PPP Policy Committee Notification: Criteria, Methods and Conditions for Private Party Selection, B.E. 2563 (2020)

English machine translation (DeepL, Aug 2026) prepared for the PIM policy repository from the Thai text. Not an official translation — the Thai original is authoritative.

Announcement of the Public-Private Partnership Policy Committee Regarding the Criteria, Procedures, and Conditions for Selecting Private Sector Entities B.E. 2563

Whereas it is appropriate to establish the criteria, procedures, and conditions for the selection of private sector entities for public-private partnership projects Pursuant to the authority granted under Section 20(8) and Section 32, second paragraph, of the on Public-Private Partnerships B.E. 2562, the Public-Private Partnership Policy Committee hereby issues the following proclamation Section 1 This Announcement shall be known as the “Announcement of the Public-Private Partnership Policy Committee Regarding the Criteria, Procedures, and Conditions for the Selection of Private Sector Entities, B.E. 2563” Section 2 This Announcement shall take effect on the day following its publication in the Royal Gazette Section 3 In this Notice “Proposal” means a proposal for investment in a joint venture project “Selection Committee” means the Selection Committee established under Section 36 of the Public-Private Partnership Act B.E. 2562 and pursuant to the Announcement of the Public-Private Partnership Policy Committee issued under Section 9 of the Public-Private Partnership Act B.E. 2562 “Proposer” means a private entity, whether a legal person or a natural person, that has submitted a proposal and shall include all private entities that have jointly submitted a proposal in cases where the proposal is submitted by a group of legal persons Section 4 When the project owner has proceeded in accordance with Section 35 of the Act on Public-Private Partnerships B.E. 2562 or in accordance with a notice issued by the Public-Private Partnership Policy Committee pursuant to Section 9 of the Act on Public-Private Partnerships and Private Sector Partnership Act B.E. 2562, and the Selection Committee has approved the draft invitation to bid, the draft documents for the selection of private sector partners, and the draft public-private partnership agreement, the project owner shall to publicly announce the invitation to bid at least sixty days prior to the date of opening the proposal envelopes from bidders, using at least the following channels: (1) Publication on the project owner’s information network (2) A notice posted at the offices of the project owner agency (3) A notice broadcast on radio or television stations with nationwide coverage for at least three days Page 28 Volume 137, Special Issue 138, Section G, Royal Gazette, June 12, 2563

(4) A notice shall be published in at least one widely circulated daily newspaper in the country for no fewer than three consecutive days. In cases where the project-owning agency and the Selection Committee deem it appropriate to include foreign private entities in the selection process, the project-owning agency shall issue a call for proposals by notifying the relevant embassy in Thailand and may also advertise through other means; provided that such procedures must be carried out within the timeframe specified in paragraph one Section 5 In cases where the Cabinet approves the use of a selection method other than competitive bidding pursuant to Sections 25 and 34 of the Public-Private Partnership Act B.E. 2562, or in cases where the Minister of the relevant ministry approves the use of a selection method for private entities without using tender procedures pursuant to the Announcement of the Public-Private Partnership Policy Committee issued under Section 9 of the Public-Private Partnership Act B.E. 2562, the project owner to disclose the list of selected private sector entities without a competitive bidding process and the reasons for selecting such entities, including the Cabinet resolution approving the selection or the approval of the relevant minister authorizing the use of the method of selecting private entities without a competitive bidding process, as appropriate, in accordance with the procedures and timeframes specified in Section 4 Section 6: In cases where the project owner deems it appropriate to conduct a pre-qualification review (Pre-qualification) of prospective bidders, and the Selection Committee agrees, the following procedures shall be followed: (1) The project-owning agency and the Selection Committee shall jointly establish clear criteria and procedures for the pre-qualification process (2) The project-owning agency shall issue a public notice inviting interested parties to submit documents demonstrating their qualifications to apply for pre-qualification no less than thirty days prior to the date set for opening the qualification documents of prospective proposers, in accordance with the procedures specified in Section 4 which must include at least the following items (a) The purpose of conducting the pre-qualification process (b) A summary of the key aspects of the joint investment project (c) Specifications requiring prospective bidders to provide evidence of their qualifications such as technical qualifications, financial capacity, experience, and track record of the prospective bidders or other details as determined by the project-owning agency and the Selection Committee (e) The criteria and procedures for evaluating and selecting pre-qualified bidders as specified in (1) Page 29 Volume 137, Special Issue 138, Section ง, Royal Gazette No. 12, June 2563

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(g) Location, Date, and Time: Opening of the submission period; closing of the submission period and opening of the qualification documents of prospective bidders (h) Reservation of the right to cancel the pre-qualification process (3) The Selection Committee shall review the completeness of the qualification documents submitted by prospective proposers, which must at a minimum include the details specified in the notice regarding the pre-qualification process in accordance with (1) (4) Once the pre-qualification process has been completed, the project owner shall publish the list of pre-qualified bidders for public notice for no less than thirty days, in a manner deemed appropriate by the project owner (5) The project owner shall issue a call for proposals to those selected as pre-qualified at least forty-five days prior to the date set for opening the proposal envelopes of proposal submitters Section 7: Once the deadline for receiving proposal envelopes has passed, the project owner and the Selection Committee shall not accept proposal envelopes or other supporting documents as specified in the invitation to bid from proposal submitters or any other person Section 8 The Selection Committee shall conduct the selection of proposers as follows: (1) Open the proposal envelopes publicly in the presence of the proposers or their representatives who are present at the time of opening the proposal envelopes (2) Verify the bid bond (3) Verify the eligibility of the proposers and various documents (4) Evaluate the proposer's proposal in accordance with the criteria specified in the invitation to bid. The Selection Committee may request additional information from any proposer, but shall not permit any proposer to make any material changes to the content of the proposal that has already been submitted If the Selection Committee deems it appropriate, the Selection Committee and the may negotiate with more than one bidder who has passed the evaluation for the purpose of selection, but in no case shall the number exceed two (5) Review the results of the negotiations conducted by the Selection Committee and the project owner with the bidders who have passed the evaluation under (4) to ensure the best interests of the State and the best interests the joint investment project Section 9: In the event that no proposals are submitted or no proposals pass the evaluation for the project's implementation, the project-owning agency shall once again solicit opinions from the private sector and carefully consider the matter 30 Lem 137 Special Edition 138 G Royal Gazette June 12, 2563

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Review the documents for the private sector selection process and submit them to the Selection Committee for consideration and issuance of a new invitation to bid. In this regard, if it is necessary to amend the documents for the private sector selection process and the project owner and the Selection Committee, after review, determine that such amendments may affect the principles of the joint venture project previously approved by the competent authority, the project owner shall submit the matter to the competent authority for reconsideration Section 10: The Office shall have the authority to establish guidelines for implementation in accordance with this Announcement

Announced on May 28, B.E. 2563 Somkid Jatusripitak Deputy Prime Minister Chairman of the Public-Private Partnership Policy Committee Page 31 Issue 137 Special Edition 138 G Royal Gazette June 12, 2563

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