



भारतीय दूरसंचार विनियामक प्राधिकरण

Telecom Regulatory Authority of India

(IS/ISO 9001-2008 Certified Organisation)



**EXPRESSION OF INTEREST
(EOI)
For
Empanelment of Agencies to carry out
Regulatory Impact Assessment
in respect of new regulatory framework
for Telecom and Broadcasting Sector**

TELECOM REGULATORY AUTHORITY OF INDIA

Mahanagar Doorsanchar Bhawan (next to Zakir Hussain
College) Jawaharlal Nehru Marg (Old Minto Road)

New Delhi: 110 002

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Telecom Regulatory Authority of India
(TRAI Centre of Studies and Research)



File no: REOI/E 9513/ G-18/1/(1)/2023-TCoSr

Dated: 13 Oct. '2023

Section-I

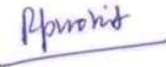
SUBJECT: INVITATION OF EXPRESSION OF INTEREST

Telecom Regulatory Authority of India, Mahanagar Doorsanchar Bhavan, Jawahar Lal Nehru Marg (Old Minto Road), New Delhi – 110002 invites online Expression of Interest (EOI) from companies/firms/vendors (hereinafter referred to as bidders) for conducting Regulatory Impact Assessment (RIA) in respect of new regulatory framework for Telecom and Broadcasting Sector.

2. The EOI document containing the details of background, Objective & Scope of Work, eligibility criteria, and submission requirement etc. can be downloaded from the Central Public Procurement Portal (www.eprocure.gov.in) as well as from www.trai.gov.in
3. All the eligible Agencies shall be invited for a presentation based on scope of work before the Committee for shortlisting.
4. A maximum of ten agencies shall be shortlisted and empaneled. This empanelment shall be valid initially for three years and may be extended for a period of one year depending upon the requirement.
5. Subsequently, all the empaneled agencies shall be invited for the process of RFP to meet the current requirement of TRAI.
6. Further, all the said empaneled agencies shall be invited for the process of RFP from time to time for future requirement of TRAI for Regulatory Impact Assessment.
7. Further details, if any, may be obtained from the O/o Deputy Advisor TRAI CSR Room no 720A Mahanagar Doorsanchar Bhavan, Jawahar Lal Nehru Marg (Old Minto Road), New Delhi – 110002 during working Hours (Tele no:011-23664239 /Mob no:9414001666)
8. Last date of submission of EOI online is 20-11-2023 by 15:00 Hrs..

9. The critical dates for bid submission are as follows:

S.No.	Critical Dates	Date	Time
I	Date of publication on CPP Portal	13-10-2023	1800 Hrs
II	Document download start date	13-10-2023	1800 Hrs
III	Pre-Bid Meeting at TRAI H/Q, Mahanagar Doorsanchar Bhavan, Jawahar Lal Nehru Marg (Old Minto Road), New Delhi-02	20-10-2023	1500 Hrs
IV	Last date of submission of clarification	24-10-2023	1730 Hrs
V	Uploading of clarification if any	31-10-2023	1800 Hrs
VI	Last date of submission of bid document online	20-11-2023	1500 Hrs
VII	Opening of bid online	21-11-2023	1500 Hrs



Deputy Advisor
TRAI CSR

Note: TRAI reserves the right to cancel this request for EOI and/or to invite a fresh EOI, with or without amendment, without liability or any obligation for such request for EOI and without assigning any reason thereof. TRAI reserves the right to amend/add further details in the EOI.

Section II

A. Background

1. The Telecom Regulatory Authority of India (hereinafter referred to as TRAI) is a statutory body established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act), inter-alia, to regulate “Telecommunication Services”. The Central Government vide its notification, in the Ministry of Communication and Information Technology (Department of Telecommunication), No. 39 published under notification No. S.O. 44 (E) dated 09.01.2004 notified broadcasting services and cable services as telecommunication service, vesting in TRAI the jurisdiction to also regulate the said sector. The main functions entrusted to TRAI, under section 11 of TRAI Act, are to regulate tariff, interconnection, and quality of service of broadcasting services.

2. TRAI has issued various regulations, tariff orders and direction to regulate the broadcasting and cable services sector. On 22nd November, 2022 TRAI issued the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Third Amendment) Order, 2022 (4 of 2022) and the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Fourth Amendment) Regulations, 2022 (2 of 2022). The framework was duly notified, vide press release no. 73/2022 dated 22nd Nov 2022 giving effect to all the timelines prescribed in the above-mentioned framework.

3. Earlier on 3rd March 2017, TRAI put in place a regulatory framework for digital addressable systems which, inter-alia, includes Interconnection Regulations, 2017, QoS Regulations, 2017 and Tariff Order, 2017. As the New Regulatory Framework changed quite a few business rules, many positives emerged. However, upon implementation of the New Regulatory Framework 2017, TRAI noticed some inadequacies impacting the consumers. To address certain issues that arose after implementation of the new regulatory framework, after a due consultation process with stakeholders, TRAI on 01.01.2020 notified the New Regulatory Framework 2020.

4. The full text of all earlier regulations on Broadcasting and other fields, tariff orders and Press Notes are available on TRAI's website www.trai.gov.in.

5. The television broadcasting sector consists of approx. 1737 active MSOs, 4 private DTH operators, 328 pay TV broadcasters, one operational HITS operator and a few IPTV operators in the country. The size and network of service providers is quite varied as some of them have a huge subscriber base, while there are many medium and small. The Centre reserves the right to cancel this invitation for EOI and/ or invite afresh with or without amendments, without liability or any obligation for such request for EOI and without assigning any reason. Information provided at this stage is indicative and TRAI/ reserves the right to amend/add further details in the EOI.

Section III

Objective & Scope of Work

A. Objective:

The objective of this EOI is to empanel maximum ten (10) agencies, having expertise in conducting Regulatory Impact Assessment/Surveys in telecom, broadcasting, and other relevant fields, so that the work for conducting Regulatory Impact Assessment /Survey in respect of new regulatory framework for Telecom and Broadcasting Sector may be awarded in minimum time to the empaneled agency/agencies, from time to time, to meet the current/future requirements.

B. Scope of work:

1. Bidders shall have to carry out Regulatory Impact Assessment (RIA) in respect of new regulatory framework for Telecom and Broadcasting Sector for impact on Economy, Society, and stake holders/class of service.
2. Bidder shall have to carry out Regulatory Impact Assessment through survey/inspection /interaction with stake holders and concerned persons located at each nook and corner of India. In this connection, list of state wise DPOs, DTH, IPTV, main broadcasters and MSOs as stake holders of broadcasting sector for RIA is attached as Annexure -I
3. Percentage, parameters, format of survey/inspection/interaction to carry out Regulatory Impact Assessment shall be finalized by the competent authority on case-to-case basis as per requirement. Sample format of survey for consumer is attached as Annexure -II
4. In general, for consumers, 50% of the assessment shall be done through physical mode and the remaining 50% shall be done telephonic/ electronic mode.
5. For service providers/ broadcaster/individual TV channels (regional/national of each genre i.e. entertainment/news/kids/sports/devotional etc.)/ MSOs/ LCOs, DTH operators, HITs, and IPTV etc. and other stake holders, Regulatory Impact Assessment shall be based on physical survey/interaction/inspection only.
6. The Bidder shall submit reports on Regulatory Impact Assessment in the desired format within the stipulated time as decided by the Authority on case-to-case basis.

Section IV

A. Eligibility criteria:

The Bidder shall meet the following eligibility conditions for empanelment: -

1. The bidder shall be a registered company/ firm/ partnership firm/LLP/as per Indian Partnership Act / Companies Act or under any applicable Act/law, as amended from time to time.
2. The bidder should have a valid registration regarding GSTIN, PAN, EPF, ESI, Labour, or equivalent registration certificate issued by concerned Authority /Government as applicable to the subject services.
3. The Company/firm should have experience of the inspection (technical and/or non-technical) / survey in various service sectors such as telecom, power, gas, insurance etc. and shall have executed similar work of –
 - (a) rupees 80 lakhs to rupees one crore - one work; or
 - (b) more than rupees 40 lakh -two works each; or
 - (c) more than rupees 30 lakh- three works each,----
in three preceding financial years.
4. The company/firm should not have been disqualified or blacklisted by any department of State Government/Central Government or any Bank or Financial Institution or any statutory body or any professional body. Further, the Company/firm should not have been held guilty of criminal misconduct at any point in time.
5. The Company/firm should be well-versed with the Telecom, broadcasting and distribution industry and must be proficient in understanding the various networks of the Distributors and reach the customers of different networks.
6. The Company/firm should have enough ground staff spread across Pan India with basic knowledge of IT to carry out the inspection/Survey on Broadcasting and cable TV and Telecom networks spread in each nook and corner of all the states and union territories of India.
7. The Company/firm should be independent of Telecom, broadcasting service providers and should not have any direct or indirect involvement or interest, in the design, construction, operation or maintenance of software such as CAS/SMS/Middleware/EPG or hardware/ electronic devices used in digital addressable systems of a service provider. Further, neither any director/partner/key managerial personnel of the bidder firm should have held, during the last one year or should be currently holding, the similar position in any company/ firm which is involved in the business of broadcasting and distribution activities. The Company/firm shall submit an undertaking to this effect along with the proposal.

B. Short listing Criteria

1. The following parameters shall form the basis for examination and evaluation for shortlisting of bidders for empanelment.

S.No.	Criteria	Range	Points	Maximum Points
I	No. of Years in Operation (As on 1 st April 2023)	3-5 Years	5	20
		>5 and <10Years	10	
		>=10 Years	20	
II	Average Annual Turnover for last 3 preceding years (2020-21,2021-22,2022-23)	2-3 Crore	5	20
		>3 and < 5 Crore	10	
		>= 5 Crore	20	
III*	Experience of Regulatory Impact Assessment /Survey/inspection (Technical/Non-Technical) in Service sector e.g. Telecom, broadcasting, insurance, gas etc. in last 3 years	Rupees 80 lakhs to rupees one crore - One work or more than rupees 40 Lakh -Two works each or more than rupees 30 Lakh- three works each)	10	30
		>rupees one and <rupees two Crore	20	
		>=rupees two Crore	30	
IV	Infrastructure and facility	Branch offices in north, south, east, west zones of the country	5 points for each zone	20
V	Presentation of bidder before Evaluation committee for their suitability in respect of scope of work		10	10

Note:*Mandatory condition i.e., the bidder, who will score zero points for S.No. III, shall not be considered for presentation before evaluation committee and shall not be considered for empanelment

2. Minimum qualifying points is forty (40) points out of maximum Hundred (100) points.
3. Bidders shall be shortlisted based on number of points obtained.
4. In general, a maximum of ten agencies shall be shortlisted and empaneled.
5. The empaneled bidders will be eligible to participate in RFP process through online CPP portal based on the scope of work for present and future requirement of work time to time.

Section V

Instructions for Submission of Expression of Interest (EOI).

1. Bidders are advised to study all instructions, forms, terms, requirements, and other information in the EOI document carefully. Submission of the bid shall be deemed to have been done after careful study and examination of the EOI document with full understanding of its implications. Bidders shall go through the EOI Document before submitting the proposal.
2. The Bidder may submit additional information in support of his suitability for the assignment.
3. The proposal in all respects, as specified in the EOI, must be submitted online at **www.eprocure.gov.in** as per the formats attached to this document.
4. The EOI proposal shall be strictly as per the format specified in this Invitation for Expression of Interest and any deviation may result in the rejection of the EOI proposal.
5. The scanned copies of the documents or pdf versions only need to be uploaded on the CPP portal. The scanned versions of the documents or pdf versions of the following documents need to be uploaded on CPP portal:

a.	Form 1	EOI Form (Covering Letter)
b.	Form 1.1	Bidder Information
c.	Form 1.2	Eligibility Declarations
d.	Form 2	Qualification Criteria- Compliance
e.	Form 2.1	Performance Capability Statement
f.	Form 2.2	Financial Capability Statements
g.	Form 2.3	Average Annual Turnover/Experience
h.	Form 3	Check list for Bidder
i.	Format-I	Authorization to Attend Pre-EOI Conference
j.	Documents	All the supporting documents as contained in Section IV (Part-A& Part-B) and documents mentioned in all forms of the EOI document. Other relevant documents are also to be uploaded on CPP portal.

6. Any EOI proposal received manually by TRAI shall be rejected and returned unopened to the Bidder.
7. **Verification of Original Documents at RFP Process**

TRAI reserves the right to call for verification of originals of all self-certified copies of uploaded documents from the bidder during the RFP Process. If, at that stage, the shortlisted bidder fails to provide such originals or, in case of substantive discrepancies in such documents, it shall be construed as a breach of the Code of Integrity (see clause 11 below). Such RFP proposals shall be liable to be rejected as non-responsive in addition to other punitive actions for such a breach.

8. Declaration of Shortlisted Agencies

- 1) The name and address of the shortlisted Agencies shall be published on the portal and notice board/ bulletin/website of the TRAI. All Agencies will be advised about shortlisting their EOIs or otherwise without disclosing the comparative position of their EOIs with that of others. Shortlisted Agencies must not advertise or publish the same in any form without the prior written consent of TRAI.
- 2) Shortlisting an Agency is an administrative process and does not confer any legal or contractual rights on him. Since original documents/ certificates are not being called for and examined at this stage, the shortlisting of the agencies shall be conditional upon final verification of such documents/ certificates during the RFP Process.

9. Conflict of Interest

- 1) Any Bidder with a conflict of interest that substantially affects fair competition shall not be eligible to participate in this procurement process. EOIs found to have a conflict of interest shall be rejected as non-responsive. Bidder shall be required to declare the absence of such conflict of interest in Form 1.2 - Eligibility Declarations. A Bidder in this procurement process shall be considered to have a conflict of interest if the Bidder:
 - a) directly or indirectly controls, is controlled by or is under common control with another Agency; or
 - b) receives or has received any direct or indirect subsidy/ financial stake from another Agency; or
 - c) has the same correspondence address or same legal representative/ agent as another Agency for purposes of this EOI; or
 - d) has a relationship with another Agency, directly or through common third parties, which puts it in a position to have access to information about or influence the EOI of another Agency; or
 - e) would be providing goods, works, or non-consulting services resulting from or directly related to desired services that it provided (or were provided by any affiliate that directly or indirectly controls, is controlled by, or is under common control with that firm) for the procurement planning (inter-alia preparation of feasibility/ cost

estimates/ Detailed Project Report (DPR), design/ technical specifications, terms of reference (TOR)/ Activity Schedule/ schedule of requirements or the EOI/ RFP Document etc) of this procurement process; or

- f) has a close business or family relationship with a staff of the TRAI who:
 - i) are directly or indirectly involved in the preparation of the EOI document or Terms of Reference of the procurement process and/or the evaluation in EOI and/ or RFP process; or
 - ii) would be involved in the implementation or supervision of the resulting contract.

Any conflict stemming from such a relationship must be reported and resolved in a manner acceptable to the TRAI throughout the EOI and RFP processes and execution of the contract.

- 2) The agency shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this EOI and RFP process.

10. All Applications shall be submitted in English.

11. Code of Integrity in Public Procurement, Misdemeanours and Penalties:

The Code of Integrity and penalties for violating the said code, as contained in the General Financial Rules, 2017 issued by the Govt of India, Ministry of Finance, Department of Expenditure, shall apply to this EOI process. Procuring authorities, consultants, suppliers, contractors, and consultants should observe the highest standard of integrity and not indulge in prohibited practices or other misdemeanors, either directly or indirectly, during the entire procurement process (including this EOI) or the execution of resultant contracts.

12. The bidder shall bear all costs incurred in connection with participation in the EOI process, including, but not limited to, costs incurred in conduct of informative and other diligence activities, participation in meetings/ discussions/ presentations, preparation of proposal, in providing any additional information required by TRAI to facilitate the evaluation process and in negotiating a definitive bidder all such activities related to the bid process. The Authority will in no case be responsible for or liable for those costs, regardless of the conduct or outcome of the bidding process.

13. The Power of Attorney supporting or authorizing the signatory shall be enclosed with the offer on non-judicial stamp paper. Any or all corrections made in the offer shall be duly authenticated by the signature of the Authorized Signatory. An authorized representative of the bidder shall sign the original submission letters in the required format for EOI submission and shall initial all pages.

14. The supporting documents and printed literature to be furnished by Applicant shall be

accompanied with English translation in case original documents are in a language other than English.

15. The bidder shall provide all the information sought under this EOI. TRAI would evaluate only those Applications that are received in the required format and complete in all respects. Incomplete and / or conditional bids/ applications shall be liable for rejection.
16. **Assistance to Bidders:** Any queries relating to the EOI document, and the terms and conditions contained therein should be addressed to the EoI inviting Authority on the email provided: datcsr@traigov.in
17. The Proposal of EOI must be submitted online not later than: Date: 20 Nov.' 2023, Time: 1500 hours (IST)
18. The EOI will be opened by a committee constituted for the purpose by the Authority on pre-decided date and time. The participating bidders or their authorized representatives may choose to remain present at the time of opening of the bids.
19. The bidders are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submit their bids online on the CPP Portal. However, more information regarding requirements and procedure for submitting online bids is outlined in detail in 'Guidelines for hassle free Bid Submission', which is available on the CPP Portal at: https://eprocure.gov.in/cppp/hassle_free_bid_submission.pdf. Bidders are advised to go through the details outlined in the said guidelines thoroughly before submission of bids, as TRAI shall not be held responsible for rejection of bids due to incorrect/faulty online application submission.
20. **Submission of Bids**
 - a) A Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e., on or before the bid submission time. Bidder shall be solely responsible for non-submission or delay in submission of bid.
 - b) The bidder must digitally sign and upload the required bid documents one by one as indicated in the EoI document.
 - c) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission or the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.
 - d) The uploaded EoI documents become readable only after the EoI opening by the authorized bid openers.
 - e) Upon successful and timely submission of bids (i.e. after Clicking 'Freeze Bid Submission' in the portal), the portal will give a successful bid submission message & a

bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.

- f) The bid summary must be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.
- g) For further assistance in uploading the bid on CPP portal, the bidders are advised to contact 0120-4711508,0120-4001002,0120-4001005, 0120-6277787 (24X7 Help desk numbers).

21. Clarification of EOI document

- a) Any clarification issued by TRAI in response to a query raised by prospective bidders shall form an integral part of EOI and it may amount to an amendment of relevant clauses of EOI document.
- b) The bidders are required to keep a watch on CPP Portal (www.eprocure.gov.in) as well as TRAI's Website www.traigov.in for any amendment to EOI or for clarifications in response to the queries raised by the Bidders up to a day prior to the last date for submission of bids. TRAI reserves the right to reject any bid if the bid is submitted without considering the said amendments/clarifications. Further, the prospective bidders shall be fully responsible for downloading the amendments, if any made in the EOI document and clarifications, if any, issued by TRAI, and TRAI accepts no responsibility whatsoever in this regard.
- c) If any information furnished by the applicant is found incorrect at a later stage, they shall be liable to be debarred from empanelment/tendering and taking up the work assigned by TRAI. TRAI reserves the right to verify the particulars furnished by the applicant independently.
- d) This information is not intended to be exhaustive and interested bidders are required to make their own inquiries before submitting the bid.

- 22. Condition under which EOI is issued:** The EOI is not an offer and is issued with no commitment. TRAI reserves the right to withdraw the EOI and or vary any part thereof at any stage. TRAI further reserves the right to disqualify any Bidder, should it be so necessary at any stage.

Section VI

General Terms & Conditions

A. Period of Empanelment:

Empanelment shall be valid initially for three years and may be extended for a period of one year depending upon the requirement.

B. Indemnity

1. The bidder/ agency shall indemnify and hold TRAI harmless against any claims, demands, disputes or judgment of any nature brought against TRAI and arising out of the services provided by the agency under this EOI or subsequent contract. TRAI shall be entitled to get the monetary loss suffered by it, if any, reimbursed from the agency. TRAI may also, at its discretion, remove the agency from the panel in such circumstances, without prejudice to the obligation of the agency under this clause, which shall survive even after the removal of agency from the panel.
2. In no event shall TRAI be liable to bidder for special, direct, indirect or any other damages in connection with or arising out of the performance or use of services provided by the bidder under this EOI or subsequent agreement.
3. The bidder shall indemnify TRAI in respect of any damages, claim, loss, or action against TRAI for any act of commission or omission on the part of the bidder, its agents, or servants.

C. Coordination

1. The bidder shall appoint one or two of its employees as coordinator who shall represent the bidder in all dealings with TRAI.
2. All correspondence relating to EOI shall be addressed to Deputy Advisor (TRAI CSR), Telecom Regulatory Authority of India, Mahanagar Doorsanchar Bhavan, New Delhi-110 002 and Email ID: da-tcsr@traigov.in

D. Confidentiality

All information gathered during the real-time inspection and reports submitted to TRAI will be the sole property of TRAI. The bidder will not transfer/pass on the information to any service provider or to any third party under any circumstances. Further, by signing this EOI document, the bidder confirms that he shall not disclose any information contained in this document or part thereof to any third party without prior written consent of TRAI.

E. Jurisdiction of courts

The courts located at New Delhi/Delhi shall alone have the jurisdiction to decide any dispute arising out of this EOI, the tender document to be issued to a bidder found technically qualified upon evaluation of EOI and agreement which may be entered by TRAI with the Bidder.

F. Arbitration

In the event of any dispute arising between TRAI and the bidder, the matter shall be referred to the Secretary, TRAI who may himself act as sole arbitrator or may nominate, as sole arbitrator, an officer of TRAI notwithstanding the fact that such officer has been directly or indirectly associated with EOI process or the subsequent agreement signed between the parties. The bidder/ agency shall not be entitled to raise any objection to the appointment of such officer of TRAI as the sole arbitrator. The award of the arbitrator shall be final and binding on both the parties, subject to the provisions of the Arbitration and Conciliation Act, 1996 and rules made thereunder for the time being in force. The parties expressly agree that the seat and venue of arbitration proceedings shall be New Delhi. The language of arbitration shall be English.

G. Validity

The empanelment shall be valid initially for three years and may be extended for a period of one year depending upon the requirement.

Form 1: EOI Form (Covering Letter)

(This is to be furnished on the letter head of the bidder having Address and contact details)

Reference No

Date:

To
Deputy Advisor,
TRAI Centre of Studies and Research,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg, New Delhi-110002

Sir,

Having examined the Invitation for EOI Document including all the annexures and amendments, if any, we, the undersigned, herewith upload our EOI in response to your EOI document no :E 9513/ G-18/1/(1)/2023-TCoS R Dated: 09 Oct. '2023 for "Empanelment to carry out Regulatory Impact Assessment in respect of new regulatory framework for Telecom & broadcasting Sector", in full conformity with the said Invitation for EOI document.

1. About us:

We, M/s _____, hereby certify that We are a proven, established, and reputed Firm having the required Experience, Past performance, Personnel, and financial capability, with offices at _____.

2. Our Eligibility and Qualifications to participate:

- a. We comply with all the eligibility criteria stipulated in this EOI document, and the relevant declarations are made along with documents in Form 1.2 of this EOI-Form.
- b. We fully meet the qualification criteria stipulated in this EOI document, and the relevant details are submitted along with documents in Form 2: 'Qualification Criteria – Compliance' and its sub-forms.
- c. We undertake to provide originals of all self-certified copies of uploaded documents during the RFP Process. We have understood the ramifications of the failure to do so, as detailed in clause 7 of Section V of the EOI document.
- d. We don't have any conflict of interest with any other Bidder as per clause 9 of Section V of EOI Document.
- e. No commissions and gratuities have been paid or are to be paid to agents or any other party by us relating to this EOI and RFP processes.

3. Affirmation of terms and conditions of the EOI document:

We have understood the complete terms and conditions of the EOI document. We accept and comply with these terms and conditions without reservations.

4. Abiding by the EOI Validity

We agree to keep our EOI valid for acceptance for a period upto three (03) years, as required in the EOI document, or for a subsequently extended period, if any, agreed to by us.

5. Non-tempering of Downloaded EOI documents and Uploaded Scanned Copies

We confirm that we have not changed/ edited the contents of the downloaded EOI Formats. We realize that any such change noticed at any stage, including after the contract award, shall be liable to punitive action in this regard as stipulated in the EOI document. We also confirm that scanned copies of documents/ affidavits/undertakings uploaded along with our EOI are valid, true, and correct to the best of our knowledge and belief. We shall be responsible if any dispute arises regarding the validity and truthfulness of such documents/ affidavits/ undertakings. Upon our successful shortlisting, we undertake to submit for scrutiny, on-demand by the TRAI, originals, and self-certified copies of all such certificates, documents, and affidavits/ undertakings.

6. Signatories:

We confirm that we are duly authorised to submit this EOI and make commitments on behalf of the bidder. Supporting documents are submitted in Form 1.1, annexed herewith. We acknowledge that our digital/digitized signature is valid and legally binding.

7. Right of the TRAI to Reject EOI(s):

We understand that you are not bound to accept the lowest or any EOI you may receive against your above-referred EOI document.

.....
(Signature with date)

.....
(Name, designation, mob no and email Id)
Of Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

Form 1.1: Bidder information

(This is to be furnished on the letter head of the bidder having address and contact details)

Reference No

Date:

Note: Bidder shall fill in this Form following the instructions indicated below. The bidder shall enclose certified copies of the documentary proof/ evidence to substantiate the corresponding statement wherever necessary and applicable. Bidder's wrong or misleading information shall be treated as a breach of the Code. of Integrity. Such EOIs shall be liable to be rejected as nonresponsive, in addition to other punitive actions provided for such a breach in the EOI document.

(Please tick appropriate boxes or strike out sentences/ phrases not applicable to you)

Bidder's particulars:

a) Name of the bidder's Organization:	
b) Corporate Identity No. (CIN):	
c) Registration, if any, with the TRAI:	
d) Date of incorporation/ start of business:	
e) Place of Registration/ Principal place of business":	
f) Number of Years in Business:	
g) Number of Years in providing desired Services:	
h) bidder's Website URL:	
i) Complete Postal Address:	
j) Pin code/ ZIP code:	
k) Telephone nos. (with country/ area codes):	
l) Mobile Nos.: (with country/ area codes):	
m) Contact persons/ Designation:	
n) Email IDs:	
o) PAN Number:	
p) GSTIN No:	

1. Submit documents to demonstrate eligibility as per EOI - A self-certified copy of registration certificate – in case of a partnership firm – Deed of Partnership; in case of Company – Notarised and certified copy of its Registration.
2. Bidder Organization Structure: Submit the overall organization structure of the firm.
3. Bidder profile: Submit the overall profile of the firm, highlighting technical and managerial capabilities.
4. Authorization of Person(s) signing the EOI on behalf of the bidder/

a) Full name: _____

b) Designation: _____

c) Signing as

A sole proprietorship firm. The person signing the EOI is the sole proprietor/ constituted attorney of the sole proprietor,

A partnership firms. The person signing the EOI is duly authorised being a partner to do so under the partnership agreement or the general power of attorney,

A company. The person signing the EOI is the constituted attorney by a resolution passed by the Board of Directors or in pursuance of the authority conferred by the Memorandum of Association/ Articles of Association.

5. Bidder's Authorized Representative Information

a) Name:

b) Address:

c) Telephone/ Mobile numbers:

d) Email Address:

(Signature with date)

.....

(Name, designation, mob no and email Id)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As above

Form 1.2: Eligibility Declaration

(This is to be furnished on the letter head of the bidder having address and contact details)

Eligibility Declarations

(Please tick appropriate boxes or cross out any declaration not applicable to the Bidder)

We hereby confirm that we comply with all the stipulations of EOI document and declare as under and shall provide evidence of our continued eligibility to the TRAI as and when it may be requested:

1. **Legal Entity:** We are:
 - a) : _____ relevant documents enclosed)
 - b) We are a Firm with valid registration regarding. GSTIN, PAN, EPF, ESI, Labour, or equivalent registration certificate as applicable to the subject Services.

2. **Eligibility:** We solemnly declare that we (including our affiliates or subsidiaries, or constituents):
 - a) are not insolvent, in receivership, bankrupt or being wound up, not have our affairs administered by a court or a judicial officer, not have our business activities suspended and are not the subject of legal proceedings for any of these reasons.
 - b) (Including our affiliates or subsidiaries, or constituents for any part of the assignment):
 - i) Do not stand declared ineligible/ blacklisted/ banned/ debarred by the any procuring Organization or its Ministry/ Department from participation in its procurement processes; and/ or
 - ii) Are not convicted (within three years preceding the last date of EOI submission) or stand declared ineligible/ suspended/ blacklisted/banned/ debarred by appropriate agencies of the Government of India from participation in procurement processes of all its entities for offences mentioned in EOI document in this regard.
 - iii) We have neither changed our name nor created a new "Allied Entity", Consequent to the above disqualifications.
 - c) Do not stand declared ineligible/ blacklisted/ banned/ debarred by the Procuring Organization or its Ministry/ Department from participation in its procurement processes; and/ or
 - d) We have no conflict of interest, which substantially affects fair competition. The quoted prices are competitive without adopting unfair/ unethical/ anti-competitive means. No attempt has been made or should be made by us to induce any other Bidder to submit or not to submit an EOI to restrict competition.

3. We certify that we fulfil other additional eligibility conditions prescribed in the EOI document.
4. **Penalties for false or misleading declarations:**

We hereby confirm that the particulars given above are factually correct and nothing is concealed and undertake to advise any future changes to the above details. We understand that any wrong or misleading self-declaration would violate the Code of Integrity and attract penalties.

.....
(Signature with date)	(Name and designation)

Duly authorised to sign EOI for and on behalf of

.....
.....

[Name, address, and seal of the bidder]

DA: As in Sr 1 to 4 above, as applicable

Form 2: Qualification Criteria - Compliance

(This is to be furnished on the letter head of the bidder having address and contact details)

Bidder 's Reference No. _____ Date.....

Note to bidder: The TRAI reserves the right to call for verification originals of all self-certified copies of stipulated documents supporting the fulfilment of qualifying criteria during the following RFP Process. If the shortlisted Bidder fails at that stage to provide such originals or, in case of substantive discrepancies in such documents, it shall be construed as a breach of the Code of Integrity (see clause 11 of Section V). Such RFP proposals shall be liable to be rejected as nonresponsive in addition to other punitive actions for such a breach.

Summary of Response to Qualification Criteria

Criteria 1 -General and Similar Experience:	Quantum, as detailed in Sub- forms	Qualification Criteria Met (Yes, or No)
a) The number of years of our experience in Consultancy Services is (see Form 1.1):		
b) In the specified period (as per Section IV: Eligibility Criteria), the number of desired assignments completed or substantially completed by us is (see Form 2.1):		
c) In the specified period, out of the desired assignments mentioned above, the number of Similar assignments (as per Section IV: Eligibility Criteria) are (see Form 2.1):		

Criteria 2 - Financial Capability	Quantum, as detailed in sub form	Qualification Criteria Met (Yes, or No)
Average Turnover: During the specified period {as per Section III: Eligibility Criteria):		
a) Average Total Turnover (see Form 2.2)		
b) Average Turnover from desired Services (see Form 2.2)		

Note: Bidder shall provide evidence of their continued qualification to perform the Services satisfactorily to the TRAI, as TRAI may request at any stage during the RFP process that would follow this EOI.

(Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As above

Form 2.1: Performance Capability Statement

Statement of Performance of Consultancy Services

(This is to be furnished on the letter head of the bidder having address and contact details)

Bidder 's Reference No. _ _ _ _ _ Date.....

Note to bidder:

1. Bidder must fill in this Form to prove conformance to Criteria 1 -General and Similar Experience. Mention contracts in which a Bidder is or has been a party, whether as a Bidder, affiliate, associate, subsidiary, Sub-consultant, or any other role. The list below is indicative only. You may attach more documents as required to highlight your past performance. Add additional details not covered elsewhere in your EOI in this regard. Statements and Documents may be mentioned/ attached here.

2. List only those assignments for which the Bidder was legally contracted as a company or was one of the joint venture members. Assignments completed by the Bidder's individual experts working privately or through other consulting firms cannot be claimed as the relevant experience of the Bidder or that of the Bidder's partners or sub-Bidders but can be claimed by the Experts themselves in their CVs. Assignments of Sub-Bidder(s) can be used to meet the Experience requirements specified in Section IV, Eligibility Criteria. The Bidder should be prepared to substantiate the claimed experience by presenting copies of relevant documents and references if the Client requests.

- 1) **The number of years of experience in Desired Services:** Provide evidence for the required length of experience in Desired Services and cross-reference the list of assignments below.
- 2) In the specified period, list Desired Services assignments completed or substantially completed in a tabular form (Period specified in Section IV – Eligibility Criteria Note: List only the most important and relevant ones. List the largest value and most relevant projects to this assignment first)
 - a. country, client, (source of funding),
 - b. project title, project reference number, project value, project period
 - c. brief description of the Bidder's role in the project
 - d. # of international staff months, # of national staff months deployed by you on the project
 - e. Is it a Similar Experience as per Section IV: Eligibility Criteria (Yes or No)
 - f. Is it in General Sector as per Section IV: Eligibility Criteria (Yes or No)
 - g. Is it in Specific Sector as per Section IV: Eligibility Criteria (Yes or No)

(Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As Above, if any

Form 2.2 Financial Capability Statements

[This is to be furnished on the letter head of the bidder having address and contact details]

Bidder 's Reference No. _____ Date.....

Note to Bidders:

Financial Capability. The list below is indicative only. You may attach more documents as required. Add additional details not covered elsewhere in the EOI in this regard.

Form 2.2.1: Financial Statements

Note: Each Bidder or member of a Joint Venture/Consortium making up a Bidder must fill in this Form.

Financial Data for Previous Three (3) Years			
	Year 1:	Year 2:	Year 3:
Information from the Balance Sheet			
Total Assets			
Total Liabilities			
Net Worth			
Current Assets			
Current Liabilities			
Working Capital			
Information from Income Statement			
Total Revenues			
Profits Before Taxes			
Profits After Taxes			

Attached are copies of financial statements (either audited financial statements supported by audit report or certified financial statements supported by Income tax returns), complying with the following conditions.

- All such documents reflect the financial situation of the Bidder.
- A Chartered accountant must audit historical financial statements.
- Historical financial statements must be complete, including all notes to the financial statements.
- Historical financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

(Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As Above, if any

Form 2.3: Average Annual Turnover/Experience

[This is to be furnished on the letter head of the bidder having address and contact details]

Bidder 's Reference No. -----

Date.....

Year	Total Turnover Amount (Supported by a certificate from the Chartered Accountants)
2020-21	
2021-22	
2022-23	
Average Annual Turnover	

Year	Experience of desired Services (Supported by a certificate from the Chartered Accountants)
2020-21	
2021-22	
2022-23	
Total Amount of Work Executed	

Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As Above, if any

Form 3: Checklist for Bidder

This is to be furnished on the letter head of the bidder having address and contact details]

Bidder 's Reference No. -----

Date.....

Note to Bidders:

This checklist is merely to help the Bidders to prepare their EOIs. It does not override or modify the requirement of the EOI. Bidders must do their due diligence also.

Sr	Documents submitted, duly filled, signed	Yes/ No/ NA
1.	EOI Document Duly signed by authorized signatory with seal of company on each page	
2.	Form 1.- EOI Form {to serve as covering letter and declarations)	
3.	Form 1.1: Bidder Information and Power of attorney and Registration Certificates etc. along with supporting documents	
4.	Form 1.2: Eligibility Declarations, along with supporting documents	
5.	Form 2: Eligibility Criteria – Compliance along with supporting documents	
6.	Form 2.1, 2.2,2.3 along with supporting documents	
7.	Form 3: This Checklist	
8.	Format 1: Authorization to Attend Pre-EOI Conference along with supporting documents	
9.	All the supporting documents as contained in Section IV (Part-A& Part-B) and documents mentioned in all forms of the EOI document. Other relevant documents are also to be uploaded on CPP portal.	

Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As Above, if any

Format 1: Authorization to Attend Pre-EOI Conference

[This is to be furnished on the letter head of the bidder having address and contact details]

Bidder 's Reference No. -----

Date.....

To
Deputy Advisor,
TRAI Centre of Studies and Research,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg, New Delhi-110002

Ref: REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Subject: Authorisation to attend Pre-EOI Conference on _____ (date). The following persons are authorised to attend the Pre-EOI Conference for the EOI mentioned above on behalf of _____ (Bidder) in the order of preference given below.

S.No.	Name	Photo ID Type/ Number issued by appropriate Authority
I.		
II.		
Alternate Representative		

Signature with date)

.....

(Name and designation)

[Duly authorised to sign EOI for and on behalf of name, address, and seal of the bidder]

DA: As Above, if any

List of DPOs S

Sl. No.	Name of the State (A)	Networks/DPOs covered in that state (B)
1	Andra Pradesh	176
2	Andman& Nicobar	4
2	Arunachal Pradesh	4
3	Assam	13
4	Bihar	23
5	Chhattisgarh	41
6	Damanand Deo	1
7	Goa	6
8	Gujarat	109
9	Haryana	69
10	Himachal Pradesh	33
11	Jammu and Kashmir	33
12	Jharkhand	14
13	Karnataka	99
14	Kerala	25
15	Lakshdeep	1
16	Madya Pradesh	128
17	Maharashtra	241
18	Manipur	8
19	Meghalaya	1
20	Mizoram	9
21	Nagaland	3
22	Orissa	101
23	Pudecheery	9
24	Punjab	17
25	Rajasthan	79
26	Sikkim	1
27	Tamil Nadu	128
28	Telagana	104
29	Tripura	5
30	Uttaranchal	101
31	Uttar Pradesh	24
32	West Bengal	77
33	Delhi/NCR	50
	Total networks covered	1737

List of Major DPOs (MSOs)

S.No.	Name of DPO/MSOs
1.	M/s Siti Networks Ltd
2.	M/s Den Networks Ltd
3.	M/s Hathway Digital Pvt Ltd
4.	M/s GTPL Hathway Ltd
5.	M/s IndusInd Media and Communications Ltd
6.	M/s Fastway Transmissions Pvt Ltd
7.	M/s Tamil Nadu Arasu Cable TV Corporation Ltd
8.	M/s Kerala Communicators Cable Ltd
9.	M/s Thamizhaga Cable TV Communication Pvt Ltd
10.	M/s Asianet Communications Ltd
11.	M/s E-Infrastructure and Entertainment India Pvt Ltd
12.	M/s KAL Cables Pvt Ltd
13.	M/s VK Digital Pvt Ltd
14.	M/s UCN Cable Network Pvt Ltd
15	M/s Atria Convergence Technologies Ltd

List of DTH Operators

1.	1 M/s Dish TV India Ltd
2.	2 M/s Bharti Telemedia Ltd
3.	3 M/s Tata Sky Ltd
4.	4 M/s SUN Direct TV Pvt Ltd

List of Pay IPTV Operators

S.No.	Name of the IPTV Operator
1	Hyderabad Cable Digital Service Pvt. Ltd.
2	Bhoomika Digital Cable Services Pvt. Ltd.
3	Peak Air Pvt. Ltd.
4	Katalysts Productions Pvt. Ltd.
5	Andhra Pradesh State Fibernet Limited
6	Triple Play Teleservices (P) Ltd.
7	WI Bro Solutions Pvt. Ltd
8	Extreme Teleconnect Pvt. Ltd.
9	Delinet Broadband Pvt. Ltd
10	Den Networks Ltd.
11	Hathway Digital Limited
12	City Online Media Pvt. Ltd.
13	ACT Digital Home Entertainment Pvt. Ltd.
14	Kable First India Pvt. Ltd.
15	ACN Cable Pvt. Ltd.
16	UCN Network
17	Atria Convergence Technologies Ltd.
18	Skypro Communications
19	E2 Info Solutions
20	Assistive Netspeed Technologies Pvt. Ltd.
21	Bangalore Broadband Network (P) Ltd
22.	Creative Cable Network
23.	Wired Entertainment
24	V.K. Digital Network Private Ltd.
25	AAA Cloud Telephony Private Limited

Sample format of Survey

Telecom Regulatory Authority of India (TRAI)	
Consumer Survey Format	
Name of the Consumer	
Address of the Consumer	
Mobile Number	
CliY & State (DAS Area)	
VC No.	
Service Provider(Please tick) MSO DTH	
Name of the Service Provider :	

1	Whether consumer is aware of the new regulatory framework. If yes, what is the source of the information
2	Whether consumer has exercised the choice
3	Whether choice is activated, if yes, time taken to activate
4	Mode of exercising choice
5	Whether the process of selection was easy & user-friendly
6	Whether split of NCF & channel price properly made available/displayed
7	Whether existing pack is available to subscribers for addition or deletion of channels
8	Whether on choice or BFP or others
9	If not, whether exercised choice after BFP
10	Whether all channels are available on a-la-carte basis for selection or deletion
11	Whether subscriber is forced to opt only DPOs bouquets
12	Whether Broadcaster's bouquets are available
13	Freedom to choose first 100 channels in the BST Pack
14	Whether EPG is updated as per Regulations
15	Whether Channel No. 999 for Consumer Information is available
16	Whether the subscriber is on long duration pack and the same pack continued
17	If not, whether the subscriber is migrated on consent
18	Which channel/content is presently shown on Landing page (Give Name)
19	Whether printed/electronic bills made available with explicit display of NCF/Channel Price & GST
20	Channel vis-a-vis Pre-NTO Pre- Post- Post-NTO