



**Aus4ASEAN**  
FUTURES

**TERMS OF REFERENCE  
FOR  
*Advancing and Updating the Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects  
through Innovative Financial Approaches***

The ASEAN Secretariat and the Australian Government, through Australia for ASEAN Futures Initiative, invite proposals for the above-referenced project.

**I. Background**

***Project Context***

Meeting infrastructure needs is one of ASEAN's priorities for post-pandemic recovery, building resilience, and developing a future-ready ASEAN. Several initiatives have been undertaken—under the first objective of the Master Plan on ASEAN Connectivity (MPAC) 2025 Strategic Area of Sustainable Infrastructure—to increase public and private infrastructure investment in each ASEAN Member State (AMS), as needed.

The [Establishment of the Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects](#) (the "Initial Pipeline") in November 2019 supported AMS in identifying, prioritising, developing, and delivering projects with substantial connectivity impacts. The Initial Pipeline is envisaged to be rolling and evolving—new infrastructure project proposals can be submitted for inclusion, and the existing Pipeline projects can be removed or re-prioritised due to their completion, lack of progress, or change in the circumstances. In this regard, the Initial Pipeline has been regarded as a long-term dynamic tool to help AMS assess and prioritise locally relevant infrastructure projects with a regional impact.

An [Assessment of Future Sustainable Infrastructure Trends and Priorities in a Post-Pandemic ASEAN](#)—conducted between May 2021 and September 2022—followed on, helping AMS identify new priority areas to promote sustainable infrastructure. They include agenda for connectivity, sustainability, inclusive agenda, energy transition, digitalisation, and supply chain resilience. This follow-up project also brought to date necessary documents, including the Project Application Form, for updating the Initial Pipeline.

Keeping the Pipeline relevant to the evolving regional context, emerging trends, and priorities is critical. Therefore, fostering cooperation and partnership between governments, multilateral institutions, and other external partners is essential to maximise the availability and accessibility of funding and financing to meet ASEAN's infrastructure needs. The Lead Implementing Body for Sustainable Infrastructure (LIB-SI), at its 10<sup>th</sup> Meeting in September 2022, discussed possible plans and approaches to updating the Initial Pipeline. The Meeting further accentuated the need for LIB-SI representatives, relevant national ministries or agencies, and infrastructure project owners in AMS to drive the updating process.

The project supports ASEAN's efforts to advance and update the Initial Pipeline and identify appropriate financing approaches for selected projects using conventional and innovative financing mechanisms. The goal is to make the selected infrastructure projects in ASEAN more bankable towards receiving funding and/or financing for their implementation.

**Relationship to Other Activities**

This project is a follow-up to the Establishment of the Initial Pipeline and the Assessment of Future Sustainable Infrastructure Trends and Priorities in a Post-Pandemic ASEAN implemented in 2021–2022.

The project will bring synergies to other relevant work under MPAC 2025 Strategic Area of Sustainable Infrastructure, such as the [Framework for Improving ASEAN Infrastructure Productivity](#) (Initiative 2), [ASEAN Sustainable Urbanisation Strategy](#) (Initiative 3), and [ASEAN Smart Cities Network \(ASCN\)](#), as well as under [Seamless Logistics](#) to promote ASEAN supply chain efficiency and resilience in priority regional trade routes. This project is also expected to strengthen the overall efforts of LIB-SI and relevant national ministries/agencies and the infrastructure project owners in AMS to drive the process of advancing and updating the Initial Pipeline, including through engaging ASEAN's external partners.

Furthermore, this initiative will also contribute to the ongoing efforts in post-pandemic recovery, such as the [ASEAN Comprehensive Recovery Framework](#) and its Broad Strategy 3: Maximising the Potential of Intra-ASEAN Market and Broader Economic Integration. The project will also further contribute to the [ASEAN Outlook on the Indo-Pacific](#), of which connectivity is an integral part—the second area of cooperation.

**II. Needs and Objectives**

This project aims to strengthen regional cooperation among AMS in prioritising, planning, and implementing sustainable infrastructure to enhance connectivity and support regional integration. The project's immediate objective is to enhance the availability and accessibility of funding and financing options for sustainable infrastructure projects undertaken by AMS.

**III. Outputs and Deliverables**

The project will produce two outputs: (i) an Updated Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects (or "Updated Initial Pipeline") and (ii) promotional materials at the infrastructure project and pipeline levels. These two outputs will be achieved through undertaking the following deliverables and their associated activities.

**Output 1: Updated Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects****i. Interim Report:** This Report should include the following:

- a. Project Longlist:** A longlist of up to 20 infrastructure projects will be generated following the screening of submissions from AMS (including those from LIB-SI), with the support from the contractor, using the updated Project Application Form.
- b. Reviewed Shortlisting Criteria:** The existing shortlisting criteria may be reviewed as necessary to include the value-for-money assessment; expected socio-economic impact, gender equality, disability, and social inclusion (GEDSI) considerations; and robust social and environmental risk identification and mitigation measures, as noted in the updated Project Application Form. The reviewed shortlist criteria will further consider resilience infrastructure prioritisation tools.
- c. Proposed Project Shortlist:** Eight infrastructure projects will be shortlisted based on the shortlisting criteria for potential inclusion in the *Updated Initial Pipeline*. The shortlisting process

should consider the eligible projects from combined advisory and investor-financier perspectives towards addressing potential risks and making them more bankable.

- d. Regional Workshop Report:** This Report will capture the discussions and outcomes of a regional workshop with AMS that the contractor will organise to discuss the draft Interim Report and other relevant findings, including the initially proposed financing approaches to the eight shortlisted projects.
- ii. Final Report:** As a further development of the Interim Report, the Final Report will present the *Updated Initial Pipeline* and include at least the following:
  - a. Eight selected infrastructure projects with proposed financing approaches:** this essential part should present the *Updated Initial Pipeline* and proposed financing approaches tailored to each of the eight selected projects. They should provide suggestions to improve the bankability of these projects and increase their profiles to investors-financiers. The methodology adopted will include a forecasted cash flow approach to estimate the return on investment (compared to the cost of capital) and payback on debt in the base case with alternate scenarios.
  - b. Market Sounding Report:** To be annexed to the Final Report, this Report will capture the discussions and outcomes of a market-sounding session (including pre-briefings) with LIB-SI, project owners, and international investors and financiers that the contractor will organise to garner feedback and perspectives of various stakeholders in shaping and framing AMS infrastructure projects to attract international investments and financing.

**Output 2: Promotional materials at the infrastructure project and pipeline levels.** This includes designing and developing various promotional materials, including videos, placemats, brochures, and other products, to support the project and pipeline-level promotional efforts.

In addition to delivering the above outputs and deliverables, the contractor will be required to render the following:

- i. Inception Report** outlining, at the project's onset, the approach to advancing and updating the Initial Pipeline, data collection, consultation mechanisms, and comprehensive work plan.
- ii. Project Progress Reports** (monthly, quarterly, or as agreed with the ASEAN Secretariat (ASEC)) providing a summation of activities undertaken, issues that have arisen and corrective measures, and planned actions.
- iii. Financial Reports** to be submitted at invoicing in line with payment schedules, which will be specified in the Special Services Agreement (SSA).
- iv. Project Completion Report** highlighting completed activities, captures learning from the project, and provides suggestions for follow-on projects.

All reports will be submitted based on Australia for ASEAN Futures (Aus4ASEAN Futures) Guidelines for Contractors in draft format to ASEC (i.e., ASEAN Connectivity Division) with a copy to Aus4ASEAN Futures and then in a final form following ASEC approval. All deliverables, including reports, must be suitable for publication, although the decision on publication lies with the ASEAN.

#### IV. Deliverables and Activities

The following activities shall be undertaken to achieve the above outputs and deliverables. The bidder should provide details on its approach to each activity in its bid and is free to recommend additional activities.

| No                                                                   | Deliverable      | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Person working weeks* | Completion Date                                 | Person(s) responsible                                  |
|----------------------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------|--------------------------------------------------------|
| 1                                                                    | Inception Report | <p><i>Development, submission, and review of the Inception Report with an approach to the overall advancement and updating of the Initial Pipeline, consultation mechanism and work plan, as well as consideration of environment and GEDSI, where appropriate.</i></p> <p><i>Presentation to the Lead Implementing Body for the Master Plan on ASEAN Connectivity MPAC 2025 Strategic Area on Sustainable Infrastructure (LIB-SI) (date to be determined)</i></p>                                                                                                                                                                                                                                                                                                                                   | Three                 | Week 3<br>(Three weeks after the SSA is signed) | Contractor – with inputs from ASEC                     |
| Approval of the Inception Report by LIB-SI/ ASEC (two working weeks) |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                       |                                                 |                                                        |
| 2                                                                    | Interim Report   | <p><b>Collection and initial analysis of relevant project submissions from AMS</b></p> <p><i>Results of collection of relevant project submissions from AMS. This will include in-country consultations with AMS to support them in completing the Project Application Forms on new relevant projects. The project's success will depend on the quality of project-level data available. Therefore, several months have been allocated to this task.</i></p> <p><i>As several ongoing initiatives at the ASEAN and national level may exist to develop projects, the contractor is expected to work closely with AMS and extensively liaise with ASEC. The availability of project-level data is unclear, and obtaining the data is expected to require extensive coordination with multiple</i></p> | 32                    | Week 30                                         | Contractor – with inputs from and facilitation by ASEC |

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|----------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                      |              | stakeholders across the public and private sectors at the ASEAN and national levels.                                                                                                                                                                                                                                                                                                |      |         |                                                                                                                                                                                                     |
|                                                                      |              | <b>Screening process</b> , including consultation with the ASEAN Secretariat and ASEAN Member States to confirm a long list of eligible projects.                                                                                                                                                                                                                                   |      | Week 32 | Contractor – with inputs from and facilitation by ASEC                                                                                                                                              |
|                                                                      |              | <b>Reporting of eight shortlisted infrastructure projects</b> , including all quantitative scores under each category.<br><br>Additional factors as consideration for shortlisting may include other advisory and financing considerations. Explanations of all quantitative and qualitative decision criteria should be included.                                                  |      | Week 32 | Contractor – with inputs from and facilitation by ASEC                                                                                                                                              |
|                                                                      |              | <b>Regional Workshop</b><br>This will be an avenue to discuss the draft Interim Report, findings with AMS and external partners, and initially proposed financing approaches.<br><br>Preparation and facilitation of the Regional Workshop and its Report.                                                                                                                          | Four | Week 34 | Contractor – with inputs from and facilitation by ASEC.<br><br>ASEC will facilitate invitations and contact with participants.<br><br>Aus4ASEAN PPMSU will provide logistical support as necessary. |
| Approval of the Interim Report by LIB-SI/ ASEC (three working weeks) |              |                                                                                                                                                                                                                                                                                                                                                                                     |      |         |                                                                                                                                                                                                     |
| 3                                                                    | Final Report | <b>Proposed financing approaches to the eight shortlisted selected infrastructure projects</b><br><br>The contractor will develop a financial analysis and model for each of the eight shortlisted infrastructure projects. The analysis will include, among others, the estimation of project cashflows, equity and the project's internal rate of returns (IRRs), payback period, | 36   | Week 72 | Contractor – with inputs from and facilitation by ASEC                                                                                                                                              |

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|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |         |                                                        |
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|  |  | <p>the project's ability to service debt and provide equity returns, the requirement for viability gap funding (VGF), credit enhancement, and sensitivity to commonly anticipated commercial scenarios for the project.</p> <p>The level of the financial analysis will be adjusted to the extent of information/ data made available to the contractor. Financial analyses will consider GEDSI / Disaster Risk Reduction and Climate Change (DRRCC) considerations such as user affordability, concessions, and resilience tools. The contractor will recommend a financing approach for each shortlisted project based on the analysis.</p> <p>Respective AMS project owners will provide project-specific data such as capital and operating cost estimates and potential income streams from the project, if any. The contractor will be expected to engage closely with the project owners and drive the data collection exercise. To the extent practical, the contractor will also support the project owners with broad methodology and guidance notes and validate the data obtained from project owners against publicly available databases.</p> |      |         |                                                        |
|  |  | <p><b>Market Sounding</b><br/> The contractor will create awareness about / socialise the shortlisted projects among potential investors, multilateral banks &amp; funding agencies, financiers, project developers &amp; operators. The contractor will also organise meetings and calls with the above investor community and sensitise them about the shortlisted projects and related financial analysis. The key objective of these meetings would be to understand the preliminary market interest in the projects and discuss potential changes suggested by investors to the project structure to improve their bankability. Based on the inputs collected during the market-sounding exercise, subsequent analysis and discussions with project</p>                                                                                                                                                                                                                                                                                                                                                                                                | Four | Week 72 | Contractor – with inputs from and facilitation by ASEC |

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|--------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|---------|--------------------------------------------------------|
|                                                                                                  |                           | owners, the contractor will develop recommendations to enhance the bankability of the shortlisted projects.<br><br>Preparation and facilitation of the Market Sounding (including pre-briefings) and its Report.                                                                                                                               |      |         |                                                        |
| 4                                                                                                | Promotional Materials     | <b>Design and development of promotional materials</b> , including videos, placemats, brochures, and other products to support the project and pipeline-level promotional efforts.                                                                                                                                                             | Four | Week 74 | Contractor – with inputs from and facilitation by ASEC |
| Approval of the Final Report and the Promotional Materials by LIB-SI/ ASEC (three working weeks) |                           |                                                                                                                                                                                                                                                                                                                                                |      |         |                                                        |
| 5                                                                                                | Project Completion Report | <b>Development, submission, and review of the Project Completion Report</b> , which records the project achievements against the project's original intended purpose, work plans, outputs, and activities. It should assist in assessing impact, drawing conclusions and lessons learned that may be valuable in designing follow-on projects. | Two  | Week 76 | Contractor – with inputs from ASEC                     |
| Approval of the Project Completion Report by LIB-SI/ ASEC (two working weeks)                    |                           |                                                                                                                                                                                                                                                                                                                                                |      |         |                                                        |

\* The number of person working weeks is intended to indicate the amount of relative effort required to deliver the corresponding deliverables. The calculation is based on an assumption of five (5) person days per week. The actual time will be agreed upon in negotiation with the successful bidder.

## **V. Project Management**

The project will be funded through the Aus4ASEAN Futures – Economic and Connectivity (ECON) program and managed by the ASEAN Connectivity Division of the ASEAN Secretariat. The contractor should be responsible for achieving the outputs and deliverables, including preparing and organising the scheduled activities, in close consultation and collaboration with the host countries and the ASEAN Secretariat.

All reporting will be prepared and submitted based on Australia for ASEAN Futures (Aus4ASEAN Futures) Guidelines for Contractors as mentioned in **Section III (Output)** above.

## **VI. Scope of Services**

The consultancy will be undertaken over a **continuous effective period of eighteen (18) calendar months** or approximately **85 person working weeks** of professional services. Work will commence immediately after contract signing.

## **VII. Qualifications**

This project seeks a firm/organisation or a joint venture/consortium/ association (JCVA) with combined proven expertise in infrastructure advisory and project finance, precisely the following:

- i. Solid experience in planning, developing, and/or implementing infrastructure projects in emerging markets and developing economies, including in the ASEAN region, ideally in a diversified infrastructure portfolio, such as transport, logistics, energy, digital and water sectors, including an extensive record of accomplishment in undertaking sustainability assessments (i.e., environmental, social, and governance) of infrastructure projects.
- ii. Strong experience in and understanding of international project finance, including capital mobilisation through equity and debt markets for infrastructure projects, including an extensive record of accomplishment in undertaking corporate and investment financial analysis and modelling (e.g., cash flow, equity, rate of returns, payback period, credit rating and enhancement, and viability gap funding) of infrastructure projects.
- iii. Extensive network among investor-financiers in infrastructure sectors.
- iv. Proven expertise in multilateral, cross-sectoral stakeholder engagement and communications, including developing and employing various promotional materials to maximise the visibility and impact of similar projects; and
- v. A thorough understanding of and experience working on ASEAN and/or Aus4ASEAN Futures procedures will be considered an added value.



## VIII. Bidding

Interested firms/JVCA are invited to submit a proposal in response to these Terms of Reference. This proposal should be in two parts: **Technical** and **Financial components**.

The Technical component should present the following information:

- A brief discussion indicating the bidder's understanding of the needs of the project.
- A short analysis of critical issues.
- A methodological discussion of how the bidder proposes to address those needs, including assessment of critical issues, analytical strategies that will underlie the project, specific techniques to be utilised, and practical discussion of possible limitations in carrying out the project.
- A detailed work plan that specifies activities to be undertaken, expected outputs and deliverables, resources to be utilised and timing.
- Staffing and management plan.
- A discussion on how measures to ensure the future sustainability of the outcomes of the project will be addressed.
- Curricula vitae of all proposed experts.
- A brief discussion on the expertise and experience of the firm/JVCA members in undertaking similar work and concise summaries of all projects undertaken.
- Examples of previous work as Annexes to the proposal.
- Completed Bidder Registration Form – see **Annex A** of this document.
- Joint Venture/Consortium/Association Information (only if the proposal is submitted as such) – see **Annex B** of this document.
- Bidder Declaration – see **Annex C** of this document.

The technical proposal shall not include any price or financial information. A technical proposal containing material with financial information may be declared non-responsive.

The Financial component should specifically include the following:

- Professional fees of experts.
- Management and/or operational fees (if any), which include all costs incurred by the person/entity/company for internal coordination, communication, travel, and any other associated project management cost.
- Applicable taxes such as value-added tax (VAT), good and services tax (GST), Pajak Pertambahan Nilai (PPN), and income tax. The total amount quoted in the financial component must include all applicable tax. Additional amounts not specified in the financial component will not be included in the contract. See Section X point 5 for an additional note on tax liability.

Activity costs for experts and participants, such as reimbursable expenses for airfare, other travel costs and daily subsistence allowance for workshops, meetings, and all other agreed activities, do not need to be included in the Financial Component. These items will be discussed with the preferred contractor during the finalisation of the scope of services. Costs will be based on prevailing ASEC rates.

The proposal should be valid for at least one hundred eighty (180) days starting from the closing date of this tender.

**IX. Submission of Bid**

Bidders should send their proposal with a cover letter, materials specified in Section VIII above and other supporting documents with **"Advancing and Updating the Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects through Innovative Financial Approaches"** as the subject via email to [tender@aus4aseanfutures.org](mailto:tender@aus4aseanfutures.org), no later than **23 May 2023 at 23:59 Jakarta time (GMT+7)**. Large documents (>5MB) can be submitted in parts through several emails. Late submissions will be disqualified.

For Frequently Asked Questions (FAQ), please visit <https://www.aus4aseanfutures.org/tender-frequently-asked-question/>.

This tender's point of contact is the Aus4ASEAN Futures procurement team at [query@aus4aseanfutures.org](mailto:query@aus4aseanfutures.org).

Any queries on the TOR should be sent to [query@aus4aseanfutures.org](mailto:query@aus4aseanfutures.org) before **12 May 2023 at 23:59 Jakarta time (GMT+7)**. Please use the subject line: "Query: Advancing and Updating the Initial Rolling Priority Pipeline of ASEAN Infrastructure Projects through Innovative Financial Approaches". Response to received queries will be published at <https://www.aus4aseanfutures.org/advancing-and-updating-the-initial-rolling-pipelineof-asean-infrastructure-projects-through-innovative-financial-approaches/> up to 17 May 2023. Please check the page regularly for updates.

**X. Additional Notes on Terms and Conditions of the Project**

- 1) Any future studies/reports/analysis in any form of intellectual property rights (including but not limited to patents, copyright, and any related rights) submitted by the Contractor to ASEAN arising out of or in connection to the services performed by the contractor to ASEAN shall belong to ASEC under the name of **ASEAN** only.
- 2) The successful bidder shall agree to be bound and sign the SSA with all requirements under the terms and conditions provided therein, including but not limited to Australia for ASEAN Futures Guidelines for the Contractors attached to the SSA.
- 3) SSA can only be signed by the registered bidder. It is not possible for other entities or subsidiaries of the registered bidder to sign the SSA on behalf of the registered bidder.
- 4) The bidder shall not initiate or engage in any work under this project before the SSA is duly signed.
- 5) As an intergovernmental organisation, ASEAN shall not be responsible for any tax(es), levy, tax claim or any tax liability which may be imposed by any law in relation to any amount payable by the ASEAN Secretariat. This means that ASEAN Secretariat has no tax identification, is tax-exempt (including withholding tax) and is a non-tax withholding entity. ASEAN Secretariat will provide proof of tax-exemption status to the contractor, as needed.

**Annex A: Proposer Information**

|                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Proposer's legal name                                                                   |                                                                             |
| In the case of a Joint Venture, Consortium, or Association - Legal name of each party   |                                                                             |
| Proposer's type of organisation                                                         | <i>(For example, sole trader / public limited company/ private company)</i> |
| Proposer's Country of Registration, Constitution, or Incorporation                      |                                                                             |
| Proposer's Year of Registration, Constitution, or Incorporation                         |                                                                             |
| Proposer's legal address in the Country of Registration, Constitution, or Incorporation |                                                                             |
| Registration no./Deed of organisation: (if applicable)                                  |                                                                             |
| Proposer's authorised representative information:                                       | Name:<br>Address:<br>Telephone:<br>Email Address:                           |

Please attach:

- Articles of Incorporation or Registration of the designated firm and information on its capital structure (Trade Register).
- In the case of a Joint Venture (JV), the letter of intent to form a legally enforceable JV, including a draft agreement or JV agreement (see Form B).
- Organisation chart of the company and list of current staff.

**Annex B: Joint Venture/ Consortium/ Association (JVCA) Information (if applicable)**

|                   |                                  |       |                               |
|-------------------|----------------------------------|-------|-------------------------------|
| Name of Proposer: | Click or tap here to enter text. | Date: | Click or tap to enter a date. |
|-------------------|----------------------------------|-------|-------------------------------|

To be completed and returned with your proposal if the proposal is submitted as a Joint Venture/ Consortium/ Association.

| No | Name of Partner and contact information (address, telephone numbers, fax numbers, email address) | Proposed proportion of responsibilities (in %) and type of services to be performed |
|----|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1  | Click or tap here to enter text.                                                                 | Click or tap here to enter text.                                                    |
| 2  | Click or tap here to enter text.                                                                 | Click or tap here to enter text.                                                    |
| 3  | Click or tap here to enter text.                                                                 | Click or tap here to enter text.                                                    |

|                                                                                                                                                               |                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <b>Name of leading partner</b><br>(With authority to bind the JVCA during the RFP process and, in the event a Contract is awarded, during contract execution) | Click or tap here to enter text. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

We have attached a copy of the below-referenced document signed by every partner, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said joint venture:

☐ Letter of intent to form a JVCA    **OR**    ☐ JVCA agreement

We hereby confirm that if the contract is awarded, all parties of the JVCA shall be jointly and severally liable to \_\_\_\_\_ for the fulfilment of the provisions of the contract.

Name of partner: \_\_\_\_\_

Name of partner: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Name of partner: \_\_\_\_\_

Name of partner: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Annex C: Proposer Declaration**

On behalf of our firm, its affiliates, subsidiaries, and employees, including any JV / Consortium / Association members, subcontractors, or suppliers for any part of the contract.

| Yes                      | No                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Requirements and Terms and Conditions:</b> I/We have read and fully understand the RFP, including the RFP Information and Terms of Reference. I/We confirm that the proposer has the necessary capacity, capability and necessary licenses to fully meet or exceed the requirements and will be available to deliver throughout the relevant contract period.                                                                                                                                                                                                                                                                                                                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Ethics:</b> In submitting this proposal, I/we warrant that the proposer: has not entered into any improper, illegal, collusive or anti-competitive arrangements with any competitor; has not directly or indirectly approached any representative of ASEAN Entities, ASEAN Secretariat, Aus4ASEAN Futures (other than the point of contact) to lobby or solicit information in relation to the RFP; has not attempted to influence, or provide any form of personal inducement, reward or benefit to any representative of the buyer.                                                                                                                                                           |
| <input type="checkbox"/> | <input type="checkbox"/> | I/We confirm to not engage in proscribed practices, or any other unethical practice, with ASEAN Secretariat or any other party and to conduct business in a manner that averts any financial, operational, reputational, or other undue risks to the ASEAN Secretariat and the Australian Government.                                                                                                                                                                                                                                                                                                                                                                                              |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Child Protection and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH):</b> I/We confirm that we have read DFAT policies on child protection <a href="http://dfat.gov.au/about-us/publications/Pages/child-protection-policy.aspx">http://dfat.gov.au/about-us/publications/Pages/child-protection-policy.aspx</a> and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) <a href="https://www.dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Pages/default">https://www.dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Pages/default</a> and will comply with them. |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Conflict of Interest:</b> I/We warrant that the proposer has no actual, potential or perceived conflict of Interest in submitting this proposal or entering into a contract to deliver the requirements. Where a conflict of Interest arises during the RFP process, the proposer will report it immediately to the Procuring Organisation's Point of Contact.                                                                                                                                                                                                                                                                                                                                  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Collusive Tendering:</b> I/We declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium/Association members or subcontractors or suppliers for any part of the contract, have no knowledge of the technical or financial tender of any other tenderer when they submit their tender. We also declare that we have not and will not disclose any of the details of our tender submission to any other person or organisation prior to the closing date for the RFP.                                                                                                                                                                                        |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Prohibitions, Sanctions:</b> I/We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium/Association members or subcontractors or suppliers for any part of the contract, is not on any list of sanctioned parties issued by any Australian Government institution, World Bank, ASEAN Development Bank, UN agencies, European Union and others, and not blacklisted by any local/ international organisation, Government/ semi-government department, NGO or any other company/ organisation.                                                                                                                                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | I/We do not employ, or anticipate employing, any person(s) who is, or has been convicted for an offence concerning professional conduct or guilty of grave professional misconduct (proven by any means which the contracting authorities can justify), or have been convicted of an offence of, or relating to bribery of a public official, nor are they subject to any proceedings which could lead to such a conviction.                                                                                                                                                                                                                                                                       |

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| Yes                      | No                       |                                                                                                                                                                                                                                           |
|--------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Bankruptcy:</b> I/We have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against us that could impair our operations in the foreseeable future. |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Proposal Validity Period:</b> I/We confirm that this proposal, including the price, remains open for acceptance for the proposal validity period.                                                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | I/We understand and recognise that you are not bound to accept any proposal you receive.                                                                                                                                                  |
| <input type="checkbox"/> | <input type="checkbox"/> | By signing this declaration, the signatory below represents, warrants and agrees that he/she has been authorised by the Organisation/s to make this declaration on its/their behalf.                                                      |

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

*[Signature with the official stamp of the proposer]*