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Information Memorandum

Public Private Partnerships for Operation and Maintenance (O&M)

Bang Pa-In – Nakhon Ratchasima (M6) Intercity Motorway Project

1 Purpose and Validity of the Information

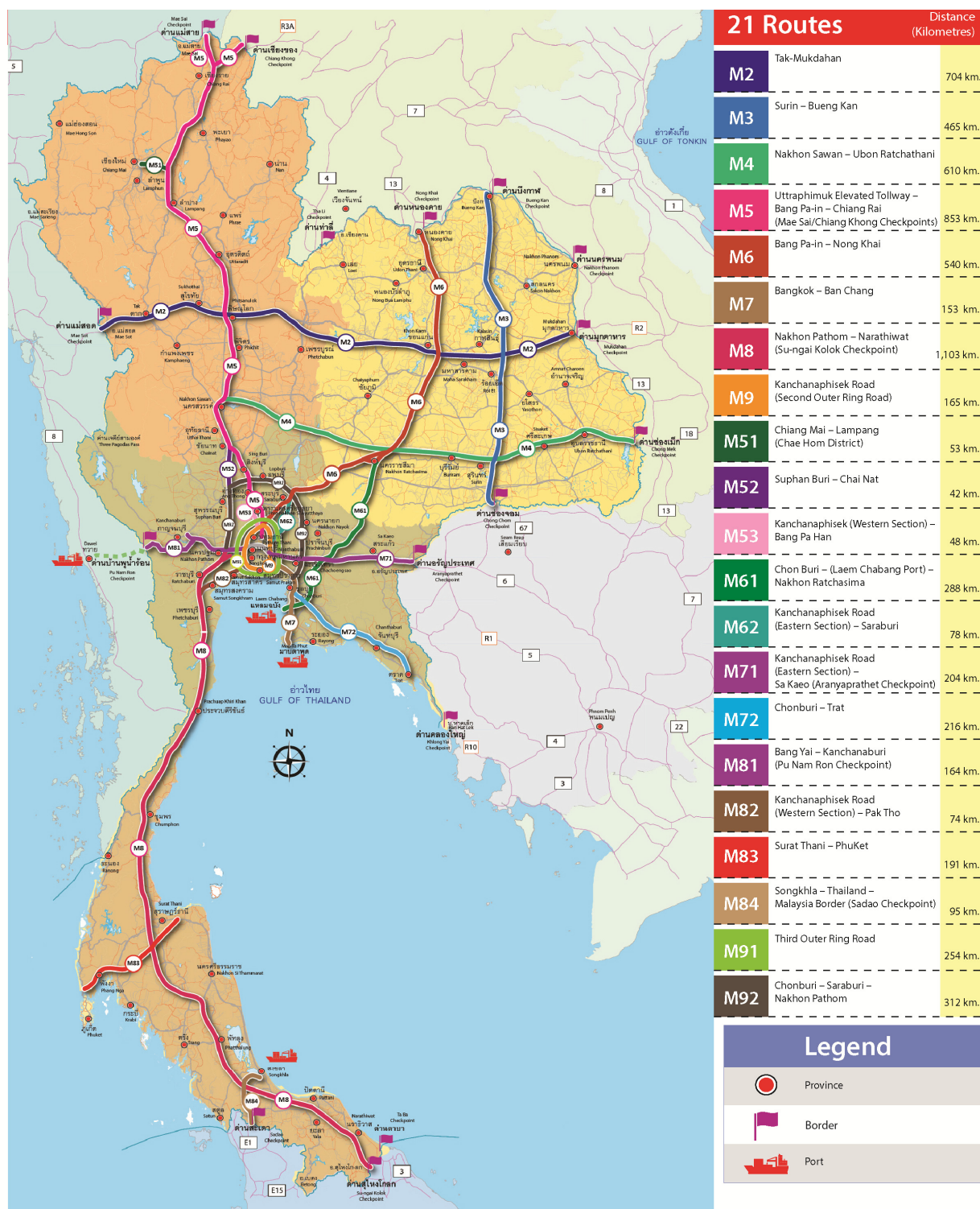
The information in this document has been prepared in English and it is only intended as a basis for understanding the Public Private Partnerships for Operation and Maintenance (O&M) Bang Pa-In – Nakhon Ratchasima (M6) Intercity Motorway Project. The information is only of an indicative and preliminary nature, and will be replaced by information contained in the request for proposal (RFP) which will be sold at Department of Highways (DOH) office. This means that information supplied in this document cannot be invoked later in any circumstances connected with the official tender document and the final PPP contract.

2 Master plan of Intercity Motorway in Thailand

Over the past few decades, Thailand has witnessed significant economic expansion, which has resulted in a steep increase in the number of people using the public highways and roads. The national highway system, however, is at present unable to sustain the current number of vehicles. Most national highways pass through densely populated residential areas, where it is either impossible or unsafe to travel at a reasonable speed.

The Department of Highways (DOH) under the Ministry of Transport, which is responsible for construction and maintenance of the major highway network throughout the country, therefore, has developed the concept of a 20-year Intercity Motorway Development Master Plan for the period 2017 – 2036, comprising 21 routes with a total length of 6,612 km.

The Bang Pa-In – Nakhon Ratchasima Motorway (M6) is one section of the flagship projects of the Master Plan and is included in the Action Plan of the Ministry of Transport Infrastructure Development Strategy and the Ministry of Finance Public Private Partnership (PPP) Fast Track scheme, both of which are aimed at expediting the fruition of a range of mega-project plans designed to stimulate the Thai economy.



Master Plan of the Intercity Motorways (2017-2036)

3 Project Information

3.1 Overview

The Bang Pa-In - Nakhon Ratchasima Motorway (M6) is the start section of the Bang Pa-In – Nong Khai Motorway in the Master Plan, which will serve as the main connection between Central region of Thailand, Bangkok, and the center of Northeastern Thailand, and could further link to neighboring countries such as Laos, Vietnam and Cambodia. It shall enable more rapid economic development in the region and serve as an alternative route to alleviate the traffic burden on National Highways No.1 and No.2, which are currently experiencing heavy traffic, and are subject to ever-increasing daily traffic congestion, especially during the holiday seasons.

The project is designed by DOH's intercity motorway standard with full control of access and close-system toll collection (distance-based toll) to accommodate and enable vehicles to travel at fast speeds. It consists of 9 toll plazas (each of which is equipped with both manual and electronic toll collection systems), 10 grade-separated interchanges, and 8 motorway rest areas classified by facilities as rest stop, service area and service center.

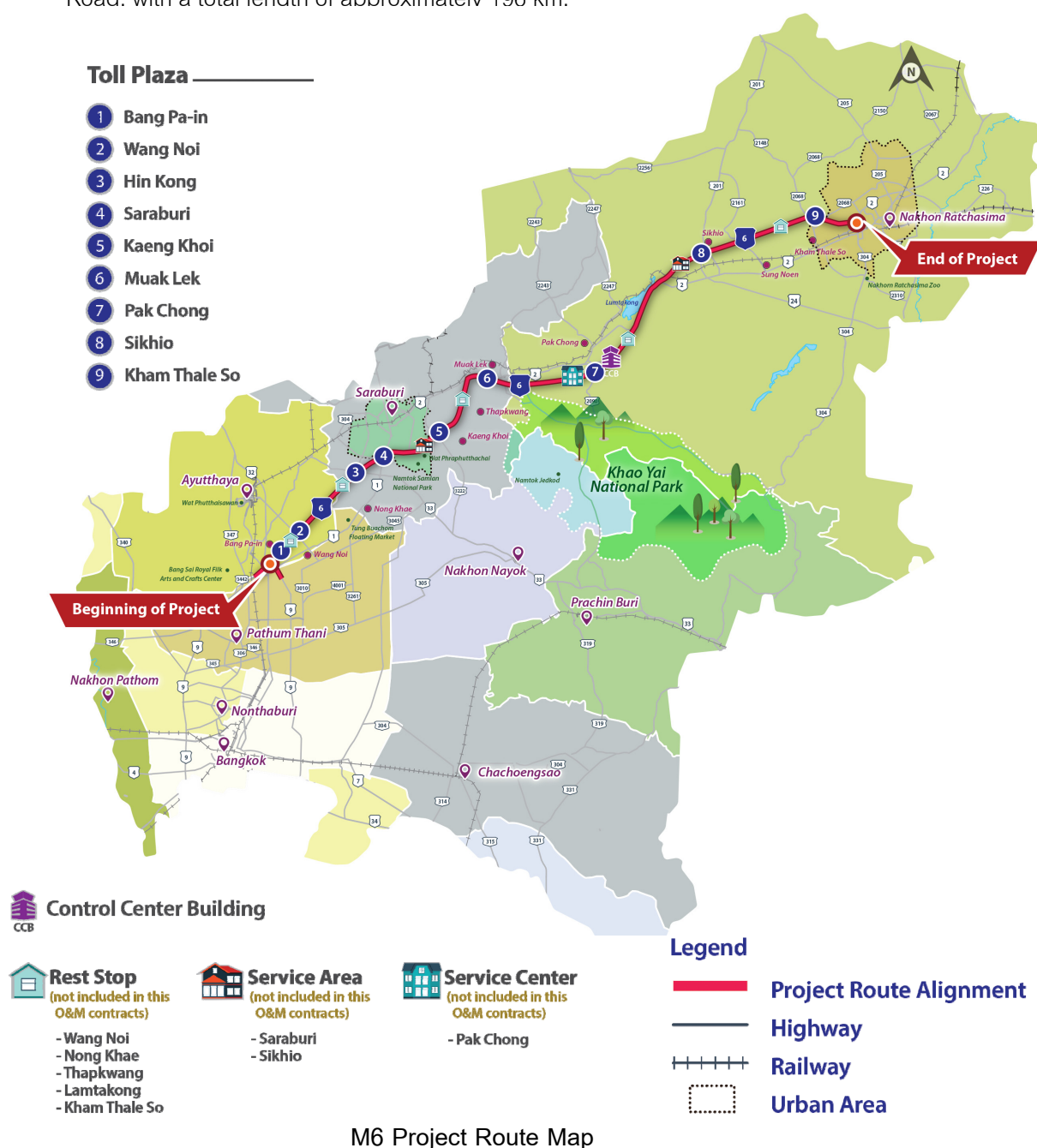
For the project construction, the Cabinet approved the project implementation on July 14, 2015, with a planned project completion date in 2020. The Bang Pa-In – Nakhon Ratchasima intercity motorway project is currently under construction for major civil work infrastructure including at-grade roadway for main traffic and service roads, bridges, overpasses, underpasses, and grade-separate interchanges. The government's responsibility also involves land acquisition for project construction. The government policy encourages private participation under the Private Investments in State Undertakings Act B.E. 2556 (2013) including measures to expedite the project, namely PPP Fast Track.

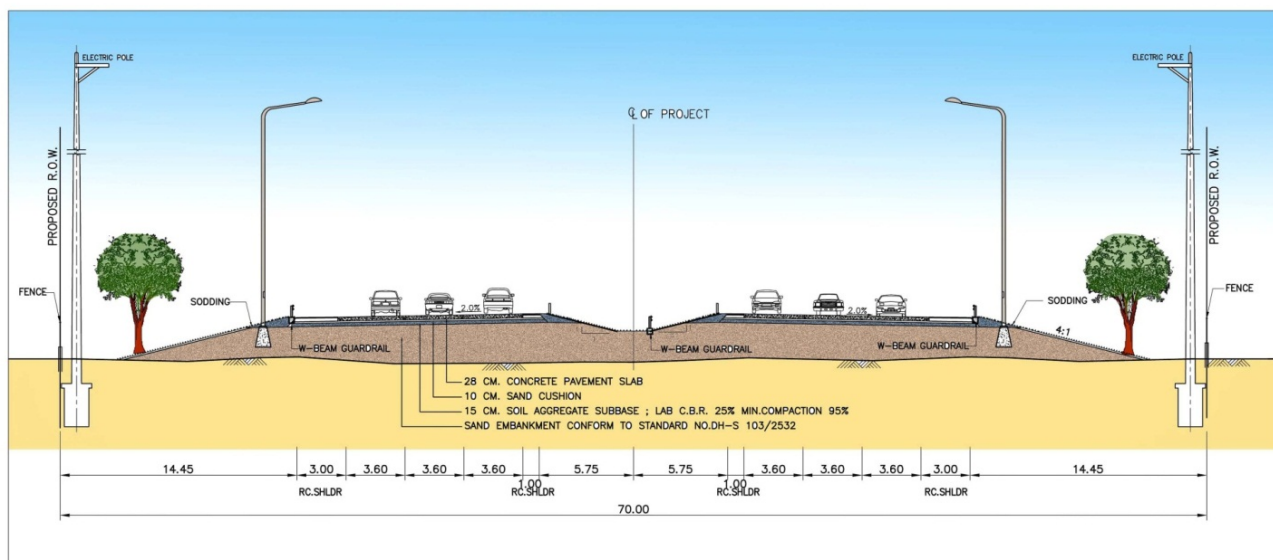
The private sector's roles shall include:

- 1) Motorway operation and maintenance (O&M)
- 2) Motorway rest area investment and management

3.2 Location and Alignment of the Project Route

The Bang Pa-In - Nakhon Ratchasima Motorway (M6) is a newly constructed alignment. The project begins at the north section of Kanchanapisek Road (Bangkok Outer Ring-road), Bang Pa-In District, Phra Nakhon Si Ayutthaya Province. The route covers the areas of Wang Noi and U-thai Districts, Phra Nakhon Si Ayutthaya Province through Nong Khae, Mueang Saraburi District, Kaeng Khoi & Muak Lek Districts, Saraburi Province and Pak Chong, Sikhio, Sung Noen, Kham Thale So and Mueang Nakhon Ratchasima Districts, Nakhon Ratchasima Province. The project ends in the vicinity of Mittraphap Highway (Nakhon Ratchasima Bypass Road. with a total length of approximately 196 km.

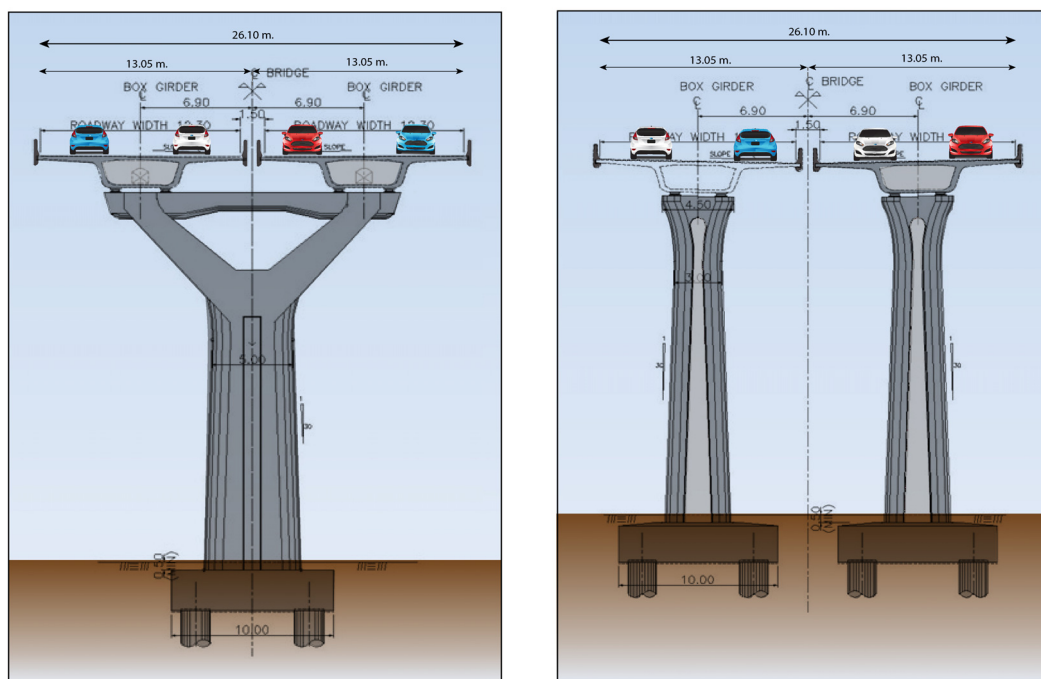




Typical Cross Section

3.3 General Characteristics

The M6 rights of way are generally 70-m. wide. It contains a six-lane section from Bang Pa-In to Pak Chong (103 km.) and a four-lane section from Pak Chong to Nakhon Ratchasima (93 km). Roadway outer shoulder is 3.00-m. wide and inner shoulder 1.00-m. wide. Road pavement structure is 28 cm. reinforced concrete pavement.



Typical Section of Elevated Structure



Elevated Structure Perspective

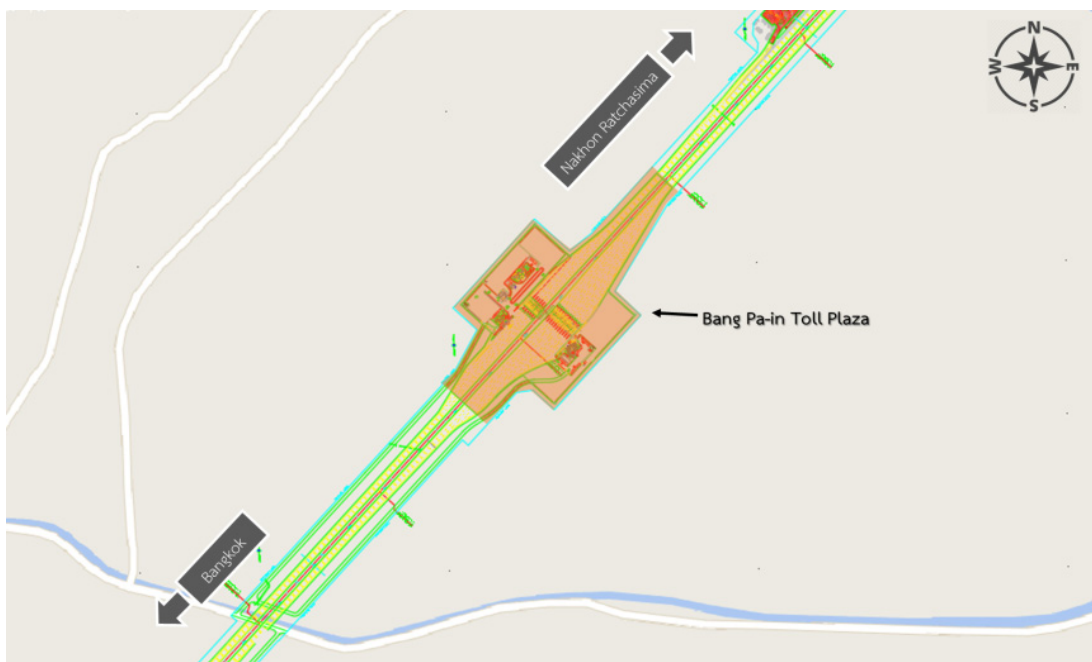
Along the route, viaducts are located at various intervals with 4-6 traffic lanes, 10-40 m. above ground level, for approximately a total distance of 33 km.

3.4 Toll Plazas

The project comprises 9 toll plazas with a central control building (CCB) at Pak Chong Toll Plaza area. The plaza locations are as follows;

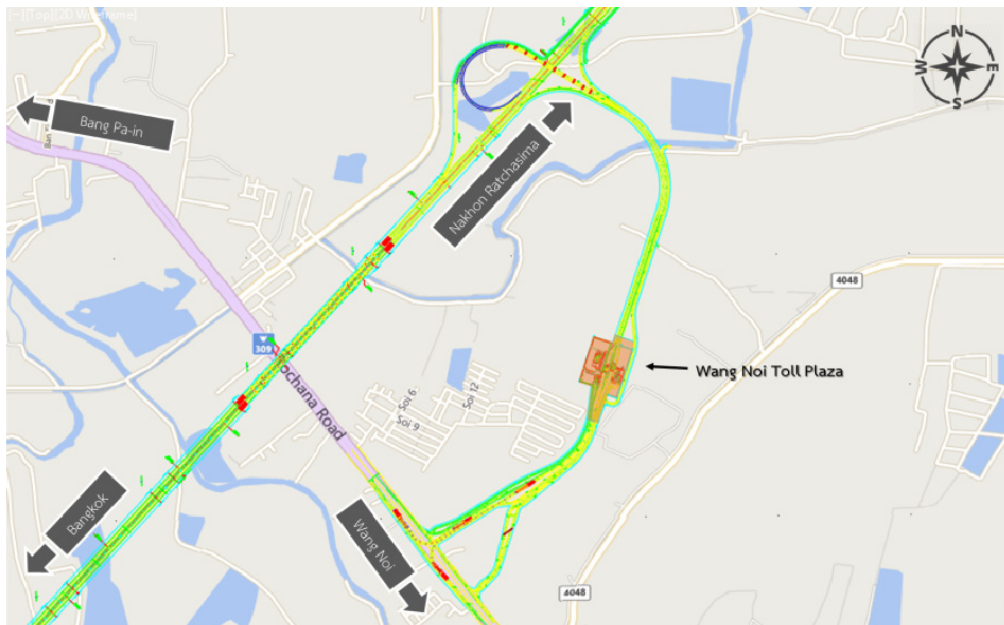
- 1) Bang Pa-In Toll Plaza at km.4+750

Located between Bang Pa-In Interchange No.2 and Wang Noi Interchange connecting to Bang Pa-In District and Wang Noi District , Phra Nakhon Si Ayutthaya Province.



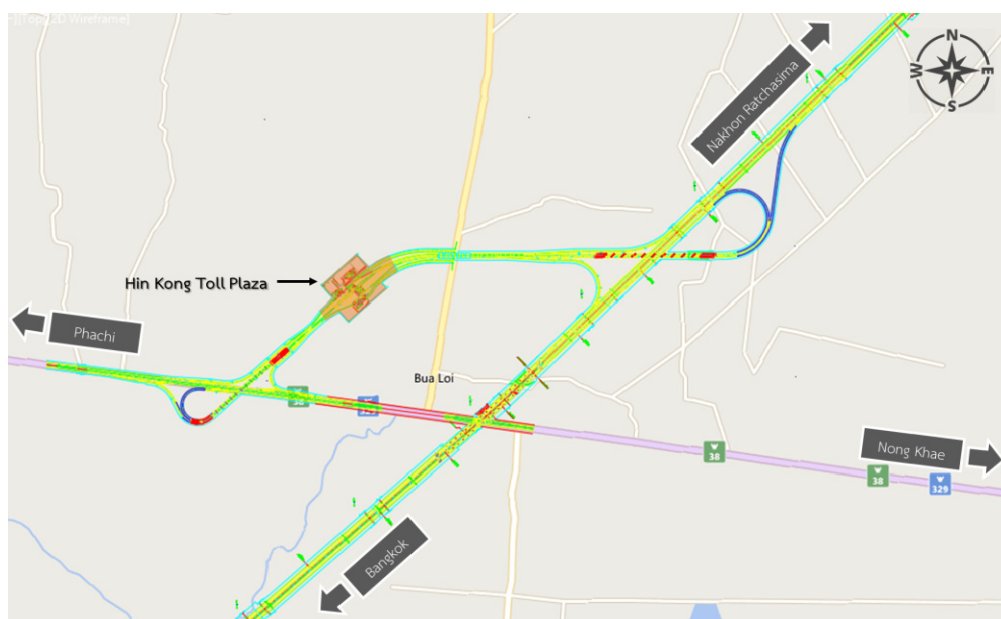
2) Wang Noi Toll Plaza at km.10+800

Linking the project route to Highway No.309 which bounds for Bang Pa-In District and Wang Noi District, Phra Nakhon Si Ayutthaya Province.



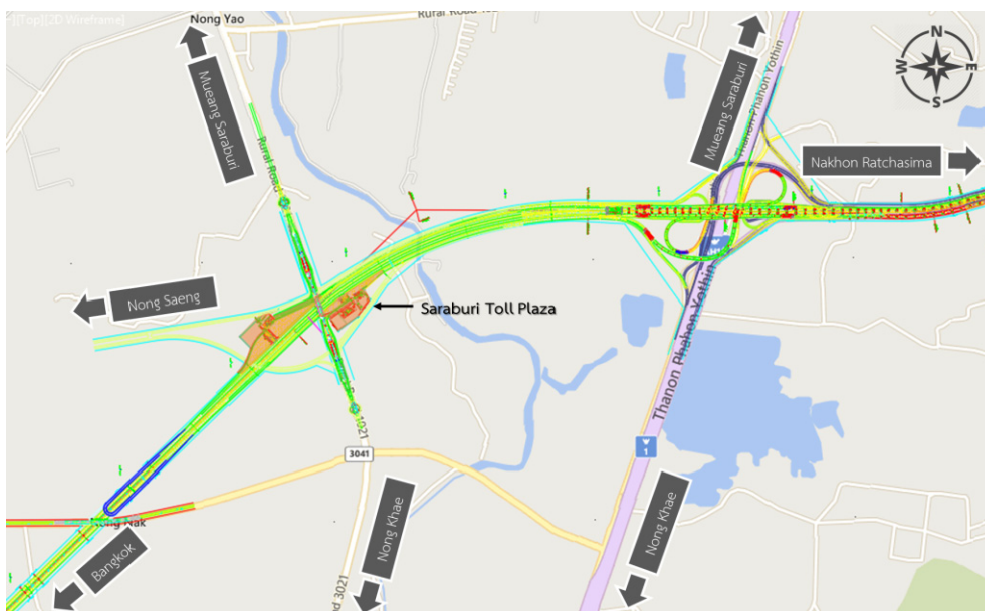
3) Hin Kong Toll Plaza at km.33+100

Linking the project route to Highway No.33 which bounds for Phachi District, Phra Nakhon Si Ayutthaya Province and Nong Khae District, Saraburi Province.



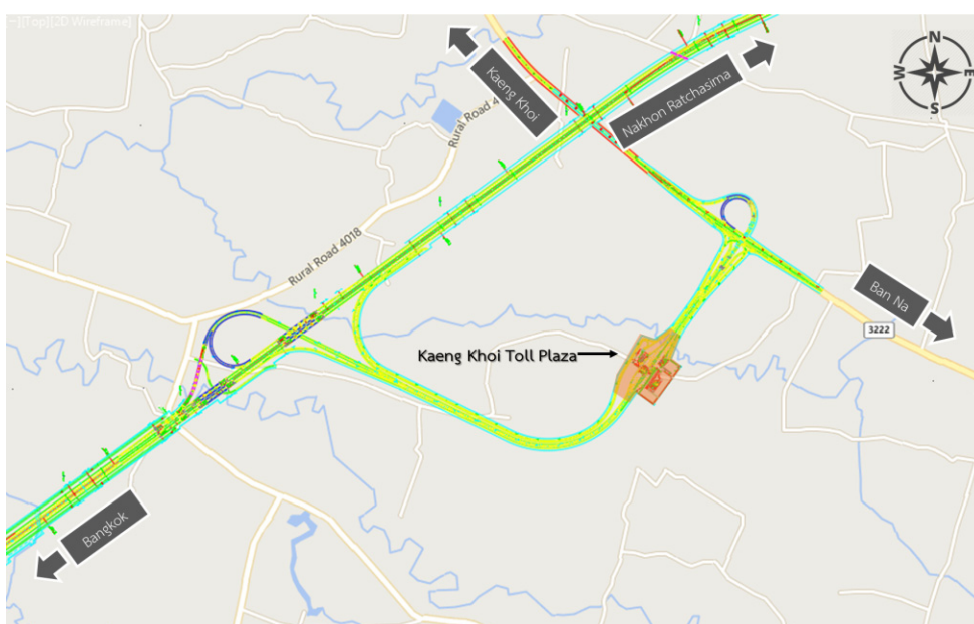
4) Saraburi Toll Plaza at km.40+760

Linking the project route to Highway No.1 which bounds for Mueang Saraburi District, and Nong Saeng District, Saraburi Province.



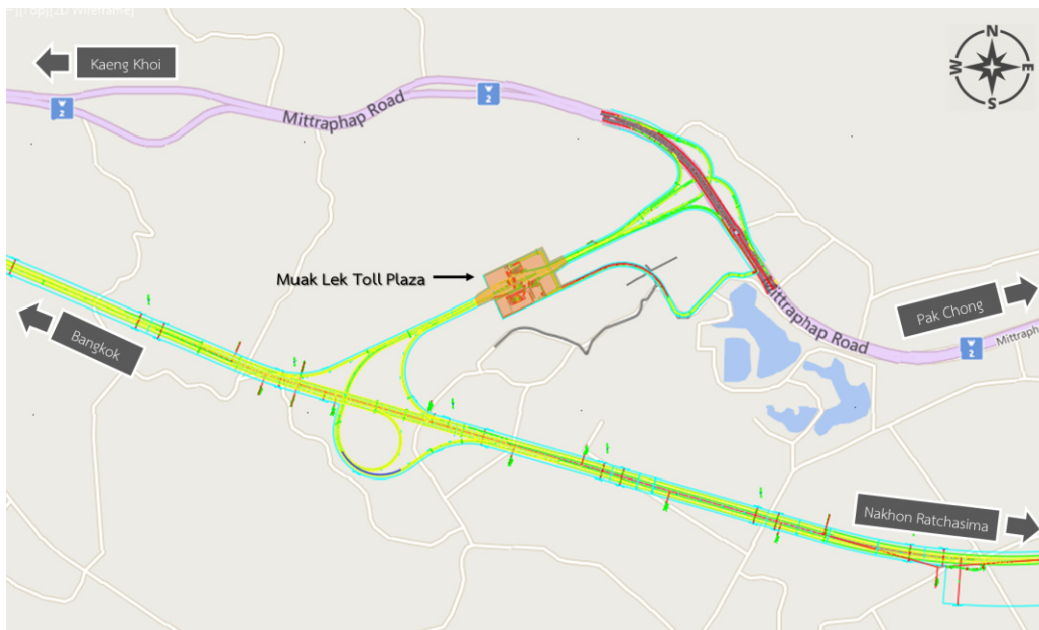
5) Kaeng Khoi Toll Plaza at km.53+780

Linking the project route to Highway No.3222 which bounds for Kaeng Khoi District, Saraburi Province and Ban Na District, Nakhon Nayok Province.



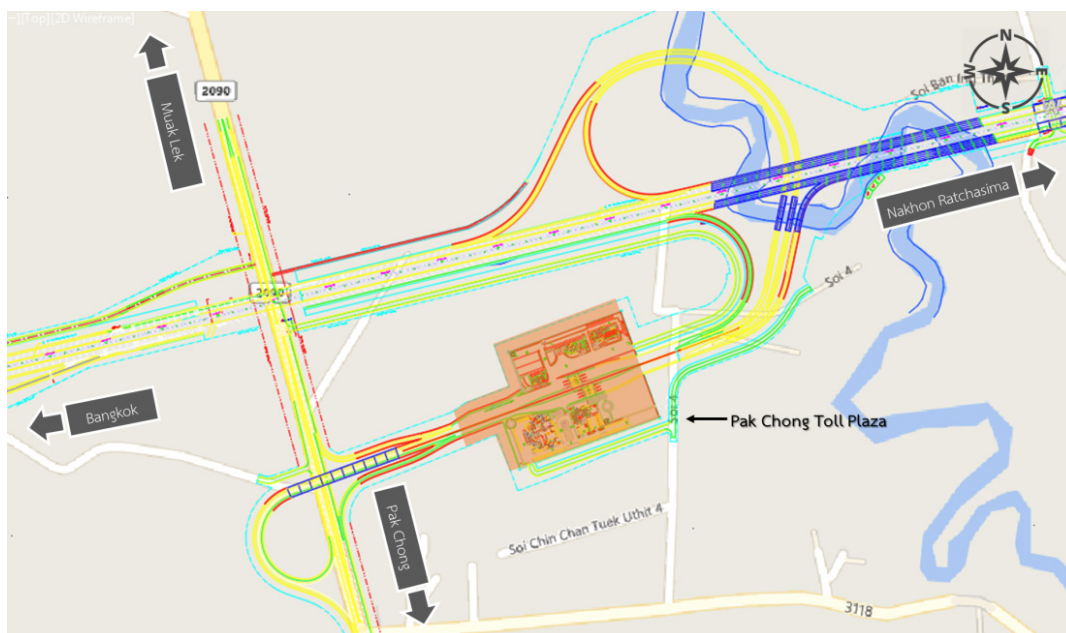
6) Muak Lek Toll Plaza at km.77+800

Linking the project route to Highway No.2 which bounds for Kaeng Khoi District, Saraburi Province and Pak Chong District, Nakhon Ratchasima Province.



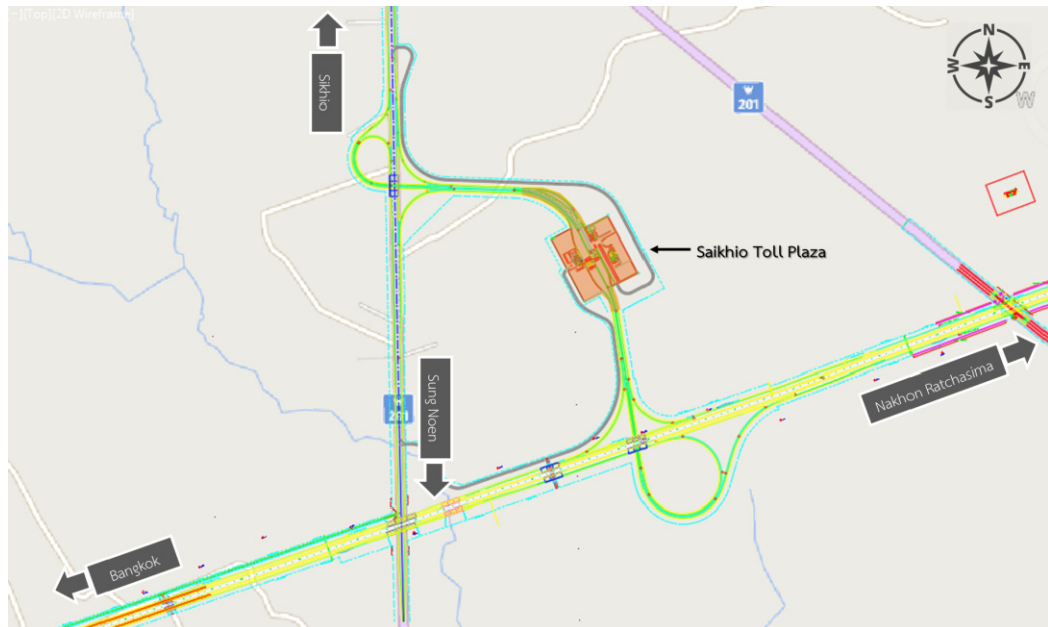
7) Pak Chong Toll Plaza at km.110+500

Linking the project route to Highway No.2090 which bounds for Muak Lek District, Saraburi Province and Pak Chong District, Nakhon Ratchasima Province.



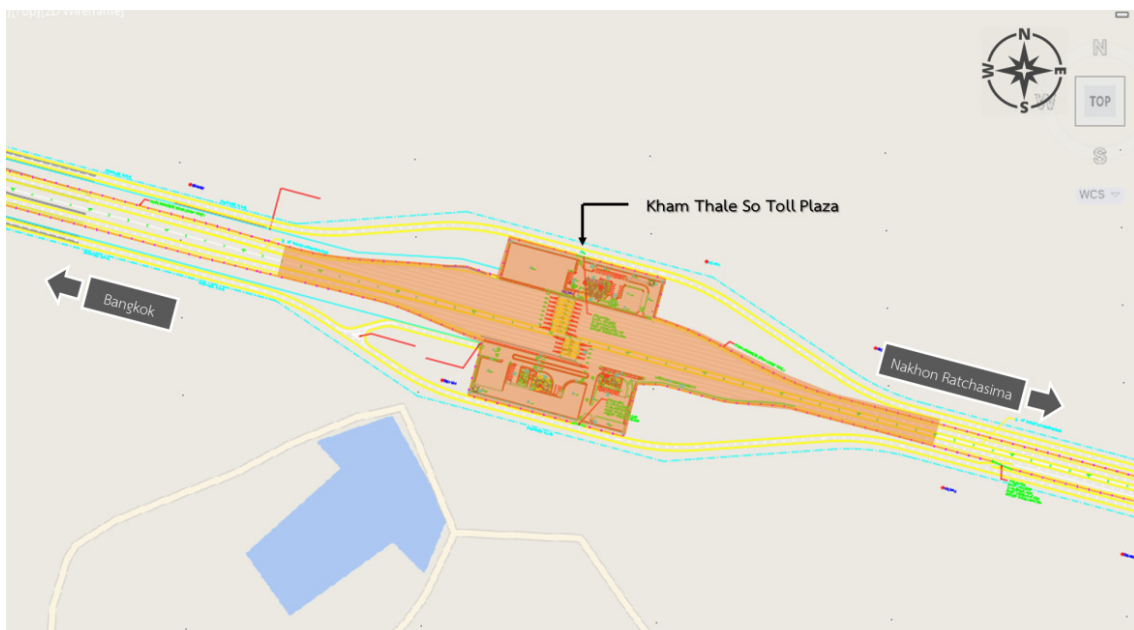
8) Sikhio Toll Plaza at km.154+960

Linking the project route to Highway No.201 which bounds for Sikhio District and Sung Noen District, Nakhon Ratchasima Province.



9) Kham Thale So Toll Plaza at km.185+125

Located between Sikhio Interchange and Nakhon Ratchasima Interchange No.2 connecting Mueang Saraburi District, Nakhon Ratchasima Province.



3.5 Toll Collection System

The toll collection system shall be a closed system where the presence of the vehicle is registered at the entrance to the system, and the payment transaction is performed at the exit. Motorway users will pay a toll fee based on the traveled distance from their origin to their destination exit, with two types of collection system as follows:

- Manual Toll Collection: MTC
- Electronic Toll Collection: ETC

3.6 Traffic Control and Management System

The traffic control and management system has to ensure efficiency and safety for toll road users, which shall include but not limited to the following;

- **Traffic Control Facility**

This system will help to reduce road crashes while it promotes more convenience and faster travels. A Control Center Building houses a traffic operation center where commands can be relayed to a comprehensive array of traffic control and management system along the route, includes:



Close Circuit Television System (CCTV) – to monitor traffic conditions on the motorway.



Emergency Telephone System (ETS) – to provide communications channel between motorway users and traffic control officers in case of emergency.



IP Phone – to function as a communications channel linking all toll plazas.



Variable Message Sign (VMS) – to communicate suggestions and warnings with text and symbols to motorway users.



Matrix Sign (MS) – to display variable traffic signs and signals to suit the situation at hand.



Clock System – displays a standard time for reference by the Toll Collection System and associated devices.



Radio Communication – for receiving and sending radio communications covering the project area.



Vehicle Detector System (VDS) – will be installed in each of the traffic lanes to obtain traffic counts for review and analysis.



Graphic Display Panel – to transmit and receive data between the Traffic Control Surveillance System / Toll Collection System and the Control Center Building (CCB).



Central Computer System (CCS) – to primarily manage the CCB central data.



Communication Network System – the backbone of system-wide communication network with a primary function in channeling data through a fiber-optic network.

- **Vehicle Weight Control System**

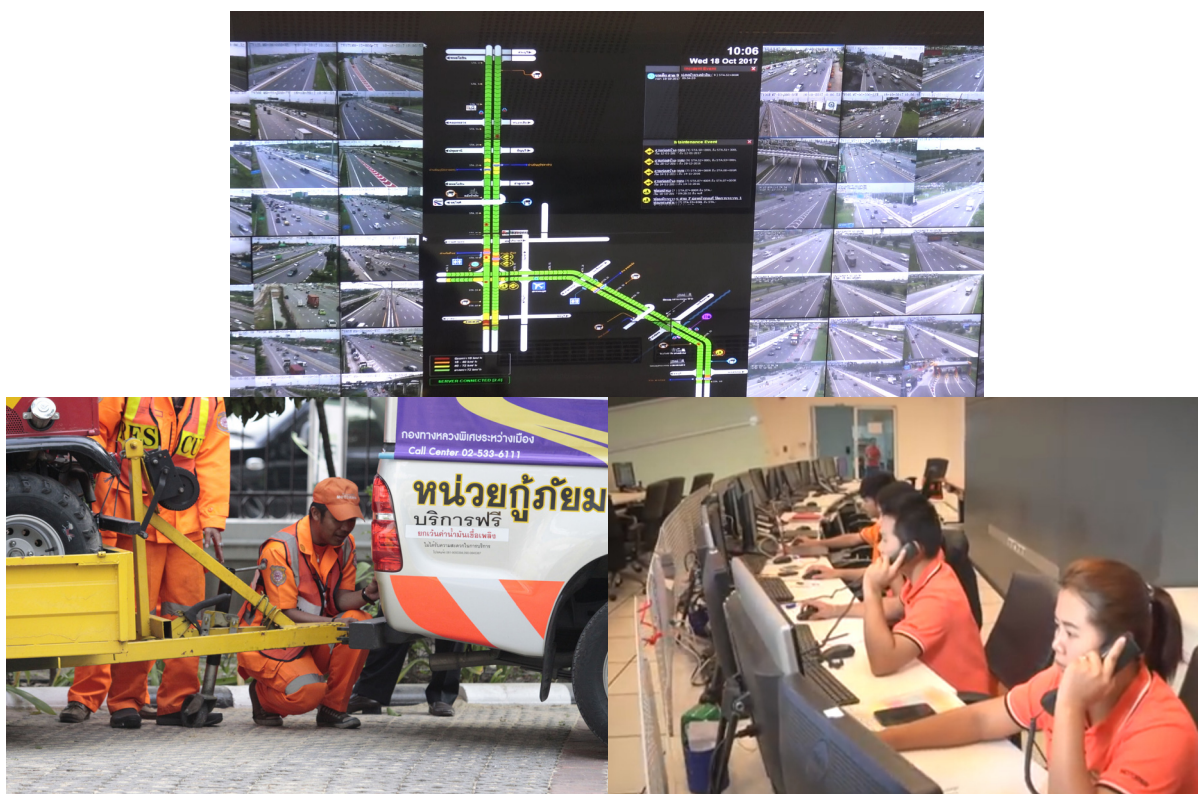
Two types of vehicle weight control system will be installed at toll plazas, i.e. a Dynamic or Weighing in Motion System (WIM) and a Static Weighbridge (SWB), in order to prevent damage to the motorway structure due to overladen trucks. A truck will be directed through the WIM first and be allowed to continue on the motorway unless the weight carried is exceeding a pre-defined limit. If the WIM detects overloaded, the truck will be required to proceed to the Static Weighbridge in order for a more accurate weight to be determined.



Vehicle Weight Control System

- Incident Management

To offer security and assistance to motorway users in a case of emergency, a number of rescue systems will be positioned strategically along the project alignment in order to quickly reach the scene of an incident or emergency.



Incident Management

3.7 Rest Areas

The project comprises 8 locations of motorway rest areas along the route, which have been classified into 3 types as follows:

- 5 Rest Stops: Wang Noi Rest Stop, Nong Khae Rest Stop, Thap Kwang Rest Stop, Lam Takong Rest Stop and Kham Thale So Rest Stop.
- 2 Service Areas: Saraburi Service Area and Sikhio Service Area.
- 1 Service Center: Pak Chong Service Center.

3.8 Toll Structure

Toll rate structure shall be determined by the Department of Highways (DOH) according to ministerial regulations and the DOH shall issue the toll rates as specified below.

Type of Vehicles	Toll Rates (Fixed Entry Rate + Distance-Based Rate)
4-Wheeled Vehicles	Baht 10 + Baht 1.25 /km.
6-Wheeled Vehicles	Baht 16 + Baht 2.00 /km.
Vehicles Over 6 Wheels	Baht 23 + Baht 2.88/km.

3.9 Traffic Volume Forecasts

The traffic volume forecast for M6 for the entire 30 year period, based on the Toll Rate Structure provided above (increased by 2.5% per annum), could be presented as follows:

Year	Average Traffic On Ramp (Veh/Day)			Total
	4-Wheeled	6-Wheeled	>6-Wheeled	
2021	34,761	1,667	3,850	40,278
2025	40,665	1,913	4,419	46,996
2030	44,289	2,063	4,766	51,119
2035	47,774	2,225	5,141	55,140
2040	56,740	2,580	5,960	65,280
2045	60,963	2,758	6,373	70,094
2050	65,183	2,949	6,814	74,947

3.10 Land Acquisition

The DOH is responsible for the land acquisition for the entire project, and the royal decree for land acquisition has been effective since 2013. Presently, considerable parts of the required areas have already been acquired and the owners thereof reimbursed.

3.11 Environmental and Community Impact Mitigation Measures

The DOH submitted the M6 project EIA report revision which was approved by the National Environment Board (NEB) in September 2016.

3.12 Project Implementation Plan and Status

The project implementation plan has been divided into 3 parts as follows:

- **Civil Work Construction**

The civil work construction of Bang Pa-In - Nakhon Ratchasima Motorway is publicly financed and carried out by the DOH using the government budget. The entire civil work construction was divided into 40 contracts, which comprise a combination of at-grade roadway for main traffic and service roads, bridges, overpasses, underpasses, and grade-separate interchanges. It is expected that all of the civil work construction contracts will be completed by the end of 2020.

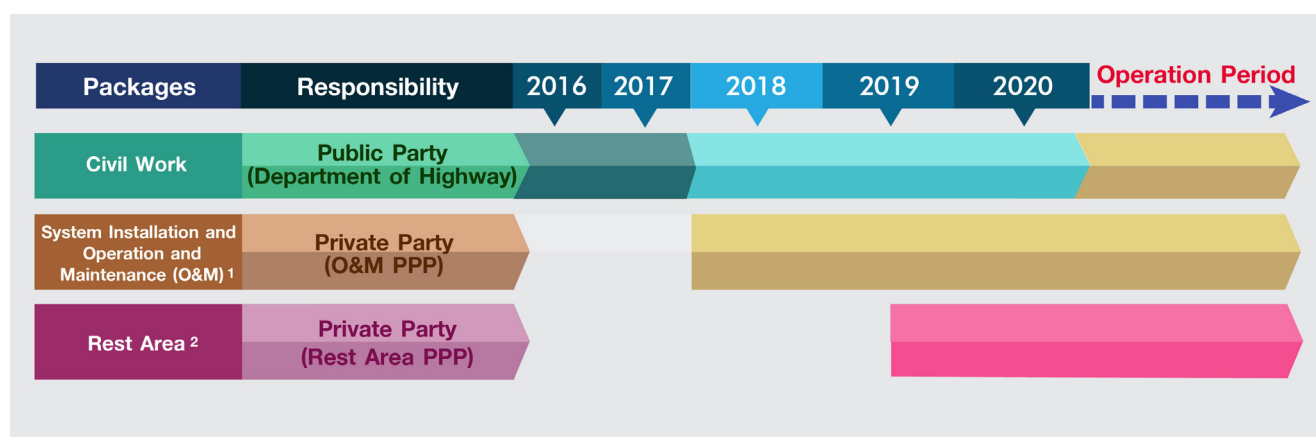
- **System Installation and Operation & Maintenance**

While the DOH moves the M6 project forward using a traditional bid-build approach for the major civil work construction (e.g. roadway, bridges, interchanges, etc.), it is seeking the public private partnership for the design and construction of the motorway utilities and related systems (e.g. toll collection system, traffic control surveillance and management system, communication systems) as well as long-term operation and maintenance for the entire route during a given contract period. The Thai Cabinet on August 22, 2017 passed a resolution to assign DOH and a Selection Committee pursuant to Section 35 of the Private Investments in State Undertakings Act B.E. 2556 (2013) to invite private sector investment in this O&M PPP package of the Bang Pa-In – Nakhon Ratchasima Intercity Motorway Project.

Currently, the DOH is preparing the tender document including the Request for Proposal (RFP). Upon the approval is granted by the Selection Committee, the tender announcement is scheduled to take place at the end of February 2018, and the RFP will subsequently be sold by the end of March 2018.

- **Rest Area Development**

The development and commercialization motorway rest areas is also being considered to proceed under the public private partnership scheme (Rest Area PPP) where the scope of private financing and responsibilities will include the construction of rest area facilities as well as overall operation and management during a given contract period. The required approval of the PPP scheme for M6 rest areas and tender announcement are expected to be within 2018.



¹ Private sector party is to undertake the following: facilities design, financial sourcing, system construction, toll collection system, traffic control and management system, data communications, power distribution, weight control system, maintenance, emergency rescue, public information service and user assistance.

² Investment and Operation by a separate private investor: facility design, construction, financing and operation for the motorway rest areas.

[Note: Investment and management of the motorway rest areas are not included in the scope of the PPP for Operation and Maintenance package.]

4 Public Private Partnerships for Operation and Maintenance (O&M)

4.1 Introduction

On 22 August 2017, the Cabinet agreed upon a resolution to approve the implementation of the public private partnership for operation and maintenance (O&M) of the M6. Private parties will participate in the investment in and running of this project based on the PPP Gross Cost model or Design Build Finance Operate Maintain (DBFOM) project delivery, which comprises installing motorway system components and related facilities, performing route operations and providing system-wide maintenance services. With the PPP Gross Cost model, all toll revenues shall accrue to the public sector while the private party shall be remunerated for its performance of route operation and maintenance, plus scheduled repayment of the facility costs according to pre-defined terms and conditions.

4.2 Scope of Work

The scope of work for the private party's investment on the work execution, operation and maintenance (O&M) comprises 2 phases as follows:

4.2.1 Phase 1: Design and Construction

The private party is to undertake to design, finance and construct the motorway system components and related facilities, in parallel with the civil work construction carried out by the Department of Highways. Time duration to proceed for Phase 1 is 2 years and 6 months. The scope of work in this phase can be divided into 2 parts as follows:

- Design finance and construction of System Works and other related components comprising of:
 - Civil Work at Toll Plaza e.g. Toll Lane, Pavement Structure, Service Road, Service Walkway & Bridge, Drainage System, Road Marking and Signs, Lighting, Impact attenuators, Roadside Safety Equipment and Landscape.

- Toll Collection System and Ancillary Buildings e.g. Toll Gantry, Toll Canopy, Toll Booth, Toll Island, Booth Equipment, In Lane Toll Equipment, Lane Controller and Control Building at toll plazas.
 - Traffic Control & Management System comprising of sub-systems e.g. Traffic Control System, Traffic Information and Incident Detection System, Patrol System, Towing of Disabled Vehicles, Rescue and Ambulance Service, Communication and Emergency Call System, Complaints Emergency Call System, Vehicle Overloading System and Central Control Building.
 - Utilities Work such as Power Supply System, Communication Network System and Water Supply System.
 - Agency Building such as DOH's Representative Office and Highway Police Station.
 - Extended high voltage power line to supply electricity for street lighting and other system components of the entire motorway route.
 - **Design and construction of additional civil works to supplement the motorway system comprise of:**
 - U-turn overpass at Saraburi Interchange.
 - Traffic signs & signals at toll plazas and weighing stations to provide information for road users in entering or exiting the motorway system correctly and rapidly.
 - Road markings such as painting lines and rumble strips throughout the whole route where necessary in addition to the scope of DOH's civil work construction.
 - Impact attenuators: To be installed at gore areas of major exits where mentioned in the contract
 - Street lighting: To be installed where mentioned in the contract.
 - Guardrails: To be installed along the roadway where mentioned in the contract.
 - Glare screens: To be installed along the roadway where mentioned in the contract.
-

- Exit No. signs: To be installed along the roadway where mentioned in the contract.
- Noise barriers: To be installed at designed locations, according to requirements specified in the Environmental Impact Assessment Report.
- Provision of landscape work: To be undertaken at selected interchanges and roadside areas adjacent to the project right of way
- Provision of buffer zone: according to EIA, all regulation relate to buffer zone must be conducted.

4.2.2 Phase 2: Operation and Maintenance

In Phase 2, the Department of Highways will entrust the private party with the operation maintenance of the entire project, including the civil work constructed by the Department of Highways, and motorway system facilities financed and installed by the private party itself, with periods of no longer than 30 years since the service commencement

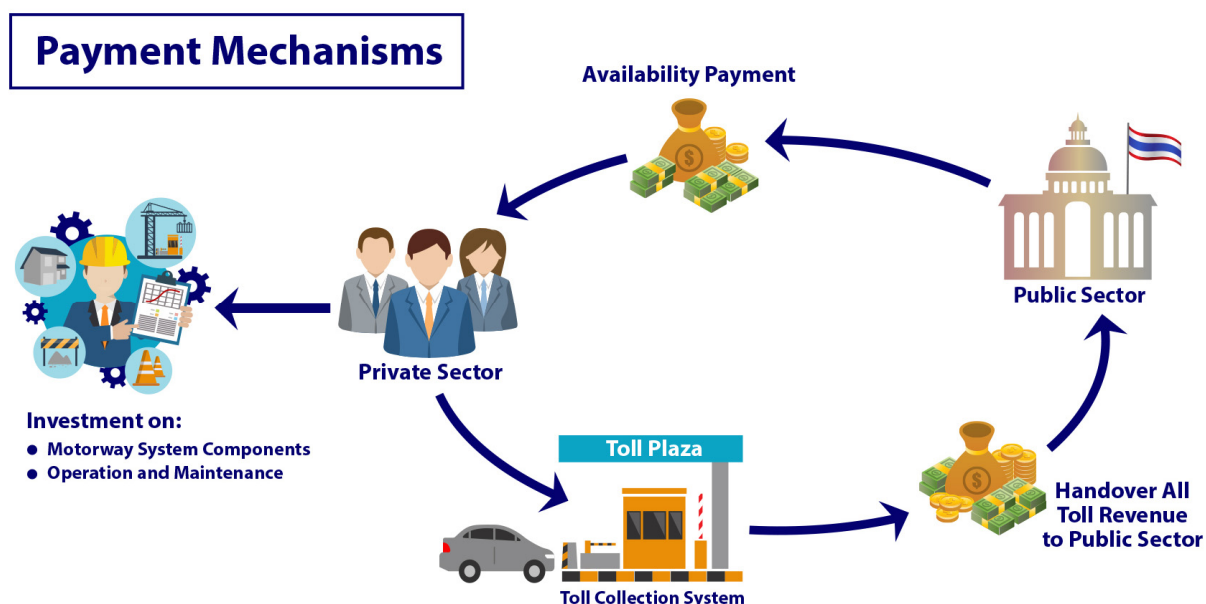
The second phase will begin after the DOH issues the commissioning certificate. During this phase, the private party shall perform the operation and maintenance for all motorway facilities in accordance with DOH's requirements such as:

- Ensuring the availability of traffic lanes and system equipment for 24 hours a day, 7 days a week, 365 days a year
- Toll collection
- Traffic operation and control
- Incident detection and management
- User service and toll revenue management (e.g. provision and distribution of ETC tags/transponders, provision of payment options for users, handover of all toll revenues to the DOH)
- Overall administration and quality assurance
- Roadway and roadside maintenance

- Bridge and other structure maintenance
- Asset management including inventory, inspection, and maintenance service management
- Deliverable of operation & maintenance plans
- Data collection and analysis

4.3 Remuneration to the Private Party

Under the PPP Gross Cost scheme, the DOH will retain the revenues from the tolls and make payments to the private party on condition that the facility meets defined performance specification. In this regard, the private party will be remunerated for facilities and systems investment as well as availability payment for operation and maintenance. According to the Cabinet resolution on 22nd August 2017, the private party will receive the Availability Payment (AP) in the total amount of not exceeding 33,258 million baht at the present value.



Payment Mechanisms

4.4 Key Performance Measures and Penalties

The private party's performance will be assessed with regards to unavailability and O&M violations such as:

- Unavailability of traffic lanes
- Unavailability of system equipment, including toll collection equipment, electrical supply and communication system
- Operation and Maintenance (O&M) violations such as:
 - Traffic management and throughput requirements at toll plazas
 - Accuracy of toll collection system
 - Traffic safety (e.g. accidents and fatalities per vehicle kilometers travelled compared to the average figures over the past 5 years)
 - Rescue system and management, measured by response times of any emergency case
 - Ride quality (e.g. pavement roughness and friction, measured by International Roughness Index (IRI) and International Friction Index (IFI))
 - Presence of road surface damages
 - Presence and visibility of traffic control devices
 - Pavement and drainage cleaning
 - Performing bridge preventive maintenance
 - Vegetation control
 - Customer satisfaction
 - Compliance with quality and environmental management standard

5 PPP Contract Principles and Highlights

5.1 Introduction

The Private Investments in State Undertakings Act B.E. 2556 (2013) (the “PISU Act”) governs and provides a legal framework for the DOH to enter into a PPP contract for the project with the private party, which is a Thai special-purpose-entity established by the successful tenderer. Both Thai and foreign companies are allowed to participate in the tender process and hold shares in the private party provided that the leading tenderer is a Thai company. However, the private party shall be majority-owned by Thai nationals or companies of which not less than 51% of the total registered capital is held by Thai nationals.

The contents and terms of the PPP contract will be subject to consideration and negotiation with the Selection Committee set up in accordance with Section 35 of the PISU Act.

5.2 PPP Contract Documents

The final PPP contract documents will be prepared in Thai and shall be governed by Thai law. However, unofficial English translations of the project documents will be prepared for reference purposes only.

The PPP contract will contain provisions regarding variation of works, changes in laws, material adverse changes, force majeure, allocation of risks relating to damage to the toll road, third party liabilities, insurance requirements, penalties, intellectual property, representations and warranties and dispute resolution. The PPP contract will also include provisions pertaining to cancellation, termination without cause by the DOH and termination due to breach of PPP contract.

The tender documents will include a draft PPP contract. However, all PPP contract documents will be subject to negotiation between the parties. The contents set forth in the final version of the PPP contract documents will be different from the draft PPP contract documents which are initially provided by the DOH or the original tender documents prepared by the tenderer.

In addition, the private party may expect the following document, as part of the draft PPP contract in the RFP.

- DOH's Requirements
- Drawings
- Availability Payment (AP) including M&E System Repayment and O&M Works Payment
- Project Area & Delivery Plan
- Toll Fee Rate
- Financial Model (to be prepared by the successful tenderer)
- Technical Specifications & Documents

5.3 General Information on the Private Party's Contractual Obligations

The private party will assume full responsibility for the financing, design and construction of the M&E works in the Phase 1 period and assume full responsibility for O&M works, including the operation and maintenance of all civil works (which have been designed, constructed and financed by the DOH) and the M&E works (which have been designed, constructed and financed by the private party in the Phase 2 period).

The Phase 1 works will be commenced once the DOH has issued a notice to proceed ("NTP") to the private party subject to the fact that all conditions precedent set out in the PPP contract have been fulfilled by the parties or waived by the DOH. The private party shall complete all designs and construction required within 2 years and 6 months and the private party will be subject to a penalty at the rate set out in the PPP contract for any delay of works. Upon the completion of the Phase 1 works, the DOH will issue a commissioning certificate (if the M&E works have been fully completed) or a substantial commissioning certificate (if the O&M works have been substantially completed) to the private party. The private party shall commence the Phase 2 works on the day set out by the DOH in the commissioning certificate or the substantial certificate ("Commissioning Date") and the operation and maintenance period is assumed to be 30 years from the Commissioning Date.

During the Phase 2 period, the private party will have general responsibility for ensuring good accessibility, a high level of maintenance and safety and high environmental and aesthetic standards for the project. Specific requirements relating to function, performance and quality to safeguard these general objectives will be specified in the tender documents and finally set forth in the PPP contract.

The responsibilities and obligations of the private party will, during all phases of the project, be more comprehensive than in standard projects. The private party will also be responsible for obtaining most of the necessary required permits and comply with all relevant laws and regulations, including but not limited to the obligations related to its works referred to in the EIA requirements.

Subject to the consent of the DOH, the private party may use its right to receive Availability Payment (AP) as a security for its lenders. Refinancing or using any rights under the project or PPP contract for funding is not allowed unless a prior consent of the DOH is granted.

The private party is required to procure all risks insurance, third party insurance, and business disruption insurance at its own cost where the DOH will be a co-beneficiary during the Phase 1 and Phase 2 periods.

5.4 Availability Payment and Deduction

Subject to the legal requirements and the PPP Gross Cost Scheme, all the toll-related revenue will belong to the DOH, while the private party will receive the Availability Payment (AP) as compensation for its work.

In the financial proposal, the tenderer shall propose the required AP amount which will cover the repayment of all invested M&E works, such as toll collection system, traffic control surveillance and management system, communication system and weigh station, etc. required for the Phase 1 works and related cost of operation and maintenance in relation to the project after the commencement of the O&M works in Phase 2 during the term of the PPP contract, which shall not be more than 30 years.

The payment amount shall be made to the private party, which might subject to deductions arising from the unavailability of the motorway facilities, O&M violations, and any non-conformities.

5.5 Risk Allocation

Pursuant to the PPP contract, the private party will be responsible for any risk relating to the design, construction and financing of M&E works and the operation and maintenance of the project.

The private party acknowledges that it may have influence on certain types of risk (e.g., changes to plans caused by public authorities due to circumstances outside the control of the private party, delays in acquisition of land and property and changes in government policy, etc).

5.6 Handover

The ownership of all M&E works which have been designed, constructed and financed by the private party during the Phase 1 period will be transferred to the DOH once the DOH has issued a commissioning certificate or substantial commissioning certificate to the private party and on the same day the DOH will grant the private party the possessory right or the right to use those assets for the commencing of O&M works during the Phase 2 period, provided that at the end of the PPP contract, all assets in relation to the project, shall be returned to the DOH in good condition as prescribed in DOH's Requirements.

The private party shall also procure that the DOH will have the right to use the intellectual property of the private party or a third party for a period of at least 2 years after the end of the PPP contract without incurring any additional charge. The private party will be obligated to provide a remedy if these requirements are not met.

6 Detailed Description of the Procurement Procedure

Prospective tenderers shall possess technical and professional expertise and have the capacity to design, construct, finance, operate and maintain the Bang Pa-In – Nakhon Ratchasima Intercity Motorway (M6) in a satisfactory manner with competent experience in engineering, procurement, construction and management of toll road systems, architecture/landscape-architecture, traffic engineering and environmental issues.

6.1 Qualification of Tenderers

The evaluation criteria will consist of three qualifications as follows:

6.1.1 General Qualification

- Any juristic person shall be registered for not less than 3 years. While any foreign juristic person wishing to submit the tender shall be associated with Thai juristic persons.
- If the tenderer is successful, they shall be registered as a new Thai juristic entity. The newly established Thai juristic entity should have and maintain a paid-up registered capital with an appropriate debt to equity ratio (D/E ratio) throughout the PPP contract period.

6.1.2 Technical Qualifications

A tenderer must have experience or propose sub-contractor(s) to demonstrate its technical qualifications with certificates issued by the employer regarding the following experience:

- Experience in construction comprising the following:
 - Civil work construction such as multilane highways or bridges, interchanges and elevated structures
 - Procurement or installation of toll road or mass transit railway systems with electronic toll or service fee collection system and traffic control system.

- Experience in providing operation and maintenance work for toll roads or mass transit railway systems with toll or service fee collection system and traffic control system.
- Experience in providing road maintenance or rehabilitation for multilane highways or bridges, interchanges or elevated structures.

6.1.3 Financial Qualifications

A tenderer must document its sufficient financial strength and solidity to ensure full finance of the project until the opening of the road. It must also be able to document the financial strength and capacity to execute the construction, operations and maintenance obligations of the project. Therefore, a tenderer must provide detailed information regarding each its members' financial standing.

The DOH will evaluate the tenderer's financial capacity covering both the annual net worth and line of credit of the tendering company.

6.2 Selection of Tenders and Negotiation Phase

Documents Comprising the Tender

The tenderer comprise of three separate envelopes, envelope 1 is qualification and technical proposal, envelope 2 is financial proposal and envelope 3 is other proposals that will benefit DOH's services and operations. However, only the envelope 3 of the successful tenderer will be considered.

Selection and Negotiation

The PPP contract will be awarded in accordance with the rules stipulated in the RFP. At the early stage of the evaluation the DOH will rank the tenderers based on an overall evaluation of technical and financial proposals and which has the most economically advantageous tender for further negotiations, so that, if the successful tenderer does not enter into a PPP contract or an agreement with the DOH within the time specified in the RFP, the DOH will consider the next-ranked tenderer.

7 Preliminary Schedule for Procurement Procedures and PPP Contract Award

The PPP contract will be awarded after a tender competition and negotiations in accordance with the Private Investments in State Undertakings Act B.E. 2556 (2013). A preliminary schedule for the procurement process is included below. (The DOH will attempt to abide by this, but the schedule is not binding)

Announcement of Invitation to Tender	February 2018
RFP available for sale	March 2018
Preparation and submission of proposal	March - July 2018
Tender evaluation and negotiation	July - September 2018
Review of draft PPP contract and tender competition result	October - November 2018
Cabinet approval and contract signing	December 2018

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