## RESPONSE TO SECOND PRE-BID QUERIES RFP FOR ENGAGEMENT OF CONSULTANT FOR GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) BASED TOLLING published on 15.04.2021 RFP REFERENCE - IHMCL/GNSS/2021/01

Date - 27.May.2021

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erial No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response	
	Point No. 2 Clause 4.3, Eligibility/Pre- Qualification Criteria SI. # 1	Eligibility Conditions/Conditions  "i. The Sole Bidder or the Lead Member, in case of a consortium, must be a business entity incorporated in India under the Companies Act, 1956/2013 or the Limited Liability Partnerships Act, 2008.  ii. In case of a consortium, the other member(s) of the consortium should be incorporated as per above subject to the following conditions: "	We request to kindly amend the below clause as it is restricting us to make a consortium with the international firms, by removing the term "all members":  The Sole Bidder / all-members in case of a consortium should be registered with GST in India.  Also, kindly provide clarification on point no. ii - "In case of a consortium, the other member(s) of the consortium should be incorporated as per above subject to the following conditions: "  The term "As per above subject" refers to point no i, which states that a business entity should be incorporated in India under the Companies Act, 1956/2013 or the Limited Liability Partnerships Act, 2008.  We request you to please delete the reference term of Indian acts for consortium members, since international firm can't necessarily be incorporated or registered in India under Companies Act.	Please refer Corrigendum 3	
	Point No. 4 Clause 4.3, Eligibility/Pre- Qualification Criteria and 5.2.2, Detailed Technical Scoring Criteria	Project Experience 1 and 2  "The bidding entity can use the experience of a company which controls, is controlled by, or is under the common control with such bidding entity. The 'control' means the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such bidder, as on the Bid Due Date. In such case, the bidder shall submit the following documents: "	The Global Navigation Satellite System (GNSS) based solution in the field of transit payments or electronic tolling is currently a niche solution that is implemented mostly outside of India.  As per the Corrigendum, the experience of associates holding at least 50% of voting shares are allowed to provide their experiences.  We therefore request you to please consider the experience of the parent entity or sister concern or network firms, without the restriction of voting shares.	No change in RFP and Corrigendum released.	
	RFP Clause Clause 4.3, SI # 5,	Project Experience -1 & 2  "Work order/ Contract clearly highlighting the relevant scope of work, and contract value, year of execution."	We understand that LOA would also be considered as documentary evidence.  Also, usually government contract orders / LOA do not have scope of work defined, therefore kindly modify the documentary requirement clause as;  "Work order/ Contract / LOA clearly highlighting the relevant scope of work, and contract value, year	No change in RFP and Corrigendum released.	
	RFP Clause Clause 5.2.2, SI # 2.1 and 2.2	Relevant Past Experience  "Extracts of Work Order + Completion Certificates from the client; Or  Extracts of Work Order + Self Certificate of Completion (Certified by the Statutory Auditor or the Authorized Signatory holding Power of Attorney for the bid) The extracts of Work Order or the Self-Certificate should clearly demonstrate the relevant area of work/activities as required in the criterion.  IHMCL reserves the right to seek further explanation or supporting documents in case any clarification is required during evaluation of a Self-certificate submitted by the Bidder.  In the case of ongoing projects, letter issued by competent authority of the client entity on the entity's letterhead stating the current validity of the contract and reaffirming the work value completed (which should be as per requisite criteria)"	of execution and self certificate defining scope of work."  We understand that LOA would also be considered as documentary evidence.  Also, please consider only self certificate as sufficient supporting documentary evidence.  Request you to please modify the documentary requirements as: "Extracts of Work Order/LOA + Completion Certificates from the client OR  Extracts of Work Order/LOA + Self Certificate of Completion (Certified by the Statutory Auditor or the Authorized Signatory holding Power of Attorney for the bid) OR  The extracts of Work Order/LOA OR The Self-Certificate should clearly demonstrate the relevant area of work/activities as required in the criterion.  IHMCL reserves the right to seek further explanation or supporting documents in case any clarification is required during evaluation of a Self-certificate submitted by the Bidder.  In the case of ongoing projects, letter issued by competent authority of the client entity on- the entity's letterhead stating the current validity of the contract and reaffirming the work value completed (which should be as per requisite criteria)."	No change in RFP and Corrigendum released.	
	Point No. 5 Clause 5.2.3, Resource Requirement	b) Minimum requisite Qualification & Experience  S.No. 1 – Team Leader  Experience: "At least 15 years of experience, with 10 years in having worked with GNSS based application in transport, highways sector  Mandatory experience of at least 1 year of system operation in GNSS based tolling system in India or Abroad, OR, at least 1 consulting assignment of 6 months (or more) in GNSS based tolling in the last 5 years from, the bid due date.  The above experience and years should be clearly specified and verifiable in the CV submitted,	Since the requirement of a GNSS expert is already requested as a separate profile, the team leader need not have GNSS experience as well. The team leader instead should have a strong experience in project management and experience in projects in the transport/ road sector. Therefore, requesting you to change the clause as follows:  Experience:  At least 15 10 years of experience, with 10 years in having worked with GNSS based application intransport, highways sector. In project management, with experience in managing large projects in the transport domain.  Mandatory experience of at least 1 year of system operation in GNSS based tolling system—at least 1 project in the road transport domain in India or Abroad,  OR, at least 1 consulting assignment of 6 months (or more) in GNSS based tolling in the last 5 years from, the bird due date.—  The above experience and years should be clearly specified and verifiable in the CV submitted, failing	No change in RFP and Corrigendum released.	

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6	RFP Clause 5.2.3. Resource Requirement	b) Minimum requisite Qualification & Experience – GNSS expert  "Education: Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems).  Experience: At least 15 years of experience in GNSS based applications in India, familiarity with usage of GNSS models for computation of distance & legalities involved with the same. The above experience and years should be clearly specified and verifiable in the CV submitted, failing which the CV shall not be considered for evaluation."	The GNSS expertise is a niche skillset and the requirement requested below is limiting. In the practical scenario, a person with GNSS expertise may not necessarily have a degree in geomatics. the expertise may not be available in India, therefore, it is requested to allow experience outside of India as well whilst recognising that experience in GNSS remains relevant. In the spirit of higher participation, would request to please relax the criteria as follows:  Education: Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or engineering in any relevant field or MBA.  Experience:  At least 15 years of experience with system design, regulatory frameworks and approaches to evidence-based enforcement in electronic toll collection including distance-related tolling and a deep understanding of principles of GNSS as an enabling technology for position estimation, distance-related tolling and general expertise in transport /ITS applications in GNSS based applications in India, familiarity with usage of GNSS models for computation of distance & legalities involved with the same. The above experience and years should be clearly specified and verifiable in the CV submitted, failing which the CV shall not be considered for evaluation.	
7	RFP Clause 5.2.3. Resource Requirement	b) Minimum requisite Qualification & Experience — Finance & PPP expert "Experience: Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling etc. and at least 5 years of consultancy experience in carrying out Financial Business Modelling of large-scale ICT/E-Governance/digital transformation projects with Government/PSUs Should have carried out at least 3 financial modelling project of large-scale Government programme in India or abroad.  Experience in Financial modelling and PPP Contracts in Road Transport and Highways sector "	We request you to please amend the following changes in the experience criteria of Finance & PPP Expert:  Experience:  Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling etc. and OR at least 5 years of consultancy experience in carrying out Financial Business Modelling of large-scale ICT/E-Governance/digital transformation projects with Government/PSUs  Should have carried out at least 3 financial modelling project of large-scale Government programme in India or abroad.  Experience in Financial modelling and PPP Contracts in Road Transport and Highways sector	No change in RFP and Corrigendum released.
8	RFP Clause 4.3 and Form 5	Eligibility/Pre-Qualification Criteria SI # 6: Supporting Document to be provided Affidavit certifying non-blacklisting as per specified format.  Form 5: Power of Attorney/Letter of Authorization Notes: The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure. The Power of Attorney should be executed on a non judicial stamp paper of appropriate denomination and should be registered or duly notarized by a notary public.	non-judicial stamp paper and notarized by a notary public. Along with this an Affidavit certifying non-blacklisting of the firm also needs to be submitted.  In these unprecedented times of pandemic, with lockdown and curfew implemented in various states, it would be difficult to get these documents arranged. Therefore, we request you to kindly relax the clause for POA and non-blacklisting affidavit and provide exemption for these requirements.	No change in RFP and Corrigendum released.
9	Section 7.3, Page 40	Deliverables and timelines	would take 6 months at an absolute minimum for the study phase and to develop the technical requirements before tendering. Besides, the timelines are very aggressive and would need to be revised in terms of providing at least 6 months for the Deliverables 1,2,3 and 4 and 6 months for the deliverables 5 and 6.	No change in RFP and Corrigendum released.
10	Section 4.3, Page 9	Eligibility/Prequalification criteria	Consortium is allowed in this RFP. However, All members in the Consortium are required to be jointly and severally liable. This is a challenge in terms of getting international expertise onboard. Therefore, would request you to please allow subcontracting to a firm as well.	No change in RFP and Corrigendum released.
11	Section5.2.2, Page 25	Addition of experts		No change in RFP and Corrigendum released.
12	General		The RFP mentions that the bidder needs to provide Power of Attorney which should be executed on a non-judicial stamp paper and notarized by a notary public. Along with this an Affidavit certifying non-blacklisting of the firm also needs to be submitted.  In these unprecedented times of pandemic with lockdown and curfew implemented in various states, it would be difficult to get these documents arranged. Therefore, we request you to kindly relax the clause for POA and non-blacklisting affidavit and provide exemption for these requirements.	No change in RFP and Corrigendum released.
13	General		In these unprecedented times of pandemic with lockdown and curfew implemented in various states, it would be difficult to get these documents arranged. Therefore, we request you to kindly relax the clause for POA and non-blacklisting affidavit and provide exemption for these requirements.	No change in RFP and Corrigendum released.

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14	General		As per latest Corrigendum I for above mentioned RFP, document fee has been changed to NIL. However, we have already initiated the payment as per RFP terms and transferred INR 10,000/- to IHMCL account.  Please find below proof of transfer along with details for your reference  Considering the corrigendum changes, could you please help to refund the amount.	Details may be provided separately to IHMCL team.
15	Section 7.1 Scope of work	The scope of work comprises of Literature survey, reverse engineering of case studies, current practice, option analysis and readiness assessment of GNSS based tolling in India, drafting standards and specifications, suggesting changes in legislation and regulatory matters, undertaking vendor consultations, drafting terms of reference alongwith SBDs as well as undertaking bid process management.	We strongly believe that besides GNSS based tolling, the technology also poses tremendous data capture opportunity. The Consultant should be capable to identify number of use cases which can be solved using data collected. Further, the consultant should also propose mechanism/framework around data collected and using it productively for taking policy decision at population scale.	No change in RFP and Corrigendum released.
16		Minimum Requisite Qualification and Experience - Team Leader (Education) Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or transportation engineering or economics.  Team Leader (Experience) At least 15 years of experience, with 10 years in having worked with GNSS based application in transport, highways sector Mandatory experience of at least 1 year of system operation in GNSS based tolling system in India or Abroad, OR, at least 1 consulting assignment of 6 months (or more) in GNSS based tolling in the last 5 years from, the bid due date.	The Team leader is an important position and is required to anchor the project by providing efficient interface with Project Sponsor, Industry Users, Automotive players/manufacturers and Subject matter experts. The team leader ideally should be a technology expert with extensive experience in GPS and ITS based transit payments.  Hence, we suggest that Team Leader position requirementmay be added with He/She should be an Engineer with Bachelors in Computer Engineering/Computer Science/Electronics or equivalent. He/She should have overall industry experience of atleast 15 years with specific experience of having worked on minimum two projects of GPS and ITS based transit payments/toll collection projects. He/She should have experience of working/heading task force/committees/working groups, spearheading industry standardization/drafting specifications, undertaking extensive stakeholder consultations, and so on. Further, He/She should also have experience of conceptualizing, implementing and managing large scale technology transformation projects in Government sector.	No change in RFP and Corrigendum released.
	5.2.3 b (Page 31)	Minimum Requisite Qualification and Experience - GNSS Expert (Education) Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) GNSS Expert (Experience) At least 15 years of experience in GNSS based applications in India, familiarity with usage of GNSS models for computation of distance & legalities involved with the same.	The proposed expert is expected to have a good understanding of toll computation in India and well versed with electronic transit payment/toll collection mechanism. He/she should be able to leverage his understanding about electronic tolling and transit payment; propose alternate models with respect to GNSS based tolling, suggestions on introducing distance based tolling system, enforcement mechanism and changes required in existing system. Keeping this in view, it is suggested that position description can be reworded as a Transit based payment / Toll collection system expert. The proposed expert may be a technology expert with sound working experience of working on electronic tolling and transit-based payment systems. He/She should be BE/BTech in CS/IT/Electronics or equivalent with at least 10 years of relevant experience. He/She should have worked on minimum 2 projects involving GPS and ITS based tolling/transit payments systems. In addition, the personnel should also suggest number of use cases which can be addressed using data collected and insights which can be obtained. The Personnel should be able to provide inputs around data management strategy for the Authority keeping in view prevailing laws and regulations around data privacy and data protection.	No change in RFP and Corrigendum released.
	5.2.3 b (Page 31)	Finance & PPP expert (Experience) Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling etc. and at least 5 years of consultancy experience in carrying out Financial Business Modelling of large-scale ICT/E Governance/digital transformation projects with Government/PSUs Should have carried out at least 3 financial modelling project of large-scale Government programme in India or abroad. Experience in Financial modelling and PPP Contracts in Road Transport and Highways sector	The role of finance expert is not very clear considering the scope outlined in the project. A finance expert is generally required to undertake revenue forecasting, business modelling, creating scenarios as well as undertake profitability analysis of various options. Request the Authority to clarify.	No change in RFP and Corrigendum released.
	5.2.3 b (Page 31)	Public Procurement & Bid Process Management Expert Experience :At least 10 years experience in advisory role in public procurement for government/PSU Experience in RFP prepration, Bid Process management, Contracting.	We believe that it is imperative for the proposed personnel to have experience of Technology procurement in large scale government transformation projects. Hence, it essentially requires to have understanding of technology, experience in defining solution, specifying technical and functional specifications of the solution, identify roles and responsibilities of stakeholders, identify issues pertaining to implementing software/hardware solution and suggest mitigation strategies. Keeping this in view, we suggest the profile description may be augmented by Bachelor in Engineering, preferably computer science/electronics or equivalent with atleast 10 years of overall experience. He/she should have specific experience of handling public procurement of IT/digital/ICT transformation projects which comprises drafting EOI, RFP, undertaking bid process management, contract finalization as well as project monitoring.	No change in RFP and Corrigendum released.
	5.2.3 b (Page 31)	Degree in law  Membership of Bar Council of India At least 15 years of experience in drafting legislation/ regulation in India, familiarity with motor vehicles law, rules etc. highway fee rules, metrology rules, familiarity with law related to usage of coordinates as basis for computation of distance.	The proposed expert is expected to have experience of drafting legislation/regulations. Further, He/She should have good understanding of highway fee rules, motor vehicles law, metrology rules, toll calculation etc.  In addition to this, the proposed personnel should also be capable to understand prevailing legislation around data storage, sharing, privacy as well as its use. He/She should also suggest issues/concerns and likely ways of addressing them.	Corrigendum released.
21	5.2.3 (Page 32)	Please note that the above resources should be deployed full-time for the assignment at IHMCL office and should be available for discussion and consultation during the project period.	We believe the proposed key experts shall be required to attend key meetings/discussion as well as presentation around project progress, project related findings and conclusions, stakeholder consultations etc. Also, quite a substantial work is expected to be undertaken from Consultant's office and hence requirement for full deployment of personnel may be relaxed. The key experts presence may be requested on need basis and meetings/discussions can happen physically as well as remotely.	Please refer to responses to pre- bid qureries released earlier.

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	5.2.3 a (Page 31)	Key Resource Requirement	We understand that five key experts are critical for the success of the project. However, the consultant will be required to be deploy additional support resources for undertaking secondary research, literature review, drafting reports/case studies, preparing for stakeholder consultation, presentations, overall stakeholder co-ordination etc. Hence, we request you to allow bidders to quote for effort from support staff as a separate line item in financial proposal.	Please refer Corrigendum 3
23	2. Page 6	Schedule of Tender (key dates)	Due to the current pandemic situation, we fear that we might not be able to submit a competitive bid within the specified deadline i.e. 06 May 2021 as most of us are working with limited capacity or remotely. We are sure that this must be the case with other potential bidders as well. In view of the same, we hereby request you to extend the bid submission deadline by at-least 4 weeks i.e. 03 June 2021.	Please refer Corrigendum 3
	Team Leader Clause No. 5.2.3 (b) Page no. 31 of 78	Regarding the key persons for this consultancy project, the RFP requires a Team Leader having and an advanced degree in geomatics (GPS/ GNSS/applied geographical information systems) or transportation engineering or economics with 10 years in having worked with GNSS based application in transport, highways sector.	The consultants request the client to kindly consider as specify below: Would level of Education, Masters in Computer Science and Artificial Intelligence, be acceptable for candidate to serve the IHMCL for the purpose of this assignment and in meeting the selection criteria of this RFP.  If candidate studied computer science at two internationally acclaimed institutions (Carnegie Mellon in the USA, and the Technical University of Vienna). Fifteen years ago, a course of study based on geomatics did not exist at these or similar institutions. Neverthless, candidate has a wealth of experience in the design, deployment operation of GNSS-based tolling systems that would provide the IHMCL with valuable guidance in the design and procurement of such a system.  Please confirm the same.	No change in the RFP. Please refer to Corrigendum 1.
	GNSS Expert Clause No. 5.2.3 (b) Page no. 31 of 78	Furthermore a GNSS Expert is required to have an advanced degree in geomatics (GPS/GNSS/applied geographical information systems) with "at least 15 years of experience in GNSS based applications in India"	The Consultants request the Client to amend the existing Clause as hereunder We would like to point out that there may very well be "GNSS Experts" in India who have up to 15 years of experience in using GNSS based applications in India, but certainly not in the field of road telematics or tolling. For example, there may be experts on the use of GNSS applications in aerospace, shipping or in land surveying for 15 years or more. But this experience would hardly be of any use in the design and development of a GNSS-based solution for tolling. In my view, this would be similar to hiring an expert in ship-building or train construction in order to support the design of a new type of passenger car. Please confirm the same.	
26	Clause No. 4.3, S.No. 1, Page no. 10 of 78	The Sole Bidder / all members in case of a consortium should be registered with GST in India	The Consultants request the Client to amend the existing Clause as hereunder Since if some International firm intend to partner with Indian company that meets all the legal requirements set forth in the RFP, is it acceptable that international partner as a Joint Venture partner with an Indian company in currently registered only in the European Union So if any of the firm of consortium is registered with GST in India, it would be considering. Not necessary for both the firm.  Please confirm the same.	Please refer Corrigendum 3
27	Schedule of the Tender (Key da	Bid Due Date: 06 May 2021, 16:00 hours IST  Due Date for physical submission of following documents at IHMCL office: - 06 May 2021, 16:30 hours IST  1. Document Fee 2. Bid Security/EMD 3. Power of Attorney	Given the requirements of the proposal, the prospective bidders shall need to co-ordinate and collaborate with multiple experts/stakeholders to position a competent team and prepare a competitive and robust proposal. Further, given the COVID related restrictions / lockdown that have been imposed in Delhi, as well as other parts of the country, it may be difficult to put together an impactful proposal as desired by the Authority.  Considering the above, in order to enable the prospective bidders to assess the requirements in detail and submit a competitive and compliant proposal, we request the Authority to kindly extend the bid submission due date till 31st May 2021.  In addition, we suggest that physical submission of the original documents, as stipulated in the clause, to be submitted only by the Selected Consultant during Contract Award Stage. We may highlight that the same practice has been accepted in Government and PSU tenders including similar engagements of NHAI.	Please refer Corrigendum 3
	5.2.2 Detailed Technical Scoring Criteria, point no. 4.1 in page 29 & 5.2.3 Resource Requirement – Sub clause b), point no.1 in pages 32	P.S - Project should have been awarded and implemented by the bidding entity only, and no project experience of parent entity, or sister concern shall be considered for evaluation.	In line with the above suggested considerations. We request the Authority to consider India offices/subsidiaries of international firms to be allowed to bid and take experience of their parent company.	No change in the RFP. Please refer to Corrigendum 1.

erial No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
)	Schedule of the Tender (Key dates), Point Nos. 4 & 5 in page 5	Bid Due Date: 06 May 2021, 16:00 hours IST  Due Date for physical submission of following documents at IHMCL office: - 06 May 2021, 16:30 hours IST  1. Document Fee  2. Bid Security/EMD  3. Power of Attorney	Given the requirements of the proposal, the prospective bidders shall need to co-ordinate and collaborate with multiple experts/stakeholders to position a competent team and prepare a competitive and robust proposal. Further, given the COVID related restrictions / lockdown that have been imposed in Delhi, as well as other parts of the country, it may be difficult to put together an impactful proposal as desired by the Authority.  Considering the above, in order to enable the prospective bidders to assess the requirements in detail and submit a competitive and compliant proposal, we request the Authority to kindly extend the bid submission due date till 31st May 2021.  In addition, we suggest that physical submission of the original documents, as stipulated in the clause,	Please refer Corrigendum 3
			to be submitted only by the Selected Consultant during Contract Award Stage. We may highlight that the same practice has been accepted in Government and PSU tenders including similar engagements of NHAL.	
	5.2.3. Resource Requirement b), below point no. 5 in page 33	Please note that the above resources should be deployed full-time for the assignment at IHMCL office and should be available for discussion and consultation during the project period.	Given the COVID related restrictions / lockdown that have been imposed in Delhi, as well as other parts of the country, it may be difficult to deploy the mentioned resources full-time at IHMCL office.  Considering the above, we suggest authority for allowing only Team leader and GNSS Expert to be deployed full-time for the assignment at IHMCL office.	No change in RFP and Corrigendum released.
	Additional clauses	Anti -Bribery and Corruption	We request the Authority to consider incorporating the following clause under contract:	No change in RFP and
			"Each party represents, warrants and undertakes that:  (a) It has not and shall not offer, promise, give, encourage, solicit, receive or otherwise engage in acts of bribery or corruption in relation to this agreement (including without limitation any facilitation payment), or to obtain or retain business or any advantage in business for any member of its group, and has and shall ensure to the fullest extent possible that its employees and agents and others under its direction or control and directly involved in providing services under the agreement do not do so. For the purposes of this clause it does not matter if the bribery or corruption is (i) direct or through a third party; (ii) of a public official or a private sector person; (iii) financial or in some other form; or (iv) relates to past, present, or future performance or non-performance of a function or activity whether in an official capacity or not, and it does not matter whether or not the person being bribed is to perform the function or activity to which the bribe relates, or is the person who is to benefit from the bribe. For the purposes of this clause, a "person" is any individual, partnership, company or any other legal entity, public or private.  (b) Each party shall, adhere to applicable anti-bribery and corruption laws.  (c) Each party shall, immediately upon becoming aware of them, give the other party all details of any non-compliance with Clause (a) and Clause (b).	Corrigendum released.
	Additional clauses	Non Exclusivity	without prejudice to any other remedy available to a party, the non-breaching party shall have the right (but not the obligation) in its absolute discretion to terminate the whole of this agreement, or that part of this agreement to which the bribery or corruption relates. For the avoidance of doubt, any breach of this Clause shall be deemed to be incapable of remedy."  We request the Authority to consider incorporating the following clause under contract:	No change in RFP and Corrigendum released.
			"The Client acknowledges that the Consultant or its associates may have other commercial transactions with the Client, other parties reviewed for the Client or referred in the agreement (if any) and the services provided under the agreement shall be on a non-exclusive basis."	
	4.3. Eligibility/Pre-Qualification Criteria Point no. 4 Page 12	P.S - Project should have been awarded and implemented by the bidding entity only, and no project experience of parent entity, or sister concern shall be considered for evaluation.	These niche projects have not been implemented in India on large scale before and internationally also these are in limited number of countries. Only international firms would be able to provide these expertise. Therefore, we suggest authority to consider India offices/subsidiaries of such firms to be allowed to bid and take experience of their parent company.	No change in RFP and Corrigendum released.
	4.3. Eligibility/Pre-Qualification Criteria Point no. 5 Page 12	P.S - Project should have been awarded and implemented by the bidding entity only, and no project experience of parent entity, or sister concern shall be considered for evaluation.	In line with the above suggested considerations. We request the Authority to consider India offices/subsidiaries of international firms to be allowed to bid and take experience of their parent company.	No change in RFP and Corrigendum released.
	Section 4.2.3; Page 9	The Sole Bidder / all members in case of a consortium should be registered with GST in India.	The project may benefit from partnerships with International players and it could be an issue for such players to be GST registered in India. Would request to kindly consider GST registration only for lead member.	Please refer Corrigendum 3
	Section 5.2.3; Minimum requisite Qualification & Experience; Page 31; Team Leader	At least 15 years of experience, with 10 years in having worked with GNSS based application in transport, highways sector	Given the recent deplyment of GNSS based applications in India, especially in transport and highways sector, would request to kindly consider reducing the relevant experience requirements to 5 years.	No change in RFP and Corrigendum released.
	Section 5.2.3; Minimum requisite Qualification & Experience; Page 31; GNSS Expert	Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems).	Advanced Degree in Geomatics is a ercent offering in India and it may be a challenge to find suitable Indian cancidates. Would request to kindly allow for Computer Science/Electronics related qualification to allow for parity for Indian candidates.	No change in RFP and Corrigendum released.

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	Clause 4.3, Pg. 9 of RFP and SI. No. 2, Pg. 1 of the Corrigendum to the RFP.	Eligibility/Pre-Qualification Criteria	Under Clause 4.3 of the RFP and also at SI. No. 2 of the Corrigendum to the RFP, it has been stated that in case of a consortium bidding for the project, all members of the said consortium must be a business entity incorporated in India under the Companies Act, 1956/2013 or the Limited Liability Partnerships Act, 2008, as a pre-requisite for qualifying as an eligible bidder.  In view of this requirement, we would like to mention that not many Indian law firms are registered under the Limited Liability Partnetrship Act, 2008 and rather operate as partnership firms registered under the Indian Partnership Act, 1932.  Given that the form of the consortium member does not impact the services rendered by it, we would request you to kindly clarify that all kinds of partnership firms whether LLP or partnership under Indian Partnership Act, 1932 will be considered as an eligible member of a consortium bidding for the project.	Please refer Corrigendum 3
	4.3. Eligibility/Pre-Qualification Criteria Sr. No1	Eligibility Conditions/Conditions  i.The Sole Bidder or the Lead Member, in case of a consortium, must be a business entity incorporated in India under the Companies Act, 1956/2013 or the Limited Liability Partnerships Act, 2008.  ii.In case of a consortium, the other member(s) of the consortium should be incorporated as per above subject to the following conditions:  a.Maximum number of members in the Consortium shall be two  b.Members of the Consortium shall nominate one member as the lead member (the "Lead Member"), who shall be responsible for all interactions with IHMCL  c.All members in the Consortium shall be jointly and severally liable  d.No bidder applying individually or as a member of a Consortium, as the case may be, can be member of another Consortium.  e.Proposal/Bid should contain the information required for each member of the Consortium f.Proposal/Bid should include a brief description of the roles and responsibilities of individual member  The Sole Bidder / all members in case of a consortium should be registered with GST in India.	GST registration procedure for Non-Resident companies is possible but it will take more time and shall also involve advance tax paid for an amount equivalent to its estimated tax liability for which the registration is sought as per Section 27 (2) CGST Act, 2017 read with rule 13 of CGST rules 2017. It will also take substantial time for the process to be completed. With the prevailing Covid Condition we sincerely request you to relax this condition for JV partner. Once we win the project, our JV partner will proceed with the registration before signing of the contract. Further, we request you to consider GST registration of the Lead Member only for the bid submission.	_
	5.2.3 b) Minimum requisite Qualification & Experience – GNSS Expert	b) Minimum requisite Qualification & Experience S.No. 2 – GNSS Expert Education – Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems).	"Kindly reconsider the educational qualification of GNSS Expert as: Education: Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or Engineering in any relevant field As GNSS expertise is a niche skill, we request you not to limit is degree (educational qualification), as it is also not necessary that GNSS expert will have a degree in geomatics. In fact, the GNSS experts who have successfully implemented GNSS-based tolling schemes in numerous European countries had higher technical degrees but not a degree in geomatics".	No change in RFP and Corrigendum released.
42	Clause No: 10.5.1 Pg.No:72 of	Bidders would deploy on-site team consisting of members / consultants as proposed in the bid.  No separate/ additional payment shall be made for any type of off-site deployment	During this Covid-19 Pandemic it would be difficult for the Experts to work full time on site. Hence, we would request to consider deployment off site as well.	No change in RFP and Corrigendum released.
	Section 4.3 - Eligibility/Pre- Qualification Criteria, Page 11 and and 5.2.2, Detailed Technical Scoring Criteria, Page 25 and Page 27	Project Experience 1 - P.S - The bidding entity can use the experience of a company which controls, is controlled by, or is under the common control with such bidding entity. The 'control' means the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such bidder, as on the Bid Due Date. In such case, the bidder shall submit the following documents:  Project Experience 2 - P.S - The bidding entity can use the experience of a company which controls, is controlled by, or is under the common control with such bidding entity. The 'control' means the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such bidder, as on the Bid Due Date. In such case, the bidder shall submit the following documents:	Our humble observation is since the engagement requires analysis of foreign Global Navigation Satellite Systems (such as GPS, GLONASS, etc.), the depth of knowledge/ experience comes from member firms. Therefore member firm/ affiliate/ associate of bidding entity may be allowed to procure the relevant experience for similar engagements carried out by such firms outside India. Request the Authority to kindly modify the Clauses as below:  Project Experience 1 - P.S - The bidding entity can use the experience of entities which are affilated / associated as part of the same local/global network of firms OR a company which controls, is controlled by, or is under the common control with such bidding entity. The 'control' means the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such bidder, as on the Bid Due Date.  In such case, the bidder shall submit the following documents:  Project Experience 2 - P.S - The bidding entity can use the experience of entities which are part of same local/global network or a company which controls,  The bidder may submit the required supporting documents to evidence the same	No change in RFP and Corrigendum released.
1	Annexure 2 B. Undertaking by the Parent/Sister/Subsidiary Entity	I/We declare that:  1. I/We declare we are the <parent concern="" sister="" subsidiary=""> company of the <name bidding="" entity="" of="" the=""> hold at least 50% voting shares in <name bidding="" entity="" of=""> as on the date of release of the RFP  3. I/We further acknowledge that along with <name bidding="" entity="" of="">, we shall be jointly and severally responsible and bound towards the Purchaser for the performance of the works with respect to this project experience field and as per terms and conditions of the RFP Name of the Parent/Sister/Subsidiary Entity: </name></name></name></parent>	As the member firm will not directly be a part of the Bid, a joint and several liability commitment from member firms may not be applicable. In line of modifications in Query No. 1, we humbly request the following changes in the Undertaking:  Annexure 2 B: Undertaking by the Parent/Sister/Subsidiary Entity/ Entity which is part of the same local/ global network  1. I/We declare we are the <parent concern="" sister="" subsidiary=""> company of the <name bidding="" entity="" of="" the=""> hold at least 50% voting shares in <name bidding="" entity="" of=""> as on the date of release of the RFP/ I/We declare we are the part of the same local/global network as the <name bidding="" entity="" of="" the=""> 3. Deleted  Name of the Parent/Sister/Subsidiary Entity/Entity which is part of the same local/ global network:</name></name></name></parent>	No change in RFP and Corrigendum released.

Serial No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
45	Clause 5.2.3 (b), Page 31 and Clause 10.6.2, Page 73	Clause 5.2.3 (b) Please note that the above resources should be deployed and available for discussion and consultation during the project period.  Please note that the Team Leader and the GNSS Expert are required to be deployed full time for the assignment at IHMCL office.  Please note that if travel restrictions (national and international) arising out of the ongoing pandemic are imposed by Government(s), then relaxation to full-time deployment of resources may be considered by IHMCL as per prevailing government guidelines.  Clause 10.6.2  The daily attendance of consultant on-site resources will be marked in the register maintained by IHMCL at its premises or as advised by IHMCL.	Since the Team Leader and GNSS Experts will essetially be foreign nationals with the international experience to satisfy the requirements of the RFP, their deployment on-site may be restricted to max. of 8 weeks (50% of the time for submission of the Flnal Report - Delivereable #4), especially considering the uncertain pandemic situation, subject to international travel restrictions and prevailing norms for foreign nationals. Based on our prior experience, it is our humble view that this will not impact the outcomes of the study as virtual meetings are possible and can be had with more frequency as needed to intreact with the client on progress and inputs. Further these experts will be available for discussion and consultation offline throughout the project period as required.  We request the Authority to kindly modify the Clause as below:  Clause 5.2.3 (b) Please note that the key resources should be available for discussion and consultation throughout the project period, offline, in addition to the minimum required deployment on-site  Clause 10.6.2  Deleted	No change in RFP and Corrigendum released.
46	Section 10.8.1, Page 73	Consultant shall not outsource any work related to the project or the part thereof to any other associated/franchisee/third party. However, in case of any skill gap in requisite niche area such as GNSS tolling within the organization, the bidder can go in for Sub-Contracting to out-source maximum one resource from the key resources (section 5.2.3) to bridge the gap as per provisions in this RFP. In case of any out-sourcing or sub contracting of key resources, the Bidder shall clearly mention the outsourced resources in their Proposal along with the CVs.  Upon sub-contracting of the resource, the Consultant shall solely be responsible for all Contractual obligations, including but not limited to the specific deliverables, confidentiality of data & information, conflict of interest, etc.	Given the need for expert resources with international experience and redundancy to meet contingencies in the current pandemic situation, sub-contracting of 2 resources may be allowed. This would ensure,  1. Continuous availability of key expertise for the project  2. Flexibility in contracting key international experts, who may have travel constraints for personal or statutory reasons  3. Pricing flexibility and realsitic budgets for execution  We humbly request the Authority to kindly modify the Clause as below:  Consultant shall not outsource any work related to the project or the part thereof to any other associated/franchisee/third party. However, in case of any skill gap in requisite niche area such as GNSS tolling within the organization, the bidder can go in for Sub-Contracting to out-source maximum two entities/ experts from the key resources (section 5.2.3) to bridge the gap as per provisions in this RFP. In case of any out-sourcing or sub contracting of key resources, the Bidder shall clearly mention the outsourced resources in their Proposal along with the CVs.  Upon sub-contracting of the resource, the Consultant shall solely be responsible for all Contractual obligations, including but not limited to the specific deliverables, confidentiality of data & information, conflict of interest, etc.	No change in RFP and Corrigendum released.
	Section 4.3 - Eligibility/Pre- Qualification Criteria, Annual Turnover and Net Worth, Page 10	For the purpose of this criterion, annual turnover of only the bidding entity will be considered. Annual turnover of any parent, subsidiary, associated or other related entity will not be considered.  For the purpose of this criterion, networth of only the bidding entity will be considered. Net-Worth of any parent, subsidiary, associated or other related entity will not be considered	We request the Authority to kindly allow the use of Annual Turnover and Net Worth for the parent of the Lead Member. This is consistent with the provision wherein the Authority has allowed Project Experience of the associated entities as per the Corrigendum issued on 04.05.2021 We request the Authority to kindly modify the Clauses as below:  For the purpose of this criterion, annual turnover and networth of the entity/ company which controls, is controlled by, or is under the common control with such bidding entity will also be considered. The 'control' means the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such bidder, as on the Bid Due Date. The bidder shall submit the following documents:  1. Annual Turnover and Net Worth details of the entities from whom such experience has been borrowed in the form of audited annual reports or certificate issued by a certified auditor of the company 2. Cetificate of Assoication from a certified auditor of the company establishing direct or indirect control of the company/ies with the bidding entity as prescribed in the RFP	
48	Section 5.2.3 - Resource Requirement b) Minimum requisite Qualification & Experience, Page - 32	Finance & PPP expert - Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling etc. and at least 5 years of consultancy experience in carrying out Financial Business Modelling of largescale ICT/E-Governance/digital transformation projects with Government/PSUs	Financial analysis, commercial structuring and PPP advisory experience with Governments/PSUs should be adequate for the engagement. Specific experience on ICT/E-governance/ digital transformation projects is not required since this experience will come from key experts such as Team Leader and GNSS tolling professionals and other sub-consultants. The role of the Finance & PPP expert is to develop a strong commercial and contractual framework with technical and legal/ regulatory inputs respectively from the key subject matter experts. The contractual framework is fairly standardised across various PPP projects. Further, this ICT/ E-governance experience is very restrictive since not many PPP, digital transformation projects have been implemented in this space and may affect competition.  We request the Authority to kindly modify the Clause as below: Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling and structuring of PPP contracts for transport projects of which he/ she should have at least 5 years of consultancy experience in carrying out similar services for Government/PSU clients	

Serial No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
49	Page - 31 and Section 4.1 Adequacy and Quality of Resources proposed for	Education - Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or transportation engineering or B.E or B. Tech in Computer Science or IT or Electronics with MBA  Experience - At least 15 years of experience, with 10 years in having worked with GNSS based application in transport, highways sector More than 20 years experience - 15 marks for 18 years upto 20 years experience - 12 marks  For 15 years upto 18 years experience - 10 marks	We humbly submit that GNSS is a relatively new technology adopted around the world, so it is difficult to find an ideal candidate who has 20 years experience in this. Again, an MBA degree is a very unusual requirements for such a technical role. These two conditions in our view can make participation very restrictive and reduce competition. More experience can be given higher marks while threshold experience can be reduced to 10 years  We request the Authority to kindly modify the Clause as below:  Education - Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or transportation engineering or Masters in Computer Science or IT or Electronics  Experience - At least 10 years of experience in having worked with GNSS based application in transport, highways sector  15 years + experience - 15 marks  13 -15 years experience - 10 marks	No change in RFP and Corrigendum released.
50	Qualification & Experience, Page - 31 and Section 4.1 Adequacy and Quality of Resources proposed for	Education - Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems).  Experience - At least 15 years of experience in GNSS based applications in India or Abroad, familiarity with usage of GNSS models for computation of distance & legalities involved with the same  More than 20 years experience - 10 marks for 18 years upto 20 years experience - 8 marks For 15 years upto 18 years experience - 7 marks	Same rationale as mentioned for Team Leader. More marks can be assigned for higher experience. Threshold experience can be 10 years  We request the Authority to kindly modify the Clause as below: Education - Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or transportation engineering or Masters in Computer Science or IT or Electronics Experience - At least 10 years of experience in GNSS based applications in India or Abroad, familiarity with usage of GNSS models for computation of distance & legalities involved with the same 15 years + experience - 10 marks 13 -15 years experience - 8 marks 10 -12 years experience - 7 marks	No change in RFP and Corrigendum released.
51	Section 5.2.3 - Firm Experience Resource Requirement b) Minimum requisite Qualification & Experience, Page - 31 and Section 4.1 Adequacy and Quality of Resources proposed for Deployment, Page 29	Nil	Need for Program Management Experience This is a complex engagement involving multiple international and Indian stakeholders. Our experience globally with such large multi-stakeholder contracts is that Program Manager with experience of curating and overseeing all elements of the project is a significant value add. In the current context, it is assumed that multiple think tanks and agencies at the central and State levels - MoRTH, IHMCL, NHAI, MoF, Niti Aayog, MoIT, AAI, ISRO, DST, IRDA, State HIghway Authorities, MHA etc will be invilved in the decision making process. A program manager with relevant knolwedge and experience of working with ministries, governments, regulators, policy makers, vendors and service providers. It is important to pull the stakeholders together and oversee the project being completed successsfully within the tight tinelines expecially with the key resources likely to foreign nationals.  We request the Authority to kindly add the following for qualificiation requirements Project Management Experience of Bidding Entity- At least 3 consultancy engagements as a Program or Project Manager, with a consultancy fee of not less than INR X crore, of which at least one engagement should be for a government/ public sector transport authority in India with an engagement value of not less than INR Y(Y>X) crore. Ongoing engagements can be qualified providing work has been delivered to the client for a period of more than six months with proof of work/ contract from client Key Resource - Program Manager with at least 3 consultancy engagements involving project or program management work with consultancy fee of not less than INR X cr per engagement, of which at least one conultancy engagement should be for a government / public sector transport authority. Ongoing engagements can be qualified providing work has been delivered to the client for a period of more than six months with proof of work/ comtract from client.	
52	Schedule of the Tender - Key Dates, Page 5	Bid Due Date - 27 May 2021, 16:00 hours IST	Considering the current pandemic situation, it will be difficult to onboard appropriate partners and finalise the bid in such a short duration of time for this complex assignment. Also because of the lockdown restrictions, there are issues in offices pursuing documents like Power of Attorney etc. Also, as an addition pre-bid meeting is being organised, we would require sufficient time from issue of replies to the queries raised in this 2nd pre bid meeting Request the Authority to kindly extend the bid due date by at least 3 weeks from the date of issue of clarifications to queries obtained from the second pre-bid meeting.	Please refer Corrigendum 3

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		1) Submission of Deliverable #1 - Literature survey & reverse engineering of case studies - 5% of SI. # 1 (A) in Form 2A:  Summary of Costs 2) Submission of Deliverable #2 - Current practice, Option analysis and readiness assessment for GNSS based tolling in India - 5% of SI. # 1 (A) in Form 2A: Summary of Costs 3) Submission of Deliverable #3 - Report on Standards & specification of the proposed GNSS based tolling system - 10% of SI. # 1 (A) in Form 2A: Summary of Costs 4) Approval on Deliverable # 4 Report on Changes to legislation & regulatory matters - 10% of SI. # 1 (A) in Form 2A: Summary of Costs 5) Approval on Deliverable #5 Draft RFP for Selection of Implementing agency for GNSS based tolling in India - 30% of SI. # 1 (A) in Form 2A: Summary of Costs 6) Completion of Bid Process Management for Selection of Implementing agency for GNSS tolling in India and Submission Bid Evaluation report - 30% of SI. # 1 (A) in Form 2A: Summary of Costs 7) Vendor on-boarding and Contract Signing with Implementing agency - 10% of SI. # 1 (A) in Form 2A: Summary of Costs  Summary of Costs	Our humble observation is that payments are back ended, .Significant part of the effort and payment obligation to foreign experts will be in the first 20 weeks. We request the Authority to kindly modify the Payment Milestones as below:  1) Submission of Deliverable #1 - Literature survey & reverse engineering of case studies - 15% of SI. # 1 (A) in Form 2A: Summary of Costs  2) Submission of Deliverable #2 - Current practice, Option analysis and readiness assessment for GNSS based tolling in India - 15% of SI. # 1 (A) in Form 2A: Summary of Costs  3) Submission of Deliverable #3 - Report on Standards & specification of the proposed GNSS based tolling system - 20% of SI. # 1 (A) in Form 2A: Summary of Costs  4) Approval on Deliverable # 4 Report on Changes to legislation & regulatory matters - 10% of SI. # 1 (A) in Form 2A: Summary of Costs  5) Approval on Deliverable #5 Draft RFP for Selection of Implementing agency for GNSS based tolling in India - 20% of SI. # 1 (A) in Form 2A: Summary of Costs  6) Completion of Bid Process Management for Selection of Implementing agency for GNSS tolling in India and Submission Bid Evaluation report - 10% of SI. # 1 (A) in Form 2A: Summary of Costs  5) Wendor on-boarding and Contract Signing with Implementing agency - 10% of SI. # 1 (A) in Form 2A: Summary of Costs  5) Wendor on-boarding and Contract Signing with Implementing agency - 10% of SI. # 1 (A) in Form 2A: Summary of Costs	Please refer Corrigendum 3
54	Section 10.22.1- Page 78	The liability of Consultant (whether in contract, tort, negligence, strict liability in tort, by statute or otherwise) for any claim in any manner related to this Agreement, including the work, deliverables or Services covered by this Agreement, shall be the payment of direct damages only which shall in no event in the aggregate exceed the Total Contract Value. The liability cap given under this Clause 10.22.1 shall not be applicable to the indemnification obligations set out in Clause 10.21.		No change in RFP and Corrigendum released.
55	Section 10.5.4 - Page 72	The team shall be deployed on an exclusive basis; no resource deployed under this project will work on any other engagement during Contract Period and a declaration for the same to be provided.	We request the Authority to kindly delete the Clause.  Else, we request the Authority to kindly modify the Clause as "No resource deployed under this project will work on any other engagement which are conflicting in nature to the current engagament during the Contract Period and a declaration for the same shall be provided by the bidding enitty.	No change in RFP and Corrigendum released.
56			Please confirm that any Consultant Personnel of bidding entities that are sourced from a company which controls, is controlled by, or is under the common control with such bidding entity, shall be considered as insourced resources for the purpose of Clause 5.2.3.	No change in RFP and Corrigendum released.
57			Regarding 10.8.1, would you increase the maximum allowed sub-contractors from one to two for the key resources (Clause 5.2.3)	No change in RFP and Corrigendum released.
58			3. Regarding 5.2.3, could you clarify that an advanced degree in Computer Science would meet the requisite education qualification for the Team Leader?	No change in RFP and Corrigendum released.
59			Regarding 5.2.3, could the maximum requirement for the GNSS expert experience be reduced from 20+ to 18+ years?	No change in RFP and Corrigendum released.
60			<ol><li>Regarding 5.2.3, it appears that the original education requirement for the Team Leader, that he or she may have a degree in Economics, has been eliminated. Please confirm and explain.</li></ol>	No change in RFP and Corrigendum released.
61			6. Is there scope for relaxation around Clause 10.4.1 and/or Clause 10.5.4 re: downstream work?	No change in RFP and Corrigendum released.