

Selection of Consultants
-
Request for Expressions of Interest



September 2024

Arab Republic of Egypt

Project: Institutional Strengthening, Technical Assistance to the Gas Regulatory Authority (GASREG) to support the gas institutional reform, Component (3.2) of the Project

CONSULTING SERVICES

Expressions of Interest

The Gas Regulatory Authority of Egypt (hereinafter called the "Client") has received funds from the European Union (EU) delegated to the Agence Française de Développement "AFD" (hereinafter referred to as the "Agency") and intends to use part of the funds thereof for payments under the following project: Institutional Strengthening, Technical Assistance to the Gas Regulatory Authority (GASREG) to support the gas institutional reform, Component (3.2) of the Project

The Client is inviting interested applicants to provide institutional, economic, technical, contractual and legal consultancy services to the Client (hereinafter referred to as the "Services").

The Services shall consist of providing technical assistance to the Client until 30th June 2026; such technical assistance shall include, but not be limited to:

- Provide expert advice and guidance on gas market regulations.
- Conduct comprehensive consultations, developing of fundamental and advanced regulatory milestones, deliverables, codes, studies, manuals, models, recommended eligible consumers criteria and thresholds, gas supply contract model.
- Create practical tools and resources that assist in the implementation of regulatory and operational frameworks, such as manuals, models for regulatory impact assessments, tariff calculations, and financial analysis, templates for regulatory submissions, compliance reports, and monitoring frameworks.
- Identifying potential pilot projects that align with the gas market liberalization plan. Carrying out their feasibility study when relevant.
- Develop a standardized gas supply contract subject to the competitive gas market design and mechanisms.
- Test and demonstrate the feasibility of gas market liberalization initiatives.
- Conducting market analysis and research on regulatory issues.
- Preparing detailed reports and studies on regulatory topics, such as pricing, market access, and competition and providing ad-hoc in-house consultations when needed/necessary.
- Assessing the challenges in the Egyptian market and recommending solutions throughout the Design of particular gas market opening prerequisites, methodology, evaluation, impact assesment, monitoring and verification tools together with a roadmap for recommended implementation frameworks and action plans.
- Provide practical mechanisms for the execution of regulatory and market reforms in the Egyptian Gas market.

The Client hereby invites Applicants to show their interest in delivering the Services described above.

This Request for Expressions of Interest is open to:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Consulting firms | <input type="checkbox"/> Individual consultants |
| <input type="checkbox"/> NGOs | <input type="checkbox"/> Joint Venture between NGO(s) and consulting firm(s) |

Eligibility criteria to AFD financing are specified in sub-clause 1.3 of the "Procurement Guidelines for AFD-Financed Contracts in Foreign Countries", available online on AFD's website: <http://www.afd.fr>.

The Applicant shall submit only one application, either in its own name or as a member of a Joint Venture (JV). If an Applicant (including any JV member) submits or participates in more than one application, those applications shall be all rejected. However, the same Subconsultant may participate in several applications.

If the Applicant is a JV, the expression of interest shall include:

- a copy of the JV Agreement entered into by all members, or
- a letter of intent to execute a JV Agreement, signed by all members together with a copy of the Agreement proposal,

In the absence of this document, the other members will be considered as Subconsultants.

Experiences and qualifications of Subconsultants are not taken into account in the evaluation of the applications.

Interested Applicants must provide information evidencing that they are qualified and experienced to perform those Services. For that purpose, documented evidence of recent and similar services shall be submitted.

Determination of the similarity of the experiences will be based on:

- The contracts size;
- Strong and field proven exposure to develop & implement gas market regulatory development and deliverables as per international standards and best practices and previous experience in interacting with government entities, regulatory bodies, and international organizations.
- The nature of the Services: extensive technical assistance and consultancy services in terms of energy/gas regulations.
- The technical area and expertise including: Proven project management experience in providing technical consultation for gas markets activities regulation including the implementation of gas Market fundamentals and advanced regulatory milestone deliverables as per best international practices.
- The location: services shall be mainly in Egypt alongside the Client, and could include study visits/events/meetings abroad. The language of all deliverables will be English, proficiency in Arabic is plus.
- Availability and skills of in-house technical back-up experts provided to on-site experts and/or presence of local representatives or partners to support project execution.

For a JV, its leader and any member that has its registered office outside the Client's country shall fulfil each of these criteria.

An application that does not meet any of these requirements will be rejected.

Among the submitted applications, *Gas Regulatory Authority of Egypt* will shortlist a maximum of six (6) Applicants, to whom the Request for Proposals to carry out the Services shall be sent.

The Expressions of Interest must be submitted to the address below no later than **22/09/2024** to the attention of:

Mrs. Engy Adly – CEO Assistant for Licenses & Contracts

Email: eadly@gasreg.org.eg

Cc: hnader@gasreg.org.eg ; hager.arekaby@gasreg.org.eg

A copy of the Expressions of interest may be sent by courier to the following address during the following hours (from 10:00 a.m. to 2:00 p.m.):

Gas Regulatory Authority (GasReg)

Ministry of Petroleum and Mineral Resources Building, 5th Floor

New Administrative Capital , Egypt.

Attention: Mrs. Engy Adly

Mrs. Habiba Nader

Ms. Hagar Rekaby

For any further information, please dial: +201101270033

+201101270044

Signed by:



Engy Adly

CEO Assistant for Licenses & Contracts (GasReg);

Component 3.2 Manager

**Appendix to The Request for Expressions of Interest
(To be submitted with the application, signed and unaltered)**

Statement of Integrity, Eligibility and Environmental and Social Responsibility

Reference of the bid or proposal _____ (the "Contract")

To: _____ (the "Contracting Authority")

1. We recognise and accept that *Agence Française de Développement* ("AFD") only finances projects of the Contracting Authority subject to its own conditions which are set out in the Financing Agreement which benefits directly or indirectly to the Contracting Authority. As a matter of consequence, no legal relationship exists between AFD and our company, our joint venture or our suppliers, contractors, subcontractors, consultants or subconsultants. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and performance of the contract. The Contracting Authority means the Purchaser, the Employer, the Client, as the case may be, for the procurement of goods, works, plants, consulting services or non-consulting services.
2. We hereby certify that neither we nor any other member of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations:
 - 2.1 Being bankrupt, wound up or ceasing our activities, having our activities administered by the courts, having entered into receivership, reorganisation or being in any analogous situation arising from any similar procedure;
 - 2.2 Having been:
 - a) convicted, within the past five years by a court decision, which has the force of *res judicata* in the country where the Contract is implemented, of fraud, corruption or of any other offense committed during a procurement process or performance of a contract (in the event of such conviction, you may attach to this Statement of Integrity supporting information showing that this conviction is not relevant in the context of this Contract);
 - b) subject to an administrative sanction within the past five years by the European Union or by the competent authorities of the country where we are constituted, for fraud, corruption or for any other offense committed during a procurement process or performance of a contract (in the event of such sanction, you may attach to this Statement of Integrity supporting information showing that this sanction is not relevant in the context of this Contract);
 - c) convicted, within the past five years by a court decision, which has the force of *res judicata*, of fraud, corruption or of any other offense committed during the procurement process or performance of an AFD-financed contract;
 - 2.3 Being listed for financial sanctions by the United Nations, the European Union and/or France for the purposes of fight-against-terrorist financing or threat to international peace and security;
 - 2.4 Having been subject within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during

- contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;
- 2.5 Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;
 - 2.6 Being subject to an exclusion decision of the World Bank and being listed on the website <http://www.worldbank.org/debarr> (in the event of such exclusion, you may attach to this Statement of Integrity supporting information showing that this exclusion is not relevant in the context of this Contract);
 - 2.7 Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.
3. We hereby certify that neither we, nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations of conflict of interest:
- 3.1 Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.2 Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.3 Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;
 - 3.4 Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;
 - 3.5 In the case of procurement of goods, works or plants:
 - a) Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;
 - b) Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract.
4. If we are a state-owned entity, and to compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the Contracting Authority, which will inform AFD, any change in situation with regard to points 2 to 4 here above.
6. In the context of the procurement process and performance of the corresponding contract:
- 6.1 We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory requirements and/or to violate their internal rules in order to obtain illegitimate profit;

- 6.2 We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;
- 6.3 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;
- 6.4 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;
- 6.5 We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;
- 6.6 Neither we nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or France;
- 6.7 We commit ourselves to comply with and ensure that all of our suppliers, contractors, subcontractors, consultants or subconsultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract, including the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the environmental and social commitment plan (ESCP) provided by the Contracting Authority.
7. We, as well as members of our joint venture and our suppliers, contractors, subcontractors, consultants or subconsultants authorise AFD to inspect accounts, records and other documents relating to the procurement process and performance of the contract and to have them audited by auditors appointed by AFD.

8.

Name: _____ In the capacity of: _____

Duly empowered to sign in the name and on behalf of: _____

Signature: _____

Dated: _____

¹ In case of joint venture, insert the name of the joint venture. The person who will sign the application, bid or proposal on behalf of the applicant, bidder or consultant shall attach a power of attorney from the applicant, bidder or consultant.