

Response to Queries

Sr. No.	Reference to RFP	Clause	Queries / Clarifications	Authority Response
1.	Page No. 11 Empanelment Criteria Point 5.0 PPP Projects	The Project Qualified for Experience shall be of minimum value of Rs. 50.00 Crore.	<p>Given the Nature and Scope of the assignment, the evaluation criteria should give more weightage to following elements as,</p> <ol style="list-style-type: none"> 1. Sector coverage 2. comprehensive scoping of TA mandates which includes Bid Process management 3. Successful closures of mandates by the consultant <p>Rather than Project Value as in the current provisions of empanelment document.</p> <p>Therefore, we request you to kindly change the minimum project value for qualified experience to 10.00 Crore.</p>	No change proposed.
2.		Minimum Project Value	<p>As the standard practice goes, the past project experience of bidders is escalated to arrive at present values which is the true reflection of project size experience by bidders.</p> <p>So, therefore, we suggest to provide escalation factor on per annum basis to be applied to all past experiences of bidders to arrive at the present value.</p>	No change proposed.
3.	Page No. 11 Empanelment Criteria Point 5.0 PPP Projects	Minimum number of completed PPP assignments	Since, the empanelment document has elaborate scoring and evaluation framework, the prequalification for completed PPP assignments could be lowered to 2 instead of 4 (Please note Your earlier empanelment document in year 2013 had sought 3 PPP completed assignments)	No change proposed.
4.		Completed PPP Assignments	Given the challenges, time taken beyond what is envisaged in the bid document and multiplicity of decision	No change proposed.

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			<p>making government agencies / departments involved.</p> <p>Transaction Advisory mandates reaching the stage the BPM are construed as provisionally completed experience up to this stage any Transaction advisor is supposed to have completed feasibility, Commercial structuring drafting of bid documents including Draft concessionaire agreement and calling of bids as the practice goes, provisionally completed experiences of bidders are taken as Eligible Experience for evaluation. So, therefore, we request you to consider projects under BPM stage as Eligible Completed PPP Assignments.</p>	
5.	Section3: General Terms & Condition for Evaluation	<p>Clause no.3.1(Pt.4):Human Resource</p> <p>The Applicant should not have less than10 Full Time Equivalent (FTE) Professional Staff providing Transaction Advisory Services. Out of this at least 3 should be 'Legal Experts'.</p>	<p>In providing Transaction Advisory Services to the Authority, the major scope of work includes Technical and Financial Advisory. However, the role played by Legal Experts comes into picture after completion of the Techno-Commercial Viability study has been completed and revolves around Contract Documentation and Legal Vetting.</p> <p>It is not a convention of employing Legal Experts on a full time basis rather to have an association with a well reputed Legal Firm to provide optimum services to the Client.</p> <p>We request DIF (GoMP) that association with a Legal</p>	<p>Clause 3.1 Sr. No., Human Resource will be read as below:</p> <p>The Applicant should not have less than 10 Full Time Equivalent (FTE) Technical Professional Staff providing Transaction Advisory Services. Out of this at least 3 should be 'Legal Experts'.</p> <p>Note: Applicants should provide list with Names and Positions of FTE professional staff along with qualifications and brief particulars of experience indicating FTE position by Division. In addition, the respondent should provide an Organizational structure of the firm /consortium members, as applicable, duly certified by the Authorized Signatory. Please refer to Addendum -1</p> <p>Please refer to Clause 1.1.13 of Section-1, Invitation for</p>

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6.	Section 3: General Terms & Condition for Evaluation	Claseno.3.1(Pt.5):PPP Projects	<p>Firm is allowed and the said condition be relaxed.</p> <ol style="list-style-type: none"> 1. We kindly request DIF (GoMP) to clarify whether Transaction Advisory services provided for eligible project based on same Concession Agreement shall be considered as one project or each project shall be given separate weighted. 2. Also kindly clarify the methodology for establishing the project cost for ongoing projects. 	<p>Proposals.</p> <p>One Concession Agreement will be treated as one project.</p> <p>Please refer Clause 5.2.</p>
7.	Section 5: Criteria For Evaluation	Clause no.5.2(BI): Financial Competence	We request DIF (GoMP) to kindly relax the Incremental marking system for assessing the Financial competence of the Bidder.	No change proposed.
8.	Section 5: Criteria For Evaluation	Clause no.5.2(C2): Legal Professional	We request DIF(GoMP) to kindly revise the Proposed marking scheme to 5 Marks for having 3 Legal Professional in an associate relationship with the Bidder.	No change proposed.
9.	Section 5:Criteria For Evaluation Note (Pt.7):	Sector Expert (like, Water, SWM, Tourism, Transport, Roads & Highways, Health & Medical, Power, and Warehousing & Logistics etc.)	We request DIF (GoMP) to kindly clarify whether the Bidder has to provide Sector Experts for each of the specialized fields as mentioned in the RFP document.	Not mandatory, however we expect the Applicants must have a multi-disciplinary team across all sectors.
10.	3.1 (Sl. No. 5 (a)), Page 11	Certificate for satisfactory completion of services, project summary, PPP type, estimated cost, services rendered, concessionaire, date of concession Agreement signing, status of financial closure.	Please clarify if either the Concession Agreement or a Client Certificate would suffice this requirement as in most cases the Client's would prefer to certify only the portion of services completed by the Consultant and not provide details of Concession Agreement.	Either of the two will suffice, however in case of client certificate applicants have to provide all the information as sought in Clause 5.2.

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11.	5.2 Note-7 page no. 20	Sector expert- At least 3 completed Transaction Advisory projects up to signing of the Concession Agreement and 2 projects up to finalization of DPR. Thorough knowledge of in the field of development of sector specific project including preparation of DPR.	As it is understood, the scope of work would mainly involve providing project development activities hence it is requested to amend this as follows: At least 3 completed Transaction Advisory projects up to signing of the Concession Agreement. Thorough knowledge of in the field of development of sector specific project including preparation of feasibility reports, project structuring under PPP framework and bid process management.	No change proposed.
12			Please clarify whether in the absence of the Completion certificate we would be able to draw the benefit of the energy sector PPP project, particularly since the same was successfully implemented for the Government of Madhya Pradesh itself.	Please refer Clause 5.2.
13			We are very much interested to submit our proposal for the aforesaid subject project however, since there are intervening holidays due to festivals this month and it is the financial year end as well we request the Authority to kindly extend the due date by 2 weeks as we would need more time for the in depth study, analysis and preparation of proposal.	No change proposed.
14	Clause 1.1.4,	Services covered under Transaction Advisory- Transaction Advisory services entail financial analysis, economic analysis, legal analysis, contract document preparation, tender processing, preparation of pre-feasibility & detailed project reports	In clause 1.1.4 include pre-feasibility and detailed project report in the scope of service of Transaction Advisor whereas clause 2.5 states that detailed technical report/advice is excluded. However detail project reports are very technical in nature and may involve significant cost. Please clarify whether preparation of DPR will be included in the scope of work of the transaction advisor.	Please refer to Clause 2.5 which is self-explanatory.

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	2.5	<p>and other assistance in bringing a PPP project, from the concept stage through public bidding, and, award to actual execution through monitoring. The Transaction Advisors will also prepare RFQ, RFP, Concession Agreement and other documents for selection of the Private Sector partner for the implementation of identified PPP projects.</p> <p>Panel members in general will not be required to provide detailed technical reports/advice. Where specialist technical advice is required, technical advisors will be separately procured.</p>		
15	3.1	<p>Essential Qualification for applicant. Sr. No 2: Net Profit: The Applicant (including each consortium member, if any) should have earned a Net Profit, i.e., Profit After Tax, last 3 financial years, including the previous financial year, i.e., 2014-15.</p>	<p>Generally consulting organisation shares the maximum part of the income on their employees and do not significantly focus on profitability as it does not really influence their quality of service.</p> <p>Accordingly, in our opinion profitability should not be criteria as it will exclude some of good and employees friendly companies from bidding.</p>	No change proposed.

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16	3.1	<p>Essential Qualification for applicant Sr. No 4: Human Resource: The Applicant should not have less than 10 Full Time Equivalent (FTE) Professional Staff providing Transaction Advisory Services. Out of this at least 3 should be ' Legal Experts'.</p> <p>The Applicant shall be a single entity and in case the Applicants does not possess legal expertise & Legal Professional within the organization it may form a consortium with a Legal Firm. The Lead member in case of consortium shall be Technical firm i.e. other than Legal firm.</p>	<p>As per clause 3.1 Human Resource the applicant requires 3 legal staff. However, in clause 1.1.13 it is stated that the legal staff may be from a separate company or legal firm.</p> <p>Would you please clarify whether legal staffs are required in the applicant's pay role?</p> <p>Since legal professional prefer working independently, we would request to consider association with individual lawyers.</p>	<p>Clause 3.1 Sr. No., Human Resource will be read as below:</p> <p>The Applicant should not have less than 10 Full Time Equivalent (FTE) Technical Professional Staff providing Transaction Advisory Services. Out of this at least 3 should be ' Legal Experts'.</p> <p>Note: Applicants should provide list with Names and Positions of FTE professional staff along with qualifications and brief particulars of experience indicating FTE position by Division. In addition, the respondent should provide an Organizational structure of the firm /consortium members, as applicable, duly certified by the Authorized Signatory. Please refer to Addendum -1</p> <p>Please refer to Clause 1.1.13 of Section-1, Invitation for Proposals.</p>
17	3.1	<p>Essential Qualification for applicant, Sr. No 5: PPP Projects The Respondent should have undertaken at least 8 (eight) PPP Transaction Advisory Assignments in the past 10 years and out of above not less than 4 (four) PPP Assignments* should</p>	<ol style="list-style-type: none"> 1. The completion of PPP projects is not in the hands of the consultant. Majority of PPP projects in India have not been implemented except in a few sectors. None of the reasons for non-implementation can be attributed to the consultants. We request you not to include completion of PPP project as an essential qualification. 2. Projects such as Operate Maintain and Transfer (OMT) do not involve significant capital cost. It appears that these projects will not be considered due to lack of capital cost. Since OMT projects are 	<p>No change proposed.</p>

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		have been completed (i.e. Developer selected, Concession Agreement signed and Financial Closure achieved if it is included in the Scope of work of the Applicant) .	also equally important in a state like Madhya Pradesh, we would request you to waive off the capital cost requirement criteria.	
18	3.12, Late Proposal	Any Proposal received by DIF, GoMP after 1500 Hrs. on the Proposal Due Date 30.03.2016 will not be accepted.	We request you to consider extending the date to 20 th of April 2016 since the due date is on the penultimate day of financial year ending and subsequent holidays in April.	No change proposed.
19	5.2	Note 7: PPP Expert: At least 4 completed Transaction Advisory projects up to signing of the Concession Agreement.	Since completion of the PPP projects is not in the hands of the consultants or individual experts, we request you to consider waiver of this condition from all experts.	No change proposed.