

Telecommunications Regulatory Authority

Kingdom of Bahrain

Competition Guidelines and Tariff Notification Guidelines

Request for Proposals

8 June 2008

**Terms of Reference for the production of
Competition Guidelines and
Tariff Notification Guidelines**

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1. Introduction

The telecommunications market in the Kingdom of Bahrain has been transformed following Government policy to stimulate the national economy. In October 2002, the Legislative Decree No 48 of 2002 promulgated the Telecommunications Law that enabled the liberalization of the telecommunications sector and the formation of the Telecommunications Regulatory Authority (TRA) (This and other documents referred to in this Request for Proposal are listed in Section 6 below).

TRA recently completed a Strategic and Retail Market Review with the release of a Statement outlining a package of regulatory measures aimed at further promoting competition and the interest of consumers.

TRA is an independent body and has a direct responsibility to ensure effective liberalization of the telecommunications sector, oversee fair competition, give private investors confidence with regard to competition, and make available the related telecommunications resources, such as the radio spectrum, in a fair and transparent manner. TRA is responsible for ex ante regulation and the application of ex post competition provisions contained in the Telecommunications Law and licenses. There is no separate competition authority in Bahrain.

Following market liberalisation, competition has been growing steadily with the entry of several market players. TRA now intends to engage the services of an external consultant to produce competition and tariff notification guidelines.

2. Purpose

The purpose of this assignment is to develop competition guidelines and tariff notification guidelines adapted to the Bahraini context and the legal and regulatory framework in place.

The development of these two sets of guidelines is essential to accompany the transition towards a more competitive environment in which retail regulation is progressively adjusted to better reflect market conditions. They flow directly from the Strategic and Retail Market Review.

3. Background

The telecommunications sector in Bahrain

The telecommunications market in Bahrain has experienced a healthy and steady growth since market liberalisation in 2003. The table below sets out some useful statistics:

Table 1: Telecommunications indicators¹

Indicator	2005	2006	Q1 2007	Q2 2007
Population	724,645	742,562	1,046,814	1,046,814
Number of households	113,441	116,533	119,712	119,712
Fixed line services				
Number of fixed lines	193,520	194,196	198,112	201,238
Fixed line penetration	27%	26%	19%	19%
Number of residential fixed lines	121,918	122,343	114,891	116,714
Percentage of households which have a fixed line	n/a	n/a	96%	98%
Domestic calls originated from a fixed line (in million minutes)	788	894	237	247
Mobile services				
Prepaid subscribers	635,277	756,268	784,600	733,781
Postpaid subscribers	131,826	151,165	156,127	166,150
Total mobile subscribers	767,103	907,433	940,727	899,931 ²
Mobile penetration as a % of total population	105%	122%	90%	86%
Mobile originated traffic (in million minutes) ³			440	474
Internet services				
Dial up subscribers	28,867	21,466	9,356	8,171
Broadband subscribers ⁴	21,432	38,628	53,754	62,734
Total Internet subscribers	50,299	60,094	63,110	70,905
Internet penetration	7%	8%	6%	7%
Broadband penetration	3%	5%	5%	6%
Number of residential fixed broadband subscribers	18,764	34,858	49,174	54,056
Percentage of households that have fixed broadband	17%	30%	41%	45%
International Traffic (in million minutes)⁵	241	361	139	161

For a country of its size, Bahrain has managed to attract a large number of market players (See table below). Alongside the largest operators there is a fringe of smaller operators focusing mostly on the international calling markets. The largest operators are: Batelco, the incumbent; Zain, the second mobile network operator and holder of a National Fixed Wireless Service (“NFWS”) licence (with 3.5 GHz spectrum assigned - Wimax); Mena Telecom, holder of another NFWS license (with 3.5 GHz spectrum assigned - Wimax). Other operators include Nuetel Communications, 2Connect, Lightspeed, Kalaam Telecom, and Etisalcom.

¹ See TRA, Telecommunications services indicators in the Kingdom of Bahrain, February 2008.

² The drop in the number of mobile subscribers observed in Q2 2007 is due to Zain aligning its definition of active prepaid subscribers to the ITU definition (code 271p) and the definition used by Batelco. After three months of inactivity, prepaid subscribers are disregarded.

³ In the table, mobile originated traffic includes domestic calls and international direct dial calls only, i.e. it excludes traffic from prepaid calling cards.

⁴ Broadband subscribers include wired broadband, wireless broadband and mobile broadband.

⁵ The international calls market includes international calls originated from international direct dial (fixed lines and mobile (IDD)), Carrier Pre-Selection (CPS) services, and pre-pay calling cards (PCC).

Table 2: Services offered by Licensees

	Operator Name	National Fixed	International Calls	Mobile	Internet	Leased line	Other data services ⁶
1	2Connect	√	√		√	√	√
2	ANIS		√				
3	Batelco	√	√	√	√	√	√
4	BT Solutions LTD						√
5	Business Communication Networks		√				
6	Etisalcom	√	√		√	√	√
7	Fakhro IT Services		√				
8	Fastelco (TeleGulf)		√				
9	Kalaam Telecom	√	√		√	√	√
10	Lightspeed	√	√		√	√	√
11	Mena Telecom		√		√		
12	Northstar		√		√		
13	Nuetel Communications	√	√		√	√	
14	Orbit		√		√		
15	Viacloud		√				
16	Zain (Bahrain)	√	√	√	√		
	Total	7	15	2	10	6	6

Whilst the sector has been fully liberalised since 2003, Batelco, the incumbent operator, still largely dominates most markets (See TRA SMP Determination in certain relevant retail markets issued 2 June 2008).

It faces competition in the mobile services market from Zain who has about 30% of the market. Competitive dynamics in this market are expected to change significantly following the entry of a third mobile network operator. TRA plans to award a third mobile license by the end of 2008. Another factor likely to affect competition is the removal of the current tariff approval process that applies to Batelco's mobile services.

International calls is the area where competition has been the most fierce with prepaid calling cards providers (PPCCs) using regulated freephone origination services available on Batelco's fixed and mobile networks. Freephone origination is also available on a commercial basis from Zain's network. In addition to PPCCs, there are a number of operators that offer fixed international calls services based on the regulated carrier pre-selection ("CPS") service. The uptake of CPS is currently limited. The significant drop in tariffs driven by competition

⁶ For example, LAN Connect services, Global Managed Private Line and Global IP-VPN.

has widely benefited the country, its business users and the very large expatriate community of Bahrain.

Batelco enjoys a virtual monopoly for fixed access narrowband and fixed originated domestic calls.⁷ Rental rates have yet to rebalance.

With regards to the broadband market, other licensed operators (OLOs) compete with Batelco based on regulated wholesale products, though some infrastructure competition is emerging (see below). At present there are two such products: wholesale DSL (resale) and bitstream. Those access products were introduced not so long ago and it is not surprising that the uptake of access-based competition has been so far limited as there are still a number of operational issues in need of improvement. Tariffs remain high and services available in terms of speed do not compare well with international standards. This has hindered broadband penetration.

With the launch of Zain (in January 2008) and Mena Telecom (at some point this year) Wimax-based services infrastructure-based competition should increase. This could provide some competitive constraint in the broadband market and to a lesser extent in the fixed access narrowband and fixed originated domestic calls markets.

Batelco also dominates the market for leased lines. It is an important market for Bahrain given its ambition within the region to be an attractive hub for business location. Whilst wholesale leased lines are regulated within the framework of Batelco Reference Offer, there has been provisioning and pricing issues that have limited the effectiveness of wholesale regulation.

The Strategic and Retail Market Review

TRA recently completed a Strategic and Retail Market Review (Review). This process included a significant market power (SMP) designation for Batelco in certain relevant retail markets. The Review concluded that significant regulatory initiatives were required which TRA has now begun to implement. A recently issued Statement concluding the Review details a comprehensive package of regulatory measures aimed at fostering competition and adapting regulation to the state of competition. Relevant measures include:

Removal of tariff approval process for all mobile services and fixed international calls to selected destinations

TRA will remove the current requirement for Batelco to submit its tariffs for approval for its mobile services. This will give Batelco more flexibility to respond to the increasingly competitive market place. The removal will also apply to fixed originated international calls to a large number of destinations where competition is considered to be sufficient.

⁷ There is no Wholesale Line Rental product in place. For a list of wholesale regulated products, see Batelco's website.

Major overhaul of the retail regulation regime (including introduction of a notification of tariff changes with ex ante rules, re-balancing and low user scheme)

In markets in which Batelco has Significant Market Power (“SMP”), TRA will replace the current tariff approval process by a notification, supported with ex ante rules and tariff notification guidelines (see below).

A multi-year price control/rebalancing plan will also be developed to allow prices to move closer to the underlying cost of providing services such that entry decisions are no longer distorted. TRA will work with Batelco and other stakeholders to introduce a low user scheme to limit the effect of rebalancing on vulnerable consumers.

TRA will monitor the price of representative baskets of services to track the extent to which consumers are benefiting from regulation and competition. Safeguard price caps will also be introduced for specific services.

Development of competition guidelines

To accompany the general move away from retail regulation, it is essential for TRA and the market to have in place competition guidelines. These guidelines will set out how TRA intends to apply the competition law provisions contained in the Telecommunications Law (S65) and in licence conditions as well as to the type of behaviour TRA may consider anticompetitive. These guidelines will give more certainty to the market.

Other elements of the packages are:

- Introduction of local loop unbundling;
- Carrier selection and improvement to carrier pre-selection processes;
- Introduction of a third mobile network operator as well as allowing mobile virtual network operators;
- Removal of the mobility restriction for NFWS Licenses on 17 November 2010;
- Introduction of number portability for fixed and mobile; and
- Conduct of consumer Surveys and data collection and dissemination activities.

The need for guidelines

It is anticipated that the service offerings of market players will become more sophisticated as Batelco and OLOs leverage their network capabilities and offer bundles of services to customers. The overall market is also expected to become more dynamic thanks notably to the removal of tariff approval requirements for certain services (mobile and most fixed originated international calls) and the entry of a third mobile network operator. TRA consequently expects an increase in the number of anticompetitive complaints.

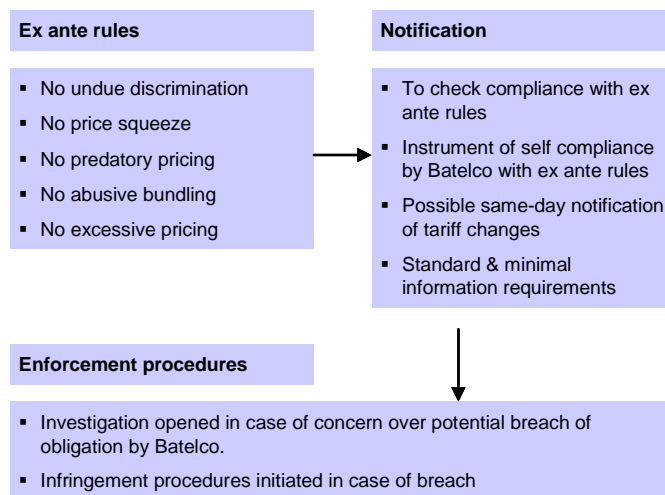
Against this background, it is essential to develop competition and tariff notification guidelines for a smooth transition towards a more competitive market in which ex ante regulation is rolled-back.

The competition guidelines will give the market clarity regarding the practices that may be deemed anticompetitive and how TRA will analyse allegations of anti-competitive conduct. They will have an educational value as some market players have limited knowledge and experience with anticompetitive practices.

The second set of guidelines, the Tariff Notification Guidelines, will be more prescriptive and set out how Batelco will ensure its compliance with its obligations contained in the tariff notification framework TRA is currently developing.

The tariff notification framework contemplated by TRA

In the retail markets where Batelco has SMP, TRA intends to replace the current tariff approval regime by a notification framework (See pages 49-56 of the Strategic and Retail Market Review Report – February 2008 for more details). The figure below sets out the various elements of the notification framework currently envisaged.



TRA will develop in parallel to this assignment a retail tariff regulation which will include inter alia, the notification process, the notification rules, and enforcement mechanisms.

Instead of TRA approving Batelco's tariffs, Batelco will notify TRA of tariff changes. Under the proposed framework, Batelco will be entirely free to set prices within the limits set by ex ante rules and other legal requirements. The notification will act as a self-compliance instrument. TRA's objective is to have a same-day notification process provided that appropriate enforcement mechanisms can be put in place. To ensure a smooth transition, a transitional period of advanced notification may be required.

Some form of guidance is required to facilitate the implementation of the new regime and to provide certainty to the market place. Tariff notification guidelines will cover in particular: what would constitute a breach of the ex ante rules, how Batelco will be able to ensure that it is compliant with each rule; and hence how TRA will assess compliance with the ex ante rules in practice.

TRA would only wish to intervene where there is a (likely) breach of those rules. The notification will include a compliance statement from Batelco explaining how it is complying with the rules applicable to the particular services. The guidance mentioned above will outline which broad elements ought to be included.⁸

With regards to information requirements, Batelco, as an SMP operator, would be required to submit information required to establish compliance with the notification's rules. This would include for example the product description, predicted revenues and volume, and high-level information on costs and costing methodology. Batelco is subject to an accounting separation obligation and consequently prepares regulatory accounts on an annual basis.

The tariff notification framework will apply for services in markets in which Batelco has SMP (See Final Statement and SMP determination).

4. Requirements

Common requirements:

The two sets of guidelines should:

- be adapted to the local realities of the market, in terms of level of complexity and sophistication of operators;
- develop/refresh the methodology according to which TRA will define/analyse the elements contained in both sets of guidelines (e.g. how a price squeeze will be assessed, how markets will be defined)
- be consistent with the relevant provisions of the law, license conditions and by-laws;
- be consistent with one another to the extent desirable;
- be in line with relevant international best practices (in particular similar guidelines);
- be consistent with economic efficiency and the promotion of competition;
- be economically sound, robust and adequately justified;
- consider and refer to relevant economic literature and case law;

⁸ For example, in the case of the no price squeeze obligation, Batelco would be required to demonstrate that the sum of the relevant wholesale product (where applicable) and its retail cost (and/or those of an equally or reasonably efficient competitor if this approach is adopted) is no greater than the retail tariff.

- include illustrative examples and diagrams to facilitate understanding where appropriate; and
- place special emphasis on unilateral conduct and in particular on the treatment of discount/promotional tariffs, bundling and price squeeze.

Competition Guidelines

The competition guidelines should cover at least the following:

- Market definition:
 - General principles (substitution)
 - Covering product, functional, temporal, geographic and customer dimension
- Dominance / SMP assessment:⁹
 - Generic definition and definition as per the Law
 - Assessment of dominance / SMP (single and joint): criteria
- Section 65 of the Law (Anticompetitive conduct):
 - Description of the Article and of the elements that need to be established to establish an abuse of dominant position and other anticompetitive practises (e.g. collusive practices)
- Anticompetitive conduct (special emphasis on unilateral conduct):
 - Typology: Unilateral vs Collusive; abusive, discriminatory, exploitative
 - Definition/discussion of the main anticompetitive conducts and their potential anticompetitive effects including: predatory pricing, price squeeze, bundling/tying, price discrimination/discounting (e.g. on-net off-net discounting), cross-subsidization, lock-in/long term contracts, etc.
 - Discussion/analysis of the elements, considerations, cost standard and tests available to assess whether a particular conduct may be anticompetitive and constitute a breach of S65.¹⁰
- Elements required to lodge a complaint

There are currently two determinations (one on Market Definition and one on Dominance/SMP assessment) in place (see reference below). It is expected that the competition guidelines will supersede these determinations and will appropriately build on them.

The part of the guidelines on anticompetitive conduct should not be overly prescriptive as the appropriate empirical analysis of allegations is typically case-specific. However some illustration/examples would be useful. Certainty for the market needs to be balanced with the required flexibility in terms of assessing conduct in an ex post context.

⁹ The Law defines SMP and dominance differently. An SMP designation generally triggers obligations at the retail level (some exceptions exist – see the Telecommunications Law) whereas a dominance designation triggers obligations at the wholesale level. Section 65 of the Law, which deals with anticompetitive practices, refers to abuse of dominant position and hence to dominance.

¹⁰ For example, in the case of price squeeze, the empirical discussion will cover elements such as whose downstream cost to use, the choice of the relevant wholesale product, appropriate time horizon, etc.

The tariffs notification guidelines

The notification guidelines will be more prescriptive than the competition guidelines. They will support the objective of promoting competition for the benefit of consumers. As an ex ante instrument, they are expected to be more restrictive than the competition guidelines in terms of the practices they permit.¹¹

TRA will develop in parallel to this assignment a Retail Tariff Regulation. The Strategic and Retail Market Review Report (pages 49-56) sets out in some details the nature of the Retail Tariff Regulation TRA will produce. TRA will provide the selected consultant with the Draft Retail Regulation from which the consultant will draw for the development of the Tariff Notification Guidelines. The ex ante rules contained in the Regulation are the main elements relevant for the Tariff Notification Guidelines. The Regulation and Tariff Notification Guidelines will need to be consistent with one another.

The tariffs notification guidelines should cover at least the following:

- Definition and discussion of each ex ante rule contained in the Draft Retail Regulation, including rationale and potential adverse effect on the market:¹²
 - No undue discrimination, no price squeeze, no predatory pricing, no abusive bundling, no excessive pricing
- For each rule:
 - What would constitute a prima facie breach of the ex ante rules,¹³
 - Tests and elements that need to be considered to evaluate compliance;
 - How Batelco will be able to ensure that it is compliant with the rule (e.g. imputation requirements); and hence
 - How will TRA assess compliance with the ex ante rules in practice.
- Tariff Notification Form to be used by Batelco covering items such as:
 - Effective date of change, service description, proposed tariffs, and information required relating to cost, revenues, expected demand, self-certification statement.

The selected consultant will be expected to suggest improvements to the Draft Retail Regulation

The consultant is expected to propose and carry out any additional tasks which it considers relevant and desirable, on the basis of its own or others experience with similar projects.

¹¹ For instance, whilst a price squeeze analysis analysed under ex post competition provisions may rightfully assess margins over the relevant retail market, in an ex ante context it may be more appropriate to ensure that there is no squeeze over each plan/family of services.

¹² Those five ex ante rules are the rules currently contemplated by TRA. The consultant may suggest amendment and/or additions to these rules. The Strategic and Retail Market Review covers already this in some details. See pages 49-56 of the Strategic and Retail Market Review Report – February 2008.

¹³ Taking the no price squeeze rule as an example, a retail price lower than the sum of the relevant wholesale product and retail cost of Batelco (or of a reasonably or equally efficient operator if this test is adopted), could constitute a prima facie breach of this rule.

5. Deliverables

The consultant will produce the following deliverables to the satisfaction of TRA's appointed project manager:

- Competition guidelines:
 - Report/discussion document supporting the development of the guidelines¹⁴
 - Draft Competition Guidelines – Consultation document
 - Report summarizing and addressing the Responses received
 - Final Competition Guidelines

- Notification guidelines:
 - Report/discussion document supporting the development of the guidelines¹⁵
 - Draft Notification Guidelines – Consultation document
 - Report summarizing and addressing the Responses received
 - Final Notification Guidelines

Two (2) hard copies plus one soft copy of all deliverables shall be made available to the TRA project manager. Approval of project deliverables shall be coordinated by the TRA project manager.

6. Useful references

Documents prepared by TRA can be found on TRA's web site at: www.tra.org.bh

TRA, Methodology for Determining Market Power, A Determination issued 19 April 2003

TRA, Methodology for the Definition of Telecommunications Markets, A Determination issued 19 April 2003.

TRA, Dominance in Wholesale Markets by Batelco, A Determination, 22 January 2006

TRA, Statement on the Strategic and Retail Market Review, 2 June 2008

TRA, 2007, Strategic and Retail Market Review Consultation, 27 August

¹⁴ It is expected that this document will be easily turned into Draft Guidelines once TRA has decided on the recommendations included in this document.

¹⁵ It is expected that this document will be easily turned into Draft Guidelines once TRA has decided on the recommendations included in this document.

TRA, 2008, Strategic and Retail Market Review: A report issued by the Telecommunications Regulatory Authority of the Kingdom of Bahrain, 28 February

TRA, SMP Determination in Certain relevant market, 2 June 2008

Second National Telecommunications Plan, February 2008

Telecommunications Law

TRA, Telecommunications services indicators in the Kingdom of Bahrain, February 2008

External references include:

European Commission, Commission guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications networks and services, 2002/C 165/03.

New Zealand’s Commerce Commission, Mergers and Acquisition Guidelines (on Market Definition)

Competitive Bureau Canada, Draft Information Bulletin on the Abuse of Dominance Provisions as Applied to the Telecommunications Industry

OPTA, The Netherlands, Bundling, Economic Policy Note no 4, 2004

Telecommunications Regulatory Commission (Jordan), Instructions on Competition Safeguards in the Telecommunications Sector, 14-2-2006

Office of Fair Trading, Competition Act 1998 - The application in the telecommunications sector OFT 417

OFT Competition Guidelines 2002

ERG Revised ERG Common Position on the approach to Appropriate remedies in the ECNS regulatory framework, 2006

EC, Notice on the application of the competition rules to access agreements in the telecommunications sector FRAMEWORK, RELEVANT MARKETS AND PRINCIPLES (98/C 265/02)

7. Expected timeline

Deliverable	Start date – Kick-off meeting	3 rd week of July
1	Report for competition guidelines	Start date + 4 weeks
2	Draft Competition guidelines	Start date + 6 weeks
3	Report summarizing and addressing the Reponses received	Start date + 14 weeks (taking into account 4 weeks public consultation)
4	Final Competition guidelines	Start date + 16 weeks
5	Report for Notifications guidelines	Start date + 9 weeks (the consultant will be able to work during consultation)

		period)
6	Draft Notification guidelines	Start date + 11 weeks
7	Report summarizing and addressing the Responses received	Start date + 19 weeks (taking into account 4 weeks public consultation)
8	Final Notification guidelines	Start date + 21 weeks
Note: The normal duration of public consultations is four weeks.		

The Draft Retail Regulation will be distributed to the consultant prior to the start of his work on the Tariff Notification Guidelines.

8. Invoicing

Invoicing shall be made using the following invoicing profile:

Deliverable	% of fixed price financial bid
Kick-off meeting	10%
Deliverable 2	15%
Deliverable 4	30%
Deliverable 6	15%
Deliverable 8	30%

9. Responses instructions

Instructions

- a) General information about the TRA may be found on the TRA's web site at www.tra.org.bh.
- b) Responses to this RFP should address all of the requirements set out in this RFP.
- c) Responding consultants are requested to provide summary of their relevant capabilities and past experiences in related issues.
- d) Responding consultants will need to demonstrate that the team includes the necessary skills to ensure quality of work to professional standards.
- e) The successful bidder will demonstrate a strong background and experience in competition and regulatory economics as it relates to the telecommunications sector. It is anticipated that the successful bidder will

complement these core skill requirements with an appropriate legal background and experience in competition law and regulation.

- f) Responding consultants shall provide CVs and contact details of all staff to be involved in the project.
- g) Responding consultants may sub-contract elements of the work but shall assume contractual responsibilities for all work and co-ordination of any third parties. Any such subcontracting must be clearly identified in the Proposal.
- h) Responding consultants must declare in their proposals that they have conducted all relevant conflict of interest checks and that to the best of their knowledge they face no conflict of interest in accepting the engagement if selected.
- i) Until any such contract(s) have been executed, this Request for Proposal and any responses to this RFP shall not in any way bind the TRA.
- j) Firms that submit a proposal in response to this RFP are solely responsible for meeting any and all costs incurred in preparing their proposal. No costs incurred by any consultant (successful or otherwise) in preparing and submitting a proposal shall be reimbursable by TRA.

Response to this RFP

- k) Responses to this RFP may be submitted by either e-mail or hardcopy but in cases where it is submitted by e-mail a hard copy must reach the TRA within 7 working days of the date of closing of the RFP. It is the responsibility of the respondents to ensure that their responses to the RFP have reached the TRA within the required timeframe.
- l) Responding Consultants will provide TRA with a technical proposal and a separate fixed price financial bid.
- m) The technical proposal shall detail how the responding Consultant proposes to manage and complete this project. Technical proposal responses to this RFP may be submitted by either e-mail or hard copy. **In cases where they are submitted by e-mail, a hard copy must also reach TRA within 7 days of the closing date of this RFP.**
 - a. Structure and content of the technical proposal will, at a minimum, include:
 - i. Covering letter from an authorised signing officer
 - ii. Company overview
 - iii. Company's qualifications and experience (as related to the assignment)
 - iv. A written statement that they have read and understood the conditions of this Request for Proposals.

- v. Proposed work plan for the overall project including:
 - 1. working method including the split of work between the Kingdom of Bahrain; and the Consultants home country and project management;
 - 2. the main tasks and sub-tasks to be completed with associated timeframe and dates
 - 3. deliverables to be submitted with associated completion dates
 - 4. critical path
 - vi. Resource allocation plan by main task and sub-task
 - vii. Confirmation of deliverables to be provided
 - viii. CV's and contact details of all proposed team members
- n) The fixed price financial bid document must be submitted to TRA in hard copy only under a separate cover. The separate cover will be clearly marked "Financial bid in response to RFP – Competition Guidelines and Tariff Notification Guidelines" and will also clearly show the identity of the party submitting the financial proposal. **The financial bid document must reach TRA by the closing date of this RFP.**
- a. A tabulated format should be provided to show all costs **in United States Dollars (US\$)** in a form that can easily be reviewed and compared with other respondents' proposals. The structure and content for the financial bid shall include as a minimum, for each deliverable, task and proposed sub-task:
 - i. The proposed team member to complete the task
 - ii. an estimate of the number of man days per team member required to complete the task,
 - iii. a daily fee rate per team member, based on a daily rate inclusive of travel, accommodation, daily living allowance, etc.
 - o) All responding consultants should include a statement that they have read and understood the conditions of this Request for Proposal.
 - p) Responding consultants may include supporting documents and attachments.
 - q) Proposals should be straightforward and demonstrate the capacity of the consultant to address the practical requirements of this work.
 - r) TRA may issue any clarification to all participants as an addendum to the RFP. Such an addendum will become part of the RFP documents before deadline.

- s) **The closing date for receipt of proposals is 9.00 a.m. 6 July 2008.** All proposals should be valid for acceptance for a period of at least three months from the deadline for submitting responses.
- t) The address for submitting proposals is as follows:

Mr. Mohammed Nasser
Telecommunications Regulatory Authority (TRA)
P.O. Box 10353
Manama,
Kingdom of Bahrain
e-mail: consultancy@tra.org.bh
Fax: +973 1752 2125

Evaluation Process and Outcome

TRA will evaluate the proposals according to the criteria detailed below, producing a total score of 100%:

1. Understanding of the task required in relation to this RFP: 30%
2. Quality of the technical approach outlined in the proposal, to include the skills and experience of the personnel allocated to the project by the responding Consultant: 50%
3. Realistic project plan, division of tasks and allocation of time and personnel: 20%

Proposals scoring less than 50% for any individual criterion will be eliminated from the process.

Proposals scoring less than 60% overall after the evaluation process will be eliminated from the process.

The contract will be awarded to the responding Consultant who submits the proposal offering the best value for money. This will be decided by dividing the qualitative score obtained for the technical criteria by the total price of the proposal.

TRA expects to review responses to this RFP and appoint a Consultant within seven (7) days of the deadline for submitting responses.

TRA reserves the right at its sole discretion to accept any response it chooses in full or in part, negotiate with any consultant, and accept any alternative response. TRA is not bound to accept any response or appoint a consultant.

Confidentiality

All other information materials submitted to a responding or selected Consultant, at any stage, must be considered confidential.

When confidential material is submitted to TRA, it must be clearly marked “confidential”.

Co-operation

The Consultant will be expected to co-operate with TRA and other entities in the amendments, planning, information exchange, documentation, meetings or other communications or activities that TRA considers necessary in order to fulfil the contract and requirements of this RFP most expeditiously and successfully. It should also be noted that the Consultant will need to ensure that adequate resources are available during the specified periods as the timetable will have to be strictly observed.