

authority drafts solicitation documents (Request for Qualifications/ Expression of Interest, Request for Proposals and concession agreement) and submits to the PPPD for approval.

Note: all solicitation documents must be approved by the PPPD before issuance to the public.

- b. b) After approval from the PPPD, the CA calls for Expression of Interest (EOI)/ Request for Qualifications from the private sector and evaluates the bids received to shortlist the bidders. The evaluation report is submitted to the PPPD.
- c. The PPPD and the contracting authority undertake a due diligence on the shortlisted bidders. The due diligence will focus on the finance, legal and technical capabilities of the private party and all its consortium members.
- d. The PPPD submits the due diligence and evaluation reports to the PPP Technical Committee for their technical guidance on the finding of each bidder.
- e. The PPP Technical Committee recommends to the PPP Council for the approval/rejection of the shortlisted bidders. The PPP Council in liaison with the Department approves/rejects the shortlisted bidders.
- f. Upon the PPP Council approval the CA issues the Request for Proposals (RFP) in conformity with the approved feasibility study to the shortlisted bidders. The CA evaluates the received bids and submits the evaluation report to the PPPD taking into considerations the recommendations.
- g. The PPPD submits to the PPP Technical committee for technical recommendations to the PPP Council.
- h. The PPP Council approves/rejects for conferring of preferred bidder status and to enter negotiations.

Contract Management / Negotiations

- a. The CA with the PPPD negotiate for the best concession agreement, based on the parameters and generic risk sharing principles as directed by the PPP Council.
- b. Upon successful negotiations, the CA submits the final concession agreement to the Attorney General for approval.

Award of Contract

- a. The approved concession agreement is submitted to the PPP Council for award of the project and the successful concessionaire and the Minister of Finance sign the Contract on behalf of Government.

CONTACT DETAILS

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MINISTRY OF FINANCE

SOLICITED PROPOSAL FOR PPP PROJECTS



PUBLIC – PRIVATE PARTNERSHIP DEPARTMENT

"Creating A Shared Vision For Economic Development"

SOLICITED PROPOSALS

Solicited Project proposals are initiated by the contracting authority which include Government ministry, parastatal or state-owned enterprise, local authorities and agencies. The Government agency should submit the project proposal in line with the sections 21-25 of the PPP Act No. 14 of 2009 and section 26 of the PPP Amendment Act no. 9 of 2018.

Principles of PPP Procurement Process

The PPP procurement process is premised on principles of Competition, Transparency, Fairness, Equity and Cost-effectiveness. All PPP projects should demonstrate

- affordability of the project to the contracting authority;
- bankability to financiers and developers;
- value for money;
- optimal risk allocation to the party better able to mitigate/manage the risk; and
- generate appropriate socio-economic benefits.

It must also take into account the Citizens Economic Empowerment Act of 2006 regarding preferential treatment for certain categories of citizens that have been disadvantaged or marginalized, in accessing and being awarded tenders for the procurement of goods and services.

Guiding Steps for Solicited PPP Projects



Procedure for the Solicited Process

Project Conceptualisation stage

The contracting authority (CA) conceptualises a PPP project and submits the concept note to the PPP Department.

Feasibility study

- The CA drafts Terms of Reference and advertisement for consultancy to undertake feasibility study for the PPP project proposal. The draft Terms of Reference and advertisement are submitted to the PPPD for approval before issuance.
- In liaison with the CA the PPPD approves the Terms of Reference and advertisement prepared by the CA and the selection of the consultant to undertake the feasibility study.

Project Appraisal

- The contracting authority submits the feasibility study report to PPPD which makes an assessment and gives its recommendation to the contracting authority as to whether the project:
 - is affordable to the contracting authority;
 - provides value for money; and
 - Presents optimum transfer of technical, operational and financial risks to the concessionaire.
- The PPPD further presents the feasibility study to the PPP Technical Committee and PPP Council for guidance and approval.

Procurement Process

- If the concept and feasibility study are satisfactory, the contracting