

Thar Coal & Energy Board Government of Sindh

REQUEST FOR EXPRESSION OF INTEREST

FOR HIRING CONSULTING SERVICES FOR DEVELOPING COAL PRICING REGULATORY REGIME FOR THAR COAL

1. GENERAL

1.1 Thar Coal and Energy Board (TCEB) is a Government of Sindh Organization created to accelerate the development of Thar Coal Fields and its ancillary infrastructure. The Government of Pakistan has designated TCEB as Coal pricing agency for Thar Coal fields. The Organization has developed a coal pricing model based on international best practices and is currently seeking services of a consultant / consortium for proposing an institutional model based on which the organization can carry out analysis of various petitions received from Coal Mine producers in Thar Coalfields. The organization aims at evolving a transparent and a comprehensive institutional model.

1.2 The **Scope of Work** of the assignment are as under:

- (i) Develop Draft Standards, Procedures, Rules, Regulations and Guidelines for Coal Pricing
- (ii) Suggest modifications/ improvements in the draft framework developed by TCEB to implement Coal Pricing Mechanism for Thar Coal & Energy Board, including guidelines, stages of evaluation and evaluation criteria keeping with respect to process of receiving, reviewing and eventually approving / rejecting petitions on coal price.
- (iii) Evaluate Coal tariff petitions as independent evaluators on an assignment-to-assignment basis keeping in view international best practices and technical prudence.

1.3 TCEB now invites interested Consultants / consortium to indicate their willingness in providing the services. The Consultants must provide information indicating that they are qualified to perform the services (brochures, description of similar assignments, experience in similar conditions availability of appropriate skills among staff; etc). Consultants may associate other firms/ consortium partner/ experts on mining, legal or financial to enhance their capabilities. Only short listed Consultants will subsequently be invited to submit Technical and Financial proposals on the prescribed "Request for Proposal (RFP)". Expressions of Interest must be delivered to the address below by 5.00 pm on 20th June 2013.

2. SHORTLISTING

2.1 *Eligibility Requirements*

In order to be shortlisted by the TCEB, the firm/ consortium **must fulfill** the following eligibility requirements:

- A. Must have past experience of similar assignments..
- B. The firm must have experience of having undertaken technical, financial and legal work relating to Coal Mining and/ or Coal-based Power Projects.
- C. The Firm/Consortium have preferably the experience of preparation of documents for regulators in the Energy Sector.

2.1(a) Evaluation Criteria:

Item	Score
I. Financial (Lead) Firm Experience	40
Number of Projects (development / review of financial model) coal / power sector and or other regulatory bodies. <ul style="list-style-type: none">• One to Two Projects: 05 Marks• Three to Five Projects: 10 Marks• More than Five Projects: 15 Marks	15
Number of Qualified personnel in the Firm <ul style="list-style-type: none">• One to Two Persons: 05 Marks• Three to Five Persons: 10 Marks• More than Five Persons: 15 Marks	15
Financial Capability (Average annual turn over of the firm during last three years, duly certified) <ul style="list-style-type: none">• Rs. 10 million to 20 million: 05 Marks• More than Rs. 20 million: 10 Marks	10
II. Technical Firm Experience	40
Sector experience viz a viz Coal Mining and related work <ul style="list-style-type: none">• One to Two Projects: 03 Marks• Three to Five Projects: 05 Marks• More than Five Projects: 10 Marks	20
Number of qualified personnel in the firm <ul style="list-style-type: none">• One to Two Persons: 03 Marks• Three to Five Persons: 05 Marks• More than Five Persons: 10 Marks	10

International experience in coal mining work/ consultancy	10
<ul style="list-style-type: none"> • One to Two Projects: 03 Marks • Three to Five Projects: 05 Marks • More than Five Projects: 10 Marks 	
III. Legal Team Experience	20
Experience in developing regulatory framework / consortium agreements and/ or Implementation Agreements	10
<ul style="list-style-type: none"> • One to Two Projects: 03 Marks • Three to Five Projects: 05 Marks • More than Five Projects: 10 Marks 	
Number of Qualified personnel in the Firm	10
<ul style="list-style-type: none"> • One to Two Persons: 03 Marks • Three to Five Persons: 05 Marks • More than Five Persons: 10 Marks 	
Total	100
Minimum Qualifying Score = 70 Marks	

2.2 *Basis for Disqualification*

The following may be reasons for disqualification of a Consulting firm by the TCEB at any time/stage:

- (a) If the firm fails to submit the required support documentation along with the EoI by the Due Date.
- (b) Misrepresentation, withholding or concealment of information in the EoI by the firm.
- (c) If the firm fails to disclose or provide any additional information as may be required by the TCEB.
- (d) If the TCEB determines that the firm is prohibited from doing business with the TCEB on grounds which may include but not limited to past track record, public policy or national interest.
- (e) If the TCEB determines during evaluation that the firm (in its sole discretion) will be unable to satisfactorily provide the Consulting Services (including as a consequence of any conflict of interest).

2.3 *Discretion of the TCEB:*

Notwithstanding anything contained herein, the TCEB may at its discretion reject any or all EoIs, temporarily halt the process or annul the same at any time/stage in accordance with the provisions of Sindh Public Procurement Rules 2010.

3. MANDATORY CONTENTS OF EoI

Each EoI shall include the following sections:

- Capability and Experience
- Conflict of Interest

3.1 *Capability and Experience*

This section of the EoI shall include the following information of the firm/consortium:

- (a) Name of each employee working full time at the firm together with his/her academic qualification and years of experience.
- (b) Resume of at least three (3) persons who would be involved in provision of the Consulting Services together with their expertise and experience, demonstrating their capability to provide the Services (including relevant experience).
- (c) Profile of technical and legal firms associated with the Lead Firm.
- (d) Identity of the partner who will be responsible for the Consulting Services (“**Responsible Partner**”). Given the nature of the assignment, the TCEB, would give preference to the Financial Firms having the Lead Role.

3.2 *Conflict of Interest*

This Conflict of Interest section shall include information regarding any conflict of interest that a firm has in representing EoI.

4. SUBMISSIONS OF EoIs

4.1 *Timing, Number of Copies and Filing Requirements*

A firm/consortium must submit an original three copies of its EoIs not later than 1700 hrs Pakistan Standard Time on or prior to 20th June, 2013 to the following address:

Director (A&F)
Thar Coal & Energy Board,
1st Floor, State Life Building No 3,
Dr Ziauddin Ahmed Road,
Opposite Chief Minister House,
Karachi.
Telephone: 021-99207527-31, Fax: 021-99207534

Each EoI shall be in English. Faxed EoIs will not be accepted. EoIs bearing a postmark or courier dispatch receipt up to 1700 hrs Pakistan Standard Time on the Due Date will be accepted upon the package's arrival.

4.2 *Sealing and Marking of EoIs*

In order to avoid the possibility of loss of the contents of an EoI due to a rupture of the outer envelope containing an EoI, each EoI should be enclosed in a sealed envelope which itself should be encased in another envelope. Both the inner and outer envelope(s) must be marked with the full address as shown above.

4.3 *Material Change*

Each firm must report any material change in the information provided by it in its EoI up to the Due Date. Any such material change that may be grounds for disqualification under Section 2.2 could lead to a disqualification of the firm.

4.4 *Certification*

The Responsible Partner must sign the EoI, on behalf of the firm/consortium, to indicate consent evidencing their agreement to provide the Consulting Services.

The Responsible Partner submitting the EoI on behalf of the firm shall certify the EoI in the following form:

“I, the undersigned certify on behalf of [name of the firm] that to the best of my knowledge and belief, and upon diligent inquiry, all the information submitted in this Expression of Interest is true and accurate. I further confirm and understand that amongst other reasons any misrepresentation or concealment of facts will render [name of firm] disqualified for pre-qualification.

In certification of the statements above, I hereby sign this document on the ____ day of ____ 2013.

[Type written name, signature and position of the Responsible Partner.]”

5. REVIEW AND EVALUATION OF EoIs

5.1 *Review and Evaluation*

The experience, expertise and other capabilities of the firm/consortium to provide the Consulting Services will be reviewed and evaluated by the TCEB, which in view of the aforementioned criteria shall determine whether the firm has the expertise and the capability to provide the Consulting Services.

5.2 *Supplementary Information*

Where the TCEB deems it convenient or necessary, it may request supplementary information or documentation from a firm for determining eligibility for pre-qualification of such firm.

5.3 *Intimation of Shortlisting*

Intimation of pre-qualification will be given in writing and delivered to pre-qualified firm/consortia by facsimile, mail and/or courier at their specified address.

5.4 *Return of EoI*

The GOS shall be under no obligation to return any EoI submitted by a firm/consortium or to reimburse a firm for the cost of preparing an EoI or any other costs incidental thereto.

6. BIDDING

All shortlisted firms/ consortia will be sent 'Request For Proposal' ("**RFP**"). If a pre-qualified firm bids for providing the Consulting Services, it shall be deemed to have no objection to the terms of the RFP.

7. SPECIAL PROVISIONS

7.1 *Discharge and Exemption*

Each firm/consortium that submits an EoI exempts and discharges the TCEB and its consultants, advisors and personnel completely and unconditionally from any responsibility or liability for the decisions that may be made with respect to its pre-qualification to participate in the bidding process for providing the Consulting Services.

7.2 *Confidentiality During Pre-Qualification*

By submitting its EoI, each firm/consortium agrees to maintain the confidentiality of all information supplied to it in connection with the pre-qualification process and agrees to keep its own application confidential, whether or not it is among those pre-qualified by the TCEB.
