



Universal Service Fund

(A company setup under Section 42 of the Companies Ordinance 1984)

Request for Submission of Proposals (RFP)

For

Hiring of Tax Consultant for Tax Services

Tender ID: USF/TDRS/FIN/2018/02

Issued at Islamabad

28-09-2018

USFCo Fourth Floor, HBL Tower, Jinnah Avenue, Islamabad Pakistan	Tel: 051 9212308-09 Fax: 051 9214261 URL: www.usf.org.pk
---	---

Table of Contents

PART I.....	3
1. INTRODUCTION.....	3
2. BIDDING PROCESS.....	3
3. ELIGIBILITY CRITERIA.....	4
4. GENERAL CONDITIONS.....	4
5. BID SECURITY.....	5
6. TECHNICAL PROPOSAL.....	6
7. FINANCIAL PROPOSAL.....	7
8. SUBMISSION, OPENING AND RECEIPT OF PROPOSALS.....	8
9. EVALUATION CRITERIA.....	9
10. AWARD OF CONTRACT.....	10
11. PAYMENT TERMS:-.....	10
PART II.....	11
TERMS OF REFERENCE.....	11

Part I

1. Introduction

Universal Service Fund is a company (USF Co) set up under section 42 of Companies Ordinance, 1984. USF is mandated to plan, develop, finance and execute communication network projects and services to un-served or under-served areas of Pakistan.

USF Co intends to hire the Service of Tax Consultants for supply of Tax Consultancy Services for a period of One year (Extendable, with mutual consent of both parties, on same terms and conditions) and invites proposals from interested bidders.

2. BIDDING PROCESS

Bidders will be selected after an open, competitive and transparent Single Stage Two Envelop bidding procedure in accordance with Public Procurement Regulatory Authority (PPRA) rule 36(b) & guidelines. Salient features of the bidding process are:

- a. Interested parties are required to submit their bid in single package containing two separate envelopes. Each envelope shall contain separately the financial proposal and the technical proposal;
- b. Initially, the envelope marked with "TECHNICAL PROPOSAL" will be opened.
- c. The envelope marked as "FINANCIAL PROPOSAL" will be retained in USF custody without being opened.
- d. Technical proposals shall be evaluated in accordance with evaluation criteria prescribed in section 9.
- e. During the technical evaluation, no amendments in the technical proposal will be permitted
- f. Technical proposals not meeting the evaluation criteria will be rejected. The financial proposal of bids found technically non-responsive/disqualified will be returned un-opened to the respective bidders.
- g. The financial proposals of technically qualified bids will be opened publicly at a time, date and venue which will be announced and communicated to the bidders in advance. The technically qualified bidder with lowest financial bid shall be considered for award of contract.

3. **Eligibility Criteria**

Bidders meeting following criteria are eligible to participate in the bidding process.

- a. Bidders registered as firm, Company or AOP, Category-A only, as per SBP Latest List of Panel of Auditors, can participate. (Attach-Registration documents)
- b. Bidder must have a valid practice license from relevant forum /organization /Institute/Court in Pakistan. (Attach-License Certificate)
- c. Bidder must be registered with FBR for Income Tax and Sales tax (if applicable). (Attach Registration certificate)
- d. The bidders must be on Active Taxpayers List (ATL) of FBR for Income tax and sales tax (if applicable) on bid submission date.
- e. Bidders must have minimum 5 years of relevant experience in relevant field from the date of incorporation of the company / registration.
- f. The bidders must have a Registered Office or Presence in Islamabad
- g. The bidder shall provide an undertaking (on Stamp paper) that the bidder has not been declared black listed by any Governmental/ Semi-Governmental institutions.
- h. Bidders not fulfilling the above eligibility criteria will not be considered for further technical evaluation.

4. **General Conditions**

- a. The bidder will be selected after an open and transparent bidding process
- b. Proposals shall be submitted in English language.
- c. All prices mentioned in the Financial Proposal shall be in Pak Rupees (PKR).
- d. Each page of the Technical and Financial Proposal shall be signed by an authorized representative of the bidder. The representative's authorization shall be confirmed by power of attorney on a stamp paper accompanying the proposal.
- e. For clarification on any item of this RFP, the applicants may send a written request/Email, that should be received at the address mentioned in section 8 (d) of this document up till 05 (five) days before the proposals submission date.

- f. USF may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. USF shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for rejection of his bid or proposal, but is not required to justify those grounds as per PPRA Rule (33)
- g. USF Co may increase or decrease quantities/Scope of Services as per PPRA rules.
- h. The costs of preparing the proposal and of negotiating the contract, including visits for discussion with USF are not reimbursable.
- i. The bidder shall quote only a single bid as mentioned in the ToR. Multiple quotes will be rejected
- j. Successful bidder shall ensure to provide the Services as per ToR from the date of signing of contract.
- k. LD @ 0.15% per day of value of supplies will be charged for any delay beyond the stipulated time period.

5. **Bid Security**

- a. A bid security of Rs. 25,000/- in the form of a Pay Order/ Demand Draft/Call Deposit Receipt in the name of “Universal Service Fund” must be attached with the **Technical Proposal**.
- b. The bid security shall be submitted in a separate envelope along with the technical proposal.
- c. Payment of bid security in the form of Cash or Cheque shall not be entertained and such bids shall be returned unopened.
- d. Bid Security of Technically disqualified bidders will be released after 10 days of the intimation of disqualification.
- e. Bid Security of unsuccessful bidders will be released after 10 days of the issuance of contract / purchase order to the successful bidder.
- f. Bid security of the successful bidder will be released after submission of Performance Guarantee equivalent to 5 % of contract / purchase order. Performance Guarantee issued by a Scheduled bank will be accepted only.
- g. Performance Guarantee will be released after successful discharge of warranty.

6. **Technical Proposal**

Technical Proposals to be submitted by the applicants shall be in compliance with the requirements laid down in the RFP and ToR.

The Technical proposal shall be clearly marked with the following:-

“TECHNICAL PROPOSAL”

The technical proposal shall include;

- a. A covering letter from the head of the company or an authorized representative of the applicant entailing the objectives and the executive summary.
- b. Complete profile of bidders, Registration Certificates, practice license documents, List of Tax clients, CVs of professionals dealing with Tax matters and other documentary evidence to confirm the eligibility and evaluate the bid as per evaluation Criteria prescribed in these documents.
- c. Compliance against each clause and sub-clause of RFP and ToR must be attached.
Following conventions shall be used in the compliance checklist;
 - i. Fully Complied (FC)
 - ii. Not Complied (NC)
- d. Additional Information (If Any)
- e. Non compliance to any clause and sub clause of RFP and ToR may lead to disqualification.

7. **Financial Proposal**

The bidder shall submit Financial Proposals in separate envelope. Envelop shall be clearly marked with the following:-

“FINANCIAL PROPOSAL

The Financial Proposal shall include the following;

Sr	Description	Category	Price	Unit
a	Regular Services	Retainership fee		Monthly Fixed Lump sum
		Out of Pocket		Fixed or % of Fee
b	Call out Basis Services	Appeal to Commissioner (Including Stay)		Per case/Appeal Lump sum charges all inclusive i.e. out of pocket, fee etc. from preparation/filing till final decision
		Appeal to ADRC / Tax Ombudsmen/FTO		
		Appellate Tribunal (Including Stay application)		
		Total Price		
		Sales Tax (if applicable)		
		Total Financial Bid		

- a. A lump sum cost along-with the complete detailed item wise cost breakup inclusive of all applicable taxes shall be provided as given in above table.
- b. Cost Price & Sales tax where applicable should be mentioned separately against each item.
- c. The proposal must remain valid for a period of 90 days after the financial bid submission date.
- d. All applicable taxes (Income and Sales) will be deducted at the time of the payment as per government rules and regulations.
- e. If applicable, payments will be subject to clearance of active taxpayer status of the suppliers at the time of release of payment. If registered supplier is not in ATL; their payments will be stopped till their name appears on ATL of FBR.
- f. The Successful bidder shall pay all such taxes, Stamp duty or other duties, fees and other impositions levied under the applicable law, the amount of which is deemed to have been included in the financial bid.

8. **Submission, Opening and Receipt of Proposals**

- a. The Technical and Financial Proposals shall be prepared without any interlineations or overwriting.
- b. Technical and Financial proposal shall be submitted in separate envelopes.
- c. The envelopes shall be marked separately as “**Technical Proposal**” and the “**Financial Proposal**” in bold and legible letters to avoid confusion.
- d. Proposals must be delivered at the address given below on or before **1500 Hrs (PST), October 15, 2018.**

Senior Manager Accounts
Universal Service Fund,
4th Floor, HBL Tower, Jinnah Avenue
Blue Area, Islamabad, Pakistan
Tel: (92-51) 9212308-09
Fax: (92-51) 9214261
Email: it.tenders@usf.org.pk

- e. Technical Proposals shall be opened the same day i.e. **October 15 2018** at **1530 Hrs (PST)**, in presence of all the applicants who choose to be present.
- f. The evaluation of Technical Proposals will be carried out as per evaluation criteria given in section 9. The results of the technical evaluation will be communicated to all the applicants.
- g. Financial proposals of the technically qualified applicants will be opened publicly, for which the time and date will be communicated to the qualified applicants later on.

9. Evaluation Criteria

USF will evaluate the proposals based on their compliance with the RFP, ToR, evaluation criteria, and the point system as specified below.

A proposal shall be rejected during technical evaluation if it does not comply with the RFP and ToR or if it fails to achieve the minimum score as indicated below:

A- Firm Experience in Tax Matters

Sr	Description	Points	
i)	Advising/representing public sector bodies/entities in Pakistan in similar organizations of section 42) (Engagement evidence of at least three (3) clients required)	1-5	5
		6-10	10
		>10	15
ii)	Advising/representing private sector bodies/entities in Pakistan in similar organizations of section 42 (Engagement evidence of at least three (5) clients required)	1-5	5
		>5	10
iii)	Advising/representing Corporate Sector organizations in Pakistan (Engagement evidence of at least Ten (10) clients required)	1-20	5
		>21-40	10
		>40	15
TOTAL		40	

B- Personnel Capabilities/Expertise (Only Tax Matters)

1- Staff Strength (Numbers)

Sr	Description	Points
1	Directors/Assistant Directors	5
2	Sr. Managers/Managers/Assistant Managers	5
3	Executive/ Supervisors	5
Total Points		15

2- Proposed Team (Point will be awarded based on Team Tax Experience in Years)

Sr	Description	Points for Overall Experience	Points for Experience of Section 42 Public Companies
1	Partner	5	5
2	Director/Assistant Director	5	5
3	Sr. Managers /Manager/Assistant Manager	5	10
4	Executive/ Supervisor	5	5
Total Points		20	25

Following documents are mandatory for evaluation of Technical Proposal, non-provision of same will result in disqualification.

- 1 List/details of clients restricted to tax matters with Documentary evidence of engagement with clients for each category separately of Firm experience at “A” above
- 2 Certified List Staff Strength overall in Firm for tax matters as required at “B-1” Above
- 3- Detailed CVs of each member of Proposed team showing assignments in detail with segregation of experience as required in B-2 above

Minimum Points to Qualify

70

10. **Award Of Contract**

The contract will be awarded to the “Technically Qualified” applicant with the Lowest Financial evaluated bid.

11. **PAYMENT TERMS:-**

The payment for the subject Services will be made as per the following plan

- Payment of regular services will be made in four installments, each at end of relevant quarter.
- Payment of Call out services will be made on completion of assignment.

Part II

Terms of Reference

Scope of Work:

The Tax Consultant shall perform services in accordance with relevant Income/sales or any other tax laws/rules/procedure/Guidelines. The Tax Consultant services may include but are not limited to the following

(a) Regular Services:

1. Preparation of annual return of income along with computation of income, Income tax and tax liability thereon in line with the provisions of Income Tax Ordinance, 2001 and filing/e-filing the same before the Federal tax authorities.
2. Preparation of returns of sales tax liability thereon in line with the provisions of Sales Tax Act 1990 and rules and filing/e-filing the same before the Federal tax authorities.
3. Preparation, as applicable in law, of all (Monthly/Quarterly/Annual etc) Statements/returns the Tax Collected/deducted (Withholding) Income and Sales tax and filing/e-filing the same before the Federal tax authorities
4. Preparation of Statements/returns as applicable in laws for provincial sales tax and provincial Sales tax Collected/deducted (Withholding) and filing/e-filing the same before the Provincial tax authorities
5. Monthly review of Income & Sales tax withheld from payments to vendors and point out deficiencies.
6. Attending assessment /Audit proceedings before the tax authorities, whenever required till finalization of proceedings.
7. Responding to various statutory notices and inquiries from tax authorities
8. Preparing advice and replying to the tax notices/letters issued by any tax authority and attend the tax office till settlement.
9. Pursue De-registration of USF Sales tax registration application/case.
10. Renewal/rectification of exemption u/s 2(36) of Income Tax Ordinance or fresh approval.
11. Approval for credit under section 100 C of Income Tax Ordinance 2001
12. Approval for insertion in 2nd schedule of Income Tax Ordinance
13. Exemption Certificates from withholding taxes to avoid further charge of advance tax on services hired by Company.
14. Calculations of WHT Tax on employee's salaries.
15. Provide update and educate on the Changes in the Income Tax and Sales Tax ordinance/rules relevant to USF Company.
16. Pursue existing matters pending with Tax authorities at all fora.
17. Assist/Advise USF Company Lawyers, in preparation, filing and other matters for cases in Civil, High or Supreme Court.
18. Any other tax advices/matters required from time to time during the period of contract.

(b) Call out Basis Services

Drafting of Grounds of Appeal and Statement of Facts / file with Alternate Dispute Resolution Committee /Commissioner of Inland Revenue (Appeals)/Appellate Tribunal Inland Revenue/ FTO and other appellate authorities in USF's appeal proceedings against assessment orders (including penalty orders, if any) passed by the taxation officer and other appellate authorities and representing (including submitting written representations, wherever required) before various appellate authorities. Assist/Advise USF Company Lawyers, in preparation, filing and other matters for cases in Civil, High or Supreme Court.

Tender Notice

Hiring of Tax Consultant for Tax Services

Tender No: USF/TDRS/FIN/2018/02

Sealed tenders are invited from interested bidders for Supply of tax consultancy services to Universal Service Fund Company.

Last date for submission of the bids will be October 15, 2018 at 03:00 P.M. and will be opened on the same day at 03:30 P.M in the presence of bidders and/or their authorized representatives at USFCo office.

The advertisement and bidding documents are available on PPRA website (<http://www.ppra.org.pk/>) and USF website (<https://www.usf.org.pk/>).

USF may reject all bids or proposals at any time prior to the acceptance of a bid or proposal.

Senior Manager Accounts

Universal Service Fund

4th Floor, HBL Tower, Jinnah Avenue

Islamabad

Tel: 9212308-09

Fax: 9214261

Email: it.tenders@usf.org.pk