EXPRESSION OF INTEREST (EOI)

Title of Consulting Service: 01-Satellite-2021

Method of Consulting Service: International

Project Name: Consultancy Service for Development of Policy for Regulation and Security, Business Modality, Operation Modality of Satellite

EOI: 01-Satellite-2021

Office Name: Nepal Telecommunications Authority

Office Address: Kathmandu Kathmandu

Funding agency: Internal Resources

Abbreviations

DS	. Data Sheet
RFP	Request For Proposal
DCS	Delivery and Completion Schedule
DoIT	Department of Information Technology
DP	Development Partner
EQC	. Evaluation and Qualification Criteria
GCC	. General Conditions of Contract
GoN	. Government of Nepal
IFP	. Invitation for Proposals
ITC	. Instructions to Consultants
LGRS	. List of Goods and Related Services
NCB	. National Competitive Bidding
NTA	. Nepal Telecommunications Authority
PAN	Permanent Account Number
PPMO	Public Procurement Monitoring Office
SBQ	. Schedule of Bidder Qualifications
SCC	Special Conditions of Contract
SR	Schedule of Requirements
TOR	Terms of Refrence
VAT	Value Added Tax

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A. Request for Expression of Interest

Request for Expression of Interest

Government of Nepal (GoN)

Name of Employer: Nepal Telecommunications Authority

Date: 27-09-2021 00:00

Name of Project: Consultancy Service for Development of Policy for Regulation and Security, Business Modality, Operation Modality of Satellite

- 1. Government of Nepal (GoN) has allocated fund toward the cost of Consultancy Service for Development of Policy for Regulation and Security, Business Modality, Operation Modality of Satellite and intend to apply portion of this fund to eligible payments under the Contract for which this Expression of Interest is invited for International consulting service
- 2. The Nepal Telecommunications Authority now invites Expression of Interest (EOI) from eligible consulting firms ("consultant") to provide the following consulting services: Consultancy Service for Development of Policy for Regulation and Security, Business Modality, Operation Modality of Satellite
- 3. Interested eligible consultants may obtain further information and EOI document free of cost at the address Nepal Telecommunications Authority, EGp only during office hours on or before 17-10-2021 12:00 or visit e-GP system www. bolpatra.gov.np/egp or visit the client's website https://nta.gov.np/en/home/
- 4. Consultants may associate with other consultants to enhance their qualifications.
- 5. Expressions of interest shall be delivered online through e-GP system www.bolpatra.gov.np/egp only EGp on or before 17-10-2021 12:00
- 6. In case the last date of obtaining and submission of the EOI documents happens to be a holiday, the next working day will be deemed as the due date but the time will be the same as stipulated.
- 7. EOI will be assessed based on Qualification 40.0 %, Experience 50.0 %, and Capacity 10.0 % of consulting firm and key personnel. Based on evaluation of EOI, only shortlisted firms will be invited to submit technical and financial proposal through a request for proposal.
- 8. Minimum score to pass the EOI is 60

B. Instructions for Submission of Expression	of

Instructions for Submission of Expression of Interest

- 1. Expression of Interest may be submitted by a sole firm or a joint venture of consulting firms.
- 2. Interested consultants must provide information indicating that they are qualified to perform the services (descriptions, organization and employee and of the firm or company, description of assignments of similar nature completed in the last 7 years and their location, experience in similar conditions, general qualifications and the key personnel to be involved in the proposed assignment).
- 3. This expression of interest is open to all eligible consulting firm/person/ company/ organization.
- 4. In case, the applicant is individual consultant, details of similar assignment experience, their location in the previous 4 years and audited balance sheet and bio data shall be considered for evaluation.
- 5. The assignment has been scheduled for a period of 2 Year. Expected date of commencement of the assignment is 01-02-2022.
- 6. A Consultant will be selected in accordance with the QCBS method.
- 7. Expression of Interest should contain following information:
 - (i) A covering letter addressed to the representative of the client on the official letter head of company duly signed by authorized signatory.
 - (ii) Applicants shall provide the following information in the respective formats given in the EOI document:
 - EOI Form: Letter of Application (Form 1)
 - EOI Form: Applicant's Information (Form 2)
 - EOI Form: Work Experience Details (Form 3(A), 3(B) & 3(C))
 - EOI Form: Capacity Details (Form 4)
 - EOI Form: Key Experts List (form 5).
- 8. Applicants may submit additional information with their application but shortlisting will be based on the evaluation of information requested and included in the formats provided in the EOI document.
- 9. The Expression of Interest (EOI) document must be duly completed and submitted in sealed envelope and should be clearly marked as "EOI Application for Short-listing for the Consultancy Service for Development of Policy for Regulation and Security, Business Modality, Operation Modality of Satellite. The Envelope should also clearly indicate the name and address of the Applicant. Alternatively, applicants can submit their EOI application through e-GP system by using the forms and instructions provided by the system.
- 10. The completed EOI document must be submitted on or before the date and address mentioned in the "Request for Expression of Interest". In case the submission falls on public holiday the submission can be made on the next working day. Any EOI Document received after the closing time for submission of proposals shall not be considered for evaluation.

C. Objective of Consultancy Services or Brief TOR

Terms of Reference Of Consultant For

Development of business modality, operation modality and technical support for launching of satellite in the orbital positions allocated to Nepal by ITU

1. Background

Nepal lies between 80° 4' and 88° 12' east longitude and 26° 22' north latitude. It borders with China in the North and India in the South, East and West. Its altitude varies from 70 meters to 8848 meters.

The Ministry of Communications and Information Technology, Communications and Technology (MoCIT) was formed in the year 2049 BS (1992 AD) with the objective to develop and expand the information & communication sector for the social and economic development through wide spread participation of the private sector with emphasis on the dissemination of information and communication technology and services. One of the major functions of MoCIT is to formulate policy, develop plan, project and program related to information and communication sector of the Nation. MoCIT is an umbrella organization of the country that manages Radio Frequency Spectrum including the Satellite Orbital Resource allocated to Nepal by the ITU.

Nepal Telecommunications Authority (NTA) is an autonomous telecommunications regulatory body of the Government of Nepal, established on March 4, 1998 pursuant to Telecommunications Act, 1997 and Telecommunications Regulation, 1998. The main objective

of NTA is to create favorable and competitive environment for the development, expansion and operation of telecommunications services fostering a growth oriented ecosystem with private sector participation.

Further information relating to the telecom industry can be obtained from the website https://nta.gov.np/wp-content/uploads/2020/09/MIS-2077.

Satellite services are important for business, social and scientific applications, offering a unique ability to deliver communications to many parts of the world not adequately served by other means. In order to operate a satellite network, it is necessary to obtain access to spectrum for the uplink (Earth to satellite) as well as the return path from the satellite to stations in the service area. It is also necessary to secure an orbital position in space for the satellite. A satellite's orbital position will influence the area of the globe that it can serve.

2. Characteristics of the Existing Planned Bands Orbital Slot allocated to Nepal by ITU

The position in outer space, or orbital slot, occupied by a satellite determines the area of the Earth that its signals can reach and its orbit will determine whether it remains over the same area as the Earth rotates.

Two orbital slots have been allocated to Nepal by ITU on a planned basis.

Nepal's assigned orbital slot in Appendix 30 B (Allotment Plan) of the Radio Regulations is at orbital location 123.3° East longitude. This allocation in the FSS Plans includes 500 MHz in ku-band (10.7 – 10.95 GHz, 11.2 - 11.45 GHz in space to earth direction and 12.75-13.25 GHz in earth to satellite direction) and 300 MHz in C-band (4.5 - 4.8 GHz in satellite to earth direction, and 6.725 - 7.025 GHz from earth to Satellite direction) using circular Beam with 0.8° and 1.6° in diameter, for Ku-band and C-band, respectively, covering mainly the Nepalese territories.

Similarly, Nepal has been assigned an orbital slot in the BSS Plan (Appendices 30 and 30A of the Radio Regulations) located at 50° East longitude. This allocation in the BSS Plans includes 12 channels in the band 11.7 GHz – to 12.2 GHz in space-to-earth direction and 14.5 - 14.8 GHz in earth – to - space direction, using Elliptical beam with 1.72° and 0.6° in major and minor axis diameter, respectively, covering Nepal's territories.

Nepal Government has formulated satellite policy, 2020 for launching and Operation of the Satellite.

NTA now invites expressions of interest (EOI) from competent international firms/consultants/satellite operators to develop business modality, Operational modality and Technical modality of the satellite in the orbital slots allocated to Nepal by ITU or to be obtained under the ITU procedures.

3. Objectives

The broader objectives of this assignment are:

- a. To understand the international and domestic legal and regulatory framework (including ground segment) for launching and operating a dedicated satellite and also for partnering with a satellite operator to develop Nepal's orbital rights.
- b. To understand the technical similarities and differences between BSS and FSS satellites and the ground segments required to run them
- c. To understand the network capabilities, common industry standards and latest technological advances
- d. To understand the business model, commercial terms and conditions and pricing for launching and operating a dedicated satellite.
- e. To understand and compare the strengths and weaknesses of different satellite manufacturers.
- f. To understand the economic implications of having a national satellite program with regards to the market size, possible services roll out and projection of revenues and operational expenses
- g. To undertake the launching satellite in the orbital slots allocated to Nepal by ITU
- h. To understand prescribed commercial terms and conditions for operation and maintenance of the launched satellite.

4. Scopes of Work

The scope of work includes but not limited to the followings:

- The firm will use its own market surveillance/intelligence to ascertain the financial and commercial viability of the project.
- The firm will advise and assist the Government of Nepal in the process of fulfilling all the
 international regulatory compliances established by ITU including but not limited to the
 management and processing of satellite filings, details of coordination and registration, in order
 to achieve international recognition under the ITU procedures.
- As the Government of Nepal does not have a specialized institutional mechanism to handle
 matters related to satellite launch and associated filing procedures etc, the firm will advise and
 assist the Government of Nepal in establishing and capacity building of such an institution.
- The firm shall assist NTA in drafting the contract with the satellite manufacturer/ satellite launching company when required
- The firm will indicate the roles and responsibilities of the Government, roles and responsibility
 of NTA, roles and responsibility of satellite manufacturer and other agencies.
- The consultant shall study and analyze the responsible organization for the control, monitor and the security of the satellite.
- The consultant shall study and propose the role of Satellite Control and Operation Centre for the successful implementation of satellite
- The consultant shall study and propose the security aspect for the Telemetry, tracking & command & monitoring function of satellite
- The consultant shall include all the required details and required enforcement for the implementation of the satellite in Nepal.

5. More specifically, scope of the assignment will be

Assessment of the Market and Orbital Positions

- Assess the current telecommunications (broadcast and data) market in Nepal and identify the growth areas and challenges.
- Review international and domestic legal and regulatory framework for the selected service and the corresponding ITU regulations.
- Analyze the potential and limitation of the orbital rights at 50.0 °E (BSS) and123.3 °E (FSS).
- Identify the existing and possible new satellite applications in Nepal and rank the applications

according to their societal importance and economic value.

- Forecast the future demand of the bandwidth, and the address of the demand through the satellite
- Investigate availability of other orbital positions better fitted to Nepal's needs and potential access to them.
- Outline a strategic plan with clearly defined timeline and milestones.

6. Business Plan

- Define the business case for new satellite(s) utilizing Nepal's orbital rights as reference baseline, as well as potential options.
- Define the commercial and legal terms to facilitate either procuring and launching a satellite or partnering with a foreign satellite operator.
- Develop a satellite based ecosystem of applications to address issues such as micro-finance, agriculture, tele-education and tele-medicine with high reliability while involving local stakeholders.
- Study the Projected profit and profit sharing model with Government of Nepal.
- Develop within the prescribed modality along with commercial terms and conditions for launching and operation of satellite..

7. Recommendations

Provide recommendations and suggestions for the best course of action

- O Compare scenarios such as leasing capacity, operating a condosat and launching a national satellite; including ground segment and propose the best approach to meet the connectivity and satellite based service needs of Nepal.
- A sustainable business model that addresses the socio-economic/geographical factors of Nepal.
- O Strategy to facilitate the growth of the satellite applications ecosystem such as subsidized capacity, terminals and transparent revenue sharing model with the app developers.

8. Design, Contracting, Manufacturing, Launching & Operation

 Design the latest digital enhanced satellite. The design shall include ground segment and space segment.

9. Bidding Document Preparation, Contract Negotiation, Contract Document Preparation

- Prepare Bidding Document for Launching and operation of satellite
- Prepare Bidding Document for supply, installation and commissioning of ground segment
- Assist NTA in contract negotiation and preparation of contract document
- Assist NTA in preparation of insurance document

10. Qualification of Key Experts

The consultancy firm must have personnel with the following minimum required experience of proposed professional staff:

S.N.	Designation	Minimum Requirements	Preferences
	Key Experts		
1	Team Leader	 Bachelor in Satellite communication(preferably Masters) or equivalent Experience of at least 10 years in satellite field having at least two projects experience (as a consultant or developer in the satellite project). Having project management experience as a Team Leader 	
2	Deputy Team Leader	 Bachelors in Engineering or equivalent degree Experience of at least 7 years Telecommunications, having project Management experience as team leader/deputy team leader and having related project experiences. 	
3	System Design	 Bachelors in Engineering or equivalent degree Experience of at least 5 years in satellite field, having experience as system design in the related project experiences. 	

4	System Analyst	 Bachelors in Engineering or equivalent degree Experience of at least 5 years in satellite field, having experience as system analyst in the related project experiences.
5	Marketing expert	 Bachelors in Management or equivalent degree Experience of at least 5 years in marketting field, having experience as marketing officer.
6	Telecom Busines s expert	 Bachelors in Engineering or equivalent Experience of at least 5 years in Telecom field, having experience as in the Telecom related project experiences.
7	Legal expert	 Bachelors in Law Experience of at least 5 years in Law field, having experience as in the satellite related project experiences.

11. Deliverables and Payments Schedule

Based on the tasks described above in the Scope of Work, the consultants shall deliver the following outcomes and consultant shall be reserved for 3 Year and shall be available as and when required for deliverable no. 3,6,7 and 8.

Deliverable	Report	Time Line	Payment
No.			(in % of
			Contract
			Amount)

1	Inception report: within 15 days from the signing of contract	Within 15 Days from date of signing of contract	10
2	Assessment of the Market and Orbital Positions	Within 75 Days from date of signing of contract	10
3	Satellite Filling and Coordination with ITU	As per requirement	10 (Paid at the end of contract)
4	Business Plan and Recommendation	Within 150 Days from date of signing of contract	15
5	Design and Prepare contract document for selecting, manufacturer, launcher, ground station construction and its operation	Within 180 Days from date of signing of contract	25
6	Contract Negotiation with Launcher and contract Document Preparation Signing	As per requirement (While Contract Signing)	10
7	Contract Negotiation with Ground Station Constructor and contract Document Preparation Signing	As per requirement (While Contract Signing)	10
8	Document Preparation for insurance of Satellite	As per requirement (After Contract Signing)	10

All the payments shall be made upon the approval of report by NTA.

D. Evaluation of Consultant's EOI Application

Evaluation of Consultant's EOI Application

Consultant's EOI application which meets the eligibility criteria will be ranked on the basis of the Ranking Criteria.

i) Eligibility & Completeness Test

Sl. No.	Criteria Title	Compliance
1	Corporate Registration	
2	Tax Clearance/Tax Return Submission for FY 2077/78 (for Domestic consulting forms)	
3	VAT/PAN Registration (for Domestic consulting forms)	
4	EOI Form 1: Letter of Application	
5	EOI Form 2: Applicants Information Form	
6	EOI Form 3: Experience (3(A) and 3(B))	
7	EOI Form 4: Capacity	
8	EOI Form 5: Qualification of Key Experts	
9	In case of a natural person or firm/institution/company which is already declared blacklisted and ineligible by the GoN, any other new or existing firm/institution/company owned partially or fully by such Natural person or Owner or Board of director of blacklisted firm/institution/company; shall not be eligible consultant.	
10	If the corruption case is being filed to Court against the Natural Person or Board of Director of the firm/institution /company or any partner of JV, such Natural Person or Board of Director of the firm/institution /company or any partner of JV shall not be eligible to participate in procurement process till the concerned Court has not issued the decision of clearance against the Corruption Charges.	
11	Satellite Consulting Company	

ii) EOI Evaluation Criteria

A. Qualification

Sl. No.	Criteria	Minimum Requirement
1	Qualification of Key Experts	As per TOR
2	Experience of Key Experts	As per TOR

Score: 40.0

B. Experience

Sl. No.	Criteria	Minimum Requirement
1	General Experience of consulting firm	Experience with full range of ITU Frequency coordination/filing, satellite design, satellite manufacturing, procurement, satellite launching and in orbit test activities and satellite related insurance activities for at least 5 years
2	I in case of nerson specific experience of the person within i	at least one satellite launching projects completed as Consultant Company
3	Similar Geographical experience of consulting firm	Global

Score: 50.0

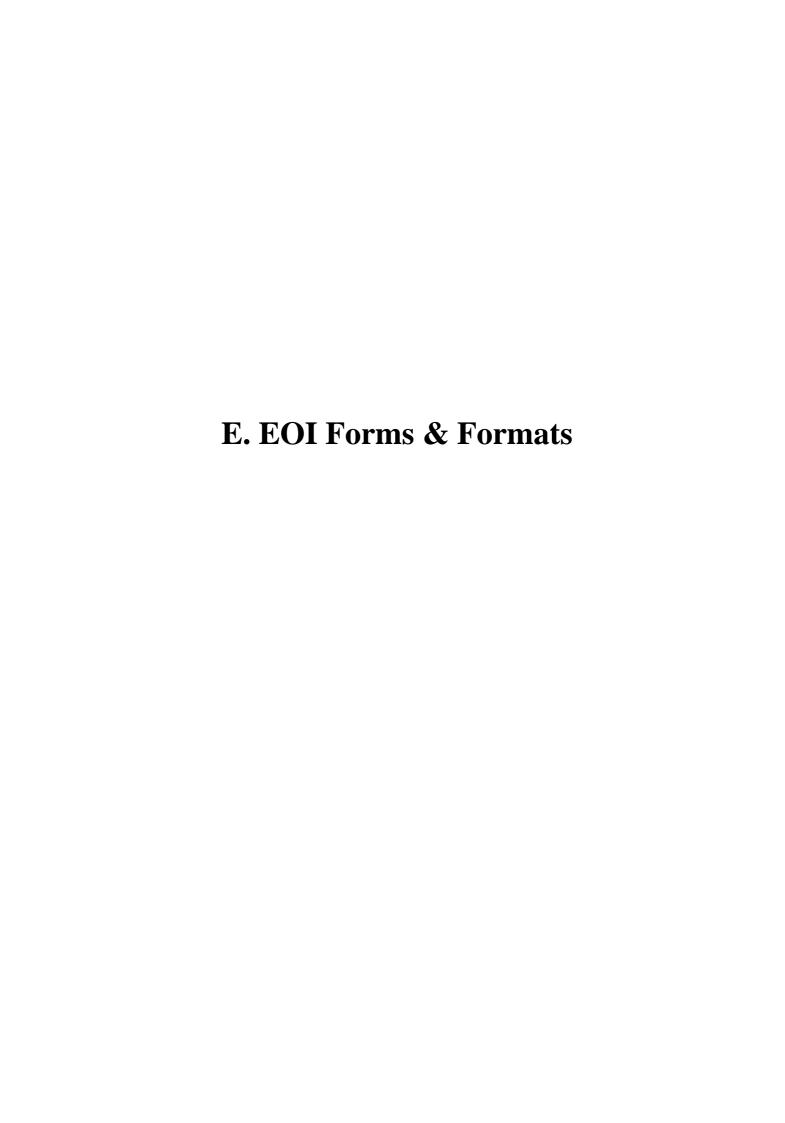
C. Capacity

Sl. No.	Criteria	Minimum Requirement
1	Financial Capacity.	USD 3,000,000 (Average Annual Turnover) for last 3 years.

Score: 10.0

Minimum score to pass the EOI is: 60

Note: If the corruption case is being filed to Court against the Natural Person or Board of Director of the firm/institution/company or any partner of JV, such Natural Person or Board of Director of the firm/institution/company or any partner of JV such consultant's proposal shall be excluded during the evaluation.



E. EOI Forms & Formats

Form 1. Letter of Application

Form 2. Applicant's information

Form 3.Experience (General, Specific and Geographical)

Form 4. Capacity

Form 5. Qualification of Key Experts

1. Letter of Application

(Letterhead paper of the Applicant or partner responsible for a joint venture, including full postal address, telephone no., fax and email address)

		Date:
	To,	
	Full Name of Client:	
	Full Address of Client:	
	Telephone No.:	
	Fax No.:	
	Email Address:	
	Sir/Madam,	
1.	Being duly authorized to represent and act on behalf of having reviewed and fully understood all the short undersigned hereby apply to be short-listed by [Insert {Insert brief description of Work/Services}.	t-listing information provided, the
2.	Attached to this letter are photocopies of original docume	nts defining:
	a) the Applicant's legal status;	
	b) the principal place of business;	
3.	[Insert name of Client] and its authorized representation the statements, documents, and information submitted. This Letter of Application will also serve as authorized representative of any institution referred to provide such information deemed necessary and restatements and information provided in this application experience, and competence of the Applicant.	in connection with this application. horization to any individual or in the supporting information, to quested by yourselves to verify
4.	[Insert name of Client) and its authorized representance any of the signatories to this letter for any further information.	
5.	All further communication concerning this Application sh person,	ould be addressed to the following
	[Person]	
	[Company]	
	[Address]	
	[Phone, Fax, Email]	
6.	We declare that, we have no conflict of interest in the p	proposed procurement proceedings

and we have not been punished for an offense relating to the concerned profession or

¹ Applications by joint ventures should provide on a separate sheet, relevant information for each party to the Application.

business and our Company/firm has not been declared ineligible.

- 7. We further confirm that, if any of our experts is engaged to prepare the TOR for any ensuing assignment resulting from our work product under this assignment, our firm, JV member or sub-consultant, and the expert(s) will be disqualified from short-listing and participation in the assignment.
- 8. The undersigned declares that the statements made and the information provided in the duly completed application are complete, true and correct in every detail.

Signed	
Signed	-

Name :

For and on behalf of (name of Applicant or partner of a joint venture):

2. Applicant's Information Form

(In case of joint venture of two or more firms to be filled separately for each constituent member)

- 1. Name of Firm/Company:
- 2. Type of Constitution (Partnership/ Pvt. Ltd/Public Ltd/ Public Sector/ NGO)
- 3. Date of Registration / Commencement of Business (Please specify):
- 4. Country of Registration:
- 5. Registered Office/Place of Business:
- 6. Telephone No; Fax No; E-Mail Address
- 7. Name of Authorized Contact Person / Designation/ Address/Telephone:
- 8. Name of Authorized Local Agent /Address/Telephone:
- 9. Consultant's Organization:
- 10. Total number of staff:
- 11. Number of regular professional staff:

(Provide Company Profile with description of the background and organization of the Consultant and, if applicable, for each joint venture partner for this assignment.)

3. Experience

3(A). General Work Experience

(Details of assignments undertaken. Each consultant or member of a JV must fill in this form.)

S. N.	Name of assignment	Location	Value of Contract	Year Completed	Client	Description of work carried out
1.						
2.						
3.						
4.						
5.						
6.						
7.						

3(B). Specific Experience

Details of similar assignments undertaken in the previous seven years (In case of joint venture of two or more firms to be filled separately for each

(In case of joint venture of two or more firms to be filled separately for each constituent member)

Assignment name:	Approx. value of the contract (in current NRs; US\$ or Euro) ² :
Country:	Duration of assignment (months):
Location within country:	
Name of Client:	Total No. of person-months of the assignment:
Address:	Approx. value of the services provided by your firm under the contract (in current NRs; US\$ of Euro):
Start date (month/year):	No. of professional person-months provided by
Completion date (month/year):	the joint venture partners or the Sub- Consultants:
Name of joint venture partner or sub-Consultants, if any:	Narrative description of Project:
Description of actual services provid	led in the assignment:
Note: Provide highlight on similar required by the EOI assignment.	services provided by the consultant as
Firm's Name	

² Consultant should state value in the currency as mentioned in the contract

3(C). Geographic Experience

Experience of working in similar geographic region or country

(In case of joint venture of two or more firms to be filled separately for each constituent member)

No	Name of the Project	Location (Country/ Region)	Execution Year and Duration
1.			
2.			
3.			
4.			
5.			
6.			
7.			

4. Capacity

4(A). Financial Capacity

(In case of joint venture of two or more firms to be filled separately for each constituent member)

Annual Turnover					
Year	Amount Currency				
- Average Annual Turnover					

(Note: Supporting documents for Average Turnover should be submitted for the above.)

4(B). Infrastructure/equipment related to the proposed assignment³

No	Infrastructure/equipment Required	Requirements Description
1.		
2.		
3.		
4.		
5.		

 $^{^{3}}$ Delete this table if infrastructure/equipment for the proposed assignment is not required.

5. Key Experts (Include details of Key Experts only)

(In case of joint venture of two or more firms to be filled separately for each constituent member)

SN	Name	Position	Highest Qualification	Work Experience (in year)	Specific Work Experience (in year)	Nationality
1						
2						
3						
4						
5						

(Please insert more rows as necessary)

CURRICULUM VITAE (CV)

Position Title and No.	{e.g., K-1, TEAM LEADER}
Name of Firm	Insert name of firm proposing the expert
Name of Expert:	{Insert full name}
Date of Birth:	{day/month/year}
Citizenship	

Date of Birth: {day/mor		nth/year}	
Citizenship			
	{List college/university or other states attended, degree(s)/diplom		ving names of educational
reverse ord held, type of location of organization	nt record relevant to the assider. Please provide dates, name of employment (full time, part ting the assignment, and contact the assignment of the contacted for respect to the contacted for	ne of employing organi ne, contractual), types of information of previou ferences. Past employm	zation, titles of positions f activities performed and s clients and employing
Period	Employing organization and your title/position. Contact information for references	Country	Summary of activities performed relevant to the Assignment
[e.g., May 2005- present]	[e.g., Ministry of, advisor/consultant to For references: Tel/e-mail; Mr. Bbbbbb, deputy minister]		
	ip in Professional Associations Skills (indicate only languages		:
Adequacy	for the Assignment:		
Detailed Ta	nsks Assigned on Consultant's operts:	Reference to Prior W that Best Illustrates (<u> </u>

Detailed Tasks Assigned on Consultant's Team of Experts:	Reference to Prior Work/Assignments that Best Illustrates Capability to Handle the Assigned Tasks
{List all deliverables/tasks as in TECH- 5 in which the Expert will be involved)	

Expert's contact information: (e-mail, phone)
Certification:
I, the undersigned, certify to the best of my knowledge and belief that
(i) This CV correctly describes my qualifications and experience
(ii) I am not a current employee of the GoN
(iii) In the absence of medical incapacity, I will undertake this assignment for the duration and interms of the inputs specified for me in Form TECH 6 provided team mobilization takes place within the validity of this proposal.
(iv) I was not part of the team who wrote the terms of reference for this consulting services assignment
(v) I am not currently debarred by a multilateral development bank (In case of DP funded project]
(vi) I certify that I have been informed by the firm that it is including my CV in the Proposal for the {name of project and contract}. I confirm that I will be available to carry out the assignment for which my CV has been submitted in accordance with the implementation arrangements and schedule set out in the Proposal.
(vii) I declare that Corruption Case is not filed against me.
I understand that any willful misstatement described herein may lead to my disqualification of dismissal, if engaged.
Date:
[Signature of expert] Day/Month/Year
Date:
[Signature of authorized representative of the firm] Day/Month/Year
Full name of authorized representative: