

F. No. SR-22014/3/2015-SA

Government of India

Ministry of Shipping

413, Transport Bhavan,

New Delhi – 110 001.

Dated, the 12th of March, 2015

NOTICE

Subject: RFP for engagement of Consultancy firm for organising 'Global Investment Meet' – regarding.

The undersigned is directed to refer to this Ministry's notice dated March 3, 2015 on the above mentioned subject and inform that clarifications on the issues raised in the Pre-bid meeting held on February 23, 2015 are enclosed in the Annexure to this letter.

2. It is further informed that the last date of Receipt of Offers on the above mentioned subject is hereby extended to March 23, 2015 (1500 Hrs).

Enclosures: As above.

(Abhinav Gupta)

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Consolidated Queries /Clarifications sought by the interested parties in respect of

“RFP for Engagement of Consultancy Firm for organising ‘Global Investment Meet’”

Sl. No.	Reference in RFP	Provision in RFP	Query / Suggestions in Pre-Bid Conference	Decision by the Ministry
1.	5. Payment Schedule	The payment will be released by the Ministry of Shipping to the Consultant on a quarterly basis.	Request you to kindly consider monthly payments.	10% of the contract value will be paid as mobilization advance. Remaining 90% will be paid in equal instalments on quarterly basis.
2.	7. Eligibility and Qualification Criteria	Should have successfully completed provision of investment promotional services to at least TWO of the leading state governments in last five years.	We appreciate that experience relating to Investment promotion activity is required for this assignment. However, the same need not be for state government. Request you to kindly retain the requirement of experience relating to investment promotion, but not restrict it to state governments as the same is not directly relevant.	Should have successfully completed provision of investment promotional services to a minimum of TWO of the Government Departments including at least one leading state government in last five years.
3.	8.1.1 Evaluation of Technical Proposals	A. Project Experience. Various requirements in the table mention experience with state / central government.	We understand that the intent is state / central government from India or other country. Request you to kindly confirm.	No Comment. No Change.
4.	8.1.1 Evaluation of Technical Proposals	Team Leader should have minimum 20 years of experience	Request you to kindly change it to minimum 10 years of experience	Team Leader will have minimum 15 years of experience in the relevant field.

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5.	8.1.1 Evaluation of Technical Proposals	Investment Promotion & Marketing Expert should have minimum 12 years of experience	Request you to kindly change it to minimum 7 years of experience	Investment Promotion & Marketing Expert will have minimum 12 years of experience
6.	8.1.1 Evaluation of Technical Proposals	Maritime sector expert should have minimum 15 years of experience and should have experience of over 20 ports / logistics transactions	Request you to kindly change it to minimum 8 years of experience. Also, the requirement of 20 transactions is very high. Request you to kindly reduce it to 10 transactions. We understand that transactions from transportation sectors would be considered in the same.	Maritime sector expert should have minimum 12 years of experience and should have experience of over 10 ports/logistics transactions.
7.		Draft Contract	The RFP doesn't provide draft contract. We understand that bidders can submit proposed draft contract along with the proposals. Also, request you to kindly clarify that, as per the standard practice, the liability of the consultants would be limited to one time fee to be paid to the consultants.	Bidders can submit standard contracts as executed with various central/state government departments for similar events for which they have offered consultancy along with the proposals. The liability of the consultants would be limited to two times the fee to be paid to the consultants.
8.	Para 2	Duration of Two Phases: Preparatory Phase and Reach Out Phase	Request to clarify the duration of both phases.	Preparatory Phase and Reach Out Phase will happen sequentially as per the duration

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				mentioned in the Terms of Reference.
9.	Para 2	Ports: Projected traffic profile and infrastructure investments required	As the traffic projections and infrastructure investments would require economic development forecasting and planning port infrastructure along 7500 km coastline, it would be a comprehensive exercise. Therefore the scope would be limited to compilation and validation of port development plans of Major Port Trusts and State Maritime Boards.	The relevant data will be made available by the Ministry wherever possible. In case the same is not possible, the consultant will have to fill in the relevant data.
10.	Para 2	"Recommend policy, institutional and regulatory level changes to enhance maritime sector competitiveness..."	As the Major Ports come under the Central Government list and the non-major ports come under the Concurrent list of the Constitution, the policy, institutional & regulatory arrangements would differ at each State level. The indicative guidelines may be presented to Maritime State Development Council or equivalent forum.	No Comments. No Change.
11.	Para 2	"Incentives & Packages"	The incentive package may be specified for the taxes and levies under the purview of the Central Government.	No Comments. No Change.

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12.	Para 2	"Business environment"	<p>The approvals/ regulatory mechanism for Port projects would be covered under the various ministries of the Central Government (Environment, railways, highways) and State Governments (land, developer selection approval, local laws) and Port Trusts, if applicable.</p> <p>The single window clearance and grievance redressal would be a crucial issue relating to powers and functions of regulatory authorities. The outcome may not be as desired or partial in a particular duration.</p>	No Comments. No Change.
13.	Para 2	"Assist in formulating MoUs with investors..."	As the developer selection in PPP port development projects is through competitive bidding process, would MoUs/ investment intents would signed in port development/ connectivity projects?	No Comments. No Change.
14.	Para 3	Deliverable	<p>The timeline for organizing Maritime Investment Meet, we request to clarify the likely date of organizing the Meet.</p> <p>Ideally the Meet should be planned with preparation of nine months to get quality participation</p>	Around end of the Calendar Year 2015

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15.		<p>Deliverable</p> <p>d. Report on Maritime Sector- AS-IS assessment and potential opportunities</p>	<p>The timeline of 1 month is too short to carry out both the activities “As is assessment” and “potential opportunities” for 12 Major ports as well as all the non-major ports. We request that 1 month may be given only for “As is assessment” and subsequent 1 month to identify and prepare brief on “potential opportunities”. The remaining deliverables may be suitably shifted by 1 month.</p>	Accepted
16.	Para 4	Presentation By Consultant	<p><i>“...the final deliverable would include a detailed presentation and associated financial models.”</i></p> <p>We understand that the consultant only needs to prepare a brief of the potential opportunities. Pre-feasibility studies are not a part of the consultant scope. Hence, we request to delete the words “associated financial models” from the above clause.</p>	No Comments. No Change.
17.	Para 5	Payment Schedule	<p>The payment should be released on monthly basis or some advance payment is requested to be made.</p>	<p>10% of the contract value will be paid as mobilization advance. Remaining 90% will be paid in equal instalments on quarterly basis.</p>

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18.	Para 8.1.1	Minimum experience of Professional Team	<p>It may be noted that it would be extremely difficult to find personnel with 20 years of experience that are deployable.</p> <p>Further, it may be noted that the Policy Advisory in Maritime sector and Investment Promotion are relatively new fields and hence there are very few experts with that many years of experience in these fields. Therefore the experience requirement may be relaxed as below:</p>	Team Leader: Minimum 15 years of Experience.
19.	Para 8.1.1	Team Leader: Minimum 20 years	Minimum 12 years	Team Leader: Minimum 15 years of Experience
20.	Para 8.1.1	<p>Maritime Expert:</p> <p>Educational Qualification: Masters in Transport Planning/ MBA</p> <p>Experience: Minimum 15 years</p>	<p>Educational Qualification: M. Tech., Naval officer or relevant</p> <p>Experience: Minimum 10 years</p>	Maritime Expert: Minimum 12 years of Experience
21.	Para 8.1.1	Manufacturing & Industry Expert	<p>Replace this Expert CV requirement with following two support consultants:</p> <p>1. Investment Promotion: MBA/ MPlan/ M. Tech./ M. A. (Economics)/M.</p>	The requirement for Manufacturing & Industry Expert is replaced with following two support Management

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			Com. with minimum 5 years experience 2. Port/ Maritime: MBA/ M. Plan./ M. Tech. with minimum 5 years experience	Consultants: (a) Investment Promotion: MBA/ M. Plan./M. Tech./ MA (Economics)/ M.Com. with minimum 5 years experience. (b) Port/ Maritime: MBA/ M. Plan./ M. Tech. with minimum 5 years experience
22.	Para 10	Last date for responding to RFP	The last date should be extended by a week so as to put together a strong and comprehensive proposal.	The last date for responding to RFP is March 23, 2015 at 15:00 hours.
23.	Para 12.3	Proposal Submission Date: "This outer envelope shall bear.... Clearly marked DO NOT OPEN BEFORE 27-02-2015"	To be changed as per the actual Last Date of Submission.	Proposal Submission Date: "This outer envelope shall bear.... Clearly marked DO NOT OPEN BEFORE 23-03-2015"

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24.	Para 12.3	Agreement/ Contract	<p>In the agreement/ contract proposed to be signed with the successful bidder, the following points should be added:</p> <p>1. Limitation of Liability: Client (and any others for whom Services are provided) may not recover from EY, 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 Agreement or otherwise relating to the Services, whether or not the likelihood of such loss or damage was contemplated. Client (and any others for whom Services are provided) may not recover from EY, 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> <p>2. Report: Any information, advice, recommendations or other content of any reports, presentations or other communications we provide under this</p>	No Comment. No Change.

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			<p>Agreement ("Reports"), other than Client Information, are for Client's internal use only (consistent with the purpose of the particular Services) including Client's board of directors, its audit committee, or its statutory auditors. Client may not rely on any draft Report and EY shall not be required to update its Final Report.</p> <p>3. Governing Law: This Agreement shall be governed as per the Laws of India.</p> <p>4. Dispute Resolution: Any unresolved disputes under this Agreement shall be subject to the exclusive jurisdiction of Indian Courts.</p> <p>5. Termination: Either Party may terminate this Agreement by serving 15 days prior written notice to the other party. Upon termination EY shall be entitled to receive payments of the Services performed, work in progress and expenses incurred by it, till the date of such termination.</p>	

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25.	Para 6	The scope of consultancy services shall include but not necessarily limited to the following activities.	<p>Preferably this line to be excluded or rephrased to keep the scope within doable limits</p> <p>Past experience suggests there may be too many requests, sometimes even administrative support</p>	No Comment. No Change.
26.	Para 11	Every first 3 rd day of subsequent month	Every 3 rd day of subsequent month	No Comment. No Change.
27.	Para 12	The consultant would be asked to present the findings to various stakeholders as part of this TOR; the final deliverable would include a detailed presentation and associated financial models.	ToR of the current RFP doesn't contain any reference for financial modeling requirement. Kindly clarify	No Comment. No Change.
28.	Section 8.1.1 A 1	<p><u>Evaluation of Technical Proposal</u></p> <p><u>Project experience</u></p> <p>Developing port/maritime policy (or sub segments of maritime sector) for</p>	<p><u>Remarks</u></p> <p>As per our knowledge, only one Consulting firm has this experience (which is an ongoing project), this clause will put the other bidders at a disadvantage.</p> <p><u>Change Requested</u></p>	No Comment. No Change.

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		<p>state/central government in last 3 years.</p> <p><u>Max Score</u></p> <p>Nil</p>	Request to modify this clause to also include non-policy experience in the maritime Sector.	
29.	Section 8.1.1 C 1	<p><u>Evaluation of Technical Proposal</u></p> <p>Team Leader: The Team Leader should have relevant professional qualification such as Masters in Engineering/Economic /Finance/ Business Administration, and must possess a minimum of 20 years' experience, with increasing levels of responsibility. The team leader should have appropriate experience in advisory/policy formulation in Maritime sector and investment promotion for</p>	<p><u>Remarks</u></p> <p>Investment Promotion is a Specialist sector and so is Maritime. Not many consultants are available in the country who have an extensive experience in both the fields. Even if one particular bidder has such a consultant on its rolls, the other will be at a disadvantage and skew the RFP in the favor of just one bidder.</p>	<p>Team Leader: Minimum 15 years of Experience.</p> <p>NO CHANGE IN SCORE.</p>

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		Central/state agencies.		
30.		<u>Max Score</u> 15	<u>Change Requested</u> Request to split this role into two separate specialists: (i). Investment Promotion Specialist (ii). Maritime Specialist and allocate marks accordingly.	(i) Investment Promotion & Marketing Expert will have minimum 12 years of experience. (ii) Maritime sector expert should have minimum 12 years of experience and should have experience of over 10 ports/logistics transactions. NO CHANGE IN SCORE.
31.	Section 8.1.1 C 2	<u>Evaluation of Technical Proposal</u> Investment Promotion and Marketing Expert: Should be an MBA and must possess a minimum of 12 years' experience, with increasing levels of responsibility with experience in investment promotion and investment marketing strategies for investment promotion projects for state/central government.	<u>Remarks</u> Investment Promotion is a Specialist sector and so is Maritime. Not many consultants are available in the country who have an extensive experience in both the fields. Even if one particular bidder has such a consultant on its rolls, the other will be at a disadvantage and skew the RFP in the favor of just one bidder. <u>Change Requested</u> Request to remove the necessity of Maritime sector experience and put it as a separate requirement.	No Comment. No Change.

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		<p>5 projects in investment promotion* for state/central government of which at least 3 projects should involve investment promotion activity in various sub segments of maritime sector.</p> <p><u>Max Score</u></p> <p>10</p>		
32.	Section 8.1.1 C 3	<p><u>Evaluation of Technical Proposal</u></p> <p>Maritime Sector Expert: Should have Masters in Transport planning/MBA and must possess a minimum of 15 years' experience, with increasing levels of responsibility in advising leading global port operators, port authorities, logistics players and other users on over 20 ports and</p>	<p><u>Remarks</u></p> <p>20 projects/transaction is a very high number, most of these projects are fairly long and it is practically not possible for someone with 15 years of experience to have over 20 projects.</p> <p><u>Change Requested</u></p> <p>Request to reduce the number of projects required in Maritime sector.</p>	No Comment. No Change.

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		logistics transactions/ projects across containers, bulk (both dry and liquid) and general cargo facilities. <u>Max Score</u> 5		
33.	New	<u>Evaluation of Technical Proposal</u> Consultants (Team Members) <u>Max Score</u> Nil	<u>Remarks</u> The RFP does not specify the required number of Consultant (Team Members) on the project. As a result it will be very difficult to put a Price on the engagement as every bidder will have their own interpretation of scope of work. <u>Change Requested</u> Request to kindly provide a minimum number of Consultations (Team Members) that will be required for the project.	No Comment. No Change.
