Court Registrars, there is a need for a holistic approach. The Electronic Transactions (Amendment) Act facilitates the electronic filing of any application, petition, plaint, answer, written submission, or any other document with any Court. This clearly enables the deployment of electronic filing and case management systems in the administration of justice.

The lack of such systems has contributed to Sri Lanka's present state in the Doing Business Index as reflected below:

	2018	2019
Overall Ranking	110 (58.86)	100 (61.22)
Enforcing Contracts (Rank)	165 (39.31)	164 (41.16)
Resolving Insolvency	88 (44.99)	92 (45.05)

Administration of justice efficiently plays an important role in protecting civilians and the democracy of Sri Lanka. The automation of the court systems in Sri Lanka with digital solutions is a long-felt need.

2. Objectives of the Assignment

The main objection of the assignment is to digitalize the entire judiciary system of Sri Lanka. In order to ensure the following benefits are achieved;

- ✓ **Economic development** - Improving efficiency through a comprehensive digital court system will contribute to economic development, improved quality in the judicial administration, speed of access to Justice and great productivity in the judicial systems. This will facilitate a secure business-friendly environment creating greater confidence in the Legal System.

- ✓ **Enforcing contracts and Resolving insolvency** - Efficient and effective court procedures will facilitate improvement in “contract enforcement” through fast-track resolving of disputes. Through this process, the country's position in the Doing Business Index is expected to improve.
- ✓ **Reduce lead time** - The use of digital solutions would drastically reduce the time taken to file cases and manage caseloads. The time-consuming procedures involved in paper-based filing will be eliminated with electronic documents. This would result in fast faster and cheaper access to justice, reducing the obstacles faced by entrepreneurs, SMEs, and the corporate sector as well as citizens.
- ✓ **Reduction of Costs in the administration** – The reduction in the use of paper, costs of storage and the time and efforts associated with existing manual processes will be greatly reduced with the introduction of digital solutions for filing, case management and electronic storage.
- ✓ **Improve efficiency** - A comprehensive digital solution will facilitate judges to use their time more efficiently by reducing the administrative burden associated with managing paper-based processes, including scheduling cases, hearing and tracking the caseload.
- ✓ **Improve Public confidence** - Public confidence and transparency in the administration of justice through timely sharing of information, more reliable statistics for Judicial Administrators and the public.

3. Overview of proposed Court Automation System

The high-level processes of the software application product shall comprise as follows, not to be limited to;

Note: Applicants may develop the system from scratch or deploy existing customizable solution. Further, the Applicant is expected to provide all the source codes, design documents, user manuals and the other relevant documentation available to the purchaser. The ownership of the above shall be transfer to the purchaser.

▶ e-Filing System

The filing process captures lawyers, legal firms, public, relevant government agencies to file documents to the courts electronically through a designated portal or a counter established at court premises. This system will act as a communication portal for the stakeholders of the judicial system. Expected key functions are as below, but not to be limited to;

- Registration of Cases
- Submission of Other Documents
- Fee Payment via Online Banking/ Counter

- Document Authentication
- Document Extraction
- Case Search
- Case Status Updates & Notifications

▶ **Court Management System**

Court Management System (CMS) needs to ensure the timely and organized flow of cases through the court. Further, needs to promote processing efficiency and early control of cases covering all case types applicable to Sri Lankan Law. The system shall contain data of the court locations, court calendars, case types, specific routing paths for each matter type, etc. The system should maintain pathways for Magistrate Court, District Court, High Court, Civil Appellate Court, Court of Appeal, Supreme Court, Motion Process, Sending Notices, Stenography Process, Bail Management, Evidence Management, etc. Further, CMS should facilitate the management of day-to-day administrative and human resource management in an efficient & productive manner. Expected key functions are as below, but not to be limited to;

- Case Initiation and Indexing
- Docketing
- Calendaring & Scheduling
- Queue Management (court, case & resource)
- e-hearing
- Notifications & Prompts
- Document Creation and Tracking
- Hearing support
- Disposition, Post Disposition Compliance and Execution
- Court administration and Human resource Management
- KPI Monitoring
- Dashboard views (Individual court, Geographically, Matter wise etc.)

With added features, to enable the utilization of the solution features comprehensively, the proposed solution consists of the following functionalities, but not to be limited to;

- Workflows and e-mail/SMS Alerts
- Business Intelligence Tools/ Executive Information System (EIS)
- Document Management System (DMS)
- Integration with Government Systems
- Data Import/ Export Management
- Query Management & Report Development

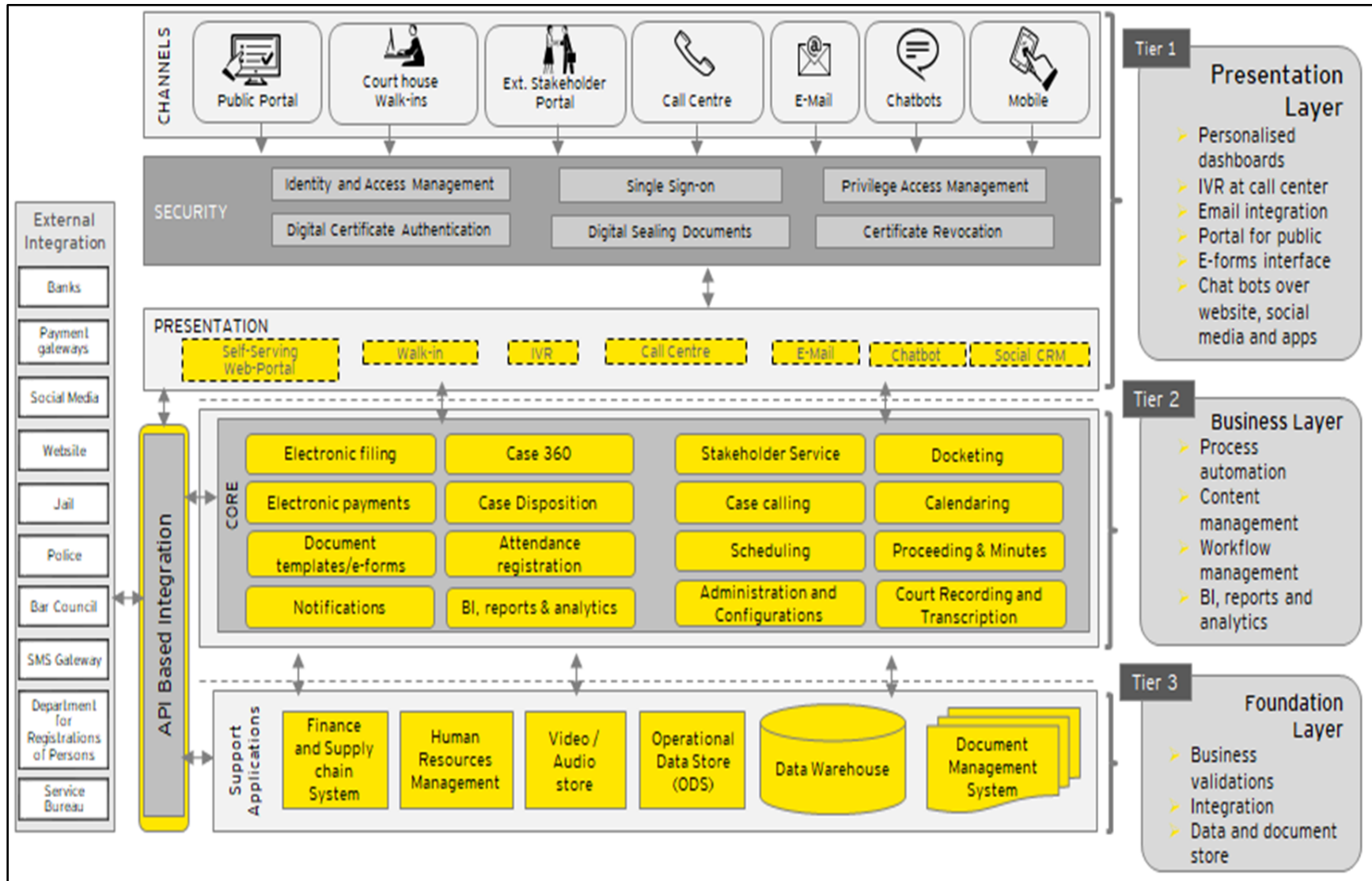
- Other System Tools (User Management, Database Authorization Management, Application Program Development, Version Release Control Management, Menu Management, Audit trails etc.

▶ **Court Recording and Transcription System**

Court Recording System ensures that court events and notes are accurately captured at the case hearing point. The recording system will facilitate the Recording Application to start and stop recording from an authorized computer on the network, automatically assigning a name to each record session as per case number in CMS. Expected key functions are as below, but not to be limited to:

- Recording: Open court sessions will be recorded through CCTV cameras & boundary microphones. Each session will be identified through a digital stamp.
- Scheduling: Schedule all record sessions for a specific date or location, from an authorized network connected to a server (with an auto log).
- Publishing: Create a catalog of the Session Files and publish them to a new location, either through an optical disc or a drive on the network.
- Record Viewing: View all record sessions in a simple, easy-to-use interface designed to display the events in audio/video, and any additional files included in the court session.

Proposed Solution Architecture (Technologies / Channels / Integration)



Proposed Infrastructure Architecture – Desired State

As per the vision of the Government of court automation system will be hosted at Government foundational infrastructure - Lanka Government Cloud (LGC 2.0). The hosted infrastructure expected to facilitate the following services, but not to be limited to;

- CMS
- E-Filing
- Public Portal
- File Server
- CMS-PKI, etc.

Lanka Government Network (LGN 2.0) will be used for connecting each courthouse with the central solution. The Government of Sri Lanka will provide the required cloud infrastructure and Lanka Government Connectivity to each courthouse as per the requirement of the applicant.

Further, CMS system is expected to utilize the following services currently hosted in the Lanka Government Cloud (“LGC”) platform,

- Lanka Government Payment System
- National Digital Identification

Platform as a service and software as a service solution provided by ICTA must be considered for the final solution (unless otherwise there is a valid reason not to use). Further the solution should preferably adhere to open standards and technologies.

Applicant is expected to fulfill the below on-premises hardware requirement for the court automation system, but not to be limited to:

- Recording & Transcription devices
- On-premise Network equipment & Networking (Supply & Installation)
- On-Permise Data Storage/Servers etc.

Note: End User Hardware & Peripherals will be provided by Purchaser according to the specification suggested by the selected contractor.

2. Implementation Period & Payment Plan

Project is planned to execute in three phases as below.

Phase	Scope	Indicative time frame
Phase 1- Pilot Implementation	12 Courthouses	9 months
Phase 2 – Implementation rollout	88 Courthouses	27 months
Phase 3 - Expansion	Balance Courthouses in Sri Lanka	Currently not considered for this RFP process.

Suggested Payment plan for each phase from allocated budget, detailed payment schedule will be provided in the RFP document.

Milestones	Percentage (%)
Mobilization Advance on Contract Sign Off with the Submission of Mobilization Advance Payment Guarantee	10%
Proof of Concept	5%
Phase 1 – Pilot Implementation Completion	25%
Phase 2 – Implementation rollout Completion	60%
	100%

3. Site and Other Data

4. The number of courts in each courthouse category is listed in the below table:

Court Type	Number of Courts
Supreme Court	01
Court of Appeal	01
Civil Appellate High Court	22
Commercial High Court Houses	03
High Court (Criminal)	33
District Court	32
District / Magistrate Court	50
Magistrate's Court	51
Children Magistrate's Court	02
Circuit Magistrate's Court	26

Approximate User Matrix

User Type	Approximate Users
Judges	316
Senior Registrars / Registrars	360
Subject Clerks	1200
Stenographers	1100
Accountants / Clerks	200