

Benchmarking Infrastructure Development 2020
Traditional Public Investment (TPI) Scoring Methodology

| Thematic area | What is measured | How it is scored |
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| Preparation | National and/or sectoral infrastructure strategies | A score of 1 if yes. |
| | Strategies include cost estimations | A score of 1 if yes. |
| | Strategies include measurable targets | A score of 1 if yes. |
| | System to prioritize public investment projects | A score of 1 if yes. |
| | Evaluation of best option between TPI and other procurement methods | A score of 1 if yes. |
| | Methodology for evaluation of best option between TPI and other procurement methods | A score of 1 if yes. |
| | Consistency of TPIs with government priorities | A score of 1 if yes. |
| | Identification of capital spending in annual budget | A score of 1 if yes. |
| | Key budgetary information on capital spending online | A score of 1 if yes. |
| | Features included in the budgeting system | A score of 0.33 for each of the following: Forecasting spending over multiyear horizon; Targets or ceilings to ensure debt sustainability; Inclusion of all projects regardless of financing source. |
| | Preparation of annual procurement plan | A score of 1 if yes. |
| | Annual procurement plan published online | A score of 1 if yes. |
| | Requirement to have budget allocation for TPI contract before procurement | A score of 1 if yes. |
| | Socioeconomic analysis (cost-benefit analysis of the socioeconomic impact of the project) | A score of 1 if required and a specific methodology has been developed. A score of 0.5 if required but no specific methodology has been developed. |
| | Risk identification, allocation, and assessment (risk matrix) | A score of 1 if required and a specific methodology has been developed. A score of 0.5 if required but no specific methodology has been developed. |
| | Procurement strategy (quick assessment to plan and better strategize the tendering process in advance so it is fit for purpose) | A score of 1 if required and a specific methodology has been developed. A score of 0.5 if required but no specific methodology has been developed. |
| Market sounding and/or assessment (showing evidence of investors' interest in the market for the project) | A score of 1 if required and a specific methodology has been developed. A score of 0.5 if required but no specific methodology has been developed. | |
| Market sounding—technological alternatives and innovation | A score of 1 if required and a specific methodology has been developed. A score of 0.5 if required but no specific methodology has been developed. | |

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| | Environmental impact analysis | A score of 0.33 for each of the following: Environmental impact assessment (EIA) is required. A specific methodology for EIA has been developed. A consultation process with affected communities is explicitly included as part of an EIA. |
| | Social impact analysis | A score of 0.33 for each of the following: Social impact assessment (SIA) is required. A specific methodology for SIA has been developed. A consultation process with affected communities is explicitly included as part of an SIA. |
| | Assessments included in the request for proposals and/or tender documents | A score of 0.143 for each of the following: Procurement strategy Market sounding—private-sector interest and capacity Market sounding—technological alternatives and innovation Socio-economic analysis Risk identification analysis Environmental impact assessment Social impact assessment |
| | Assessments published online | A score of 0.143 for each of the following: Procurement strategy Market sounding—private-sector interest and capacity Market sounding—technological alternatives and innovation Socio-economic analysis Risk identification analysis Environmental impact assessment Social impact assessment |
| | Tender documents published online | A score of 1 if yes. |
| | Draft TPI contract included in the request for proposals | A score of 1 if yes. |
| | Standardized TPI model contracts and/or transaction documents developed | A score of 1 if yes. |
| Procurement | Bid evaluation committee members are required to meet specific qualifications | A score of 1 if specific qualifications are detailed in the regulatory framework. A score of 0.5 if qualifications are required without specific detail. |
| | The procuring authority issues a public procurement notice of the TPI | A score of 1 if yes. |
| | TPI public procurement notice is published online | A score of 1 if yes. |
| | Foreign companies are allowed to participate in the TPI bidding process | A score of 1 if no prohibition is in place. |
| | Further restrictions imposed on foreign company participation in the bidding process | A score of 1 if none of the following restrictions are imposed on foreign bidders: Requirement to have a local office or branch before being allowed to bid; Requirement to form a joint venture with domestic firm(s) before being allowed to bid; Requirement to have prior experience in the country before being allowed to bid; Threshold for public tenders to be open for foreign participation to be considered international tenders. |

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| Procurement (cont'd) | Availability of e-procurement system (digitalized platform) for TPI contracts | A score of 1 if yes. |
| | Transactional capabilities of e-procurement system | A score of 1 if yes. |
| | Instruments that can be used to secure bids | A score of 0.5 for each of the following: Bid security/Bid Bonds Bid declaration |
| | Bid security amount expressly regulated (percentage of value) | A score of 1 if yes. |
| | Bid security amount expressly regulated (flat amount) | A score of 1 if yes. |
| | Circumstances to encash/invoke bid security expressly regulated | A score of 1 if yes. |
| | The procuring authority grants potential bidders a minimum period of time to submit their bids | A score of 1 if yes. |
| | Legally required minimum period of time in calendar days | A score of 1 if the legally required minimum period of time is at least 30 calendar days. |
| | Procurement procedures are available when procuring TPIs | A score of 0.33 if open competitive procedure (single-stage bidding) is available. A score of 0.33 if restricted procedure (competitive procedure with prequalification stage) is available. A score of 0.33 if either competitive dialogue, multi-stage bidding process (other than prequalification), or best and final offer (BAFO) is available. |
| | Direct negotiation restricted to regulated circumstances | A score of 1 if yes. |
| | The tender documents detail the procedure of the procurement process, providing the same information to all the bidders | A score of 1 if yes. |
| | The tender documents specify the qualification requirements in order to make them available to all the bidders | A score of 1 if yes. |
| | Qualification requirements regulated to ensure competition | A score of 1 if yes. |
| | Public opening of bids | A score of 1 if yes. |
| | Instant opening of tenders | A score of 1 if yes. |
| | Bid-opening proceedings recorded/ displayed live online | A score of 1 if yes. |
| | Bid-opening proceedings minutes available online | A score of 1 if yes. |
| | Interested parties/potential bidders can submit questions to clarify the public procurement notice and/or the request for proposals. | A score of 1 if yes. |
| Bidders can suggest innovations / submit variant bids | A score of 1 if yes. | |

| Thematic area | What is measured | How it is scored |
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| Procurement <i>(cont'd)</i> | Timeframe to address questions & clarifications regulated | A score of 1 if yes. |
| | Notwithstanding confidential information, the procuring authority discloses those questions and clarifications to all the potential bidders | A score of 1 if yes. |
| | Bid submission deadline extended if tender documents modified | A score of 1 if yes. |
| | Besides questions and clarifications, the procuring authority can conduct a pre-bid conference. | A score of 1 if yes. |
| | Notwithstanding confidential information, the procuring authority discloses the content and the results of the pre-bid conference to all bidders | A score of 1 if yes. |
| | The procuring authority evaluates the proposals strictly and solely in accordance with the evaluation criteria stated in the tender documents | A score of 1 if yes. |
| | Non-price criteria available for evaluation | A score of 1 if yes. |
| | Non-price criteria objective, justifiable & quantifiable | A score of 1 if yes. |
| | Price/cost estimate provided to bidders when price is used as part of the evaluation criteria | A score of 1 if yes. |
| | When only one proposal is submitted (sole proposals), the procuring authority follows a special procedure before awarding the TPI | A score of 1 if a specific procedure is detailed in the regulatory framework. |
| | The regulatory framework provides for a timeline during which the procuring authority evaluates the bids (from bid opening to award notification) | A score of 1 if yes. |
| | The procuring authority publishes the award notice | A score of 1 if yes. |
| | The public procurement award notice is published online | A score of 1 if yes. |
| | The procuring authority provides all the bidders with the result of the TPI procurement process | A score of 1 if yes. |
| | The notification of the result of the TPI procurement process includes the grounds for the selection of the winning bid | A score of 1 if yes. |
| | The notification of the result of the TPI procurement process includes the option of holding a debriefing meeting | A score of 1 if yes. |
| There is a standstill period before contract award and before signing the contract, in order to allow unsuccessful bidders to challenge the award decision | A score of 1 if there is a standstill period. | |

| Thematic area | What is measured | How it is scored |
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| Procurement <i>(cont'd)</i> | Legally required standstill period in calendar days | A score of 1 if the legally required period of time is at least 10 calendar days. |
| | The standstill period is set out in the notice of intention to award | A score of 1 if yes. |
| | The regulatory framework restricts negotiations with the selected bidder between the award and the signature of the TPI contract | A score of 1 if yes. |
| | Complaint review mechanism regulated | A score of 1 if yes. |
| | Timeframe to resolve complaints regulated | A score of 1 if yes. |
| | Decision on complaint subject to appeal | A score of 1 if yes. |
| | Decision on complaints reviewed by independent authority | A score of 1 if yes. |
| | The regulatory framework explicitly addresses collusion between the bidders themselves or between bidders and the procuring authority | A score of 1 if yes. |
| | Bidder obligated to submit affidavit about not engaging in collusive activity | A score of 1 if yes. |
| | Administrative fines for collusion between the bidders themselves or between the bidders and the procuring authority based on the firm's turnover as reference | A score of 1 if yes. |
| | Other consequences that may arise from collusion that are explicitly regulated | A score of 0.25 for each of the following: Criminal penalty/sanction; Administrative penalty for government officials; Suspension/debarment of firms proven guilty; Inability to access government subsidy/tax preferences. |
| | Collusion subject to independent investigation | A score of 1 if yes. |
| | The procuring authority publishes the TPI contract | A score of 1 if yes. |
| | Aspects of the TPI contract available by request | A score of 0.5 if any of the following are available: Summary of the TPI contract Full TPI contract TPI contract annexes and appendixes |
| | Aspects of the TPI contract published online | A score of 0.5 if any of the following are available: Summary of the TPI contract Full TPI contract TPI contract annexes and appendixes |
| The procuring authority also publishes any subsequent amendment made to the TPI contract | A score of 1 if the amendments are available by request and published online. A score of 0.5 if only available by request. | |

| Thematic area | What is measured | How it is scored |
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| Contract Management | The procuring or contract management authority establishes a system to manage the implementation of the TPI contract | A score of 1 if yes. |
| | TPI management tools are available | A score of 0.33 if a regulatory provision includes the establishment of a TPI contract team. A score of 0.33 if a regulatory provision includes the elaboration of a TPI implementation manual or an equivalent document. A score of 0.33 if a regulatory provision includes the adoption of a risk mitigation mechanism. |
| | TPI contract management team members are required to meet specific qualifications | A score of 1 if specific qualifications are detailed in the regulatory framework. A score of 0.5 if qualifications are required without specific detail. |
| | The procuring or contract management authority establishes a system for tracking progress and completion of construction works under a TPI contract | A score of 1 if yes. |
| | Mechanisms included in the TPI contract's monitoring and evaluation system | A score of 0.17 if a regulatory framework provides for the payments to be linked to performance. A score of 0.17 if the regulatory framework provides for progress to be assessed against the schedule of implementation in the contract. A score of 0.17 if a regulatory provision mandates the private partner to provide periodic operational and financial data. A score of 0.17 if a regulatory provision mandates the procuring or contract management authority to periodically gather information on the performance of the TPI contract. A score of 0.17 if a regulatory provision mandates the availability of the TPI contract progress information to the public. A score of 0.17 if a regulatory provision mandates the availability of the TPI contract progress information online. |
| | Independent audit/control mechanism to oversee contract management | A score of 1 if yes. |
| | Requirement to provide performance guarantee | A score of 1 if yes. |
| | Regulatory framework provides the method to determine the amount of the performance guarantee (fix amount/percentage of contract value) | A score of 1 if yes. |
| | Circumstances related to contract performance under which the procuring authority can encash/invoke the performance guarantee/ security | A score of 1 if yes. |
| | Timeline in which the procuring authority/ contract management authority must make payments once an invoice is submitted | A score of 1 if yes. |
| | Interest and/or penalties payable to contractors in case of delays in payment | A score of 1 if yes. |
| | Penalties enforced on the contractor for delays in TPI contracts in accordance with the agreed-upon contract timeline | A score of 1 if yes. |
| Contractor obliged to take out and maintain insurance on works, contractors' personnel, equipment, injury to persons and damage to property | A score of 1 if yes. | |

| Thematic area | What is measured | How it is scored |
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| Contract Management <i>(cont'd)</i> | Consequences for the procuring authority's/ contract management authority's default in performing its obligations (e.g., no payment) | A score of 1 if yes. |
| | The regulatory framework (including standard contractual clauses) expressly regulates the modification or renegotiation of the TPI contract (once the contract is signed) | A score of 1 if yes. |
| | Modification or renegotiation of the TPI contract requires approval from a government authority, other than the procuring authority is required | A score of 1 if yes. |
| | The regulatory framework specifically regulates circumstances regarding modification or renegotiation of the TPI contract: | A score of 0.33 if a change in the scope and/or object of the contract is expressly regulated. A score of 0.33 if a threshold for a new tender is expressly regulated. A score of 0.33 if a change in the investment plan or duration of the contract is expressly regulated. |
| | The procuring authority can unilaterally modify the TPI contract | A score of 1 if unilateral modification without approval from a government authority other than the procuring authority is not possible. |
| | The regulatory framework (including standard contractual clauses) expressly regulates circumstances that may occur during the life of the TPI contract | A score of 0.167 if force majeure is expressly regulated. A score of 0.167 if material adverse government action is expressly regulated. A score of 0.167 if change in the law is expressly regulated. A score of 0.167 if subcontracting is expressly regulated. A score of 0.167 if price adjustment/revision price of materials and services is expressly regulated. A score of 0.167 if sudden decrease/increase in material/service price are expressly regulated. |
| | The regulatory framework (including standard contractual clauses) allows for alternative dispute resolution mechanisms to address disputes arising from the implementation of TPI contracts | A score of 1 if yes. |
| | Arbitration available for disputes arising from the implementation of TPI contracts | A score of 1 if domestic and international arbitration is available as ADR. A score of 0.5 if only domestic arbitration is available as ADR. |
| | Arbitration awards enforceable by local courts | A score of 1 if yes. |
| | Other ADR available besides arbitration (i.e., mediation) | A score of 1 if yes. |
| | The regulatory framework (including standard contractual clauses) expressly establishes the grounds for termination of a TPI contract | A score of 1 if yes. |
| | The regulatory framework (including standard contractual clauses) also establishes the consequences for the termination of the TPI contract | A score of 1 if yes. |
| | Inspection of works after completion of construction contract | A score of 1 if yes. |

| Thematic area | What is measured | How it is scored |
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| Asset Management | Entity responsible for the management of the infrastructure asset (e.g., national highway/ expressway) or the government more broadly, developed a routine maintenance and improvements strategy/plan for existing infrastructure assets | A score of 1 if yes. |
| | Maintenance strategy/plan features: | A score of 0.33 if the maintenance strategy is published online. A score of 0.33 if the maintenance strategy is costed out. A score of 0.33 if the maintenance strategy is externally audited. |
| | Infrastructure assets registry/database | A score of 1 if yes. |
| | Infrastructure assets registry/database periodically updated | A score of 1 if yes. |
| | Infrastructure assets registry/database available online | A score of 1 if yes. |
| | Funding sources available to fund the operation and maintenance of infrastructure assets | A score of 0.33 if budgetary funds are available for the operation and maintenance of infrastructure assets. A score of 0.33 if tax earmarks are available for the operation and maintenance of infrastructure assets. A score of 0.33 if tolls/user fees are used for the operation and maintenance of infrastructure assets. |
| | Management mechanisms available for the operation and maintenance of infrastructure assets | A score of 0.2 if In-house operation and maintenance is available. A score of 0.2 if ad-hoc short-term maintenance/repair contracts are available. A score of 0.2 if long-term input-based maintenance contracts are available. A score of 0.2 if long-term output/performance-based maintenance contracts are available. A score of 0.2 if concession contracts are available. |