

SCOPE AND SPECIFICATION

**PNG POWER LTD
PPL'S PROSECUTION SUPPORT AGENTS**



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Introduction

Purpose

The purpose of this procurement is to outsource a Prosecution Support Agent for PNG Power Ltd (PPL).

The procurement objectives are that the suppliers and services selected:

- Provide a fit-for-purpose security service.
- Are managed under a clear contractual framework.
- Deliver Value for Money
- Are selected following the KCH ACT and PPL Procurement Policy

Scope

PPL requires

- PPL has been unable to successfully prosecute consumers who are caught stealing power.
- There is very minimal enforcement of the laws to deter power theft activities therefore the amount of energy/revenue loses is growing.
- It is therefore very critical that PPL invests its resources into strategies that strengthens and protects its revenue base.
- Below are stakeholders that will be involved in this project:
 - PPL project team [Revenue Protection Team/Meter Boxing]
 - PPL Legal Office
 - The contractor/prosecution support agent
 - Police prosecution team
- PPL project team will work with the agent to identify and prepare back bills to illegal customers.
- This team will ensure all necessary documents are recorded and kept for evidence purposes.
- The Agent will engage police on behalf of PPL to charge and prosecute the illegal consumer/customer.
- The agent's responsibility is to ensure the customer is successful persecuted and charged.
- PPL will pay 25% per cent of the value of customer back bill to agent as fees for service.
- Detail specifics of the roles and responsivities will be stipulated in the MOA.

Specification

- Identify potential Prosecution Agent for a pilot project in Port Moresby [other centres to be included where feasible].
- The Agent will work very closely with the PPL's Project team [including PPL's legal team]. Listed below are some brief description of roles and responsivities of the parties which will be included in the MOA.
 - PPL Project Team's Responsibilities;

- i. Conduct meter survey targeting high consumption customers
 - ii. If customer is identified to be stealing power, all documentation and evidences are compiled appropriately.
 - iii. This information is to be forwarded to The Agent for review within three [3] working days.
 - iv. Customer is advised to FIX meter connection issues identified through a default notice as per PPL policy.
 - v. PPL calculates and provide back bill notice to customer immediately after load test/assessment as per policy.
 - vi. Ensure customer pays back bills and correct invoices paid within specified/agreed timelines.
- o The Agent's Responsibility;
 - I. The PPL customer documentations and evidences are reviewed to determine appropriate actions against customer.
 - II. All cases are to be briefed/discussed through face to face meeting, phone or email with PPL's Chief Legal Officer or his delegate before proceeding to prosecution.
 - III. Liaise with respective GoPNG agents such as Police, IPA, IRC, Immigrations etc. To further strengthen the enforcement of both criminal and civil charges against the customer.
 - IV. Provide weekly progress reports on all cases via respective medium of communications that is agreed by all parties to the GMR and CLO.
- The Agent's fee determination;
 - o PPL will pay a one-off payment of 25% of the total value of Back Bill charged to respective customers based on the condition that all the following requirements are met;
 - i. Customer accepts in writing to pay the total agreed back bill value.
 - ii. Customer starts paying more than 25% of the value of back bills as initial payment if a payment plan is agreed.
 - iii. Initial steps have been taken to charge and prosecute customer in the court of law.
 - iv. The court decision on the outcome or the completion of the case will not necessarily determine the payment as long a item [i] to [iii] above are met/addressed.
- This pilot project will reach completion after back bill of first 200 customers are effectively executed or reach three [3] months duration depending on which one comes first.
- A performance review will be conducted in conjunction with The Agent to determine next step. PPL management and or Board will determine next step post the presentation of the performance.

Mandatory Requirements

1. Registered business/company in PNG – IPA Certificate

2. Certificate of Compliance
3. Agent must have more than five years' experience in the PNG legal system litigation.
4. The agent or its lead staff must be a current member of professional association/body such as CPA, Law Society etc...

Suppliers must comply with the PPL Supplier Code of Conduct

Term of Agreement

This initiative will run for six [6] months or completion of 200 customers [targeted] prosecuted. However, the term is subject to extension based on performance reviews.

Delivery timetable

Start: As soon as possible

Finish: Depend of Term of Agreement

Training, service, support and warranties

PPL will provide training to Agent in;

1. Technical reports and evidence compilation during meter surveys.
2. PPL's technical teams to provide witness statements
3. PPL's internal processes such as calculation methodologies on back bill calculations.
4. Roles and responsibility [Do's and Don'ts] i.e. contractor Vs PPL

Key performance indicators

1. Illegal customer is served legal documents with-in three [3] working days.
2. Successful prosecution of cases through Agent's partnerships with respective stakeholders
3. Agent delivers written commitment from customer on payment of back bills
4. Customer is paying back bills to PPL
5. PPL paying Agent its agreed commission in a timely manner

Reporting Requirements

The Agent will report directly to General Manager Retail or its delegate.

A weekly progress report must be submitted by the last working days of each week.

The report must include details of customer, completed tasks during the week, plans for next week, key challenges/opportunities and recommendations [if any].

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