

**PERÚ**Ministerio
de Economía
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de Portafolio de
Proyectos

Important notice: This is an unofficial translation. In the case of divergence between the English and Spanish text, the version in Spanish shall prevail.

Request for Expressions of Interest

The following deadlines and terms are approximate and referential. This is because, in accordance with Numerals 4.11 and 4.21 of Article 4 of PROINVERSION's Regulations on Hiring of Consultancy Services (approved by Agreement CD PROINVERSION No. 49-3-2018-CD and its amendments), the Definitive Terms of Reference will be elaborated with the participation of the companies that will submit Expressions of Interest and that will be qualified as the firms that have more experience and interest in doing the consultancy. Consequently, the terms and deadlines expressed in this document have no binding effect or generate any kind of obligation for PROINVERSION or the Ministry of Justice and Human Rights.

This process is carried out by PROINVERSION, since the final design of the "Innominate Contract for the Provision of Services in the Project for the Provision of Technological Security Services in Prisons" (hereinafter, the **CIPS**) established that PROINVERSION will assume the task of selecting the Contract Supervisor (Nineteenth Clause).

1. DESCRIPTION OF THE PROJECT

As a result of the Private Initiative of the same name, the Project "Provision of Technological Security Services in Prisons" was submitted to PROINVERSION in 2012 by the PRISONTEC Consortium. The Ministry of Justice and Human Rights - MINJUSDH and the National Penitentiary Institute expressed their interest in and relevance of this project- INPE.

Basically, the project consists of: (i) the implementation of a system for blocking or inhibiting the radioelectric mobile telephony signals (land based and satellite) and WiFi wireless network signals, preventing the establishment of voice and/or data communications inside the Prisons and (ii) the exclusive provision of the public landline; in the following 33 Penitentiary Establishments in the country:

N°	Penitentiary Establishments (PE)	Region
1	Lurigancho PE	Lima
2	Miguel Castro Castro PE	Lima
3	Chincha PE	Ica
4	Ancón PE (Ancón I)	Lima
5	Modelo Ancón II PE	Lima
6	Callao PE	Lima
7	Huacho PE	Lima
8	Huaral PE	Lima
9	Cañete PE	Lima
10	Ica PE	Ica
11	Chorrillos Women's PE 1/	Lima
12	Chimbote PE	Ancash



N°	Penitentiary Establishments (PE)	Region
13	Huaraz PE	Ancash
14	Ayacucho PE	Ayacucho
15	Huánuco PE	Huánuco
16	Huancayo PE	Junín
17	Chanchamayo PE	Junín
18	Pucallpa PE	Ucayali
19	Cajamarca PE	Cajamarca
20	Trujillo PE	La Libertad
21	Chiclayo PE	Lambayeque
22	Piura PE	Piura
23	Tumbes PE	Tumbes
24	Arequipa PE	Arequipa
25	Cusco PE 2/	Cusco
26	Juliaca PE	Puno
27	Puno PE	Puno
28	Puerto Maldonado PE	Madre de Dios
29	Tacna PE 3/	Tacna
30	Chachapoyas PE	Amazonas
31	Iquitos PE	Loreto
32	Tarapoto (Pampas de Sananguillo)	San Martín
33	Moyobamba PE	San Martín

1/ Includes the Chorrillos Women's P.E. Annex

2/ Includes the Cusco Women's PE

3/ Includes the Tacna Women's PE

On June 30, 2014, the award was made to the PRISONTEC Consortium, which holds the Private Initiative. On October 17, 2014, the CIPS was subscribed between MINJUSDH and **PRISONTEC S.A.C.**, with the participation of INPE.

Main characteristics of the Project:

- a) The Private Initiative (and therefore, the Project) is self-sustainable, that is, the investment is recovered through the collection of the public telephone service tariffs. For this reason, no State co-financing was considered, with PRISONTEC S.A.C. assuming the risks of demand, implementation, operation, security, vandalism, etc.
- b) This contract between MINJUSDH and PRISONTEC S.A.C., with the participation of INPE, is an Innominate Contract for the Provision of Services, which has a term of 25 years.
- c) PRISONTEC S.A.C. will be in charge of the implementation of telephone equipment that is adequate in number and quality.
- d) Implementing *software* that allows: recording the use of the call service, such as the number of the subscriber receiving the call, the duration of the call, the date and time of the beginning and end of the call; issuing messages (voice or text) prior to the start of the communication, warning the receiver of the call of the origin of the call; among others.
- e) A Guarantee Fund will be maintained in which PRISONTEC S.A.C. will deposit a percentage of its gross income without considering the IGV (Sales Tax).



Two addenda to CIPS have been signed to date: (i) Addendum No. 1 dated May 5, 2015, which replaced the Lima (formerly San Jorge) Prison with the Chincha Prison, and (ii) Addendum No. 2 dated May 26, 2017, which modified the CIPS with respect to the accuracy of operational aspects in its execution, forming part of this addendum Annex 1, Part A and B: New Schedule of Installation. Furthermore, fourteen (14) Prisons are in the Operational Phase and nineteen (19) Prisons are in the Pre-Operational Phase.

You can download the documents of the project's promotion process from the following link of the PROINVERSION's Portal:

<https://www.proyectosapp.pe/modulos/JER/PlantillaProyecto.aspx?ARE=0&PFL=2&JER=7226>

Or via the following route:

www.proinversion.gob.pe >> Cartera de Proyectos >> Procesos Concluidos >> Procesos por Iniciativas Privadas >> Prestación de Servicios de Seguridad Tecnológica en las Prisiones

2. PURPOSE OF SERVICE

Through a competitive mechanism, PROINVERSION seeks to select a company or consortium of companies (hereinafter, the **Supervisor**), which will provide MINJUSDH with the Supervision Service in the implementation of the CIPS.

The purpose of the Supervision Service to be contracted is to ensure compliance with the obligations established in the CIPS by the Provider (PRISONTEC S.A.C.). The Supervisor shall be responsible for the supervisory actions, taking into account that the Provider is implementing the CIPS and that the MINJUSDH is conducting supervisory activities.

As such, supervisory activities will consist of technical and operational actions aimed at controlling, verifying and monitoring the Provider's compliance with contractual obligations and applicable laws and regulations during the Pre-Operational and Operational Stages of the CIPS.

3. SCOPE OF SERVICE

For the purpose of recruitment, the Supervisor must have a team that must be made up of suitable top-level professionals with extensive experience in the subject matter of the contract: **Supervision Manager and Head(s) of Supervision** with experience in matters relating to the specialized field of Electronic Engineering or Telecommunications and **Technical Personnel (Supervisors)** with experience in radioelectric spectrum management and/or handling of spectrum analyzers.

The supervisory activities will be implemented mainly in Peru, so the Supervisor must have an office in Lima - Peru. Likewise, the persons of the technical team of the supervision should speak the Spanish language and should stay in Peru for the fulfillment of their functions.



Penitentiary establishments are in different stages of execution, in which the MINJUSDH will cede its supervisory function, informing the current situation in a documented manner of each of the penitentiary establishments, so that the following supervisory actions can continue:

3.1. Referenced supervisory actions in the Pre-Operational Stage

- a) **Acceptance Period for Studies:** activities related to the verification of the Specialized Technical Studies carried out by the Provider, prior to the execution of the Project in a Prison.
- b) **Installation Period:** activities relating to the verification of the installation of equipment by the Provider in a Prison.
- c) **Start-up Period:** activities related to the verification of the installation conditions of the equipment and its functioning, for the beginning the operation of the Project in a Penitentiary Establishment.

3.2. Referenced supervisory activities in the Operational Phase

- a) **Supervision of blocking and/or inhibiting service operational activities**, in such a way that said service is provided under the conditions and characteristics indicated in the Minimum Technical Specifications and in compliance with the applicable laws and provisions of the CIPS.
- b) **Supervision of telephone service operational activities**, so that this service is provided in accordance with the Minimum Technical Specifications and in compliance with the Applicable Laws and Provisions of the CIPS.
- c) **Supervision of service quality indicators:** Activities related to the verification of compliance with the maintenance plans of the equipment installed by the Provider, as well as with the quality indicators in accordance with Annex No. 2 of the CIPS.
- d) **Other supervisory activities:** concerning the participation of the Supervisor in the blocking and/or inhibition of new services or applications, in the verification of damage to the Provider's equipment due to vandalism, in the review of insurance policies, in the application of penalties, among others.

- 3.3. **Supervisory actions relating to the receipt and dispatch of documentation:** regarding the responsibilities of the Supervisor to receive and send communications that are established and related to the CIPS.

Deadlines and Referenced Products

The Service is expected to last five (5) years, starting from the date of signing the Contract for supervision service, and may be renewed at the exclusive decision of MINJUSDH for periods of up to five (5) additional years at each renewal.

Supervision Service will be continuous. It is understood that the Supervisor, as a result of the activities of the Service, will be responsible for producing the following products:

Stage	Product required	Deadline
Pre-operational	Report of Supervision of Specialized Technical Studies of the Penitentiary Establishment	10 working days, counted from the day following the submission of the Specialized Technical Study by the Provider, which period shall be calculated independently in each prison where the Specialized Technical Report has been submitted in accordance with the CIPS.
Pre-operational	Reports on Supervision of Equipment Installation in the Penitentiary Establishment	5 working days, counting from the period of 3 months after the acceptance of the Specialized Technical Study.
Pre-operational	Report on the Supervision of the Start-up of the Penitentiary Establishment	After the completion of the Installation Period of each Penitentiary Establishment.
Operational	Report on Supervision of the Situation of Equipment in the Penitentiary Establishment	10 calendar days, counted from the day following the subscription of the Equipment Installation Certificate.
Operational	Quarterly Report on the Implementation of Supervision of the Penitentiary Establishment	First 20 calendar days of the month following the completion of a quarter of the Operational Phase of each Penitentiary Establishment.

4. QUALIFICATIONS AND EXPERIENCE REQUIRED OF THE SUPERVISOR

Those companies with experience as detailed in this section may submit Expressions of Interest. In order to comply with this requirement, if the experience has been carried out as part of a consortium, the company must have had a minimum participation of 30% in that consortium.

Required experience will be as follows:

- a) A minimum of **three experiences^{1/}**, in the country or abroad, for installation services, implementation, design, operation or supervision of Telecommunications or Electronic Security projects, or similar services^{2/}, whose invoiced amounts are not less than **US\$ 1 300 000.00 (One Million Three Hundred Thousand and 00/100 US Dollars)** each, in the last ten (10) years.

Notes:

- 1/ Services performed for both the public (government) and private sectors, concluded with the agreement of the contracting party.
- 2/ Similar services are defined as the following:
 - Installation or implementation of systems for blocking or inhibiting radioelectric telecommunications signals.
 - Installation or implementation of telecommunications equipment or services that make use of the radioelectric spectrum.
 - Service for management or monitoring or administration or supervision of the radioelectric spectrum.
- 3/ No services shall be rendered by the Supervisor in favor of PRISONTEC S.A.C. nor shall it have any corporate relationship, in Peru or abroad, during the period of the



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performance of the supervision entrusted to it. This limitation shall apply in a continuous period from the time of appointment to the termination of service.

5. FORMALITY FOR THE SUBMISSION OF THE EXPRESSION OF INTEREST

The expressions of interest shall consist of the following documents:

- a) **Format N° 1:** A Letter of Expression of Interest in the Supervision Service, signed by the company's legal representative or proxy.
- b) **Format N° 2:** Companies' experiences duly completed and signed by the company's legal representative or proxy.

The Expressions of Interest must be sent via e-mail or by PROINVERSION's Reception Desk, with a deadline of March 25, 2020, until 5:00 p.m., Lima time (Perú):

- a) **By email:** to the mail of Mr. Aldo Laderas, Project Manager, aladeras@proinversion.gob.pe.
- b) **By Reception Desk:** with attention to Mr. Aldo Laderas, Project Manager, at the PROINVERSION offices, Av. Enrique Canaval Moreyra N° 150, San Isidro.

6. CRITERIA FOR DETERMINING THE SHORTLIST OF QUALIFIED BIDDERS

The following criteria, in order of importance, will be used to determine the Shortlist:

- Invoiced amounts of those experiences that comply with PROINVERSION's requirement.
- Number of experiences that meet PROINVERSION's requirement.

Additional consideration will be given to experiences specifically involving the blocking or inhibition of radioelectric signals in penitentiary establishments.



Format N° 1: Letter of Expression of Interest in Supervision Service

____ (City) , (date), 2020

Sir
Aldo Laderas Parra
Project Manager
PROINVERSION
Av. Enrique Canaval Moreyra N° 150, Piso 10, San Isidro
Lima, Perú

I, ____ (name of Legal Representative) _____ , identified with identity document No. _____ , acting as Legal Representative of ____ (name of the Company) _____ , I express my interest in participating in the selection process for the hiring of a Supervisor to provide MINJUSDH with the supervision service in the implementation of the Innominate Contract of the provision of services in the project "Provision of the technological security services in Prisons".

I also declare to know and accept that, in case of being awarded, the contract for supervision service to be signed with MINJUDH will contain an anti-corruption clause in accordance with the requirements of the last paragraph of Article 5° of the Regulations for Hiring Consultancy Services by PROINVERSION, approved by Agreement CD PROINVERSION N° 49-3-2018-CD, published on 05.01.18, as amended. In this sense, I declare under oath that we comply with the requirements set forth in Paragraph 6.1 of Article 6 of such Regulations to become a Bidder.

Sincerely,

____ (Signature of Legal Representative or Proxy) _____

City : _____
Address : _____
Phones : _____
Email : _____



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Format N° 2: Company's experiences

Company name:

Experience N° 1:

- Project name:
- Customer and country where the service was provided:
- Service description:
.....
.....
- Start date of the service:
- Completion date of the service¹:
- Amount invoiced (US\$):
- Customer contact persons:

(...)

Experience N° [n]:

- Project name:
- Customer and country where the service was provided:
- Service description:
.....
.....
- Start date of the service:
- Completion date of the service¹:
- Amount invoiced (US\$):
- Customer contact persons:

In signing this format, I hereby declare that I know and accept that, in case of fraud or misrepresentation of the information regarding which I make this affidavit, PROINVERSION will proceed according to the provisions of numeral 34.3² of Article 34° of the Consolidated Ordered Text (TUO) of the Law of General Administrative Procedure - Law No. 27444, approved by Supreme Decree No. 004-2019-JUS, published on 01.25.19.

Sincerely,

(Signature of Legal Representative or Proxy)

¹ Service concluded with the agreement of the contracting party.

² In case of proving fraud or falsehood in the declaration, information or documentation presented by the administering party, the entity will consider the respective requirement not satisfied for all purposes, proceeding to declare the nullity of the administrative act supported by such declaration, information or document; and impose a fine in favor of the entity between five (5) and ten (10) Tax Units in force on the date of payment on whoever has used such declaration, information or document; and, in addition, if the conduct is in accordance with the assumptions provided for in Title XIX Crimes against Public Faith of the Criminal Code, it must be communicated to the Public Prosecutor's Office so that it may file the corresponding criminal action.