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THE REPUBLIC OF UGANDA

MINISTRY OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT

**NOTICE OF EXPRESSION OF INTEREST FOR INDIVIDUAL
CONSULTANCY TO PROVIDE SENIOR PPP ADVISORY SERVICES**

PROCUREMENT REF: MOFPED/CONS/19-20/0047C

STEP REF: UG-PPP-UNIT-159485-CS-INDV

1. The Government of Uganda (GoU), through the National Development Plan II (NDP II), adopted the use of Public Private Partnerships (PPP) as a way of increasing private sector investment and participation in the provision of public infrastructure assets and services. PPPs are expected to boost economic growth and foreign direct investments, enable more efficient development and delivery of public infrastructure and ensure the provision of good quality public services among others.
2. Accordingly, the GoU adopted a PPP Policy in 2010 and enacted the PPP Act (2015) as the enabling legislation for PPPs in Uganda. The PPP Act established the institutional framework to guide and support the delivery of the country's PPP agenda.
3. The PPP Act established the PPP Committee charged with the responsibility to, among others, ensure that each PPP agreement is consistent with the provisions of the PPP Act, formulate policy on PPPs, approve project proposals submitted to it by the Contracting Authority (CA), examine and approve feasibility studies conducted by a CA under the PPP Act, review the legal, regulatory and institutional framework of PPPs, oversee the monitoring and evaluation by CAs of a PPP from commencement to post completion stage, ensure approval of and fiscal accountability in the management of financial and any other form of support granted by the government in the implementation of projects under the PPP Act, and ensure efficient implementation of any project entered into by CAs.
4. The Law also established the PPP Unit as the Secretariat and technical arm of the PPP Committee to provide technical, financial and legal expertise in respect of PPP implementation to the PPP Committee and a

project team established under the Act. In addition, the PPP Unit also provides support to CAs to design, identify, select, prioritize, appraise and evaluate projects, review and assess requests for government support in relation to a project and advise the PPP Committee on the support that should be accorded to the project.

5. The World Bank recently carried out a Country PPP Diagnostic Study ("the Study") with the objective of determining the baseline of Uganda's PPP readiness and to assess gaps and weaknesses in the overall PPP enabling environment. The findings of the Study suggest that Uganda has basic common features of successful PPP programs. However, the Study also points out that the PPP Unit is understaffed, and the country lacks adequate ownership and capacity within line ministries and CAs to develop and implement PPPs.
6. Given its functions and its advisory mandate, the Study proposes that the PPP Unit be strengthened with in-house technical, legal and financial skills. To bridge current gaps as the PPP Unit builds internal capacities, the Study proposes that key skills and expertise required be sourced externally.
7. In order to achieve the above and address the skills gap, the PPP Unit seeks the services of a **Senior PPP Advisor** on part time basis who will provide PPP related expertise and support to the PPP Unit in the fulfilment of its mandate.
8. Broadly, this role will include, but will not be limited to, supporting the PPP Unit, and the CAs and Transaction Advisors (TA), in various activities related to PPP policy and frameworks, institution and capacity building and identifying, appraising, procuring, negotiating and managing PPP projects and reviewing project documentation leading to successful financial closure. The Senior PPP Advisor will report to the Director of PPP Unit for day to day activities.
9. The Senior PPP Advisor will be appointed by the PPP Unit on a contractual basis covering the scope of work, key deliverables, timelines, etc. for an initial period of 12 months, with a possibility of renewal for another 12 months based on performance, business need and budget availability.
10. The Senior PPP Advisor will be deployed on a part-time basis and will undertake Missions as and when required to the PPP Unit in Kampala and may also be required to work remotely from their home locations.

plan basis with the Director PPP Unit. The intent of the part-time position is to ensure that the Senior Advisor is available to the PPP Unit and utilized optimally.

12. The PPP Unit will provide office space, with connectivity to internet, printer and access to other office amenities while in the office of the PPP Unit.
13. Out of pocket expenses towards work related travel will be reimbursed as per rules and regulations applicable to the staff of PPP Unit.
14. The following sections detail the objective, scope of work, key deliverables, timelines, qualifications and experience requirements for the position.

OBJECTIVE

The main objectives of the Senior PPP Advisor's assignment are as follows:

- provide requisite specialist advice and support to the PPP Unit to carry out its mandate to assist CAs to identify, select, appraise, approve, procure, negotiate, manage and monitor PPP projects throughout their life cycle; this support will cover the entire PPP process as laid out in the draft PPP Guidelines and will also include the initial activities relating to projects, such as, among others, liaising with the CAs, and supporting them through the process of initial screening of projects.
- assist the PPP Unit in establishing and operationalizing systems and frameworks to ensure compliance with the PPP Framework in Uganda;
- participate in refining and improvement of procedures and methodologies related to PPP projects;
- assist in training and capacity enhancement within the PPP Unit, line ministries and agencies of the GoU, including establishing project management capacity within the CAs;
- provide technical guidance to the PPP Unit under the overall leadership of the PPP Unit Director and specifically provide technical direction and guidance and play a coordinating role for the team consisting of the PPP Advisor (financial) and PPP Advisor (technical).
- work closely with the Senior PPP Advisor (legal) and the PPP Advisor (legal) in taking forward PPP policy and process;
- assist the PPP Unit Director to mainstream PPPs in Uganda - by engaging with multilateral and donor agencies to develop tools, templates, risk management frameworks, model contract documents, capacity building, etc.

- explore opportunities for creating project development fund to facilitate project preparatory works and create a pipeline of PPP projects.
- advise the PPP Unit Director in carrying out the mandate of the PPP Unit under the PPP Act.

SCOPE OF WORK

The Senior PPP Advisor is expected to meet the above objective, and including, without limitation, perform the following tasks:

- a. Provide specialist technical support and advice to the PPP unit and the CAs on PPP projects, including but not limited to reviews of project technical and procurement documents including:
 - Project business cases and proposals for eligibility for PPP program;
 - Terms of reference for transaction advisory services;
 - Feasibility study reports;
 - Procurement documents including RFQs, RFPs, draft project contracts and other related documents;
 - Tender evaluation and tender evaluation reports; Negotiation notes/matrices;
 - Award letters and final contract documents; etc.
- b. Provide technical assistance to CAs, TAs and Private Sector including;
 - Technical assistance to Ministries, Departments and Agencies to develop plans for sectors' programs or pipeline PPP projects;
 - Technical support to TAs, staff of the Unit and Private sector whenever required;
 - Provide technical oversight for the Project Officers;
- c. Assist the PPP unit in establishing and operationalizing systems and frameworks to ensure compliance with the Act, Regulations and Guidelines
 - Provide ongoing technical support to the PPP Unit, CAs and advisors during the development of PPP project feasibility studies;
 - Support the technical, economic and financial due diligence and inform on the financial and economic viability analysis of the project(s)
 - Review applicable approaches for enhancing the project's suitability for government and attractiveness to both investors and their lenders/financing institutions.

- Develop and or, compare alternative PPP options, models and risk allocation criteria with the aim of optimizing the transaction structure and deriving maximum value for money.
 - Conduct sensitivity analyses for the purpose of quantifying the financial impacts of different structuring options.
 - Support the analysis of market potential for private sector investors and lenders, assess the financial risks involved for both the public and the private parties, assess the impact of various project inputs on the earnings and net cash flow potential and compute the refinancing mechanisms of CAPEX.
 - Assess VfM to examine both the choice between traditional public sector and PPP procurement, as well as alternative risk allocations between the alternative PPP options.
 - Support the qualitative and quantitative assessment of the economic and social costs and benefits of the proposed project(s)
 - Support the assessment of the fiscal commitments and contingent liabilities of projects;
 - Participate and or, assist in evaluating bids.
 - Assess suitability and affordability of projects as per the PPP Act and regulations.
- d. Contribute to the development of the Management Information System;
- e. Engage with lending agencies, multilateral agencies, infrastructure funds, etc., understanding requirements and advising the PPP Unit mainstreaming PPPs;
- f. Building PPP Capacity within CAs and the PPP Unit staff including the following;
- Sensitize the CA staff on the PPP Guidelines;
 - Build capacity in the use of the project identification, screening, appraisal, and Fiscal Commitments and Contingent Liabilities methodologies provided in the PPP Guidelines; Contract Management processes
 - To accomplish the above capacity building and sensitization activities, the Senior PPP Advisor will conduct at least one 2-day workshop during each month.
- g. Carry out any other related duties as may be assigned by the Director, PPP Unit.

KEY DELIVERABLES AND TIMELINES

The Senior PPP Advisor is expected to perform the scope of work on an ongoing basis during the term of his/her assignment, to the satisfaction of the Director PPP Unit, within the guidelines set out herein and based on best industry practices.

Quarterly key performance indicators will be set for the Senior PPP Technical Advisor by the Director PPP Unit against which performance will be measured during the assignment. The Senior PPP Technical Advisor will guide the successful completion of the deliverables of the PPP Advisor (Financial) and PPP Advisor (Technical).

The outputs delivered by the Advisor are to be acceptable to the World Bank and to the GOU. The remuneration to the Advisor will be paid partially as monthly remuneration and balance will be released based on delivery of quarterly performance indicators and guiding the delivery of the services of the PPP Advisors - Financial and Technical.

Note: No technical expertise or any other form of support shall be provided by the Advisor on any project that involves coal power or upstream oil and gas production. The advice provided by the Advisor will be consistent with the World Bank's Environmental and Social Safeguards Policy

The selection criteria will include;

a) Eligibility

1. A signed statement indicating that the consultant does not have a conflict of interest in the subject of the procurement;
2. A signed statement stating that the consultant is not insolvent, in receivership, bankrupt or being wound up;
3. The consultant is not suspended by the PPDA or equivalent body
4. A signed statement stating that the consultant is not a subject of legal proceedings
5. The consultant has fulfilled the obligations to pay taxes in Uganda or elsewhere he or she is located with proof of a copy of valid Tax Clearance Certificate or its equivalent;

b) Qualifications

1. An advanced university degree in Engineering, Finance or any other related field
2. An advanced qualification or proven experience in Roads and Highway Engineering is an added advantage

3. Certification in financial modelling and or experience in the development of PPP financial models

c) Experience

1. At least fifteen (15) years' experience in the development of large infrastructure projects on PPP basis including extensive experience in project finance, financial modelling, project structuring; risk analysis, allocation and management; project agreements; bid process management including preparation of bidding process documentation, contract negotiations and post-bid process monitoring. Knowledge and experience in preparing complex commercial agreements;
2. Specific experience in structuring (up to financial closure) at least two (2) PPP projects
3. Experience working in Sub-Saharan Africa and or, Uganda in particular will be an added advantage.

d) Skills

1. Proven skills to successfully carry out the assignment; In this regard, it is required to attach detailed curriculum vitae (CVs) and copies of required qualification.
2. Must be able to work independently as well as part of a team
3. Fluency in spoken and written English;
4. Must have a balanced personality with excellent communication and interpersonal skills;
5. Ugandan citizens will have an added advantage.

e) Reference

At least three (3) references on similar PPP Advisory assignments

f) Interviews

1. The consultant invited for the interview will bear the costs of attendance;
2. The consultant invited for the interview shall be notified of the arrangements for the interview
3. Where the consultant who is invited for the interview fails to attend, the consultant shall be eliminated from the selection process.

Shortlisted candidates will be required to complete the online Environment and Social Framework (ESF) training available through <https://projects.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/esf-training> prior to the interview.

11. Interested eligible individual consultants may obtain further information in writing at the address given below from **Monday to Friday** between **08:00am to 05:00pm**.

Ministry of Finance, Planning & Economic Development
Procurement & Disposal Unit
Plot 2/12 Apollo Kaggwa Road
Finance Building,
Floor 1, Room 1.5
Tel: 256-414-707000

12. Sealed Expressions of Interest (one original and three copies) must be submitted using the one stage-single envelope method delivered in written form must be delivered to the address in 7 above by 10:00am **(EAT/ local time)** on 18th May, 2020 at the address. The packaging must be clearly marked **SENIOR PPP TECHNICAL Advisor**.

13. The notice of expression of interest is available at the Entity's website at www.finance.go.ug, www.pppunit.go.ug, www.worldbank.org.

14. The planned Procurement schedule (Subject to changes) is as follows:

Activity	Date
a. Publication of Notice of Expression of Interest	27 th April, 2020
b. Closing date for receipt of Expression of Interest	18 th May, 2020
c. Evaluation of Expressions of Interest	19 th May- 27 th May, 2020
d. Display of shortlist	29 th May 2020
e. Interviews	June


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Betty Kasimbizi
UNDER SECRETARY/ACCOUNTING OFFICER