

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<ul style="list-style-type: none"> ➤ 6 -9 (10 Marks) ➤ > 10 (20 Marks) 		
			<p>B: Relevant Project Experience, S.No.-B2</p> <p>Number of projects with Indian Ministry or Public sector companies / enterprises / undertakings, on topics of Strategic roadmap and Business plan development, Profitability improvement, Operations, Organization and Processes Strengthening and Large Project Management. Assignments should be of a minimum equivalent value of USD 1Mn (Rs 6.5 Crs). Projects need to be self-certified by the authorized representative.</p> <ul style="list-style-type: none"> ➤ 2-5 Project (3 Marks) ➤ 6 -9 (6 Marks) ➤ > 10 (10 Marks) 	<p>We suggest to include port projects related to private sector also</p> <p>We also suggest to modify the marking criteria as follows:</p> <ul style="list-style-type: none"> ➤ 1 Project (3 Marks) ➤ 2-3 (6 Marks) ➤ > 3 (10 Marks) 	Tender condition prevails.
			<p>B: Relevant Project Experience, S.No.-B3</p> <p>Number of implementation / transformation /program management projects in India or Iran, with equivalent value of at least Rs. 6.5 Crore/ USD 1 Mn, in last 5 years. Projects need to be</p>	<p>We suggest to modify the marking criteria as follows:</p> <ul style="list-style-type: none"> ➤ 1 Project (3 Marks) ➤ 2-3 (6 Marks) ➤ > 3 (10 Marks) 	Tender condition prevails.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			selfcertified by the authorized representative. ➤ 1-5 Project (3 Marks) ➤ 5-10 (6 Marks) ➤ > 10 (10 Marks)	
4	3	3	Due to National holidays in coming week (i.e Independence Day, Raksha Bandan, etc.) some of our key persons are out of station. In lieu of above we request you to please extend the Proposal Submission date by 30 days i.e. upto 22nd September 2016.	Submission date extended to 14 th September, 2016 on same time.
5	3	3	<u>Receipt of offers on or before 3.00pm (1500hrs) on 22/08/2016</u> We kindly request an extension of time for the submission of tenders till 2 September 2016 on or before 3:00 PM (15:00 hrs).	Submission date extended to 14 th September, 2016 on same time.
6	/3	8Each member of the association of consultant shall be evaluated as per the qualification/eligibility criteria set forth in Part II of Section 2. The combined score of the each member of the association of consultant shall be taken into account for evaluation purpose.... Please clarify if the combined list of projects delivered by all consortium partners for B1, B2 and B3 categories of projects mentioned in Section 9B of RFP shall be evaluated for the scoring purpose e.g. if a consortium has two partners and each have delivered previously 5 projects meeting the specified criteria that number of projects 10 shall be considered for the purpose of scoring	Yes, for consortium all the projects will be added for eligibility/evaluation criteria. Refer to clarification at Sr 1.
7	9D/2	30should be the employee of the firm for at least 3 years. Please clarify if the bidder is a consortium the team member can be a full time employee of any of the consortium members having worked for the company for minimum 3 years.	Yes, for any of the consortium.
8	/4.6	22All interactions will be through IPGPL representatives. Consultant can	It is expected that the Consultant will operate from India.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<p>(with approval of employer) subcontract a portion of the work on infrastructure assessment and visits to Iran to a third party.</p> <p>Please confirm if the consultant's team is expected to operate from outside Iran or is expected to field a team in Iran. Please confirm if IPGPL will operate from India or Iran.</p>	<p>However some key deliverables will require travel to Iran, which can be sub-contracted to third party with approval of the Employer. IPGPL is an Indian entity and will basically operate from India, but its officials will visit Iran as required. IPGPL will float a Project SPV in Iran.</p>
9	/2	22-23	<p><u>Key Deliverables and Time Frames</u> <u>...In case of non-submission of final report by the prescribed date the consultant has to refund the entire amount released by IPGPL together with penal interest @10%.</u></p> <p>Since the progress of a task and achievement of milestones is also dependent on the feedback of IPGPL on the predecessor task, please specify the maximum time limit (after which a deliverable will be considered accepted) for IPGPL to provide their feedback. Considering the timeline for various deliverables specified in RFP, we suggest the time limit for feedback by IPGPL should be 5 business days.</p> <p>Please provide the timeline for IPGPL to provide comments on draft report.</p>	<p>IPGPL will provide / grant information / approval to perform the services within fifteen days of the receipt of request for same, subject to the circumstances and conditions./ Please refer Annex-Amendments.</p>
10	9D/2	30	<p>3. “Should have an Engineering degree and a Masters degree in Management from a reputed and recognized University or Institution.”</p> <p>It is assumed that this key position is intended to cover issues related to the terminal operating system (TOS) for the proposed port terminals. That being the case we suggest that a degree in Electrical or Electronics Engineering is better suited to deliver the required outcomes for the project. The need for a Masters degree in Management as a requirement for this role is not understood, please explain this requirement.</p>	<p>Masters degree in Management is an option</p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

11	/12	34	<p><u>No definition of a Limit of Liability for the contract.</u></p> <p>Please confirm that the Consultant's aggregate liability to the Employer, arising out of the performance or non-performance of the Services, whether under the law of contract (including under any indemnity), tort (including negligence), statute or otherwise shall be limited to the extent permissible by law to the fees payable to the Consultant under this Contract.</p>	<p>Limited to the Consultant's fee payable for the present assignment.</p>
12	/12	34	<p><u>No exclusion of Consequential Losses for the contract.</u></p> <p>Please confirm that in no event will the Consultant be liable to the Employer for any claim, action, proceeding, loss, damage or cost that (i) in any manner relates to a loss of revenue, profits, opportunity or production, loss or denial of use of any equipment or facility, increased expense of construction, operation or maintenance, economic loss, loss of goodwill or reputation, delay, business interruption or the cost of repair to or replacement of equipment, facilities or goods and related third party services, or (ii) in any manner can be construed as indirect, incidental, special, punitive or consequential losses or damages.</p>	<p>As above in Sr 11</p>
13	/12	34	<p><u>No definition of the standard of care for the contract.</u></p> <p>Please confirm that the Consultant shall perform the Services in accordance with due skill care and diligence in accordance with the standard of care normally exercised by professionals providing similar services in similar circumstances, and where requirements in this Contract impose an obligation to ensure a result or outcome, or impose a standard or requirement in respect of the Services the Consultant must, in providing such Services, exercise the aforementioned standard of care, and having done so shall be regarded as having complied with the applicable obligation, standard or requirement in relation to the Services.</p>	<p>Accepted. Please refer Annex-Amendments</p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

14	/12	34	<p><u>No definition of provisions for Extension of Time for the contract.</u></p> <p>Please confirm that the Consultant shall be entitled to an Extension of Time under the Contract for events where the Consultant is delayed in the performance of the Services, which are beyond the control of the Consultant.</p>	IPGPL will consider and reserves the right to extend the time on the basis of the circumstances during that period. Please refer Annex-Amendments.
15	3	3	<p><u>We sincerely request you to extend the submission deadline by 3 weeks upto 9th September, 2016</u></p>	Submission date extended to 14th September, 2016, on same time.
16	6	26	<p><u>Bidder (s) to be an organization with a combined minimum turnover of more than INR 100 Crore on an average of last 3 years from consulting revenues</u></p> <p>Kindly reduce the minimum turnover to INR 20 Crore</p>	Tender condition prevails
17	6	26	<p><u>The bidder should have worked with at least 23 large ports (at least 50 MT per annum or 1 M TEU container traffic) internationally in the last 85 years on relevant assignments with work similar to the described scope as described in detailed scope of work section in “Terms of reference”.</u></p> <p>Kindly reduce the international experience of 2 large ports to 1 large port.</p>	Tender condition prevails
18	6	26	<p><u>Eligibility Criteria: Relevant Assignment is defined as business, operational and financial consulting assignments excluding preparation of DPRs, IT implementation, Forensic/Internal Audit/Risk Assessment and Transaction/M&A engagements. IPGPL reserves the right to validate the credentials.</u></p> <p>Scope of Work and manpower requirement indicates transaction support, project consulting including IT related suggestions. Hence, for the effective delivery of the project, the experience of IT advisory and transaction is very much necessary to establish Consultant’s ability to deliver the assignment. Also the inclusion of IT consulting would attract wider participation.</p>	Transaction assignment in port sector can be included in eligible assignment. However IT Consultancy cannot be considered Please refer Annex-Amendments

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			In view of the same, we request you to kindly consider transaction assignments and assignment related to IT advisory/consulting under the Relevant Assignment definition.	
19	7	26	<p><u>The Managing Director of the Consulting firm shall self-certify if the firm has done assignments on non-disclosure agreements. In such cases, broad details of the assignment has to be provided to ascertain relevance.</u></p> <p>The self-certificate is not a preferred industry practice, as it may be prone to misrepresentation. Hence, we request you to keep the criteria objective and uniform for all the Bidders, by not allowing self-certification.</p>	Tender condition prevails
20	7	26	<p><u>Copy of Contract/ work orders along with completion certificate</u></p> <p>The completion certificate may not be the only indication of the quality of work. Hence, we request the Authority that evaluation may be carried out based on the contract/work order.</p>	Tender condition prevails
21	9	28	<p><u>Relevant Project Experience</u></p> <p>The rationale for keeping Rs. 6.5 crore consulting fees as criteria for evaluation is difficult to understand, unless the Authority expects the value of the assignment at about Rs.6.5 crore.</p> <p>In India, only selected assignments with select agencies have such fees values. Hence, the present criteria may seriously affect the competition. It is requested to relax the consulting fees to Rs. 1 crore. This will ensure participation from a wide spectrum of firms and at the same time the competition is not restricted.</p>	Tender condition prevails

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			Further as a general practice; the consulting Fee should not be the only criteria for evaluation. The Authority is requested to also define the Relevant Project Experience in terms of project cost.	
22	9	28	<p><u>Evaluation of proposal, Criteria B-1 – International Ports projects</u></p> <p>Generally, the on-ground team working on the International port assignments as showcased by the firm is different that the team suggested for the project. Hence the international experience of the firm does not necessarily help establish the bidder’s competence for undertaking the assignment. In view of this, the criteria may only be restricted to 1 project to ensure that the Bidder has an international exposure and experience.</p> <p>Further, the Indian and International experience should not be evaluated on same parameters and it may not be fair to assign this category same number of marks as Indian experience. Hence, the number of projects and the marks for this category may be reduced.</p>	Tender condition prevails
23	9	30	<p><u>D. Qualification & competence of the key staff for the assignment: International Ports Expert</u></p> <p>Owing to long term nature of the assignments sought under the RFP, a professional with only 10 years of experience may be inadequate as an “international port expert”. Also, at present the marks for this professional are similar to the marks assigned for Project Director (15yrs. Exp.) or Team Leader (12 yrs. Exp.). This may be reviewed by the Authority.</p>	Tender condition prevails (Clause says minimum 10 years’ experience)
24	9	30	<p><u>Qualification of Project Director – Master’s Degree in Engineering / Business Administration from reputed and recognised University or Institution</u></p> <p>Please confirm if a Master’s Degree in Transportation Planning from a</p>	Please refer Annex-Amendments

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			recognised university/institution will also be considered as minimum qualification.	
25	9	30	<p><u>Qualification of Team Leader – Master’s Degree in Engineering / Business Administration from reputed and recognised university or institution</u></p> <p>Please confirm if a Master’s Degree in Transportation Planning from a recognised university / institution will also be considered as minimum qualification.</p>	Please refer Annex-Amendments
26	9	30	<p><u>International Port Expert- “Should be the employee of a firm in consortium for at least 3 years”</u></p> <p>The Authority is requested to relax the condition for the International Port Expert to be the employee of the firm for at least 3 years</p>	Tender condition prevails
27	9	30	<p><u>Project Director – “Should be the employee of a firm in consortium for at least 3 years”</u></p> <p>The Authority is requested to remove the condition for the Project Director to be the employee of the firm for at least 3 years.</p>	Tender condition prevails
28	9	30	<p><u>Team Leader –“Should be the employee of a firm in consortium for at least 3 years”</u></p> <p>The Authority is requested to remove the condition for the Team Leader to be the employee of the firm for at least 3 years.</p>	Tender condition prevails
29	9 Addl. clause	30	<p><u>Keeping in view the advisory & intellectual nature of services for the assignment, request you to kindly consider the inclusion of clause mentioned alongside</u></p>	Agreed in principle. Please refer Annex-Amendments

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			The Consultant shall continue to retain all pre-existing intellectual property rights in all software, designs, utilities, tools, models, systems and other methodologies and know-how that Consultant already owns or licences (“ Consultant Materials ”), including improvements to such Consultant Materials or knowledge developed while performing the services.	
30	9 Addl. Clause	30	<p><u>Keeping in view the advisory & intellectual nature of services for the assignment, request you to kindly consider the inclusion of clause mentioned alongside</u></p> <p>Except as otherwise permitted by the Agreement, neither IPGPL or the Consultant may disclose to third parties the contents of the Agreement or any information provided by or on behalf of the other that ought reasonably to be treated as confidential and/or proprietary including the Deliverables under the Agreement. Either of the parties may, however, disclose such information to the extent that it:</p> <ul style="list-style-type: none"> (a) is or becomes public other than through a breach of the Agreement, (b) is subsequently received by the recipient from a third party who, to the recipient’s knowledge, owns no obligation of confidentiality to the disclosing party with respect to that information, (c) was known to the recipient at the time of disclosure or is thereafter created independently, (d) is disclosed as necessary to enforce the recipient’s rights under the Agreement, or (e) must be disclosed under applicable law, legal process or professional regulations. 	Agreed in principle. IPGPL may be required to share with Govt. Agencies/Ministry and other associates in normal course of business as required to execute the contract. Please refer Annex-Amendments
31	9 Addl. Clause	30	<p><u>Keeping in view the advisory & intellectual nature of services for the assignment, request you to kindly consider the inclusion of clause mentioned alongside</u></p>	Not acceptable

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			Any information, advice, recommendations or other content of any reports, presentations or other communications we provide under this Agreement (“ Reports ”), other than IPGPL, are for IPGPL’s internal use only (consistent with the purpose of the particular Services) including IPGPL’s Board of directors, its audit committee, or its statutory auditors. IPGPL may not rely on any draft Report and the Consultant shall not be required to update its Final Report.	
32	9 Addl. Clause	30	<p><u>Request you to kindly consider the inclusion of clause mentioned alongside</u></p> <p>IPGPL shall not recover from the Consultant, in contract or tort, under statute or otherwise, any amount with respect to loss of profit, data or goodwill, or any other consequential, incidental, indirect, punitive or special damages in connection with claims arising out of this Contract or otherwise relating to the Services, whether or not the likelihood of such loss or damage was contemplated. IPGPL shall not recover from the Consultant, in contract or tort, under statute or otherwise, aggregate damages in excess of the fees actually paid for the Services that directly caused the loss in connection with claims arising out of this Agreement or otherwise relating to the Services.</p>	Liability related to the extent of Consultant fees. Please refer Annex-Amendments
33	9 Addl. Clause	30	<p><u>The assignment may require cross border coordination, hence, request you to kindly consider the inclusion of clause mentioned alongside for smooth delivery of services and ease of execution.</u></p> <p>IPGPL shall provide (or cause others to provide) to the Consultant, promptly, the information, resources and assistance (including access to records, systems, premises and people) that the Consultant reasonably require to perform the Services under the Contract, failing which the Consultant shall not</p>	Please refer Annex-Amendments

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			be responsible for any delay, loss or damage to IPGPL.	
34	Timelines & Schedules		<p><u>Receipt of offers on or before 3.00 PM(1500 Hrs) on 22/08/2016.</u></p> <p>We would like to submit that the given timeline of submission may not be adequate as it requires preparation of an exhaustive reponse. In view of the above, we request you to kindly extend the timeline for submission of the proposal by at least 21 days after issuance of clarification to pre-bid queries.</p>	Submission date extended to 14th September, 2016 on same time.
35	Timelines & Schedules		<p><u>In respect of timelines and schedules, it is submitted as under for your consideration:</u></p> <p>We appreciate the comprehensive scope of work involving preparation of business plan, assistance in infrastructure planning and procurement of equipment, strategic plan for onboarding partner for the project SPV and handholding in terms of organisation building and implementation support for IPGPL/SPV. This would require a multidisciplinary project team with sound technical knowledge (infrastructure planning), extensive experience in program management (managing bid process & partner identification), and valid regional expertise (for legal inputs & meeting expectations of Iranian partners).</p> <p>While RFP provides certain details, there is a requirement of clarifications on certain aspects, which were presented in the pre-bid meeting held on August 16, 2016 at your office. As these response / clarifications from IPGPL (to be provided) would be critical for formalisation / finalisation of the multidisciplinary project team, the existing timelines of submission of proposal within one week of the pre-bid meeting would be inadequate.</p> <p>We would request for an extension of the final submission to help us in</p>	Submission date extended to 14th September, 2016 on same time.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<p>finalising the proposal in line with the clarified requirements for this assignment. Thus the proposal submission may please be extended from existing one week after pre-bid meeting to three week after pre-bid meeting (i.e. September 06, 2016).</p> <p>We humbly request you to consider the above requirement and we would be glad to receive early response.</p>	
36	3.1-3.9	20	<p><u>Project SPV Partner</u></p> <p>a) Our understanding is that only 1 Project SPV partner needs to be identified for the two terminals. Please confirm</p> <p>b) Can the role of Project SPV partner for which the selection process needs to be conducted, be more detailed out? Current information on this account is limited.</p>	<p>Consultant has to identify one or two SPV partners. Keeping in mind that it has to operate in Iran as per Iranian law, may be one Indian and other Iranian partner, may be the best option.</p> <p>Role/scope and functions will be recommended by the bidder under business plan, which is deliverable.</p>
37	2	22	<p><u>Project Operating Model</u></p> <p>What would be the Operating model adopted on the project:</p> <p>a) During Year 1 (First 12 months)</p> <p>b) During Year 2 (implementation and infrastructure commissioning phase)?</p> <p>Please provide more details on the number of approvals required for deliverables, the timeline of such approvals, the expected team size from IPGPL, the designations of the members, etc.</p>	<ul style="list-style-type: none"> • Consultant will recommend same in the business plan which will be finalised after discussing with IPGPL • Approvals will take maximum 15 days. (Refer Sr 9). • Team size of IPGPL members will be decided as per the final business plan.
38		17-18 Pt.1.2 20 P5.2, 5	<p><u>Liaising</u></p> <p>a) Please detail the expectations from the selected consultant with respect to Liaising with various agencies, viz. Ministry of Shipping, Concerned authorities like Port & Maritime Org., Customs Org. & ABI.</p> <p>b) What is the expectation from the consultant with respect to assisting in legal / Custom / regulatory Clearances?</p>	<p>Winning bidder or his Representative will have to liaise with Iranian statutory authorities and the Lessor as required.</p> <p>e.g. (i) Port Equipment will be imported and has to be cleared through local custom authorities. This requirement will emerge clear when detailed Business Planning is done.</p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

39		23	<p><u>Bonus and Penalty Clauses</u> We have noted the penalty clauses for late submission of project deliverables. We request IPGPL to consider equivalent bonus clauses in their contract terms to offset the amount liable on account of penalties.</p>	Tender condition prevails
40		12 Pt.10	<p><u>Taxation</u> We are assuming that the taxes to be considered are for India geography only. Please confirm if taxes for any other region outside India needs to be considered (for e.g. Iran geography)</p>	All applicable taxes (in India and abroad) need to be considered.
41		8 Pt.3	<p><u>Scoring Methodology</u> It is mentioned that each member of the association of consultant shall be evaluated as per the qualification/eligibility criteria set and the final combine score will be arrived from the individual evaluation. Please elaborate on the mechanism that will be followed to combine the scores of the individual consultants.</p>	All the Consultant/Sub-Consultant/Consortium will be combined. Please refer clarification to Sr.no.1.
42		13 Pt.12 51 Annex.1	<p><u>Earnest Money Deposit</u> Refer Page 13, Point 2-it is mentioned that the Earnest Money Deposit (EMD) shall be INR 5,00,000. However, in the Checklist for Documents(Annexure 1, Pg.51), the EMD amount is mentioned as INR 2,50,000. Please clarify the correct EMD amount.</p>	Error is regretted. EMD shall be INR 5,00,000 and will be rectified on page-51. Please refer Annex-Amendments.
43		25 Pt.2	<p><u>Confidentiality Clause</u> As part of submitting a firm response to the RPF requirements, we shall present many offerings and details which form part of our intellectual property. We request IPGPL to maintain the confidentiality of such information and use discretion in sharing this information with other parties.</p>	Please refer clarification at Sr.no.30
44		30 Sr.1	<p><u>Roles and Responsibilities</u> We have noted the requirement of an International Ports Expert as part of the staffing team.</p>	This is Consultant discretion to decide as it is a part of deliverables.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			Please clarify the nature of staffing of the role – full time or part time.	
45		30 Sr.3	<u>Roles and Responsibilities</u> We have noted the requirement of a Technology Expert as part of the staffing team. Please provide more details on the expected responsibilities that need to be fulfilled by this member.	To select and implement Information & Communication Technology solutions for operation of both terminals.
46		32 Pt.10	<u>Provision of Agreement</u> The RFP refers to an agreement between IPGPL and ABI. Can IPGPL provide a copy of the agreement? It will help us in refining our response to the RFP in terms of project requirements, scope of infrastructure planning, site activities, etc.	Agreement copy will be share with the successful bidder.
47	Eligibility Criteria: PQ1	26	<u>Size and Financial Solvency:</u> <u>Bidder (s) to be an organization with a combined minimum turnover of more than INR 100 Crore on an average of last 3 years from consulting revenues.</u> Propose that the bidder should have a combined minimum turnover of more than INR 200 Crore on an average of last 3 years from management consulting revenues. IT / Audit advisory revenues to be excluded	Tender condition prevails
48	Timeline s and Schedule	16	<u>Receipt of offers on or before 3.00 pm (1500 Hrs) on 22/08/2016</u> We request the deadline for the submission of offers to be extended by 2 weeks to 05/09/2016	Submission date extended to 14th September, 2016 on same time.
49	Marking methodology:	32	<u>Financial Score: (Y)</u> <u>The bidders shall submit their quote as per the format provided. The Financial proposals shall be evaluated on the basis of total lump sum charges offered by the bidder to Indian Ports Global Private Limited for a period of 12 months. The consulting fees for year 2 will be assumed to be the same financial quote as made for year 1 (first 12 months). Any</u>	Tender condition prevails

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<p><u>monetary figure in decimal shall be rounded off to the nearest INR.</u></p> <p>Propose to change to 'The consulting fees for year 2 to be budgeted to increase by 5-6% as per inflation from the financial quote as made for year 1 (first 12 months)'</p>	
50	Objective of Assignment 1.2 (3)	18	<p><u>The selected consultants will have to coordinate closely with the teams of IPGPL, the Ministry of Shipping, concerned Iranian authorities like Port and Maritime Organization, customs organization and ABI to achieve above objectives.</u></p> <p>We understand IPGPL through ABI is responsible for dealing with the stakeholders in IRAN (power authorities, roads/rail authorities, water authorities, municipality, etc.) and permits coordination with the assistant from the Consultant. Please clarify.</p>	PI refer to clarification at Sr 38.
51	Support in Infrastructure planning, equipment procurement and commissioning 2.1	19	<p><u>"The consultant will assist IPGPL through the tender process for procurement and commissioning of equipment. This will include preparing tender documents including various schedules in accordance with applicable guidelines."</u></p> <p>Are these tenders taking place in India or Iran? Shall the Consultant participate in the tender process in Iran or only behind IPGPL in India?</p>	The tender process will take place in India. Consultant will help in running the tender process. However Consultant is responsible till commissioning of equipment and other utilities at site.
52	Support	19	<u>The consultant will prepare tender documents and assist IPGPL in</u>	

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

	in Infrastru cture planning, equipme nt procure ment and commiss ioning 2.3		<p><u>tendering and on boarding an engineering firm for onsite assessment of the design including the storm water drainage system, network of electric cables/communication cables, fire-fighting pipe lines and waters supply/sewerage pipe lines, the RCC ducts to accommodate these utilities (underground or over ground) inducing the road crossings or RTGC path crossings or inter service lines crossings at various 20 locations, design of furniture requirement, partitioning, heating and cooling systems in the Administrative block of 500 Sq Mtr to be provided by ABI.</u></p> <p>We request if the current project status in terms of the design of the project can be shared with us before the submission date</p>	<p>The jetties are 80% ready. Back up area, paving etc is in hand. Detailed design for assessment will be shared with the winning bidder to ensure compatibility of the Port equipment with the infrastructure.</p>
53	9-B3	29	<p><u>Number of implementation / transformation /program management projects in India or Iran, with equivalent value of at least Rs. 6.5 Crore/ USD 1 Mn, in last 5 years. Projects need to be self-certified by the authorized representative.</u></p> <p>Considering the nature of the project, this particular project not only requires the expertise of business consulting but also requires the expertise of technical consulting in various disciplines of port, infra & transportation sector. Hence, we kindly request IPGPL to consider the firms experience in terms of Project Management Consultancy (PMC) in ports, infrastructure and transportation sector in India. Kindly requesting IPGPL to revise the clause as "" B3- Number of implementation / transformation/program/ Project management projects in ports, infrastructure and transportation sector in India or Iran, with equivalent value of at least Rs. 6.5 Crore/ USD 1 Mn, in last 7 years.</p>	<p>Tender condition prevails.</p>
54	9-A1	28	<p><u>Annual turnover in FY15-16 from consultancy business in India</u></p>	<p>Tender condition prevails</p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<p><u>Rs. 100 – 250 Cr (3Marks)</u> <u>Rs. 250 – 400 Cr (6Marks)</u> <u>Rs. >400 Cr (10Marks)</u></p> <p>Kindly note, most of the larger firms showcase the turnover of the group companies and their global turnover which includes the business revenues from all the verticals and all countries put together. Kindly requesting IPGPL to give a fair chance to the domestic consultants also. We kindly request IPGPL to kindly revise the clause to</p> <ul style="list-style-type: none"> □ Rs. 30- 50 Cr (3Marks) □ Rs. 50 – 100 Cr (6Marks) <p>□Rs. >100 Cr (10Marks)</p>	
55	8	10	<p><u>While preparing the Technical Proposal, if a Consultant considers that it may enhance its expertise for the Assignment/job by associating with other Consultants in sub-consultancy, it may associate with a Consultant who has not been technically qualified as a part of the application process of this RFP.</u></p> <p>Considering the nature of the work and the strategic importance WRT working in IRAN, We kindly request IPGPL to consider the experience of the firms & key personal of the consortium & sub- consultants also and modify the clauseas:</p> <p>“While preparing the Technical Proposal, if a Consultant considers that it may enhance its expertise for the Assignment/job by associating with other Consultants in sub-consultancy, it may associate with a Consultant who has not been technically qualified as a part of the application process of this RFP</p>	Please refer clarification at Sr 1

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			and the credentials of the firms	
56	2,11	22,33	<p><u>4. Strategy and model for SPV partner selection/business model</u></p> <p><u>Placing order for cargo equipment – T + 4 months – 10%</u></p> <p>The clause WRT “strategy and model for SPV partner selection / business model” & “Placing order for cargo equipment” is a independent work by nature, hence kindly requesting IPGPL to change the clause accordingly. i.e either of the stages can be separately shown.</p> <p>4.1 - Strategy and model for SPV partner selection/business model- 5%</p> <p>4.2- Placing order for cargo equipment- 5%</p> <p>Or clause to be revised as suitable to IPGPL.</p>	Accepted. Clause 11 payment terms Sr.no.4 can be segregated to 4.1- 5% and 4.2-5%. Please refer Annex-Amendments
57	General clause-wrt submission of the Bid		<p><u>As per the RFP, submission date is 22-August- 2016</u></p> <p>Considering the nature of the expertise required and in order to bring in the global expertise and to complete the JV it takes a minimum of 20 days. Kindly requesting IPGPL to extend the submission date by another 20 days.</p>	Submission date extended to 14th September, 2016 on same time.
58			Kindly grant extension of submission preferably until 16 th September, 2016	Submission date extended to 14th September, 2016 on same time.
59			Request your goodself to kindly extend the date of submission of proposal upto 9 th September, 2016	Submission date extended to 14th September, 2016 on same time.
60	B1/B2/B3	28/29	Project Equivalent Value refers to Consultants Fees or Project Value	Please refer clarification at Sr 11.
61	B3	29	This refers to Projects only in India or Iran, Can this not be International Projects across the globe?	Requirement of International port project experience is already there in B1

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

62		30	<p>Technology Expert why the Masters degree? Why is the experience required of 7 years in IT Consulting? Can this not be engineering consulting</p> <p>For all positions is Bachelor's degree not sufficient?</p>	<ul style="list-style-type: none"> • Masters degree will be preferable not compulsory. • Technology expert related to software/IT hence require experience of IT projects. Refer Sr No. 45
63	9-B1/2	28	<p>Number of International projects related to business plan development, pricing, operations bench marking, investment strategy in Port with project equivalent value of at least \$1M (Rs. 6.5 Crore) in last 8 years</p> <p>We request the Authority to please remove the criteria of project fee from this category. For the nature of projects asked for under this category, the consulting fee is usually much lower than what is asked for. Thus, most of the projects which require similar expertise or have similar complexities involved cannot be considered under the current criteria. Further, considering the number of projects required for maximum scoring under the category, this condition is very restrictive. We therefore request the Authority to please revise the criteria to:</p> <p><i>Number of International projects related to business plan development, pricing, operations bench marking, investment strategy in Port in last 8 years</i></p>	Tender condition prevails.
64	9-B2/2	28	<p>Number of projects with Indian Ministry or Public sector companies/enterprises/undertakings, on topics of Strategic roadmap and Business plan development, Profitability improvement, Operations, Organization and Processes Strengthening and Large Project Management. Assignments should be of a minimum equivalent value of USD 1Mn (Rs 6.5 Crs)</p> <p>We request the Authority to please relax the criteria of project fee in this category. We have worked on several large and complex engagements with central/state government agencies across infrastructure sectors and involving</p>	Tender condition prevails.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			multiple advisory areas. However, most of the projects awarded to consultancies are of lesser value than what is specified in the RFP. Considering the number of projects required for maximum scoring under the category and the minimum project fee specified, this condition is very restrictive. We therefore request the Authority to please revise the criteria to: <i>Number of projects with Indian Ministry or Public sector companies/enterprises/undertakings, on topics of Strategic roadmap and Business plan development, Profitability improvement, Operations, Organization and Processes Strengthening and Large Project Management. Assignments should be of a minimum equivalent value of Rs 1 Cr</i>	
65	9-B3/2	28	<p>Number of implementation / transformation /program management projects in India or Iran, with equivalent value of at least Rs. 6.5 Crore/ USD 1 Mn, in last 5 years</p> <p>We request the Authority to please relax the criteria of project fee in this category. We have worked on several large and complex engagements with central/state government agencies across infrastructure sectors and involving multiple advisory areas. However, most of the projects awarded to consultancies are of lesser value than what is specified in the RFP. Considering the number of projects required for maximum scoring under the category and the minimum project fee specified, this condition is very restrictive. We therefore request the Authority to please revise the criteria to: <i>Number of implementation / transformation /program management projects in India or Iran, with equivalent value of at least Rs. 1 Cr in last 5 years</i></p>	Relaxed to in last 8 years. Refer Annex- Amendments.
66	8/1		The Financial Proposal shall be prepared using the attached Standard Forms (Section 3). The financial proposal will be submitted only for year 1 (first 12 months) of the assignment. The financial for year 2 will be assumed to be the same financial quote as made for year 1 (first 12	Please refer Sr No 1 Annex-I:Amendments

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

		<p>months).</p> <p>The scope of work in year 1 & 2 are different in nature and would require different levels of deployment of resources to undertake various activities. We therefore request that financial quotes for Year 1 & 2 should be submitted separately as the cost to be incurred by the consultants in providing its services in these years would be different and hence an equal fee would not be practical.</p>	
67	2/2	<p>Year 2 Deliverables Project management status report on implementation monitoring, tracking and status against target initiatives</p> <p>Request the Authority to please clarify the activities to be undertaken under the project management in terms of procurement projects and SPV partner selection</p>	Please refer Cl 4 at page 21.
68	2/2	<p>Year 1 Deliverables Draft Final Report (T + 10 Months) Project management status report Final Report (T + 12 Months) Project management status report</p> <p>Request the Authority to please clarify whether the deliverables will be time bound irrespective of the timeframe for the individual transaction advisory work</p>	Yes.
69	2/2	<p>There will be a penalty @ 0.5% of the total value of work awarded for every week of delay in non- achieving the milestones of work order unless such delay is duly approved by IPGPL. The maximum penalty will be 10% of the total value of contract. In case of non-submission of final report by the prescribed date the consultant has to refund the entire amount released by IPGPL together with a penal rate of interest @ 10%.</p>	Please refer Sr No. 10 of Amendments in Annex-I.

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			While we understand that adhering to project timelines is critical, the condition of refund with interest of entire amount on delay of the final report submission is too harsh. This kind of criteria is not asked for by other government agencies in similar consulting engagements and we request the Authority to please remove this clause.	
70			<p>In part I, scope description “3.Strategy and tendering process for on-boarding project SVP partner” we would like to understand the requirements in more detail.</p> <p>a. The requirements for a strategy and stakeholders are clear. However, draft documents for partner selection are due at T+6 months. Who will provide and is responsible for the legal aspects of these documents? Is the consultant supposed to include legal advice or is that the responsibility of IPGPL? In other words, will the selected Consultant provide to IPGPL certain parts of these documents, while IPGPL will retain final management of compiling the documents?</p> <p>b. There is no description of a deliverable in the SPV partner process after this point in time. What does IPGPL envisage subsequently? Point 3.4 does list tasks for the process, is it foreseen that the process finishes in year 1?</p>	<p>a. Formation of SPV, its registration as per Iranian law and associated formalities are not in the scope of the bidder.</p> <p>b. Please refer clarification above.</p>
71	4/2-Part-I	21	<p>In part I, scope description “4.project management, organization building and implementation support for IPGPL and SVP”</p> <p>a. 4.3 - requires assistance in meetings and discussions. Can IPGPL indicate the frequency/expectations for this?</p> <p>b. 4.4 – which policies does this refer to?</p>	<p>a. The frequency cannot be predicted at this juncture.</p> <p>b. The policies refer to the policies, guidelines and tariff structure of PMO and Agreement provisions with ABI</p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

		<p>c. 4.6 – what operations manuals and sop’s is referred to here? Is the consultant required to deliver operating manuals and sop’s for the 2 terminal operations?</p>	<p>along with all the annexures. c. It means Operations manuals / SOPs for Container & Multi-Purpose Berth, HR Policies/Procedures, Financial Rules, Procurement & Works Manual, Maintenance Manual etc. complying to law of the land and for finally achieving Integrated Management System (QMS, EMS & OHSAS).</p>
72		<p>Section I, point 5 – financial proposal. a. Is it correct to assume that for year 2 the fee is equal to the proposed fee for year 1 – scope 4 (project management) or should a separate fee be indicated here?</p>	<p>Please refer clarification to Sr No 66 above.</p>
73	9/2-Part-II	<p>Part II, section "9 – evaluation of proposal" outlines a number of qualifications to which we have some comments and suggested changes. a. B1 requires project experience in Ports similar to this assignment. The minimum project fee of usd 1 million appears out of context. Consultancy contracts related to preparation of business plans, benchmarking and investment strategy projects in general are closer to USD 100,000, even for project investments which are in the hundreds of millions of USD. It is therefore felt that the requirements as included in the RFP are not realistic and cannot be met by even the most prominent and experienced international ports consultants in the world. We therefore suggest to align the minimum requirements to levels which are more realistic. b. B2 – same as B1 c. B3 – project experience in Iran would indeed be very relevant. The last 5 years, however, due to international sanctions no considerable projects in the maritime sector have been delivered. Also the usd 1 million fee (both in India or Iran) appears less realistic. d. Section C has a small remark on a presentation to the evaluation</p>	<p>a. Tender condition prevails. b. –do- c. <i>Relaxed to 8 years. Pl see Sr 65</i> d. <i>This will be part of evaluation and the presentation has to be given within two weeks after opening of the bids.</i> e. <i>Please refer clarification to Sr No 45 & 62 above.</i></p>

Annex-II : CLARIFICATIONS TO PRE-BID QUERIES:TENDER FOR Appointment of Consultant for Project Management and Advisory Services for Equipping and Preparation of Two Terminals at Shahid - Beheshti - Chabahar Port

			<p>committee. Can IPGPL please advise what is expected here and in what timeframe?</p> <p>e. Position S3 – technology expert – a combination of 7 years IT projects as well with a master degree seems too high (and less relevant) a requirement for the team that is needed for the port strategy and partner tendering. Perhaps this can be changed in to a more operationally focused profile with relevant years of experience in the terminal business</p>	
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