

Request For Proposal
Integrated Project Consultant for
Kannur International Airport Project



Kannur International Airport Limited
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June 2010

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DISCLAIMER

The information contained in this Request for Proposal document (the "RFP") or subsequently provided to Bidders, whether verbally or in documentary form or otherwise by or on behalf of KIAL/ GOK or any of their employees is provided to Bidders on the terms and conditions set out in this RFP and such other terms and conditions subject to which such information is provided.

This RFP is neither an agreement nor an offer by KIAL to the prospective Bidders or any other person. The purpose of this RFP is to provide interested parties with information to assist in the formulation of their Bid and Proposals for selection pursuant to this RFP. This RFP includes statements, which reflect various assumptions and assessments arrived at by KIAL/ GOK in relation to the Consultancy.

Such assumptions and statements do not purport to contain all the information that each Bidder may require. This RFP may not be appropriate for all persons, and it is not possible for KIAL/ GOK, their employees to consider the consulting objectives, technical expertise and particular needs of each party who reads or uses this RFP. The assumptions, assessments, statements and information contained in this RFP may not be complete, accurate, adequate or correct and each Bidder should conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments and information contained in this RFP and obtain independent advice from appropriate sources.

KIAL/ GOK or their employees make no representation or warranty and shall have no liability to any person, including any Bidder, under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFP or otherwise, including the accuracy, adequacy, correctness, reliability or completeness of the RFP and any assessment, assumption or information contained therein or deemed to form part of this RFP.

KIAL/ GOK may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumption contained in this RFP.

The issue of this RFP does not imply that KIAL/ GOK is bound to select or to appoint Bidder for the Consultancy and reserves the right to reject all or any of the Bidders without assigning any reasons whatsoever. KIAL/ GOK reserves the right to change any or all the provisions of RFP. Such changes shall be intimated to all the Bidders.

1. Introduction

Government of Kerala (GOK) proposes to establish an international airport at Kannur. GOK has selected the site and has obtained the in-principle approval of Government of India to establish the proposed airport. GOK intends to develop the project, through a public limited company, wherein the Government will hold 26% of the equity while 23 % will be held by Public Sector Undertakings 2% by Government-promoted agencies and balance through public participation by high net worth investors and general public. With this intention, GOK has acquired major part of the land required to establish the proposed airport. A Techno Economic Feasibility study was conducted in the year 1999. The TEFRR was revised in the year 2005. The construction of the project is scheduled to start in the current year.

KIAL has been incorporated as a Government company .This company is proposed to be restructured into a public limited company as described above. In this context, KIAL proposes to select an Integrated Project Consultant/ firm of consultants , with proven track record as Project Consultants in Airport Projects, including Greenfield Airport Projects, as Consultants for the Kannur Airport project, through competitive tendering process by inviting bids from interested and qualified parties.

2. Objective of Process

The objective of the process is to engage an Integrated Airport Project Consultant, who will be handholding KIAL to develop the Kannur International Airport Project from the design to the operational stage. The Consultant is required to provide targeted advisory services covering a multitude of airport related disciplines like strategy, technical, financial, legal, operational and developmental. The objective is to ensure an integrated and comprehensive perspective for a sustained and cost-effective solution for the implementation and operation of the new airport at Kannur. **The selected consultant shall be awarded the integrated consultancy assignment on a lump sum fixed consultancy fees on achievement of milestones.**

3. Scope of the Assignment

Airports consist of a multitude of functional chains which are interconnected , some specifically related to strategic planning, or operational processes, others more to the design and technical concept and some to legal and financial planning. Hence, a given system or subsystem is likely to affect the process flows in several chains at once. Thus all functions and systems of an airport project are highly interconnected and needs a holistic approach or an integrated advisory plan. Recognizing the above, KIAL require an integrated consultant having the complete picture of the airport even while designing or adapting a single component or parameter.

The Airport at Kannur is proposed to be carbon neutral and maximum clean/ renewable energy dependent Airport. The Consultants shall also be capable of incorporating the green energy concept. The proposed airport is envisaged as a cost-effective budget project and the design concept should adhere to that. KIAL shall give special priority / consideration to consultants who have incorporated the above theme in their proposal.

The different modules of the scope of work shall include but not limited to:

I. Review of existing Techno Economic Feasibility Report (TEFR)

- i. Revision of preliminary designs, outline specification and cost estimates of the entire project including air side and land side facilities.
- ii. Updation of traffic projections.
- iii. Revision of Master Plan incorporating the new trends reflected in the traffic projections and cargo movement assessment and tourism potential assessment.
- iv. Obstacle clearance survey
- v. Submission of revised TEFR

II. Obtaining statutory clearances

- i. Obtain details of statutory clearances based on the present statutes and obtaining such clearances including environmental impact assessment & clearance thereof from MOEF , Kerala State Pollution Control Board, Fire and Safety, etc.
- ii. Approval / Licence from DGCA, Airports Authority of India, Ministry of Defence, and any other clearances as may be required.
- iii. Approvals and clearances from local authorities

III. Financial Closure

- i. Revision of financial analysis based on the airport usage as suggested by the traffic analysis and other potential data.
- ii. Preparation of a financial plan with capital outlay, debt equity ratio and other financial indices and ratios to project the viability of the project to the potential investors/ bankers.
- iii. Financial structuring of the project with viable means of raising the project funds, structuring of equity, debt / loan portfolios.
- iv. Assistance in locating investors, planning of fund raising methodology and implementation, corporate structuring and assistance in implementation in total .
- v. Assist and ensure financial closure of the project.
- vi. Marketing the project to investors, conducting road shows and /or one to one meetings.

IV. Detailed Engineering and supervision

- i. Revision and preparation of technical data and preparation of land use plan, structural design, civil designs and drawings taking into account the original TEFR. Air Navigation & Communication, plan – design. Airport utility services like power, lighting, water, sewage, drainage, access roads, fire, safety, security etc. Conformity with ICAO standards for air side facilities and IATA standards for city side facilities must be ensured. The consultant should liaise with Director General of Civil Aviation (DGCA) for helping the Company in obtaining all statutory approvals for the plans and designs for setting up a modern state-of-the-art Airport at Kannur.

- ii. Digital Survey and documentation of land
- iii. Architectural design and drawings for all facilities and preparation of a model for the terminal building and other buildings of the technical block associated with the airport.
- iv. Preparation of all construction drawings including civil, electrical, plumbing, drainage, roads sanitation, air conditioning, communication and structural.

V. Tendering and award of contracts

- i. Preparation of estimates for tendering, BOQ, technical specifications, etc.
- ii. Drafting of all bid / tender documents, assistance in selection of vendors / contractors and finalization of tenders and contracts/ agreements.

VI. Selection of EPC

- i. Drafting of TOR for the EPC, inviting offers, short listing, negotiation and selection of EPC and finalizing the contract.

VII. Coordination, Supervision and Commissioning of the Airport.

- i. Supervision of all contract execution including that of EPC .Check measurement and recommendation of payments to contractors.
- ii. Coordinating the activities of various agencies to ensure adherence to time scales and schedules, supervision of works and final commissioning of the Airport.

4. Brief description of Bidding Process

- 4.1 KIAL has adopted a two-stage (3 envelopes – one for Qualification, the second for Technical Bid and the third for Financial Bid, all three to be submitted at the beginning) process for selection of the bidder for award of the Project. The first stage (the "Qualification Stage") of the process involves qualification (the "Qualification") of interested parties/ consortia who make an Application and meet the eligibility criteria in accordance with the provisions of this RFP. At the end of this stage, KIAL expects to announce a short list of suitable pre-qualified Applicants, who shall be eligible for the second stage of evaluation of the Technical and Financial bids.
- 4.2 In the Qualification stage, applicants would be required to furnish the information specified in this RFP. Only those applicants that are found qualified and short-listed by KIAL shall be eligible to have their technical and financial bids opened for the Consultancy Project. The Applicants are advised to visit the site at Mattannur and familiarise themselves with the Project before submitting the bids. For location details applicants may contact the Office of KIAL on telephone
- 4.3 In the second stage, the technical and financial offers (the "Bids") in respect of the Consultancy Project submitted by the bidders in accordance with the RFP and clarifications, if any, furnished by KIAL, pursuant to the RFP, will be evaluated.
- 4.4 In terms of the RFP, a Bidder will be required to deposit, along with its Bid, an earnest money deposit equivalent to INR 10 Lakhs (Indian Rupees ten Lakhs) (the "Bid Security"), refundable not later than 60 days from the Bid Due Date. The bid security shall be forfeited if the bidder withdraws from the bid after opening of the bid but before executing the agreement with the successful bidder. The Bidders will have an option to provide Bid Security in the form of a demand draft or a bank guarantee (as per format in RFP and from a nationalized bank only) acceptable to KIAL and in such event, the validity period of the demand draft favouring Kannur International Airport Ltd or

bank guarantee, as the case may be, shall not be less than 180 (one hundred and eighty) days from the Bid Due Date, inclusive of a claim period of 60 (sixty) days, and may be extended as may be mutually agreed between KIAL and the Bidder from time to time .The bid shall be summarily rejected if it is not accompanied by the bid security.

4.5 During the RFP/ bid stage, Bidders are invited to examine the Project in greater detail, and to carry out, at their cost, such studies as may be required for submitting their respective Bids for award of the concession including implementation of the Project.

4.6 Any queries or request for additional information concerning this RFP shall be submitted in writing by fax or by e-mail to Co-ordinator, Kannur Airport at +91 471 2727241, email: coordinatorkannurairport@vsnl.net. The communications shall clearly bear the following identification/title:

"Queries/Request for Additional Information: RFP for appointment of Integrated Project Consultants for Kannur Airport Project."

Schedule for RFP/ Bidding process

KIAL shall endeavour to adhere to the following schedule:

Event Description

Date

Last date for receiving queries	11 June 2010
Pre application conference	18 June 2010
Proposal due date	05 July 2010
Opening of the RFP	06 July 2010
Qualification	21 July 2010
Opening of technical bid	23 July 2010
Opening of financial bid	30 July 2010

The Request for Proposal shall be down loaded from the web site of KIAL or KINFRA or GOK and sent along with a fees of Rs. 15,000 (Indian Rupee Fifteen thousand only) towards cost of the document by way of a crossed demand draft from any nationalized bank in India, drawn in favour of Kannur International Airport Ltd payable at Thiruvananthapuram. Only those firms, who have down loaded the RFP document as mentioned above, and submitted along with the fees, shall be entitled to submit their Application.

5. Instructions to applicants

5.1 Scope of Application

KIAL wishes to receive Request for Qualification as well as Financial proposals (RFP) in order to short-list experienced and capable Applicants and select the financially/ technically most competent applicant for the Airport Project.

5.2 Eligibility of Applicants

- 5.2.1 The Applicant for pre-qualification may be a single entity or a group of entities (the "Consortium"), coming together to implement the Project. However, Applicant(s) applying individually or as a Lead member of a Consortium, (The applicant shall clearly specify the Lead member, if any) as the case may be, cannot be member of another Applicant Consortium. The term Applicant used herein would apply to both a single entity and a Consortium. For the purposes of this RFP, an entity would be construed as:
- a) A Company which is registered in India under the provisions of the Companies Act, 1956, or
 - b) Any foreign company in joint venture/consortium with an Indian company, as per applicable FDI norms.
- 5.2.2 An Applicant may be a natural person, private entity, government-owned entity or any combination of them with a formal intent to enter into an agreement or under an existing agreement in the form of a Consortium. A Consortium shall be eligible for consideration subject to the conditions set out in Clause 5.4.2 below.
- 5.2.3 An Applicant shall not have a conflict of interest (the "Conflict of Interest") that affects the Bidding Process. Any Applicant found to have a Conflict of Interest shall be disqualified. An Applicant may be considered to have a Conflict of Interest that affects the Bidding Process, if:
- 5.2.4 such Applicant (or any constituent thereof) and any other Applicant (or any constituent thereof) have common controlling shareholders or other ownership interest; provided that this qualification shall not apply in cases where the direct or indirect shareholding of an Applicant or a constituent thereof in the other Applicant(s) (or any of its constituents) is equal or less than 26% of its paid up and subscribed capital; or
- 5.2.5 a lead member of such Applicant/Consortium is also a constituent of another Applicant/Consortium; or
- 5.2.6 such Applicant receives or has received any direct or indirect subsidy from any other Applicant, or has provided any such subsidy to any other Applicant; or
- 5.2.7 such Applicant has the same legal representative for purposes of this Application as any other Applicant; or
- 5.2.8 such Applicant has a relationship with another Applicant, directly or through common third parties, that puts them in a position to have access to each others' information about, or to influence the Application of either or each of the other Applicant; or

5.2.9 such Applicant has participated as a consultant to the KIAL in the preparation of any documents, design or technical specifications of the Project.

5.3 An Applicant shall be liable for disqualification if any legal, financial or technical adviser of the applicant in relation to the project is engaged by another Applicant in any manner for matters related to or incidental to the Project.

5.4 To be eligible for pre-qualification and short-listing, an Applicant shall fulfill the following conditions of eligibility:

5.4.1 Key Personnel

The Applicants Consultancy Team shall consist of the following minimum key personnel who shall discharge their respective responsibilities, which should be clearly indicated by the applicant. The detailed CV along with all relevant copies of attested certificates of all the key personnel shall be furnished by the applicant at the time of RFP.

SI No.	Experts	Minimum Qualification	Minimum Experience
A.	Category-1:		
1	Project manager	Post graduate degree in engineering or MBA	20 years experience with in depth knowledge of aviation and particular knowledge and experience in airport panning based on ICAO standard with at least 10 years proven skill in project management as team leader. International work experience as team leader is must and work experience in Asian countries will be added advantage. He must an aviation and/or airport management or consultancy service background with wide exposure in airport planning, operation , management and project financing.
2	Airport planning and design expert	Professional with graduate or post graduate degree in Airport engineering /Civil engineering or MSc. In engineering/ Architecture	A.15 years of experience with deep knowledge in Airport operation with working experience in airport planning with ICAO standard/Design of airport infrastructure such as; runway, terminal, landside facilities and airport support facilities /Architecture skill in development and detailing of terminal and other airport buildings B.Out of the 15 years, at least 5 years of practical experience: as an airport planning manager in consultancy firm/as Airport Design Manager from an airport consultancy firm/as architect for development of airport terminals and land side facilities for large airports

3	Air space planner	Professional with graduate or post graduate degree with skill in air space design	15 years experience with in-depth knowledge of air traffic management and airspace design in which at least 5 years experience in design of air space, air route, sectorisation for multiple airports environment.
4	CNS specialist	Professional with graduate or post graduate degree with skill in CNS	15 years of experience in design and implementation of CNS and metro logical system with at least 5 years working experience as Sr. manager in CNS in the field of air route, sectorisation for multiple airports environment including design of SID ,STAR, precision approach, etc. in a consultancy firm.
5	Air traffic forecast and Aviation Transport Specialist	Professional with post graduate degree in economics or statistics or mathematics with skill in aviation forecasting	15 years of experience with deep knowledge of various forecasting technical with at least 5 years experience in working as traffic forecasting expert and must have worked on data collection analysis and forecasting air traffic in multiple airport environment.
6	Senior electrical specialist	Professional with graduate or post graduate degree in electrical engineering	15 years of experience with knowledge of design/ planning and installation power system for industrial / commercial complex. At least 5 years experience in working as expert in consultancy or in a firm involve electrical works related to large airports.
7	Finance and business expert	Professional with post graduate degree / MBA in financial management	15 years of experience with deep knowledge in financial planning and analysis, airport expense and revenue, capital cost, business plan, etc. At least 5 years experience in project finance structuring, appraisal for large infrastructure projects.
8	Environmental expert	Professional with post graduate degree in environmental engineering	10 years experience with in depth knowledge of airport related environment issues. Expertise in environmental planning with respect to noise, ground water, contamination, emissions and social impact of airports is must. Minimum 5 years experience from airport environment planning will be added advantage.

B.	Category-2:		
1	Deputy Project Manager	Professional with post graduate degree with specialization in project management	15 years in managing consultancy assignment of large project involving multi-disciplinary works. At least 5 years of experience as manager(project) on any large multi-disciplinary project preferably related to airports.
2	Airport policy & institutional experts	Professional with post graduate degree in science or MBA	15 years of work experience in dealing in legal, policy institutional frame work for the aviation sector. In depth knowledge of air traffic growth, airport administration, operation, management is essential
3	Finance and business expert	Professional with post graduate degree / MBA in financial management	15 years of experience with deep knowledge in financial planning and analysis, airport expense and revenue, capital cost, business plan, etc. At least 5 years experience in project finance structuring, appraisal for large infrastructure projects.
4	Procurement and contract expert	Professional with graduation in engineering with specialization in contract management	16 years of experience with deep knowledge of procurement and contract document. At least 3 years experience in drafting transaction document PPP for infrastructure project.
5	Quantity surveyor/ estimator	Professional with graduation in engineering with specialization in quantity survey and estimate	15 years experience with deep knowledge in working out the quantity and cost estimate for various components of airport projects and must have 5 years experience in working out cost estimate for large infrastructure projects.
6	Traffic and Transportation-cum Aviation Transport expert	Professional with post graduate degree in traffic and transportation study	16 years experience with deep knowledge in working out the quality and cost estimate for various components of airport projects and must have 5 years experience in working out cost estimate for large infrastructure projects. Must have worked or participated at least for five specific experience in development of traffic dispersal system for large projects such as rail station , bus terminal , convention and exhibition centre.
7	Town planning expert	Professional with post graduate degree in urban	15 years experience in town planning with specialisation and land use and zoning planning.A

		/ town planning	deep knowledge of various acts, regulation development control regulation, development control regulation is necessary for working land use compatibility plan for area around airport and zoning regulation for the same.
8	Geo-technical expert	Professional with post graduation in civil engineering and specialization in soil mechanics	15 years of experience with in depth knowledge of Geo-technical foundation engineering , consolidation of poor soil, reclamation of land using various methodology such as conventional, by earth or rock etc.Knowledge in blasting of rock by various techniques and use of sme purpose would be added advantage.
9	Area drainage expert	Professional with post graduate degree in hydraulics/hydrology	15 years of experience in assessing the requirement of area drainage of large area and in depth knowledge of designing drainage scheme in coastal area subjected large tidal variation. Knowledge of assessment of flood control and its mitigation will add advantage.
10	Utility & infrastructure Specialist	Post graduate in engineering	15 years of working as specialist in preparing supporting infrastructures requirements such as requirements of water supply, power supply, waste management etc. for large project as township, industrial estate, large industrial area. Working on airport project would add experience.
11	Senior Mechanical Specialist	Professional with post graduate degree in mechanical engineering	15 years of experience with knowledge of design/planning and installation air- conditioning system for industrial/commercial/ terminal complex. At least 5 years experience in working as air conditioning expert in consultancy or in a firm involve mechanical works related to large airports.
12	Electrical Specialist	Professional with post graduate degree in electrical engineering	12 years of experience with knowledge of design/planning and installation power system for industrial/commercial complex.At least 5 years experience in working as expert in consultancy or in a firm involve electrical worked related to large airports.
13	Communication Expert.	Professional with post graduate degree in Telecommunication	15 years of experience with deep knowledge of latest system for data and voice communication. He should have worked as communication expert for at least of 5 years on large scale project on corporate/Govt. bodies as pioneer communication engineer. Knowledge of designing local area network, wi-fi, Vimax large complex shall be an added advantage.

14	Airport planner	Professional with graduate or post graduate degree in engineering with skill in airport planning.	12 years of experience with deep knowledge of airport operation with working experience in airport planning with ICAO standard in which at least 5 years of practical experience as an airport planning manager in consultancy firm. Experience of international airport planning will add advantage.
15	Airport design engineer	Professional with post graduate degree in Architecture	12 years of experience in design of airport infrastructure such as ; runway , terminal, landside facilities and airport support facilities. At least 5 years as Airport Design Manager from an airport consultancy firm.
16	Architect	Professional with post graduate degree in Architecture	12 years of architecture skill in development and detailing of terminal and other airport buildings. At least 5 years of experience as architect for development of airport terminals and land side facilities for large airports.
17	Air space & ATM specialist	Graduate in engineering with specialization in air space and air traffic management	10 years experience in working out the air route, sectorisation, air space design and working out SID and STAR for at least one airport.
18	Commercial pilot and Air Safety Specialist	Graduate degree with pilot licence	10 years of flying experience as well as experience in working air traffic management.
19	Airport security expert	Graduate degree with diploma or certificate in security training courses.	12 years of experience with deep knowledge of legal framework and latest system for security arrangements for airport assets and airport users & employees. Experience in working with ICAO standards will be added advantage.
20	Project finance expert	MBA in Finance	15years of experience in managing infrastructure , project structuring , minimum 5 years specific experience in project financing in term equity, debt of large project such as; metro , urban transit , transportation project.
21	Legal Expert	Graduate in Law	10years of experience in handling corporate legal matters, with specific exposure to Airlines and Airport or infrastructure projects and Company law matters.
22	Fire Fighting Expert	Graduate .Completed senior fire officers course	10 years experience in handling fire and safety of airports, including design of airport emergency

		by a recognized institute approved by AAI or ICAO	procedure, fire and safety regulations ,analysis of aircraft incidents and accidents, selection of equipments, vehicles for fire fighting, command and control of air crash, and management of material and personnel fire protection.
23	Fuel Expert	Graduate. Completed training courses in ATF handling.	10 years experience in handling airport fuel farms, into plane loading. Design and operation of airport fuel services. Knowledge of ATF regulations and ICAO regulations for ATF handling, storage etc.

5.4.2 Conditions of eligibility of applicants.

- i) Applicants must read carefully the minimum conditions of eligibility (the “Conditions of Eligibility”) provided herein. Proposals of only those Applicants who satisfy the Conditions of Eligibility will be considered for evaluation.
- ii) To be eligible for evaluation of its Proposal, the Applicant shall fulfill the following:
- iii) Technical Capacity: The Applicant shall have, over the past 7 (seven) years, participated as Project Consultant in a minimum of one airport project costing over Rs.1500 Crores in India or abroad or airport projects with total cost of Rs.1500 crores or above and each airport project not less than Rs.500 crores .
- iv) Financial Capacity: The Applicant shall have received a minimum income of Rs. 500 lakhs per annum from professional fees during each of the three years preceding the Proposal Due Date. The applicant firm should have a net worth of Rs.50 Crores as at the last financial year end.
- v) Availability of Key Personnel: The Applicant should have/ had atleast 50% of the Experts on its roll for more than 12 months. It shall offer and make available all Key Personnel meeting the requirements as per Clause 4 above.
- vi) The Applicant shall enclose with its Proposal, certificate(s) from its Statutory Auditors stating its revenues from professional fees during the past three years and the payments received in respect of each of the Eligible Assignments specified in the Proposal. Any entity which has been barred by the Central / any State Government in India, or any entity controlled by them, from participating in any project, and the bar subsists as on the date of Proposal, would not be eligible to submit a Proposal. An Applicant should, in the last three years, have neither failed to perform on any agreement, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Applicant, nor been expelled from any project or agreement nor have had any agreement terminated for breach by such Applicant.

- vii) In case of a Consortium, the financial capacity of those members, who have an equity share of at least 26% each in such, should satisfy the above conditions of eligibility. Such members of the consortium shall remain part of the Consortium for at least a minimum of 1 year from the date of commencement of the commercial operation of the project and associated developments.
- viii) The duties, responsibilities and powers of the Lead member shall be specially included in the Contract. It is expected that the lead partner would be authorized to meet liabilities and to receive instructions and payments for and on behalf of the consortium.
 - a. The minimum eligibility of the consortium shall be evaluated on combined strength of the members. No member of the consortium shall be allowed to leave the consortium without prior written permission of KIAL, however KIAL may permit the substitution of any member of the consortium by a better-qualified member. No change in the consortium will be permitted after issue of RFP document and before award of contract.
 - b. The Consortium will be required to submit its MOU/Agreement along with their proposal, however if KIAL seeks any modification in the MOU/Agreement, the Consortium shall incorporate the same accordingly. If the consortium is not in a position to submit its MOU/Agreement at the time of submission of bid, lead member will have to give an undertaking to the effect. However the MOU/Agreement amongst the consortium members will have to be submitted before signing of Consultancy Agreement.
 - c. For the purpose of submitting information for meeting eligibility & evaluation criteria the consortium has to comply with the condition for submitting information as above.
 - d. The major members of the Consortium shall be present during all meetings

6. Conflict of Interest

KIAL requires that the selected Bidder (the Consultant) provide professional, objective and impartial advice and at all times hold KIAL/ GOK's interests paramount, avoid conflicts with other assignments or their own corporate interests, and act without any consideration for future work.

Without limitation on the generality of the foregoing, Consultants, and any of their associates shall be considered to have a conflict of interest and shall not be selected under any of the circumstances set forth below:

- 1) If there is a conflict among this and other consulting assignments of the Consultant (including its personnel and sub-consultants) and any subsidiaries or entities controlled by such Consultant. The duties of the Consultant depend on the circumstances of each case. While providing consultancy services to KIAL for this particular assignment, the consultant shall not take up any assignment that by its nature will result in conflict with present assignment.
- 2) A firm which has been engaged by KIAL to provide Goods or Works for Project and any of its affiliates, will be disqualified from providing consulting services for the same project. Conversely, a firm hired to provide consulting services for the preparation of implementation of a project and any of its affiliates will be disqualified from subsequently, providing goods or works or services related to the same project.
- 3) An Applicant eventually appointed to provide Consultancy for this Project, as well as any of its affiliates, shall be disqualified from subsequently providing goods or works or services related to the construction and execution of the same Project (other than a continuation of the firm's earlier consulting services) and any breach of this obligation shall be construed as Conflict of Interest.

7. Fraudulent and Corrupt practices

The Bidders and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Selection process. KIAL shall reject a bid if it determines that the Bidder has, directly or indirectly or through an agent, engaged in corrupt, fraudulent, coercive, undesirable or restrictive practices in the Selection Process.

For the purposes of this provision, the terms set forth are defined as follows:

"corrupt practice" means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public official in the Selection Process;

"fraudulent practice" means a misrepresentation or omission of facts in order to influence the Selection Process;

"coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the Selection Process;

"undesirable practice" means establishing contact with any person connected with or employed with KIAL/ GOK with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Selection Process; and

"restrictive practice" means forming a cartel or arriving at any understanding or arrangement among Bidders with the objective of restricting or manipulating a full and fair competition in the Selection Process.

All documents and other information supplied by KIAL or submitted by Bidder/consultant shall remain or become the property of KIAL.

Bidders/consultant are to treat all information, as strictly confidential. KIAL will not return any submissions.

Bidders are advised that the selection of Consultant shall be on the basis of objective assessment done by KIAL through evaluation process defined in this ITB. Bidders will be deemed to have understood and agreed that no explanation or justification of any aspect of the Selection Process will be given and that KIAL's decisions are without any right of appeal whatsoever.

Bidders are advised that KIAL will not respond to any enquiries or enter in to communication concerning or relating to Selection Process.

Bidder(s) eventually appointed to provide Consultancy service for this Project, as well as any of their affiliates, shall be disqualified from subsequently providing goods or works or services related to the construction and execution of the same project.

KIAL reserves the right to make inquiries with any of their clients listed by the Bidders in their previous experience record.

Bidders or any of their affiliates shall not be hired for any assignment, which by its nature, may be in conflict with other assignment of the Bidder.

8. Due diligence by Applicants

Applicants are encouraged to inform themselves fully about the assignment and the local conditions before submitting the Proposal by paying a visit to KIAL and the Project site, or by sending written queries to KIAL.

9. Availability of RFP Document

The RFP document can be downloaded from the Official Website of GOK (www.kerala.gov.in) or KINFRA (www.kinfra.org) or KANNUR AIRPORT (www.kannurairport.org) and the Applicant needs to deposit a fee of Rs.15,000 (Rupees fifteen thousand only) in the form of Demand draft in favour of Kannur International Airport Ltd, **payable at Thiruvananthapuram**, prior to participating in the Pre-Proposal Conference. In case an Applicant does not participate in the Pre-Proposal Conference, it shall deposit the aforesaid fee prior to or at the time of submission of its Proposal.

10. Number of Proposals

Each Applicant shall submit only 1 (one) Proposal, in response to this RFP. Any Applicant, who submits or participates in more than one Proposal will be disqualified and will also cause the disqualification of each of the consortia of which it is a member.

11. Proposal and other costs

The Applicant shall be responsible for all of the costs associated with the preparation of its Proposal and subsequent negotiation, including visits to KIAL, project site etc. KIAL will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Selection Process.

12. Right to accept any Proposal

Notwithstanding anything contained in this RFP, KIAL 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 and take any such measure as may be deemed fit in the sole discretion of KIAL, including annulment of the Selection Process.

13. Clarifications

- 13.1 Any queries or request for additional information concerning this RFP shall have to be submitted in writing by fax / email not later than 11 June 2010. The communication shall clearly bear the following identification: "Queries/Request for Additional Information concerning RFP"
- 13.2 KIAL would endeavour to respond to the queries not later than 7 days before Proposal Due Date. The responses will be sent by fax or e-mail. KIAL will post the reply to all such queries on the Official Website and copies thereof will also be circulated to all Applicants who have purchased the RFP document without identifying the source of queries.
- 13.3 KIAL reserves the right not to respond to questions raised or provide clarifications sought, in its sole discretion. Nothing in this clause shall be taken or read as compelling or requiring KIAL to respond to any question or to provide any clarification.

14. Pre Bid Meeting

- 14.1 Pre bid meeting of the applicants will be held on 18 June 2010 at Thiruvananthapuram, at an appointed time, for which necessary communication will be sent to all applicants.
- 14.2 The pre bid meeting is intended to clarify the RFP or take suggestions any modifications from the applicants and KIAL shall at its sole discretion endeavor to consider them.

15. Amendment of RFP

- 15.1 At any time prior to the deadline for submission of Proposal, KIAL may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the RFP document by the issuance of Addendum/ Amendment.
- 15.2 All such amendments will be notified in writing through fax or e-mail to all Applicants who have purchased the RFP document. The amendment will also be posted on the Official Website and will be binding on all Applicants.
- 15.3 In order to afford the Applicants a reasonable time for taking an Addendum into account, or for any other reason, KIAL may, at its own discretion, extend the Proposal Due Date.

16. Language

The Proposal with all accompanying documents and related correspondence shall be in English language and strictly on the forms provided in this RFP. No supporting document or printed literature shall be submitted with the Proposal unless specifically asked for and in case any of these documents is in another language, it must be accompanied by an accurate translation of the relevant passages in English, in which case, for all purposes of interpretation of the Proposal, the translation in English shall prevail.

17. Format and signing of Proposal

- 17.1 The Applicant shall provide all the information sought under this RFP in the formats specified. KIAL would evaluate only those Proposals that are received in the specified forms and complete in all respects. The Applicant shall prepare and submit only one original set of the Documents.
- 17.2 The Proposal shall be typed or written in indelible ink and the Applicant shall initial each page. All the alterations, omissions, additions, or any other amendments made to the Proposal shall be initialed by the person(s) signing the Proposal. The Proposal must be properly signed as detailed below:

- (i) by the proprietor, in case of a proprietary firm;
- (ii) by the partner holding the Power of Attorney, in case of a partnership firm; or
- (iii) by a duly authorised person holding the Power of Attorney, in case of a Limited Company or a corporation.

A copy of the Power of Attorney certified under the hands of a partner or director of the Applicant or a notary public on the specified form shall accompany the Proposal.

- 17.3 Applicants should note the Proposal Due Date, as specified in 4.8, for submission of Proposals. Applicants are reminded that no supplementary material will be entertained by KIAL, and that

evaluation will be carried out only on the basis of Documents received by the closing time of Proposal Due Date as specified in Clause 4.8. Applicants will normally not be asked to provide additional material information or documents subsequent to the date of submission, and unsolicited material if submitted will be summarily rejected.

18. Validity of the Proposal

The Proposal shall be valid for a period of not less than 120 days from the Proposal Due Date.

19. Selection and Evaluation Criteria

The bid evaluation process will be based on two stage system viz. qualification, evaluation of Technical proposal and Financial Proposal, sequentially. The Technical Proposals shall be examined by a Selection Committee to determine whether the proposals received are responsive in terms of the requirements of the RFP, before proceeding further.

Technical Proposal

19.1.1 Bidders meeting the eligibility criteria are required to submit details of experience in similar works, details of resource persons/experts with durations proposed to be deployed for the assignment together with their qualification and experience, approach & methodology proposed to be followed for carrying out the said assignment etc. Bidders may be called upon to make a presentation of their proposals, at their own cost, to the Selection Committee, if required. The Selection Committee will carry out the technical evaluation applying the criteria and points rating as listed in the table below:

SN	Parameter	Maximum Total Technical
1	Bidder's experience as Project Consultant in development of a airport project in the past five years.	30
2	Bidder's experience as Technical Consultant of An airport project in India in the past five years	10
3	Bidder's experience as Financial Consultant of An airport project in India in the past five years	10
3	Conceptual Clarity and Understanding of the project and its objectives	5
4	Proposed Approach and Methodology for undertaking the project	5
5	Team Composition and Experience of Key professionals (CVs)	40
	Total technical Score	100

19.1.2 The maximum achievable total technical Score for any bidder would be 100. A minimum of 75 marks is necessary for qualifying in the Technical Proposal.

19.1.3 The financial proposals of firms scoring less than 75 marks out of 100 marks for their Technical Proposal;, would be returned, unopened.

Bidder's Experience as Project Consultant

- 19.2.1 Bidders should indicate the number of completed projects, including the name of the Client for whom the assignment has been carried out.
- 19.2.2 Bidder's experience in respect of this criterion should be supported by documentary evidence in the form of certificate from the client, clearly stipulating the services rendered by the Consultant.
- 19.2.3 Selection Committee would evaluate the experience of each firm/bidder in respect of eligible projects and assign score on its evaluation as under:

As Consultant in Airport Development Projects

For at least one successfully undertaken and completed airport project consultancy (i.e. technical and financial closure) in the past five years of individual project cost not less than Rs. 1500 crores: 20 points.

For at least one successfully undertaken and on going airport project consultancy in the past five years of individual project cost not less than Rs. 1000 crores: 10 points.

Technical and Financial Consultancy

For each successfully completed airport project in the past five years of individual total project cost not less than Rs. 500.00 Crores: 10 points each

Conceptual Clarity and Understanding

Bidders are required to furnish a detailed write-up on their Conceptual Clarity and Understanding of the project and its objectives. 5 Marks

Approaches and Methodology

Bidders are required to furnish the Proposed Approach and Methodology; and Work Plan to undertake the assignment: 5 marks

The Selection Committee would evaluate each item above and assign appropriate score to every bidder based on its evaluation as under:

SN	Finding of Evaluation	% of points
1	Not submitted (Failure)	0%
2	Submission is below the requirement (in adequate/poor)	30%
3	Submission meets the requirement (Adequate/Fair)	75%
4	Submission exceeds the requirement (Good)	90%
5	Submission far exceeds requirement (Excellent)	100%

Team Composition and Experience of Key professionals/Experts

Bidders would need to provide details of the experts proposed to be deployed together with the time/ duration for the proposed assignment

The Curriculum Vitae (CV) of each expert proposed to be deployed for the assignment may be given along with the duration proposed for this assignment.

Selection Committee would evaluate each member proposed to be deployed based on their qualifications, experience etc, and assign score for every bidder based on its evaluation as under:

Sl No	Key Personnel	Score	Number	Total score
A.	Category-1:			
1	Project manager-team leader	100	1	
2	Airport planning and design expert	100	1	
3	Air space planner	50	1	
4	CNS specialist	30	1	
5	Air traffic forecast and aviation Transport specialist	30	1	
6	Senior electrical specialist	30	1	
7	Senior Finance and business expert	30	1	
8	Environmental expert	30	1	
				400
B.	Category-2:			
1	Deputy Project Manager	30	1	
2	Airport policy & institutional experts	20	1	

3	Finance and business expert	20	1	
4	Procurement and contract expert	20	1	
5	Quantity surveyor/ estimator	20	1	
6	Traffic & Transportation cum Aviation transport expert	10	1	
7	Town planning expert	10	1	
8	Geo-technical expert	10	1	
9	Area drainage expert	20	1	
10	Utility & infrastructure Specialist	20	1	
11	Senior Mechanical Specialist	20	1	
12	Electrical Specialist	20	1	
13	Communication Expert.	20	1	
14	Airport planner	20	1	
15	Airport design engineer	20	1	
16	Architect	20	1	
17	Air space & ATM specialist	10	1	
18	Commercial pilot and air safety specialist	10	1	

19	Airport security expert	10	1	
20	Project finance expert	20	1	
21	Legal Expert	20	1	
22	Fire fighting expert	15	1	
23	Fuel Expert	15	1	400

The points shall be divided by 20 to bring the maximum score to 40

Weightages for evaluation of the above shall be as under:

For relevant educational Qualification	25%
Experience (Airport Project)	50%
Experience in India	25%

Bidders are required to furnish the details of specific experience in development of projects located in India

Total technical Score

The total Technical Score of any bidder would be an arithmetic sum of scores obtained by the bidder for each of the parameter indicated above viz. experience, conceptual clarity and approach & methodology and team composition & experience.

Financial proposals of those bidders who have obtained a minimum score of 75% in evaluation of Technical Proposal will only be opened.

20 Financial Proposal

The selected Technical Consultant shall **be paid fees as described below:**

Milestone linked lump sum Professional Fee (PF)

20.1 The milestone linked lump sum Professional Fee shall be payable upon achievement of respective milestones as per the schedule described in clause 21.

21 Valuation and Award Criteria

21.1 The final evaluation of combined technical and financial proposals shall be on the principle of Quality Cum Cost Based Selection (QCBS) based on the final weighted score. A weightage of 80% will be assigned to the marks/points scored in the Technical proposal and a weightage of 20% will be assigned to the marks/points scored in the Financial Proposal (as illustrated below).

21.2 Let “T” be the total marks scored in technical proposal, and ‘F’ be the marks scored for the Financial proposal. The bidder, who gets the lowest Evaluated financial Quote, will be awarded a financial score

of 100 marks and other bidders will be given financial scores that are inversely proportional to their Evaluated Financial Quote.

- 21.3 The formula for this will be, $F = 100 \times (\text{amount of Evaluated Financial quote by the Lowest Bidder} / \text{Amount of Evaluated Financial Quote by the Bidder under evaluation})$.

The financial weighted score (combined technical and financial) will be:

$$0.80 * T + 0.20 * F$$

- 21.4 The assignment shall be awarded to the bidder scoring the highest financial weighted score.
21.5 KIAL, however, reserves the right to reject any or all the bids received, without assigning any reasons and any liability to KIAL

22. Important Milestones and Implementation Schedule

Based on the fore-going a list of important milestones and their expected time of occurrence is as follows

SL.No	Milestone	Duration (Months)
1	Technical Review Report	D+2
2	Revised TEFR	D+4
3	Technical closure	D+5
4	Financial Closure	D+6
5	Technical and financial closure	D+6
6	Award of tenders	D+6
7	Environmental Impact Analysis and clearance	D+4
8	Approval from Ministry of Civil Aviation, DGCA	D+6
9	Other statutory approvals	D+6
10	Appointment of EPC	D+6
11	Supervision of construction	
12	Commissioning of the airport	

23. Payment of Fees

Milestone linked Professional fees:

Following milestone linked Professional Fees as stated hereunder, shall be paid to the Consultant upon reaching the specified milestone:

Milestone	% of Total
1. On appointment of Project Consultant	10%
2. On completion of project review and submission of revised TEFR .	10%
3. On Technical and Financial closure	15%
4. On submission of drawings and tender documents	15%
5. On award of tenders	10%
6. On obtaining environmental clearance	10%

7. On obtaining all other statutory approvals	10%
7. On Commissioning of the Airport	20%

24.. Service Tax and other taxes

The fees paid exclude service tax. Service tax shall be payable by KIAL at rates as per laws in force from time to time. All other taxes shall be borne by the bidder

25. Exclusions

The professional Fee quoted shall be inclusive of all out of pocket expenses on travel, conveyance communication stationery and all such office/administrative expenses. etc.

26. Commencement, completion and alteration

Commencement Date

The Commencement of Project will be the date of issue of 'Letter of Award'.

Duration of Contract

Duration of Contract is 6 calendar months from the date of commencement or commissioning of the project whichever is later.

Completion Date

The completion date of the contract shall be the date immediately before which all work has been carried out to the satisfaction of Government , all the milestones have been met and all claims that may be outstanding between KIAL and Consultant have been resolved.

Alterations

Should circumstances arise which call for the modification of the contract, it will be done by mutual consent of the concerned parties in writing. In this respect, proposals for alterations from one party shall be given due consideration by the other party.

Assignment

The Consultant shall not, without the written consent of GOK assign the benefits or any other aspects, obligations or duties due under the contract to any third party thereof. Accordingly, GOK shall not, without the written consent of the Consultant in any way assign or transfer its obligations under the contract to any third party thereof except in case of default on the part of the Consultant when GOK will be entitled to engage a third party to complete the Project at the cost of the Consultant.

Applicable Laws

The contract shall be governed by the Indian Laws being in force from time to time

27. Heading of Clauses

The Headings of the Clauses of herein have been inserted only to facilitate reference and shall not be taken as being of any significance whatsoever in the construction and interpretation thereof.

28. Ruling Language

The ruling language in this contract shall be UK English. All correspondence, reports and documents shall also be provided in English.

29. Confidentiality

The deliverables, reports and other works of the Technical Consultant for this assignment including all studies and other materials, contributions shall be the property of KIAL and the consultant shall handover all data and documents. The Technical Consultant will not have any right on such on such materials including data. The Consultant shall keep all work and services carried out for this assignment entirely confidential and not use, publish or make known, without the written approval of the Special Officer, Kannur International Airport Project. However, the foregoing obligations of confidentiality and secrecy and non-use shall not apply to any information that was in the Consultants possession prior to commencement of work or which is or shall become available to the public in the form of printed information.

30. Preparation of Proposal

Bidders shall submit their proposal with a covering letter enclosing the following labelled appendices:

Appendix – A (Envelope 1)	Technical Proposal and Certificate of Authority to sign proposals (Original and copies)
Appendix – B (Envelope 2)	Financial Proposal (original only, in a separate sealed envelope)

31. Submission of Proposal

The Technical and Financial Proposals must be submitted simultaneously but in separate sealed envelopes so as to reach the designated office not later than 1500 hrs. IST on 5 July 2010. Both inner sealed envelopes (1&2) shall indicate the name and address of the bidder. The first inner envelope shall contain the bidder’s technical proposal duly identified as Technical Proposal and marked “Original” and “Copy”. The second inner envelope shall include the Financial Proposal duly identified as such. Proposal not received in separate sealed envelope will not be considered. If the envelopes are not sealed and marked as instructed, Govt. of Kerala nor its designated office will assume any responsibility for misplacement or pre-mature opening of the Proposals submitted.

Technical Proposal

Duly identified as such must be submitted in one Original, clearly marked as such, with **two (2) additional copies**. The Technical proposal (both Original and Copy) must be sealed in a specially marked envelope/package, marked **“Technical Proposal – For Appointment of Technical Consultant for development of Kannur International Airport, Kerala”**.

Financial proposal

Must be submitted in one separately sealed envelope, marked “Financial proposal- For Appointment of Technical Consultant for development of Kannur International Airport, Kerala”.

The proposal must be valid for a period of SIX months from the last date of submission.

Earnest Money Deposit

Bidder(s) shall submit EMD amounting Rs. 10,00,000/- (Rupees Ten lakhs) in the form of Demand Draft drawn on any Bank in favour of "KIAL" payable at Thiruvananthapuram. The EMD shall be submitted along with in Cover 1. EMD of all unsuccessful Bidders shall be returned after award of work, on request by the bidders. No interest shall be paid on any account against EMD.

The EMD will be forfeited: -

- a. If the bidder withdrew his bid during the validity period of bid or extended period as specified in this document.
- b. If successful bidder fails to sign the contract or to furnish Performance security as may be prescribed.

The Technical proposal & Certificate of Authority to sign proposals and Financial Proposal sealed along with the Covering Letter should be put in a specially marked envelope/package (Outer Envelope), marked “**Technical proposal- For Appointment of Technical Consultant for development of Kannur International Airport , Kerala**” and should be addressed as follows for mailing.

The Managing Director
Kannur International Airport Ltd.
KINFRA House Annexe
TC 9/2585
Vellayambalam
Thiruvananthapuram – 695 010
Kerala.

32. Deadline for Submission of Proposals

The Managing Director, KIAL must receive the proposals not later than 1500 hrs (IST) on 5 July 2010 in the format given in the appendices. No request for extension of the deadline shall be entertained. If the date of submission of the Proposals is declared a public holiday, the proposal may be delivered up to 1500 hrs on next working day.

The “Certificate of Authority to sign proposals” attached must be executed by a representative of the bidder, who is duly authorized to execute contracts and bind the Bidder. Signature on the Certificate represents that the bidder has read this document, understands it and agrees to be bound by its terms and conditions.

The bids (Outer Envelope along with Technical proposal) will be opened at 1600 hrs on 6 July 2010 in the presence of the bidders, who wish to be present, at Thiruvananthapuram, by a Committee constituted for this purpose.