

**RESPONSE TO 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 04.05.2021**

Sl. #	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
1	Eligibility Criteria; Page 11	Point 5 - Project Experience 2 The Bidder must have experience of providing advisory/consulting services for at least 1 project related to Global Navigation Satellite System (GNSS) based solution in the field of transit payments or electronic tolling in India or Abroad in last 10 years from the bid due date.	Since most of the GPS based tolling engagements globally were completed in the past two decades, would request to kindly consider allowing projects completed within the past 15 years.	Refer Corrigendum-1
2	Section 5.2.2; Detailed scoring criteria; Page 26	Experience of providing advisory/consulting services for use of Global Navigation Satellite System (GNSS) based solution in the field of transit payments in India or Abroad in last 10 years from the bid due date.	Similar to point 1 above.	Refer Corrigendum-1
3	Section 5.2.3; Team Leader; Page 31	Team Leader	Given the need to align international solution(s) with Indian on-ground requirements, it may be beneficial to consider a Team Leader who has holistic experience in Tolling solutions across India with relevant experience in GPS based tolling (if required).  Would request to kindly consider. Would also request to consider bachelors degree in computers engineering with relevant work experience in transport planning and operations.	Refer Corrigendum-1
4	Section 5.2.3; GNSS Expert; Page 31	GNSS Expert	Would also request to consider international experience in lieu of Indian experience.	Refer Corrigendum-1
5	Section 5.2; Page 34	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 evolving pandemic situation and potential restrictions on International/domestic travel, would request to kindly consider video conferencing and similar communication mechanisms, as alternate to full time deployment in IHMCL office(s).	Refer Corrigendum-1
6	Section 9.2; Page 67	9.2. Financial/Commercial Bid Format	Would request to kindly consider a consolidated financial bid with Out of pocket expenses on actuals, since it may not be possible to plan for travel and related expenses in the evolving pandemic situation.	No change, provisions of RFP shall prevail
7	Section 10.6.2; Page 74	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.	As discussed in point 5 above, would request to consider virtual team presence.	Refer Corrigendum-1
8	Section 7; scope of work	Scope of work	We are assuming that the analysis shall be restricted to information available in public domain. We are also assuming that relevant toll volume related data and data from relevant studies shall be made available to the Vendor.  Request to kindly confirm the assumptions.	It is expected that the all the requirements set out in the Terms of Reference shall be adequately covered by the Consultant, not only based on the relevant data and information available in public domain but also based on the rich experience of the key experts and organisational knowledge repository and relevant project credentials.  No change, provisions of RFP shall prevail
9	Section 7.5; Payment milestones	7.5. Payment Milestones	Request to kindly consider de-facto approvals in case approvals on 4 and 5 are delayed beyond defined timelines.	No change, provisions of RFP shall prevail
10	Section 7.5; Payment milestones	7.5. Payment Milestones	Given the evolving situation of tolling technologies in the country, request to kindly consider Vendor payments as per milestones if Authority decide to not go ahead with GPS based tolling in the country.	No change, provisions of RFP shall prevail
11	Project 5; Bid Due Date	Bid Due Date	Given the current situation, would request to kindly consider extending the bid by 2 weeks.	Refer Corrigendum-1
12	Clause 4.3; Page 10	Project - Experience 1  Work order/ Contract clearly highlighting the relevant scope of work, and contract value, year of execution.	Request to kindly consider self certification in lieu of Work Orders as some of these may be confidential documents	No change, provisions of RFP shall prevail
13	Clause 4.7; Page 20	The Performance Guarantee should be valid for a period of 6 months after expiry of Contract Agreement and also should have claim period of 1-year post expiry.	Request to kindly consider a claim period of 3 months as against the proposed one year.	No change, provisions of RFP shall prevail
14	Section 5.2.2; Legal and Regulatory Aspect	General	As per As per Bar Association guidelines, the legal advice can only be provided by registered legal firms/professionals. Management consultancy firms are not allowed to provide legal consultancy and/or undertake legal Vetting or provide legal opinions & assurance.  <b>Accordingly, we assume that the role of Legal Expert would be to identify amendments to existing guidelines and not provide legal vetting to SBD, or relevant documents. Request to kindly confirm the assumption.</b>	The Legal & Regulatory expert shall be primarily responsible for providing advisory services pertaining to changes in legislation & regulatory matters for roll out of GNSS based tolling in India as mentioned in Scope of Work section of the RFP.  No change, provisions of RFP shall prevail
15	Clause 10.10; Intellectual Property Rights	Intellectual Property Rights.	We assume that the pre-existing IPR of Deloitte will still be with Deloitte. Further, Deloitte may not be responsible for infringements in IPR resulting from modification of deliverables submitted by DTTILLP  <b>Request to kindly confirm the validity of assumptions.</b>	All Intellectual Property of the respective Parties shall continue to vest with the respective Party and one Party may make use of the Intellectual Property only with the express consent of the other Party. However, it shall be agreed and acknowledged by the Consultant that intellectual property rights in the Proprietary Information as well as any other data or information/ reports generated during the performance of services as set out in this RFP by the Consultant shall always vest with IHMCL and the Consultant not have any right in such IPR whatsoever.  No change, provisions of RFP shall prevail
16	Clause 10.12.1; Page 75	Deliverable Timelines	Request to kindly consider penalty to 10% of the contract value for the reasons solely attributable to the consultant.  Would also request to consider reducing the Replacement cost of INR 10,00,000/- per replacement. Also, the cost should exclude medical emergencies, and other factors over which Vendor has no control.	No change, provisions of RFP shall prevail
17	Clause 10.21.7; Page 78	All settlements of claims subject to indemnification under this Clause will:	Request to consider including "Subject to mutual agreement" within the clause.	No change, provisions of RFP shall prevail
18	Clause 10.8.1; Page 74	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 areas 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 out-sourced resources in their Proposal along with the CVs.	Given the limited availability of relevant expertise in India, would request to kindly consider allowing for sub-contracting/outsourcing upto two (2) experts for the project.	No change, provisions of RFP shall prevail

Sl. #	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
19	5.2.3. Resource Requirement b) Minimum requisite Qualification & Experience, pg #32	Team Leader qualification: 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.	We appreciate the fact that RFP does not mandate experience in GNSS based tolling for the bidders. Similar criteria should be placed for the key resources. IHMCL is very well aware that GNSS based tolling has been implemented at a small scale in a couple of countries only. Firms / professionals with such experience are eliminated.  As such we request IHMCL to relax this clause to allow experience in Tolling, Transit Payments in India or Abroad.	No change, provisions of RFP shall prevail
20	5.2.1. Technical Qualification Criteria Technical Score, pg #26	Experience of providing advisory/consulting services for use of Global Navigation Satellite System (GNSS) based solution in the field of transit payments in India or Abroad in last 10 years from the bid due date.	As above, GNSS based tolling and payments is a solution which is implemented in only couple of countries. Keeping such criteria would not allow the right bidders to participate.  We suggest that this criteria be relaxed to allow entities who have consulting experience in GNSS field and transit payments field.  This way you will be able to give a chance to bidders. Please consider.	Refer Corrigendum-1
21	Section 4.3 - Eligibility/Pre-Qualification Criteria, Page 9	1) Maximum number of members in the Consortium shall be <b>two (2)</b> ; 2) The <b>Sole Bidder / all members in case of a consortium</b> should be registered with GST in India.	Our humble observation is, since we may need legal advisory services for executing the bid process management part of the engagement, the option of onboarding a 3rd party as a consortium partner should be allowed. Also there might be a situation that the some members of the consortium might be foreign entities, to ensure the highest quality of execution required for the engagement. Request the Authority to kindly modify the Clauses as 1) "Maximum number of members in the Consortium shall be <b>three (3)</b> ," 2) The <b>Sole Bidder/ Lead Member</b> in case of consortium should be registered with GST in India.	Refer Corrigendum-1
22	Section 4.3 - Eligibility/Pre-Qualification Criteria, Page 11	Project Experience 1 - 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.  Project Experience 2 - 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.	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/ a JV partner of bidding entity should be allowed to add value to the engagement. <b>Request the Authority to kindly delete these Clauses</b>	Refer Corrigendum-1
23	Section 5.2.3 - Resource Requirement b) Minimum requisite Qualification & Experience, Page - 32	<b>Finance &amp; PPP expert</b> - 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	We envisage that a minimum of 5 years of experience will be adequate for the engagement. Also, carrying out financial modelling with Governments/PSUs should be adequate for the engagement.  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 etc. and <b>at least 5 years of consultancy experience in carrying out Financial Modelling with Government/PSUs</b>	No change, provisions of RFP shall prevail
24	Section 7.5 - Payment Milestones, Page - 41	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	Our humble observation is that payments are back ended. Considering the experts which will go into the initial stages of the engagement, we request the Authority to kindly modify the Payment Milestones as below:  1) Submission of Deliverable #1 - Literature survey & reverse engineering of case studies - <b>10% of SI. # 1 (A) in Form 2A: Summary of Costs</b> 2) Submission of Deliverable #2 - Current practice, Option analysis and readiness assessment for GNSS based tolling in India - <b>10% of SI. # 1 (A) in Form 2A: Summary of Costs</b> 3) Submission of Deliverable #3 - Report on Standards & specification of the proposed GNSS based tolling system - <b>20% of SI. # 1 (A) in Form 2A: Summary of Costs</b> 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 - <b>20% of SI. # 1 (A) in Form 2A: Summary of Costs</b> 6) Completion of Bid Process Management for Selection of Implementing agency for GNSS tolling in India and Submission Bid Evaluation report - <b>20% of SI. # 1 (A) in Form 2A: Summary of Costs</b> 7) Vendor on-boarding and Contract Signing with Implementing agency - 10% of SI. # 1 (A) in Form 2A: Summary of Costs	No change, provisions of RFP shall prevail
25	Section 2 - Schedule of the Tender, Key Dates, Page - 5	Bid Due Date - 6 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, Bid Security etc. Request the Authority to kindly extend the bid due date by <b>at least 3 weeks</b> and modify the Clause as below: <b>Bid Due Date - 27 May 2021, 16:00 hours IST</b>	Refer Corrigendum-1
26	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.	We request the Authority to kindly modify the Clause as below: <b>"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."</b>	No change, provisions of RFP shall prevail
27	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 engagement during Contract Period and a declaration for the same to be provided.	No change, provisions of RFP shall prevail
28	4.3. Eligibility/Pre-Qualification Criteria Annual Turnover/Net worth/Project Experience - 1/Project Experience - 2	"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"	"Kindly allow us to use the parents company's credential if the subsidiary is 100% owned by the parents firm. The reason is- GNSS (GPS) based tolling is widely used in abroad and no Indian firm has experience for it."	Refer Corrigendum-1
29	"5.2.3 b) Minimum requisite Qualification & Experience - Team Leader"	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	Kindly reconsider the qualification as GNSS is used in limited developed countries and under this COVID situation, we may not able to invite these international experts. Our suggestion is:  At least 15 years of ITS experience. Mandatory experience of at least 1 consulting assignment in GNSS based tolling or electronic tolling. At least of at least 2 ITS consulting assignment as a Team Leader.	Refer Corrigendum-1

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30	5.2.3 b) Minimum requisite Qualification & Experience – GNSS Expert	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.	Kindly reconsider the qualification as GNSS is used in limited developed countries and under this COVID situation, we may not able to invite these international experts. Our suggestion is: At least 15 years of ITS experience. Mandatory experience of at least 1 consulting assignment in GNSS based tolling or electronic tolling.	Refer Corrigendum-1
31	-	General	Being an international entity we would require considerable time to take Statutory/Legal documents & approvals and would request to extend the submission date at least by two (2) weeks from the date of issuance of Pre-Bid Replies.	Refer Corrigendum-1
32	7.3. Deliverables & Timelines Page40	Draft RFP for Selection of Implementing agency for GNSS based tolling in India	In the scope of the same RFP Regulation required for the GNSS Toll System launch is presumed. Are we right that those legislative acts will be published prior to RFP issuance?	No change, provisions of RFP shall prevail
33	*7.3. Deliverables & Timelines Page40*	Submission of Bid Observation Report	Are we right that between week 20 and week 36 of RFP deliverables the RFP for the GNSS toll system agency supplier will be awarded with LOA and the consultants work will be summarize the observations?	No change, provisions of RFP shall prevail
34	Page 6 Sec 3.1 (a) EMD	EMD payment of INR 10 lacs	In line with the new guidelines issued under Atmanirbhar Package 3 stimulus - all companies can now provide a bid declaration form towards the EMD and if tender is awarded the same can be given to the authorities.	Refer Corrigendum-1
35	Page 9 Sec 4.3 Pre-qualifications # 1 - Legal Entity	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	Please also include Global companies registered under their respective regulations	No change, provisions of RFP shall prevail
36	Page 10 Sec 4.3 Pre-qualifications # 2 - Annual Turnover	The Sole Bidder or the Lead Member, in case of a Consortium should have an average annual turnover (generated from consulting) of at least INR 100 crore in the last three financial years FY 2017-18, 2018-19 and 2019-20	Request that this criteria be met either individually by the sole / lead bidder or jointly by the consortium	No change, provisions of RFP shall prevail
37	Page 10 Sec 4.3 Pre-qualifications # 3 - Net Worth	The Sole Bidder or the Lead Member, in case of a Consortium must have positive Net worth in Indian Rupees as on 31 March, 2020.	Request that this criteria be met either individually by the sole / lead bidder or jointly by the consortium	No change, provisions of RFP shall prevail
38	Page 25 Sec 5.2.2 Technical-qualifications # 1.1 - Bidder Profile	Average Annual Sales Turnover generated from consulting services in the last three financial years FY 2017-18, 2018- 19 and 2019-20	We believe that in most global & Indian scenarios, there may not be real consultancy provided towards these projects. This is normally clubbed with the execution of the GNSS based tolling. Also, companies that have executed such projects will have a better understanding of the nuances on the ground  Our request is that we include the Turnover from any IT based sources instead of restricting it to pure consulting	No change, provisions of RFP shall prevail
39	Page 25 Sec 5.2.2 Technical-qualifications # 2.1 - Relevant past experience	Experience of providing advisory/consulting services for use of Global Navigation Satellite System (GNSS) based solution in the field of transit payments in India or Abroad in last 10 years from the bid due date.	We believe that in most global & Indian scenarios, there may not be real consultancy provided towards these projects. This is normally clubbed with the execution of the GNSS based tolling. Also, companies that have executed such projects will have a better understanding of the nuances on the ground  Our request is that we include the Turnover from any IT based sources instead of restricting it to pure consulting	No change, provisions of RFP shall prevail
40	Page 26 & 27 Sec 5.2.2 Technical-qualifications # 2.2 - Relevant past experience	The Bidder must have successfully completed at least 1 project of 'similar nature' of Contract value not less than the amount INR 1 Crore (excluding taxes) in India or abroad for Government Authorities or International funding agencies in the last 10 years as on bid due date.	Request that Indian or Global implementation of GNSS based tolling also be additionally considered here.	Refer Corrigendum-1
41	Section 4.3, page 11	<b>Project Experience -2</b> The Bidder must have experience of providing advisory/consulting services for at least 1 project related to Global Navigation Satellite System (GNSS) based solution in the field of transit payments or electronic tolling in India or Abroad in last 10 years from the bid due date. <b>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.</b>	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. Therefore, it is requested to please consider the experience of the parent entity or sister concern or network firms, particularly given the opportunity to include such capability in a proposal  Therefore it is requested to please drop the additional caveat: 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.	Refer Corrigendum-1
42	Section 5.2.2, page 25	Experience of providing advisory/consulting services for use of Global Navigation Satellite System (GNSS) based solution in the field of transit payments in India or Abroad in last 10 years from the bid due date. <b>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.</b>	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. Therefore, it is requested to please consider the experience of the parent entity or sister concern or network firms, particularly given the opportunity to include such capability in a proposal  Therefore it is requested to please drop the additional caveat: 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.	Refer Corrigendum-1
43	Section 5.2.3 (b) 1	<b>Team Leader:</b> Education: Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or transportation engineering or economics. 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, failing which the CV shall not be considered for evaluation.	Since the requirement of a GNSS expert is already requested as a 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:  Education: Advanced degree in geomatics (GPS/ GNSS/ applied geographical information systems) or <b>engineering in any relevant field</b> or economics Experience: At least 10 years of experience in project management, <b>with experience in managing large projects in the transport domain. Mandatory experience of at least 1 project in the road transport domain.</b>  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.	Refer Corrigendum-1

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44	Section 5.2.3 (b) 2	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 <b>engineering in any relevant field or MBA</b> Experience:  At 15 yrs experience with <b>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</b> 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.	Refer Corrigendum-1
45	Section 5.2.3 (b) 3	Legal & Regulatory expert: Education: Degree in law Membership of Bar Council of India Experience: 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 above experience and years should be clearly specified and verifiable in the CV submitted, failing which the CV shall not be considered for evaluation.	For this particular profile, a profile with regulatory experience is needed. Also, the current scope makes a specific assumption on the technical process on how distance-related charges are determined, amongst a range of options Requesting you to change the clause as follows:  Education: Degree in law/ equivalent Experience: At least 15 years of experience in legislation/ regulation in India, familiarity with motor vehicles law, rules etc. <b>with awareness of factors necessary for distance-related charging including the use of automated data capturing equipments for the determination of vehicle usage and, for the purposes of enforcements, the capture of evidence of vehicle presence.</b> 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.	No change, provisions of RFP shall prevail
46	Section 5.2.3 (b) 4	Finance and PPP expert: Education: Chartered Accountant or MBA (Finance) 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	Requesting you to change the clause as follows:  Education: Chartered Accountant or MBA (Finance) Experience: Should have at least 10 years of experience in the fields of strategic planning and management, financial modelling etc. <b>Including consultancy experience in carrying out Financial Business Modelling of large-scale: ICT/E-Governance/digital transformation projects with Government/PSUs/PPP Contracts in Road Transport and Highways sector</b> Should have carried out at least 3 financial modelling project of large-scale Government programme in India or abroad.	No change, provisions of RFP shall prevail
47	Section 10.8.1	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 out-sourced resources in their Proposal along with the CVs.	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 a maximum <b>two resources</b> 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 out-sourced resources in their Proposal along with the CVs.	No change, provisions of RFP shall prevail
48	Clause No. 7.1, Scope of Work , Pg. No.37 Pt No. 4a Changes to legislation & regulatory matters	Changes to be made in law, rules & regulations o Changes in National Highways Act & rules, National Highway Fee Rules o Changes in Central Motor Vehicles Rules, 1989 o Changes in Evidence Act, 1872 (recognizing distance as a function of polar coordinates)	Pls confirm whether IHMCL will provide copies of all the of changes/ updates made in policies, law, rules and regulation to the consultant	It is expected that the all the requirements set out in the Terms of Reference shall be adequately covered by the Consultant, not only based on the relevant data and information available in public domain but also based on the rich experience of the key experts and organisational knowledge repository and relevant project credentials.  No change, provisions of RFP shall prevail
49	Clause No. 7.1, Scope of Work , Pg. No.37 Pt No. 4a Changes to legislation & regulatory matters	Whether the Hon'ble SC order on installation of GNSS in commercial vehicles can be treated as a basis for mandatory installation of GNSS for the said purpose of computing toll extricable (Delhi PT policy, 2010 uses GNSS only for location finding, not distance travelled)	We understand the expectation is to assess whether the GNSS technology can be treated as a basis for mandatory installation for tolling system in India. Request to kindly confirm our understanding	The general purpose is to ascertain the application of GNSS technology for tolling and legal implications. The consultant should advise based on relevant decisions on the matter by Courts in India.  No change, provisions of RFP shall prevail
50	Clause No. 7.1, Scope of Work , Pg. No.37 Pt No. 5 Vendor consultations	Output Sign-off report from different vendors/ letters of commitment to the equipment standards/ operating specifications	Would request IHMCL to provide clarity on the expectation from the consultants. Seek sign-off from the vendor/ letter of commitment to the equipment's/ OS is difficult and shall be removed	No change, provisions of RFP shall prevail
51			Would request to provide clarity on following points: 1. what is the plan of IHMCL with regard to the infrastructure deployed on ground for electronic tolling based on FASTag system? 2. Request IHMCL to share any details of the pilot conducted for GPS based tolling	No change, provisions of RFP shall prevail
52	Clause No. 7.2, Contract Duration, Pg. No.40	The overall duration of the Consultancy Assignment shall be 1 year, extendable up to additional 6 months at sole discretion of IHMCL and mutual consent.	As per timelines & deliverables, the overall duration is of 36 weeks. Whereas as per clause 7.2 the duration of the Consultancy Assignment shall be given as 1 year. Request to pls confirm	No change, provisions of RFP shall prevail
53	Section 10.15, page 75	Termination	Request to add the following clause: Consultant may terminate this Agreement, or any particular Services, immediately upon written notice to Client if Consultant reasonably determine that Consultant can no longer provide the Services in accordance with applicable law or professional obligations.	No change, provisions of RFP shall prevail

Sl. #	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring Clarification(s)	Points of Clarification/Suggestion	Response
54	Section 10.18, page 75	Force Majeure	Request to add the following clause: It is recommended to add below clause to under Force Majeure to facilitate remote working (EP to evaluate the requirement of below clause) (ii) To the extent that the provision of the Services is impacted by a pandemic (including COVID-19) and any reasonable concerns or measures taken to protect the health and safety interests of either Party's personnel, the Parties will work together to amend the Agreement to provide for the Services to be delivered in an appropriate manner, including any resulting modifications with respect to the timelines, location, or manner of the delivery of Services. (iii) Where EY Personnel are required to be present at Client's premises, EY will use reasonable efforts to provide the Services on-site at [Client] offices, provided that, in light of a pandemic the parties agree to cooperate to allow for remote working and/or an extended timeframe to the extent (i) any government or similar entity implements restrictions that may interfere with provision of onsite Services; (ii) either party implements voluntary limitations on travel or meetings that could interfere with provision of onsite Services, or (iii) an EY resource determines that he or she is unable or unwilling to travel in light of a pandemic-related risk.	No change, provisions of RFP shall prevail
55	Section 10.10, page 73	Intellectual Property Rights	Request to add the following clause: EY may use data, software, designs, utilities, tools, models, systems and other methodologies and know-how ("Materials") that EY own in performing the Services. Notwithstanding the delivery of any Reports, EY retain all intellectual property rights in the Materials (including any improvements or knowledge developed while performing the Services), and in any working papers that EY compile and retain in connection with the Services (but not Client Information reflected in them). Upon payment for the Services, Client may use any Materials included in the Reports, as well as the Reports themselves as permitted by this Agreement.	No change, provisions of RFP shall prevail
56	Additional Clause		Request to add the following clause: Limitation of Liability: The Client (and any others for whom Services are provided) shall not recover from EY, in contract or tort, including indemnification obligations under this contract, 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.	No change, provisions of RFP shall prevail
57	Additional Clause		Request to add the following clause: "Except as otherwise permitted by this Agreement, neither of the parties may disclose to third parties the contents of this Agreement or any information provided by or on behalf of the other that ought reasonably to be treated as confidential and/or proprietary. Parties may, however, disclose such confidential information to the extent that it: (a) is or becomes public other than through a breach of this Agreement, (b) is subsequently received by the receiving party from a third party who, to the receiving party's knowledge, owes no obligation of confidentiality to the disclosing party with respect to that information, (c) was known to the receiving party at the time of disclosure or is thereafter created independently, (d) is disclosed as necessary to enforce the receiving party's rights under this Agreement, or (e) must be disclosed under applicable law, legal process or professional regulations. These obligations shall be valid for a period of 3 years from the date of termination of this Agreement."	No change, provisions of RFP shall prevail
58	Section 5.2.3, Page 31	Key Resource Requirement - (CVs to be submitted for evaluation)	The duration of the deployment of the team leader is 12 months v/s other team members whereas the duration of the engagement is cited as 36 weeks.	No change, provisions of RFP shall prevail
59	Section 5.2.3, Page 31	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 pandemic situation and the possibility of engagement of global experts, full time deployment of all resources out of IHMCL office is a challenge. Would request you to please consider the following change in the clause: Please note that the above resources should be available and responsive full-time for the assignment and should be available for discussion and consultation during the project period (virtually or physically). The consultant must ensure that an senior level on-ground team is also present that can meet the stakeholders physically as and when required.	Refer Corrigendum-1
60	new Clause	Inclusion of an ETC expert profile	The project must also have a profile for an ETC expert. The expert profile criteria maybe considered as follows: Education: degree in a relevant engineering discipline and a post graduate degree (general) Experience: At least 10 years of experience in toll in India with a deep knowledge of RFID based tolling	No change, provisions of RFP shall prevail