## <u>Clarifications on queries raised during Pre Bid conference held on 31 January, 2014 Empanelment of consultants for Technical, Regulatory and Legal Tasks</u>

Sr. No	Name of the Firm/Company	Query raised	Relevant Para of the ToR	Clarification
1	M/s Infrastructure Development Consulting Services (IDCS) letter dated 24 January, 2014	To allow more competition and to identify the best suited consultant/s, request you to kindly allow joint bidding by two firms. This would also help in better implementation of the assignment from the Commission's point of view.		The objective of the selection process is to involve more and more bidders in the process. As such, joint bidding by two firms is permitted, subject to fulfillment of all eligibility conditions
2	M/s PWC Letter dated 31 January, 2014	The referred para's of the RFP doesn't indicate if any team structure or various levels/grades of consultants are required by MERC. In our view, execution of any task/assignment can be done most suitably in a team structure/ team of consultants considering various skill set requirements for the respective tasks, i.e., financial modeling, draft document preparation, client interactions, quality control, etc.  Therefore, there might be requirement of senior, middle or junior resource as suitable to the activities specified in the approved work plan. We seek your clarification in this regard.	4.4 to 4.7	Reference to invited to Para 4.4 to 4.7 of the ToR which clearly provides for different levels of resources with varying qualification and experiences and different rates
3	M/s PWC Letter dated 31 January, 2014	The evaluation methodology in para 4.7 of RFP specifies that a composite score would be arrived with weightage of 60% for technical score and 40% for financial score. It is highlighted that by not having separate categories of consultants/personnel's, the composite scores may lead to a situation where senior personnel might get compared with junior personnel. For example: - A senior personnel with high monthly fee may get high technical scores and low financial scores. Whereas, a junior personnel with low monthly fee may get low technical scores and high financial scores. Therefore, composite scores of senior personnel and junior personnel may be very similar resulting in an inappropriate comparison. Therefore, comparison by this method alone may not give clarity of selection or choice to MERC. We seek your clarification in this regard.	4.7	Para 4.7 of the ToR clearly specifies the evaluation methodology for the selection process. Further, para 4.4 also specifies constitution of Evaluation Committee which will evaluate the bids on the basis of the criteria specified.
4	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Empanelment of Technical consultants . It means firms?	4.1	Yes. Consuntancy firms consisting of certain approved resource persons will be empanelled
5	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Financial evaluation: Monthly fee for individual consultant could be different. How the lowest would be determined for a firm		A Firm may quote different monthly fees for different level of resources based on their qualification and experience
6	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Earnest money Rs. 50000/- common for the Tender or seperately to be paid for each part.	5	Bidding for all the three ToR are separate. Each firm has to apply for each task seperately and EMD Rs.50,000/- is to be paid for each bid seperately.
7	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Security Deposit Rs.5,00,000/-	7.1	Since each ToR is separate, security deposit of Rs. 5,00,000/- is to be submitted seperately for each ToR by the selected firms.
8	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Bill payment	7.2	Empanelled consulting firm will raise monthly bills for efforts spent by them during the month. Payments will be made to the Consulting firms. No direct payment will be made to any individuals.

9	M/s Power Age	How will be actual assignment of works to the consultancy firms	9.2.1	Whenever the Commission desires to assign
	Engineering Consultants, Navi Mumbai letter submitted on 31			any specific work to the consultancy firms, the Commission will ask the consultancy firms to submit their workplan / proposal for completing the said task giving the details of the estimated
	January, 2014			mandays required by them to complete the said task with relevant costs thereof. The consultancy firms have to analyse the work involved and estimate the number of mandays required and will calculate the cost based on
10	M/s Danson A s s			the approved monthly rates
10	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31 January, 2014	Calculation of manday rate from monthly approved rate		Manday rate is calculated by dividing the monthly approved rate by 22 days, considering on an average there are 22 working days in a month
11	M/s Power Age Engineering	Financial offer: it mentions only monthly fee for the consultant. What about his assistants and other supporting staff" is that cost to be		Payment to the extent of efforts spent during the month, at Monthly approved rates for each
	Consultants, Navi Mumbai letter submitted on 31 January, 2014	included in the consultant's fee or to be seperately shown for the firm		approved resources is paid. No other charges other that monthly approved rates are paid.
12	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31	Can we quote for selected tasks out of the total tasks given in the Scope of work	2 and 6	The consultancy firm is expected to handle all the tasks specified in the scope of work. However, if any firm is not able to handle any task it may clearly bring it out in "Schedule of Deviations" as provided in para 6 of ToR
	January, 2014			, ,
13	M/s Power Age Engineering Consultants, Navi Mumbai letter submitted on 31	Can we have consultants residing at places other than Mumbai		A consulting firm may include any resource whether residing in Mumbai or not, however the monthly payment for al the resources will be restricted to monthly approved rates only
14	January, 2014	William I and the state of the		The Commission was the time to the commission of the commission was the commission of the commission o
	M/s Idam letter dated 30 January, 2014	Whether only one consultant will be empanelled for single task or multiple consultants will be empanbelled for the same task		The Commission may at it discretion assign any task to any of the empanelled consultancy firms
15	M/s Idam letter dated 30 January, 2014	Whether outstation travel, lodging,& boarding cost incurred as part of the task execution can be claimed. If so what is the procedure for claiming the same	7.4	If Commission directs any approved resource to carry out any tour outside Mumbai in connection with any assignment, then all the outstation travelling and other charges as admissble as per the relevant Rules and Regulations of the Commission will be reimbursed, on case to case basis
16	M/s Idam letter dated 30 January, 2014	Conflict of Interest case: Elaborate various cases wherein the conflict of interest would arise. Whether bidders need to disclose past assingments, ongoing assignments with other clients to Commission as part of the present EOI submission	7.7	The consultancy firm are required to disclose all the cases past and ongoing which may lead to conflict of interest
17	M/s Idam letter dated 30 January, 2014		9.3.6	Security Deposit will be forfeited if the contract is terminated by reasons cited under Clause 9.3.1 to 9.3.5 of the ToR
18	M/s Idam letter dated 30 January, 2014	Whether security deposit will be forfeited in case of mutual termination and termination for mutual convenience	9	Will be decided on case to case basis
19	M/s Idam letter dated 30 January, 2014	Whether work completed during notice period will be paid for.		Bill raised in respect of efforts spent during notice period will be paid for
20	M/s Deloitte letter	kindly provide copy of empanelment agreement / contract to be entered		Contract to be entered with the selected
	dated 31 January, 2014	into consequent upon selection of bids, so as to ascertain key provision such as LD, payment conditions, key responsibilities of parties, etc		consultants will be finalised after completion of selection process
21	M/s Deloitte letter dated 31 January, 2014	Specify the amount of damages recoverable from the consultants	7.5	Any damages on account of the consultant will be recoverable from them
22	M/s Deloitte letter dated 31 January, 2014	Return of EMD of unsuccessful bidders		EMD of the unsuccessful bidders will be returned / refunded
23	M/s Deloitte letter dated 31 January, 2014	It is mentioned that the quantum of penalty will be at the discretion of the Commission. The amount of penalty is not specified.	3.e	Para 3.e of the ToR provides that the penalty will be at the discretion of the Commission

24	M/s Deloitte letter dated 31 January, 2014	Willing to work on regular basis or assignment basis or both	Annex I-D	It should be only assignment basis
25		whether substitution of resources is permitted		Para 9.2.2 of the ToR provides that Commission will not consider substitution of persons during the contract period except in cases of unexpected delays in the starting date of a visit due to incapacitation of key professional staff for reasons of health