

No.N-14070/66/2012--Infra
Government of India
Planning Commission
(PPP & Infrastructure Division)

Yojana Bhawan, Sansad Marg
New Delhi-110001
Dated: 16 January, 2013.

REQUEST FOR PROPOSAL

Subject: Preparation of a Panel of Technical Consultants/Engineering Consultancy firms for Technical examination of PPP Projects in Highway Sector by PPP & Infrastructure Division.

Background

1. The PPP & Infrastructure Division conducts appraisal of Public Private Partnership projects as a part of the approval process of the Central/State Government Projects. For this purpose, it is proposed to empanel Technical Consultants/ Engineering Consultancy firms, not exceeding 5 in number, to assist in technical evaluation of PPP projects in the highways sector.

Request for Proposal

2. Under Secretary (PPP & Infrastructure Division), Planning Commission, for and on behalf of the President of India, hereby invites proposals from Individuals / Engineering Consultancy firms who have experience of working in the highways/roads sector.

Validity of Proposal

3. The proposal should be valid for a period not less than 90 days from the due date for receiving the proposal.

Job Requirement

4. As per detailed Terms of Reference at Annex- I.

5. Conditions of Eligibility of Consultancy Firms

1. To be considered for empanelment, the Applicant must fulfil the following conditions of eligibility:
(A) **Technical Capacity:** The Firm shall have, over the past 3 (three) years preceding the due date, undertaken a minimum of 15 (fifteen) Eligible Assignments as described below:

Eligible Assignments

For the purposes of satisfying the Conditions of Eligibility and for evaluating the Proposals under this RFP, advisory/ consultancy

assignments granted by the government, regulatory commission, statutory authority or public sector entity in respect of review and/or preparation of Technical Report/ Manual of Standards and Specifications and other similar documents for a highway/road projects undertaken through Public Private Partnership (PPP) or other forms of private participation and having an estimated capital cost (excluding land) of at least Rs. 100 crore (Rupees one hundred crore) shall be deemed as eligible assignments (the “**Eligible Assignments**”)

I. Conditions of Eligibility for Consultancy firms

- (a) **Financial Capacity:** The firms/individuals shall have received a minimum of Rs. 10 lakhs (Rs. Ten lakhs) as professional fees during each of the three financial years preceding the Due Date for receipt of proposal.
- (b) **Availability of Personnel:** The firm shall undertake to make available the Key personnel meeting the requirements specified below during the period of contract:

Personnel	Educational Qualification	Length of Professional Experience	Experience on Eligible Assignments
Technical Expert	Bachelor / Master Degree in Civil Engineering	15 years	He should have 5 years experience in PPP projects
One/two Associates	Bachelor in Civil Engineering	5 years	He should have worked as an Associate Engineer for not less than two Eligible Assignments in road sector. (Experts/associates should not have completed 65 years on closing date of RFP)

(c) Since a majority of the proposals appraised by the Planning Commission are from NHAI, the Engineering consulting firms empanelled with the National Highway Authority of India (NHAI) would not be considered for empanelment in the Planning Commission. The firm, if empanelled with Planning Commission, it should give an undertaking that it will not accept any assignments from NHAI while it remains empanelled in the Planning Commission.

II. Conditions of Eligibility for Individual Consultants

- (a) The Consultant must fulfill the Conditions of Eligibility specified below:

Consultant	Educational Qualification	Length of Professional Experience	Experience
Technical Consultant	Master/Bachelor degree in Civil Engineering	15 years	<p>(a) Individuals should have minimum 15 years' experience of having worked in the highway sector either in government, autonomous organizations, statutory bodies or multilateral organizations or as a consultant in preparation of project reports,</p> <p>(b) Should not have completed 65 years on closing date of RFP</p>

- (b) Since a majority of the proposals appraised by the Planning Commission are from NHAI, Individual/consultant empanelled with the National Highway Authority of India (NHAI) would not be considered for empanelment in the Planning Commission. The Individual, if empanelled with Planning Commission, she/he should give an undertaking that she/he will not accept any assignments from NHAI while it remains empanelled in the Planning Commission.

6. Duration

The panel of Consultants would be valid for an initial period of one year. This term can be extended upto a maximum of 3 years depending on the performance of the Consultant/need of the Planning Commission.

7. Brief Description of the Selection Process:

A two stage selection process will be adopted in evaluating the Proposals. In the first stage, a technical evaluation will be carried out followed by a financial evaluation in the second stage.

8 Criteria for Evaluation: Technical Proposals:

Criteria for Evaluation

Evaluation of Proposals: The Proposal will be evaluated on the basis of the experience of the Consultant. Experience of having worked in the public sector and on PPP projects will be given additional weightage. Only those Consultants whose Proposals score 70 points or more out of 100 shall be empanelled.

The scoring criteria to be used for evaluation shall be as follows:

Criteria	Marks	Criteria
Relevant Experience of the Consultant forms/Individuals	40%	Number of years of experience; weightage shall be accorded for field experience in the execution of public sector projects
	30%	Level of responsibility/Qualifications
	30%	Nature of work; weightage shall be accorded for experience in the field of Public Private Partnerships
Total	100%	

9 Evaluation of Financial Proposals:

The financial bids of all Applicants who secure 70% or more marks in technical evaluation shall be opened and the lowest financial bid shall be determined.

10. Negotiation and Empanelment:

After the lowest financial bid is determined, all the other Applicants whose financial bids have been opened shall be called upon to match the lowest financial bid. All the Applicants who agree to carry out the proposed assignment at the rate offered by the lowest bidder shall be considered for empanelment.

11. Right to reject any or all proposals

1. Notwithstanding anything contained in this RFP, the Planning Commission reserves the right to accept or reject any Proposal and to annul the Selection Process and reject all Proposals, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof.
2. The Planning Commission reserves the right to reject any Proposal if:
 - (a) at any time, a material misrepresentation is made or uncovered, or

- (b) the Applicant does not provide, within the time specified by the Planning Commission, the supplemental information sought by the Planning Commission for evaluation of the Proposal.

12. Submission of Proposals

1. The Proposal shall be typed or written in indelible ink and signed by the Applicant or authorized representative of the consultancy firm, who shall initial each page, in blue ink. All the alterations, omissions, additions, or any other amendments made to the Proposal shall be initialled by the person(s) signing the Proposal. While submitting the Technical Proposal, the Applicant shall, in particular, ensure that:
 - (a) the proposal is submitted as per format attached as Appendix ;
 - (b) applicant meets the Conditions of Eligibility; and
 - (c) the Applicant has good working knowledge of English language and working computer knowledge.
13. If an 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.
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 Proposal shall be submitted by the Applicant with each page of the submission signed in blue ink. 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.

Late Proposals

18. 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.
19. 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.

Clarifications

20. 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.

Award of Consultancy

21. 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.

Payments

22. The Planning Commission shall cause the payment due to the Empanelled individuals / Consultant firms to be made within 30 (thirty) days after the receipt by the Planning Commission of duly completed bills with necessary particulars. No advance payment shall be made for consultancy.

23. 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.

Liquidated Damages for delay and sub standard technical report

24. In case of delay in completion of Services, liquidated damages not exceeding an amount equal to 1% (one percent) of the Contract Value per day, subject to a maximum of 25% (twenty five percent) of the Contract Value will be imposed and shall be recovered from the payments due to the consultant. However, in case of delay due to reasons beyond the control of the Consultant, suitable extension of time shall be granted.
25. If the Technical Report is found to be sub standard and lacking in details and depth of analysis, the remuneration would be reduced to 50% of the sanctioned amount and would be debarred from future assignments.

Miscellaneous

26. 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.

Submission of Proposal:

27. Interested applicants may send their applications in the enclosed formats provided in the appendices **by post on or before 16 February, 2013**, at the following address.

Shri C.K.Sharma,
Section Officer (Infra),
Room No. 224, Yojana Bhavan,
Sansad Marg, New Delhi-110001
Telefax No. 23313791

Annexure I

TOR for Technical Appraisal of PPP Projects

1. The Public Private Partnership (PPP) projects being implemented in India for seeking Viability Gap Funding from the Government of India are appraised in the Planning Commission prior to approval. The process of appraisal, inter alia, involves examination of the feasibility reports and the technical schedules contained in the concession agreements for the project received from various Ministries/ States and statutory entities in accordance with the guidelines for financial support to Public Private Partnerships (PPP) in Infrastructure and also proposals received for central sector PPP projects in accordance with the guidelines on formulation, Appraisal and Approval of PPP Projects. For the aforesaid purpose, Planning Commission proposes to appoint technical consultants.
2. The Consultant shall examine the Feasibility report, core requirements of design, construction and maintenance, project cost and other technical requirements forming part of the Concession Agreement (CA) and in particular Schedules A, B, C, D and K of the CA and give his comments and observations on the following aspects and other provisions specific to the project:
3. General: Conformity of the design and specifications of the Project Highway, project facilities, safety requirements, drainage and all other technical parameters with the requirements laid down in the relevant Manual for Specifications and Standards for PPP Projects. Any deviations from the Manual shall be brought out and commented on their justification and impact on the Project Cost.
4. Scope of the Project: any deviations from the relevant technical schedules of the Model Concession Agreement shall be commented upon by the consultant.
5. Right of Way: The proposed right-of-way width, its availability and adequacy, status of land acquisition, handing over schedule, etc.
6. Status of Clearances: Environmental clearance, cutting of trees, approval of GAD for ROB/RUB by Railways, and shifting of utilities.
7. Traffic data and projections, carriageway provision, and level of service.
8. Geometrics: Geometric improvement proposals, bypasses, realignments, urban sections, service roads, Typical cross- sections, non conformity with the prescribed standards, if any.
9. Intersections and Grade Separators: Provisions made for major intersections and grade separators and justification as per the prescribed norms and standards.
10. Design of Pavement, Shoulders, and Service roads: Type of pavement and basis for choice, design methodology, pavement life, structure and strategy, performance standards and maintenance requirements; shoulder specifications, type and composition.

11. Bridges and Structures: Design criteria, location, span arrangement, roadway width, foot paths, safety features. Proposals for widening, strengthening or any major improvements of the existing culverts, bridges and structures.
12. Toll Plazas: location, land, number of lanes, layout, lighting, equipment and technology.
13. Project Facilities: Proposed facilities, location and size. Safety of vulnerable road users, provision of HTMS, additional facilities or deletions or deviations in standards and specifications, if any, from the standards prescribed in the Manual shall be commented on along with the impact of such changes on the project cost.
14. Total Project Cost: Break up, reasonability of the estimated cost, basis and rates adopted.
15. Any other design, construction, maintenance and safety related issues specific to the project.
16. The consultant will also advise on specific issues referred to them by the PPP and Infrastructure Division or any other related issues regarding technical appraisal of projects.
17. The empanelled entity shall make necessary arrangements for collection & delivery of reports, documents/CDs etc from and to Planning Commission at their expenses and responsibility.
18. The empanelled entity shall make a presentation of the project and technical report to the planning Commission within 5 working days of receipt of the project documents/soft copies of project.
19. The empanelled entity would undertake necessary revisions of their comments/reports based on observations made during the presentation/discussion.
20. Any shortcomings in the project documents (hard copy/soft copy) have to be brought out within 24 hours of receipt of the same to the Planning Commission
21. Since a majority of the proposals appraised by the Planning Commission are from NHAI, Individual/consultant empanelled with the National Highway Authority of India (NHAI) would not be considered for empanelment in the Planning Commission. The Individual/consulting firms, if empanelled with Planning Commission, she/he/they should give an undertaking that she/he/they will not accept any assignments from NHAI while it remains empanelled in the Planning Commission.
22. The Consultant will be required to submit its comments/advice on the documents/concession agreements etc. referred to it by the PPP & Infrastructure Division within a period of seven working days.

TECHNICAL PROPOSAL

(Form-1)

Covering Letter

(On Applicant's letter head)

(Date and Reference)

To,

Dear Sir,

Subject: **Preparation of a Panel of Technical Consultant/ Firms for Technical examination of PPP projects in Highway Sector for PPP & Infrastructure Division**

I/We , _____ (Applicant's name) herewith enclose the Technical Proposal for above.

I agree that this offer shall remain valid for a period of 90 (ninety) days from the due date or such further period as may be mutually agreed upon.

Yours faithfully,

(Signature, name and designation of the Applicant)

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

APPENDIX-1

TECHNICAL PROPOSAL

(Form-2)

Abstract of Eligible Assignments of the Consultant / consultancy Firm and areas of experience[#]

S.No	Name of Project	Name of Client	Estimated capital cost of Project (in Rs. crore)	Professional fee received by the Firm (in Rs. lakh)
(1)*	(2)	(3)	(4)	(5)
1				
2				
3				
4				
	Areas of Experience:			

Individuals / Firm should provide details of only those assignments that have been undertaken by it under their own name.

* The names and chronology of Eligible Assignments included here should conform to the project-wise details submitted in Form-3 of Appendix-I.

APPENDIX -I

(Form-3)

Eligible Assignments of consultancy Firm/Individual

Name of consultancy Firm:	
Name of the Project:	
Length in km or other particulars	
Nature of Assignment (PPP Project regulatory Project/ Other Project)	
Description of services performed by the Firm:	
Name of client and Address:	
Name, telephone no. and fax no. of client's representative:	
Estimated capital cost of Project (in Rs. lakh)	
Payment received by the Firm as professional fees (in Rs. lakh)	
Start date and finish date of the services (month/ year):	
Brief description of the Project:	

Notes:

1. Use separate sheet for each Eligible Assignment.

**Appendix-I
Form (4)**

Particulars of Consultant

S. No.	Designation of Consultant	Name/ Date of Birth (completed age)	Educational Qualification	Length of field Experience	Details of employment in chronological order including level of responsibility and details of work done at each level
(1)	(2)	(3)	(4)	(5)	(6)
	Technical Consultant/ Key personnel				

APPENDIX - II
FINANCIAL PROPOSAL

(Form-1)

Covering Letter

(On Applicant's letter head)

(Date and Reference)

To,

Dear Sir,

Subject: Preparation of a Panel of Technical Consultant/ Firms for Technical examination of PPP projects in Highway Sector for PPP & Infrastructure Division

I/We, _____ (Applicant's name) herewith enclose the Financial Proposal for above.

I agree that this offer shall remain valid for a period of 90 (ninety) days from the due date or such further period as may be mutually agreed upon.

Yours faithfully,

(Signature, name and designation of the Applicant)

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

APPENDIX-II

(Form-2)

Financial Proposal

Item No.	Description	Amount (Rs.)
A.	Consolidated remuneration for preparation of Technical Report for Road Sector Projects (inclusive of all personal allowances, traveling costs, taxes and other miscellaneous expenses)	

(Rupees (in words))

Note:

1. The financial evaluation shall be based on the above Financial Proposal.
2. All travel outside Delhi shall be borne by the Planning Commission and all expenses on his account reimbursed as per entitlements of a Deputy Secretary level officer of Government of India.
3. The reimbursement of cost and 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.