

No.N-14070/72/2006-Infra
Planning Commission
(Secretariat for Infrastructure)

dated February 1, 2010

Sub:- Consultancy for Preparation of a Report on "Alternative Means of Financing Public Private Partnership (PPP) Infrastructure Projects"

The Planning Commission invites applications from qualified consultants for **Preparation of a Report on "Alternative Means of Financing Public Private Partnership (PPP) Infrastructure Projects"**

Detailed note on scope of work, terms of reference, educational qualifications and experience requirements etc. is attached herewith. Eligible candidates may apply in prescribed format on or before March 3, 2010.

(S.K.Saha)
Director
Tel. 23096747

REQUEST FOR PROPOSAL (RFP)

Consultancy for Preparation of a Report on "Enhancing the means of financing Public Private Partnership (PPP) Infrastructure Projects"

1. The Secretariat for Infrastructure has decided to assign the preparation of a report on "Enhancing the means of financing Public Private Partnership (PPP) Infrastructure Projects" to a consultant.

Objective and Scope of the Assignment

2. The objective of the assignment is to set out exhaustively the various modes of Financing of PPP projects along with their merits and demerits in various infrastructure sectors in a readily accessible and transparent manner.
3. Projections on required investment in infrastructure sectors have been made by the Planning Commission consistent with achieving GDP growth averaging 9% per year during the Eleventh Plan 2007-08 to 2011-12. These projections and the existing policy and regulatory framework in various infrastructure sectors are variously contained, *inter alia*, in the Eleventh Plan documents, the 2008 Paper of the Planning Commission on "Projections on Investment in Infrastructure during the Eleventh Plan", the financing plans prepared for some infrastructure sectors, the reports of Working Groups set up for the Eleventh Plan period as well as various policy pronouncements and annual reports/ circulars of the Government of India and State Governments over time.
4. Consistent with the high priority accorded by the Government to investments in the infrastructure sectors and the estimated investment requirements, the Planning Commission would be assigning the preparation of a report on all aspects of financing of infrastructure projects to a Consultant with proven experience in project financing particularly in infrastructure sectors.

Educational Qualifications & Experience:

5. The minimum educational qualifications and experience for the consultant are as under:

Candidates must have a postgraduate degree in Economics or Business Management/ Public Administration or Public Policy from leading school in India, or abroad, with at least three years in Finance or Economic Research. The candidate must have an exposure to infrastructure/ project financing/ investment banking/ Private equity investment and should possess the ability to write well research policy briefs and academic papers on such issues. Some prior experience in policy making and advice with the Government would be preferred.

Terms of Reference

6. The Consultant would be required to:
 - a. explore, collate, compile and detail out, comprehensively and cogently in a report, all existing policy, regulatory and procedural frameworks and specifications with regard to attracting investment in infrastructure in India;
 - b. analyse and identify infrastructure investment opportunities from a private equity perspective;
 - c. delineate and highlight the changes in policies introduced in the last decade to promote greater commercialization of infrastructure, including promotion of public-private partnerships. Suggest alternate modes of financing Infrastructure projects in the Infrastructure sectors listed below; and
 - d. summarise in a report possible projects that would attract interest from private equity investors.
7. The coverage of infrastructure sectors will include electricity (including non-conventional energy), telecommunications, roads and bridges, railways (including MRTS), ports, airports, irrigation (including watershed development), water supply and sanitation, storage and gas distribution sectors.

Time and payment schedule

8. The total duration for Consultancy shall be 180 days, excluding any delay in granting approvals by Planning Commission to the draft reports.

9. Time schedule (Key Dates) for submission of important deliverables, shall be determined by the maximum permissible number of days from the Effective Date of the Agreement (the “**Key Date**”). The Key Dates and payment schedule linked to the specified deliverables are given below:

Key Date No.	Description of deliverables	No of days from the Key Date	Payment
KD1	Inception Report	30	-
KD2	Draft Report	60	40%
KD3	Final Report	120	40%
KD4	Completion of Services	180	20%
Total			100%

Submission of Proposals

10. The Proposal shall be typed or written in indelible ink and signed by the Applicant who shall initial each page, in blue ink. All the alterations, omissions, additions, or any other amendments made to the Proposal shall be initialed by the person signing the Proposal. The Proposals must be properly signed as detailed below:

While submitting the Technical Proposal, the Applicant shall, in particular, ensure that:

- (a) CV of the Applicant has been submitted;
 - (b) Applicant meets the Conditions of Eligibility;
 - (c) the CV has been recently signed in blue ink by the Applicant. Photocopy or unsigned CV shall be rejected;
 - (d) the CV shall contain an undertaking from the Applicant about his/her availability for the entire period of report preparation; and
 - (e) the Applicant has good working knowledge of English language.
11. Failure to comply with the requirements spelt out in Clause 8 above shall make the Proposal liable to be rejected.

12. If the Applicant makes an averment regarding his qualification, experience or other particulars and it turns out to be false, or his commitment regarding availability for the Project is not fulfilled at any stage after signing of the Letter of Acceptance, he shall be debarred for any future assignment of the Planning Commission for a period of five years. The award of this Consultancy to the Applicant would be liable to cancellation in such an event.
13. The Technical Proposal shall not include any financial information relating to the Financial Proposal.
14. The Planning Commission reserves the right to verify all statements, information and documents, submitted by the Applicant in response to the RFP. Failure of the Planning Commission to undertake such verification shall not relieve the Applicant of its obligations or liabilities hereunder nor will it affect any rights of the Planning Commission thereunder.
15. In case it is found during the evaluation or at any time before issue of Letter of Acceptance (LOA) that one or more of the eligibility conditions have not been met by the Applicant or the Applicant has made material misrepresentation or has given any materially incorrect or false information, the Applicant shall be disqualified forthwith if not yet appointed as the Consultant. If the Applicant has already been issued the LOA the same shall, notwithstanding anything to the contrary contained therein or in this RFP, be liable to be terminated, by a communication in writing by the Planning Commission without the Planning Commission being liable in any manner whatsoever to the Applicant.
16. The Applicants shall submit the Proposal with each page of the submission signed by the Applicant. In case the proposal is submitted on the document down loaded from Official Website, the Applicant shall be responsible for its accuracy and correctness as per the version uploaded by the Planning Commission and shall ensure that there are no changes caused in the content of the downloaded document. In case of any discrepancy between the downloaded or photocopied version of the RFP and the original RFP issued by the Planning Commission, the latter shall prevail.
17. The Proposal will be sealed in an outer envelope which will bear the address of the Planning Commission, RFP Notice no., Consultancy name and the name and address of the Applicant. It shall bear on top, the following:

"Do not open, except in presence of the Authorised Person"

If the envelope is not sealed and marked as instructed above, the Planning Commission assumes no responsibility for the misplacement or premature opening of the contents of the Proposal submitted.

18. The aforesaid outer envelope will contain two separate sealed envelopes, one clearly marked '**Technical Proposal**' and the other clearly marked '**Financial Proposal**'. The envelope marked "Technical Proposal" shall contain Application in the prescribed format along with relevant Forms and supporting documents.

The envelope marked "Financial Proposal" shall contain the financial proposal in the prescribed format.

19. The Technical Proposal and Financial Proposal shall be typed or written in indelible ink and signed by the Applicant. All pages of the original Technical Proposal and Financial Proposal must be numbered and initialed by the Applicant.
20. The completed Proposal must be delivered on or before the specified time on the due date as per Clause 24. Proposals submitted by fax, telex, telegram or e-mail shall not be entertained.
21. The Proposal shall be made in the Forms specified in this RFP. Any attachment to such Forms must be provided on separate sheets of paper and only information that is directly relevant should be provided. This may include photocopies of the relevant pages of printed documents.
22. The rates quoted shall be firm throughout the period of performance of the assignment upto and including acceptance of the Report by the Planning Commission and discharge of all obligations of the Consultant under the Agreement.

Financial Proposal

23. Applicants shall submit the financial proposal in the Forms at Annexe II clearly indicating the total cost of the Consultancy in both figures and words, in Indian Rupees, and signed by the Applicant. In the event of any difference between figures and words, the amount indicated in words shall be taken into account. In the event of a difference between the arithmetic total and the total shown in the Financial Proposal, the lower of the two shall be taken into account.
22. While submitting the Financial Proposal, the Applicant shall ensure the following:
 - (i) All the costs associated with the assignment shall be included in the Financial Proposal. The total amount indicated in the Financial Proposal shall

be without any condition attached or subject to any assumption, and shall be final and binding. In case any assumption or condition is indicated in the Financial Proposal, it shall be considered non-responsive and liable to be rejected.

(ii) All payments shall be subject to deduction of taxes at source as per applicable laws.

(iii) Costs (including break down of costs) shall be expressed in INR.

Proposal Due Date

23. The proposals should be submitted on or before 11.00 hours on March 3, 2010 to

Shri C.K. Sharma,
Section Officer (Infrastructure), Planning
Commission, Room 224, Yojana Bhawan,
Parliament Street, New Delhi - 110 001

For any further queries please contact: ck.sharma@nic.in.

Late Proposals

24. Proposals received by the Planning Commission after the specified time on the due date shall not be eligible for consideration and shall be summarily rejected.
25. Any alteration / modification in the Proposal or additional information or material supplied subsequent to the due date, unless the same has been expressly sought for by the Planning Commission, shall be disregarded.

Evaluation Process

26. The Planning Commission shall open the Proposals at 11:30 hours on the due date, at the place specified in Clause 24 and in the presence of the Applicants who choose to attend. The envelopes marked "Technical Proposal" shall be opened first. The envelopes marked "Financial Proposal" shall be kept sealed for opening at a later date.
27. Prior to evaluation of Proposals, the Planning Commission will determine whether each Proposal is responsive to the requirements of the RFP. A Proposal shall be considered responsive only if:
- (a) it is received in the specified format;
 - (b) it is received by the due date including any extension thereof;
 - (c) it is signed, sealed and marked as stipulated;
 - (d) it contains all the information (complete in all respects) as requested in the RFP;

- (e) it does not contain any condition or qualification; and
 - (f) it is not non-responsive in terms hereof.
28. The Planning Commission reserves the right to reject any Proposal which is non-responsive and no request for alteration, modification, substitution or withdrawal shall be entertained by the Planning Commission in respect of such Proposals.
29. The Planning Commission would subsequently examine and evaluate Proposals in accordance with Clause 32 in this RFP.
30. After the technical evaluation, the Planning Commission would prepare a list of pre-qualified Applicants for opening of their Financial Proposals. The opening of Financial Proposals shall be done in presence of respective representatives of Applicants who choose to be present. The Planning Commission will not entertain any query or clarification from Applicants who fail to qualify at any stage of Selection Process.

Clarifications

31. To facilitate evaluation of Proposals, the Planning Commission may, at its sole discretion, seek clarifications from any Applicant regarding its Proposal. Such clarification(s) shall be provided within the time specified by the Planning Commission for this purpose. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing. If an Applicant does not provide clarifications sought above within the specified time, its Proposal shall be liable to be rejected. In case the Proposal is not rejected, the Planning Commission may proceed to evaluate the Proposal by construing the particulars requiring clarification to the best of its understanding.

Evaluation of Technical Proposals

32. In the first stage, the Technical Proposal will be evaluated on the basis of the experience of the Applicant. and the understanding of TOR in accordance with the criteria specified in Annex-III. Only those Applicants whose Technical Proposals score 70 marks or more out of 100 shall qualify for further consideration, and shall be ranked from highest to the lowest on the basis of their technical score (S_T).

Evaluation of Financial Proposal

33. In the second stage, the financial evaluation will be carried out and each Financial Proposal will be assigned a financial score (S_F).
34. For financial evaluation, the total cost indicated in the Financial Proposal will be considered.
35. The Planning Commission will determine whether the Financial Proposals are complete, unqualified and unconditional. The cost indicated in the Financial Proposal shall be deemed as final and reflecting the total cost of services. Omissions, if any, in costing any item shall not entitle the firm to be compensated and the liability to fulfil its obligations as per the TOR within the total quoted price shall be that of the Consultant. The lowest financial proposal (F_M) will be given a financial score (S_F) of 100 points. The financial scores of other proposals will be computed as follows:

$$S_F = 100 \times F_M / F$$

(F = amount of Financial Proposal)

Combined Technical and Final Evaluation

36. Proposals will finally be ranked according to their combined technical (S_T) and financial (S_F) scores as follows:

$$S = S_T \times T_w + S_F \times F_w$$

Where S is the combined score, and T_w and F_w are weights assigned to Technical Proposal and Financial Proposal that shall be 0.80 and 0.20 respectively.

37. The Selected Applicant shall be the first ranked Applicant (having the highest combined score). The second ranked Applicant shall be kept in reserve in case the first ranked Applicant withdraws, or fails to comply with the requirements as the case may be.

Award of Consultancy

38. After selection, a Letter of Award shall be issued, in duplicate, by the Planning Commission to the Selected Applicant and the Selected Applicant shall, within 7 (seven) days of the receipt of the LOA, sign and return the duplicate copy of the LOA in acknowledgement thereof. The LOA shall constitute the Agreement for the purpose of this consultancy assignment.

Proprietary data

39. All documents and other information provided by the Planning Commission or submitted by an Applicant to the Planning Commission shall remain or become the property of the Planning Commission.

Applicants, are to treat all information as strictly confidential. The Planning Commission will not return any Proposal or any information related thereto. All information collected, analysed, processed or in whatever manner provided by the Consultant to the Planning Commission in relation to the Consultancy shall be the property of the Planning Commission.

Payment to the Consultant

40. Billing and payments in respect of the Services shall be made as follows:-
The Consultant shall be paid for its services as per the Payment Schedule below:
- (i) upon submission of draft report - 40% of contract value
 - (ii) upon submission of final report - 40% of contract value
 - (iii) upon acceptance of report by the Planning Commission - 20% of contract value
41. The Planning Commission shall cause the payment due to the Consultant to be made within 30 (thirty) days after the receipt by the Planning Commission of duly completed bills with necessary particulars.
42. All payments under this Agreement shall be made to the account of the Consultant as may be notified to the Planning Commission by the Consultant.

Performance Security

43. The Planning Commission shall retain by way of performance security 5% (five percent) of all the amounts due and payable to the Consultant, to be appropriated against breach of this Agreement or for recovery of liquidated damages. The balance remaining out of the Performance Security shall be returned to the Consultant at the end of three months after the expiration of the contract.

Liquidated Damages for error/variation

44. In case any error or variation is detected in the reports submitted by the Consultant and such error or variation is the result of negligence or lack of due diligence on the part of the Consultant, the consequential damages thereof shall be quantified by the Planning Commission in a reasonable manner and recovered from the Consultant by way of liquidated damages, subject to a maximum of 10% (ten percent) of the Contract Value.

Liquidated Damages for delay

45. In case of delay in completion of Services, liquidated damages not exceeding an amount equal to 0.2% (zero point two percent) of the Contract Value per day, subject to a maximum of 10% (ten percent) of the Contract Value will be imposed and shall be recovered by appropriation from the Performance Security or otherwise. However, in case of delay due to reasons beyond the control of the Consultant, suitable extension of time shall be granted.

Miscellaneous

46. The Selection Process shall be governed by, and construed in accordance with, the laws of India and the Courts at Delhi shall have exclusive jurisdiction over all disputes arising under, pursuant to and/or in connection with the Selection Process.

TECHNICAL PROPOSAL

FORMAT OF RESUME FOR PROPOSED CONSULTANCY FOR PREPARATION OF A REPORT ON "ALTERNATIVE MEANS OF FINANCING PUBLIC PRIVATE PARTNERSHIP (PPP) INFRASTRUCTURE PROJECTS"

Name of Candidate:

Current Title:

Date of Birth:

Nationality:

Education/Qualifications: (Summarize college/university and other specialized education, giving names of graduate schools, years attended and degrees-professional qualifications obtained.

Employment Record/Experience

(Starting with present position, list in reverse order, every employment held, giving dates, names of employing organization, title of positions held and location of employment. For experience in last five years, detail the types of activities performed, degree of responsibilities, location of assignments and any other information or professional experience considered pertinent for this assignment.

I, the undersigned, certify that the information given above is correct.

Date (Day/Month/Year)

Signature of the candidate

FINANCIAL PROPOSAL

(Form 1)

Covering Letter

(Date and Reference)

To,

Dear Sir,

Subject: Appointment of Consultant for Preparation of Report on **"Alternative Means of Financing Public Private Partnership (PPP) Infrastructure Projects"**

I, (Applicant's name) herewith enclose the Financial Proposal for selection of my/our firm as Consultant for above assignment.

I agree that this offer shall remain valid for a period of 60 (sixty) days from the due date or such further period as may be mutually agreed upon.

Yours faithfully,

(Signature, name)

Note: The Financial Proposal is to be submitted strictly as per forms given in the RFP.

Form - 2

Financial Proposal

Item No.	Description	Amount (Rs.)
A.	PERSONNEL AND MISCELLANEOUS COSTS	
I	Remuneration for Personnel (inclusive of all personal allowances and traveling costs)	
II	Miscellaneous Expenses	
	Sub-total Personnel and Miscellaneous Costs (A):	
B	OVERHEAD EXPENSES @ -- % of (A)	
C	SERVICE TAX	
D	TOTAL (including taxes) (A+B+C) (in Rs.) In Indian Rupees in figures in words	

Note:

1. The financial evaluation shall be based on the above Financial Proposal. The total in Item D shall, therefore, be the amount for purposes of evaluation.
2. All costs shall be reimbursed on production of a Statement of Expenses, duly certified by the Consultant. However, no details of expenditures would be sought for overhead expenses, which will be reimbursed in proportion to the total expenses under Item B.
3. The reimbursement of expenses shall be limited to the amounts indicated above.
4. No escalation on any account will be payable on the above amounts.
5. All payments shall be made in Indian Rupees and shall be subject to applicable Indian laws withholding taxes if any.
6. For the purposes hereof "**Statement of Expenses**" means a statement of the expenses incurred on each of the heads indicated in the Financial Proposal.

EVALUATION CRITERIA**Technical –**

Topic No	Assessment Topic	Max Score
T1	Academic Qualifications <ul style="list-style-type: none"> – Qualification – University / Institution – Marks obtained 	10 10 10
T2	Experience relating to Project Financing/ Financing of Infrastructure Projects/ Invest Banking/ Private Equity <ul style="list-style-type: none"> – Nature and depth of experience – Level of assignment / post held – Institution(s) where experience acquired 	20 10 10
T3	Experience in Infrastructure related work <ul style="list-style-type: none"> – Nature and depth of experience – Level of assignment / post held 	15 15

Minimum total technical score required is 70

Financial –

The formula for determining the financial score is the following:

$S_f = 100 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the proposal under consideration.

The weights given to Technical and Financial Proposals are

Technical 80 % and Financial 20 % i.e T=0.8 and P=0.2
