

Request for Proposals (275 /2021)



هيئة تنظيم الخدمات العامة
Authority for Public Services Regulation

Retention of Ad-hoc Legal Services on Regulatory matters for the Public Utility Sectors.

October/2021



1. INTRODUCTION

The Authority for Public Services Regulation ("the Authority") is the regulatory authority for the public services sector, given the duties and functions to regulate Electricity and Related Water Sector regulation after the restructuring of the Electricity and Related Water Sector in 2005. In addition, it was given the responsibility of regulating the gas transportation activity through the issuance of Royal Decree (78/2020). The Authority was recently given the responsibility to regulate the Water and Wastewater Sector through the issuance of Royal Decree (131/2020).

2. INVITATION

2.1 As part of the Authority's Forward Work Programme that was issued for year 2021, as well as other fundamental projects the Authority is willing to commence with, in relation to the regulatory market, such projects require exposure to international legal and regulatory practices to advise on the best approach for the Omani Electricity Market. Thus, through this request of proposals ("RFP"), the Authority is seeking to retain a qualified, reputable and experienced international Law firm (the "Firm") in regulatory matters for the public utility sector. The Firm is expected to provide the Authority with legal services and consultations, on ad-hoc (as required basis), for a period of 2 years (renewable).

2.2 The RFP includes the following annexes:

Annex 1	Technical Proposal Submission Form
Annex 2	Attachment to the Technical Submission Proposal
Annex 3	Financial Proposal Submission Form
Annex 4	Timeline



3. SUBMISSION OF PROPOSAL

- 3.1 The proposal submitted shall comprise of technical proposal and financial proposal, in separate E-mails.
- 3.2 The proposal should reach the following address no later than 20 November 2021, 11:59 pm Muscat time:
The technical proposal should be sent to: Tender.Technical@apsr.om
The commercial proposal should be sent to: Tender.Commercial@apsr.om
- 3.3 Any proposal received by the Authority after the deadline for submission of proposals prescribed in Annex 4 of this RFP shall normally be rejected.
- 3.4 We will be pleased to provide clarification of matters covered by the RFP prior to the submission of proposals. Nonetheless any delay in providing such clarification will not be considered a reason for extending the submission date of your proposal. Request for clarifications to be emailed to: sara.albalushi@apsr.om
- 3.5 The Proposers will be evaluated based on scoring system, giving eighty percent (70%) weight to the Technical Proposal, and twenty percent (30%) weight to the Financial Proposal. The Technical Proposals will be scored as follows:

Technical Criteria	Max Score
Approach and Methodology	
Demonstration of understanding APSR needs.	5
Clear approach and methodology	5
Dedicated Team and Firm Experience	
1. International experience in Regulation of public utility sector. More Specifically, experience in regulation of the electricity, Water, Wastewater, transportation and solid-waste sector.	40



2. Experience in legal regulation of public utility sector in Oman.	40
3. Other relevant experience in the electricity, Water, Wastewater, transportation and solid-waste sector.	10

3.6 The Proposers should score above certain cut-off point of the total possible points for the Technical Evaluation in order to consider the Proposal as compliant, meeting all the requirements and accordingly as “Technically Acceptable”. The overall threshold is 60% of the Technical Evaluation. Any Proposer that does not pass the set overall threshold 60% of the total possible points for the Technical Evaluation will be disqualified and the offer will be considered as “Technically not acceptable”.

3.7 Proposers may withdraw their proposal after submission provided that written notice of withdrawal is received by the Authority prior to the deadline prescribed for submission of proposals. No proposal may be modified subsequent to the deadline for submission of proposals.

4. CONFLICT OF INTEREST

Proposers must (i) confirm that, based on their current best knowledge, there are no real or potential conflicts of interest involved in rendering services for the Authority and (ii) set out their policy on dealing with conflicts of interest shall these arise.



Annex 1

Technical Proposal Submission Form

[Location, Date]

To: AUTHORITY FOR PUBLIC SERVICES REGULATION
PO BOX 954, POSTAL CODE 133
AL KHUWAIR
MUSCAT
SULTANATE OF OMAN

To whom it may concern:

We, the undersigned, offer to provide Ad-hoc Legal Services on Regulatory matters for the Public Utility Sectors in accordance with your Request for Proposal dated 11/10/2021 and our Proposal. We are hereby attaching our Technical Proposal.

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

Our Technical Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations which shall be provided by us.

We undertake, if our Proposal is accepted, to initiate the mentioned services in due-diligence.

We understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of Firm:

Address:



Annex 2

Attachment to the Technical Submission Proposal

A – Firm’s Organization and Staffing

[Provide here a brief description of the background and organization of your firm and the Curriculum Vitae (CVs) of the concerned professional staffs to handle the requested services]

B – Firm’s Experience

[Using the format below, provide information on each assignment for which your firm was legally contracted either individually as a corporate entity or as one of the major companies within an association, for carrying out the requested services s under this RFP]

Assignment name and narrative description of the project	
Name of Client	
Start date (month/year): Completion date (month/year):	
Description of actual services provided by your staff within the assignment	

C- The proposed services:

[Present here the services you are proposing to carry out, you should explain as well your understanding of the objectives of this RFP, approach to carrying out the requested services]

Firm’s Name: _____



Annex 3

Financial Proposal Submission Form

To: AUTHORITY FOR PUBLIC SERVICES REGULATION
PO BOX 954, POSTAL CODE 133
AL KHUWAIK
MUSCAT
SULTANATE OF OMAN

To whom it may concern:

We, the undersigned, offer to provide the consulting services for [Insert title of assignment] in accordance with your Request for Proposal dated [Insert Date] and our Proposal. Our attached Financial Proposal is [hourly rate] [Insert amount(s) in words and figures- OMR].

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations which shall be provided by us.

We understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of Firm:

Address:



Annex 4

Timeline

The Authority shall follow the timeline below for this RFP. Any changes to this timeline will be communicated to all bidders.

Activity	Date
Release of RFP	2/11/2021
Deadline for Submission of the proposals	20/11/2021
Estimated Award Date	10/12/2021
Commencement of Work	20/12/2021