

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

**Response to Queries:-**

Sr	Reference in RFP	Content of RFP requiring Clarification(s)	Points of clarification	Response
1)	RFP Page 4 Document Control Sheet	Last date for submission for proposal is 17th June 2013.	Suggest to extend the date of submission of the proposal by at-least two week’s time.	As per Corrigendum
			Considering the voluminous nature of the bid, we request you to please consider a period of 3 weeks from date of issuance of corrigendum for proposal submission.	
2)	RFP Page 12 Clause 3.9 Earnest Money Deposit (EMD)	EMD of Rs 10,00,000	Suggest this EMD be given in the form of a Bank Guarantee	As per RFP
			We would request to accept Bank guarantee also.	
			Kindly suggest if the EMD can be furnished in the form of a Bank Guarantee, instead of a DD.	
			It is suggested that EMD in the form of a performance bank guarantee should also be allowed	
3)	RFP Page 12 Clause 3.9.1/3.9.2 Earnest Money Deposit (EMD)	The bidder shall furnish, as part of the Pre-qualification Proposal, an Earnest Money Deposit (EMD) amounting to Rs. 10,00,000/- (Rupees Ten Lacs Only) favoring as mentioned in document control sheet.	Kindly clarify if the DD has to be from a scheduled bank or a nationalized bank.	DD can be made from any Scheduled or Nationalized bank.
4)	RFP Page 18 Clause 3.17 Sr. no 1 Legal Entity	<p>a. Bidder should be registered either under Companies Act, 1956 or registered under Limited Liability Partnerships (LLP) Act, 2008</p> <p>b. Registered with the Service Tax Authorities</p> <p>c. Should have been operating for the last five years as of 31st March 2013</p>	All LLPs have “LLP registration certificate under LLP Act 2008”, which has to be provided with bid. We request you to please remove the requirement for certificate from ICAI (FCA).	<p>Certificate from FCA has been asked only for sub point c. i.e. <i>“Should have been operating for the last five years as of 31st March 2013”</i></p> <p>However, for sub point a. &amp; b., FCA certification is not required.</p>

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5)	RFP Page 18 Clause 3.17 Sr. no 1 Legal Entity	Bidder should be registered either under Companies Act, 1956 or registered under Limited Liability Partnerships (LLP) Act, 2008	Request you to please consider “Partnership deed” as a substitute to MOA.	As per Corrigendum
6)	RFP Page 19 Clause 3.17 Sr. no 2 Relevant Business Continuity	The Bidder should be in the business of Consulting for at least 5 years as of 31st March 2013	It is suggested that since this project is scheduled to be executed in Indian environment, the firms should be experienced in providing business consulting in India for at least 5 years as of 31st March 2013	As per RFP
			Request you to please consider “Partnership deed” as a substitute to MOA.	As per Corrigendum
7)	RFP Page 19 Clause 3.17 Sr. no 3 Turnover	Average Annual Sales Turnover should be INR 50 Crores or more generated from services related to Consulting business during the last three (3) financial years as of 31 <sup>st</sup> March 2013 as per the last published balance sheets.	Average Annual Sales Turnover should be INR 20 Crores or more generated from services related to Consulting business during the last three (3) financial years as of 31st March 2013 as per the last published balance sheets. Reason- Department of Economic Affairs Ministry of Finance has formulated detailed guidelines for selection of Consultant wherein it has benchmarked the turnover at Rs. 20 crores. Rs. 20 Crore is a reasonable threshold to ensure a fair participation resulting into competitive bid. In light of above we request you to kindly relax the criteria to Rs. 20crores as this can also be in line with the financial criteria of Department of Economic Affairs in selection of Consultant.	As per RFP
			Project cost of INR 50 Cr may be changed to either a consulting fee component of INR 25 lakhs or a project	

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			implementation cost estimate of INR 25 CR or above.	
		Document Required :- Extracts from the audited balance sheet and profit & loss along with authentic certificate from the practicing fellow member of Institute of Chartered Accountant of India (FCA).	We request to modify the language to “Certificate from Statutory auditor”.  We suggest to accept Turnover and Positive Net worth Certificate from Register Chartered Accountant for last 3 Years	
8)	RFP Page 19 Clause 3.17 Sr. no 4 Net Worth	The Net Worth of the Bidder must be positive as per the last three financial year’s audited Balance Sheet as of 31st March 2013.	The definition of net worth is always subject to interpretation of bidder. We request you to either please provide a definition of Net worth, OR, modify the clause as follows: Bidder should have made Profits (before deduction of taxes) in each of the last 3 financial years  We suggest to accept Turnover and Positive Net worth Certificate from Register Chartered Accountant for last 3 Years	As per RFP
9)	RFP Page 19 Clause 3.17 Sr. no 5 Certifications	The Bidder should be ISO 9000/9001:2008 certified.	Please also accept Higher Quality System Certification like ISO 27001, ISO14001, CMM Level 5 etc. also as Section 8.3. Form-1B: Pre-Qualification Form also permits the same in RFP.  We would like to draw your attention to the fact that as on date Accenture is doing 30+ projects with Government of India and various States Governments in the country. In all of these procurement processes, ISO 9000/9001:2008 has not been a pre-requisite. We hence request you to relook at this criterion.  Even big PMU Assignment like NPMU eDistrict, SPMU eDistrict , NPR also didn’t have this requirement.  Kindly consider relaxing the criteria	As per Corrigendum

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			<p>Most of the consulting firms, except involved in the System Integration business, donot have these certifications. Suggest, keeping in view that internal controls of all the Companies are sufficient enough to maintain quality a note on the quality may be deemed sufficient for compliance</p> <p>Most of the consulting firms have their internal Quality policies in place. Hence we request you to please modify the clause as follows, which is also a standard clause in multiple RFPs released by Govt. of Punjab.The Bidder should have been issued in its name ISO 9000 certification or must have implemented any other internal quality system with defined policy and standard operating procedures.</p> <p>We believe this is an initiative where you require the services of an experienced and qualified IT/eGovernance consultancy organization, and such organizations necessarily do not possess an ISO certification. Many consulting firms, such as ours, provide consulting services to various clients worldwide on ISO/CMMI etc. quality standards, but the firm itself does not possess such a certification, which is an accepted practice in the consulting space.</p> <p>Therefore, we would request you to kindly consider relaxing this criterion, and allow such firms to participate which have a robust quality management system in place internally.</p>	

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			Software Engineering Institute, USA issued process certification i.e CMMi level 5 which has more wider acceptance in the industry should also be accepted	
10)	RFP Page 19 Clause 3.17 Sr. no 6 Experience	The Bidder should have Consulting Project experience of at least three completed International/ National/ State level multi-locational Service Delivery projects for Government/ PSU ( involving on-Site/ off-Site Survey, Collection & Analysis of Requirement, Project –Planning, Preparing Detailed Project Report, Designing of need based Citizen delivery outlets, service delivery infrastructure development, Bid Management & Project management) with bidder’s Consulting Contract Value of INR 100 lacs per project or above in last five years ending 31.03.2013, as evidenced by the certificate issued by a competent authority of the concerned government organization(s).	<p>We suggest that ongoing projects where value of completed work is 100 lacs may also be allowed for this criterion (instead of seeking completed projects only).</p> <p>We request Society to consider on-going projects as well, as these are typically long term projects with multi-year engagement of consultants. These projects may not have go completed.</p> <p>Request if experience of on-going projects be included here.</p> <p>Also if the contract value can be reduced from INR 100 lacs to INR 50 lakhs.</p> <p>Only limited projects will have all the specific components. Projects having some of the components may be permitted</p> <p>The Bidder should have Consulting Project experience of at least three ongoing / completed International/ National/State level multi-locational Service Delivery projects for Government/PSU ( involving on-Site/ off-Site Survey, Collection &amp; Analysis of requirement, Project – Planning, Preparing Detailed Project Report, Designing of need based Citizen delivery outlets, service delivery infrastructure development, Bid Management &amp; Project management) with bidder’s Consulting Contract Value of INR</p>	As per RFP

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			<p>100 lacs per project or above in last five years ending 31.03.2013, as evidenced by the certificate issued by a competent authority of the concerned government organization(s).</p> <p>All the activities mentioned under this category are generally not executed in a single project. It is suggested that the criteria be revised as " The Bidder should have Consulting Project experience of at least three completed National/ State level multi-locational Service Delivery projects for Government/ PSU ( involving on-Site/ off-Site Survey, Collection &amp; Analysis of Requirement, Project – Planning, Preparing Detailed Project Report, Designing of need based Citizen delivery outlets, service delivery infrastructure development, Bid Management &amp; Project management) with bidder’s Consulting Contract Value of INR 100 lacs for the three projects together in last five years in India ending 31.03.2013, as evidenced by the certificate issued by a competent authority of the concerned government organization(s)."</p> <p>As the scope of work for a UC is more related to IT consulting / e-Governance, we request you to please consider the experiences in the areas of e-Governance and IT Consulting instead of multi-locational Service Delivery projects for Government/ PSU</p> <ul style="list-style-type: none"> <li>• As it is not necessary that all the projects will cover all the components mentioned in the criteria (i.e. on-Site/ off-Site Survey, Collection &amp; Analysis of Requirement, Project –Planning, Preparing Detailed Project Report, Designing of need based Citizen delivery outlets, service delivery infrastructure development, Bid Management &amp;</li> </ul>	

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			<p>Project management), hence we request you to please keep the parameters as generic and not specific. We request you to add – “Projects covering One or more of the following activities” before defining the parameters. • We request you to please modify the “Contract value requirement” as per the guidelines of DeitY, Govt. of India (Guidance notes for Consulting available on DeitY’s website) defined as follows:</p> <p>a) One project of similar nature costing not less than the amount equal to 80 – 100% of the estimated value of assignment to be awarded</p> <p>b) Two projects of similar nature costing not less than the amount equal to 50 – 60%% of the estimated value of assignment to be awarded</p> <p>c) Three projects of similar nature costing not less than the amount equal to 40-50% of the estimated value of assignment to be awarded</p>	
11)	RFP Page 21 Clause 3.18 Table point 1.a	Average Annual Sales Turnover should be INR 50 Crores or more generated from services related to Consulting business during the last three (3) financial years as of 31 <sup>st</sup> March 2013 as per the last published balance sheets	<p>Bidder profile – max marks are given for turnover of 100 Crores. This RFP is a consulting RFP, and hence more weightage shall be on Manpower and Experience and not Turnover. We request for following modification in the clause: Turnover – 50 to 60 crores – 2 marks 60 to 70 crores – 3 marks 70+ crores – 5 marks</p> <p>It is suggested that since this project is scheduled to be executed in Indian environment, instead of total annual sales turnover, the revenue generated from consulting operations in India should be considered. Additionally this project is to be executed in the State of Punjab, organizations having experience in executing consulting</p>	As per RFP

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			projects in past/in progress for Government of Punjab should also be considered and adequate marks should be allocated to them.	
12)	RFP Page 21 Clause 3.18 Table point 1.b	The Bidder must have a minimum 100 number of Consulting Staff of technically qualified personnel in the domain of management consulting, Strategic Consulting, Project Management, Business Process Re-engineering, Public Sector advisors, business consulting etc. as on 31st March, 2013 on its roll.	Bidders having less than 100 numbers of full time consulting staff on their roll should be disqualified.	As per RFP
13)	RFP Page 22 Clause 3.18 Table 1.c Relevant Past Experience	The Bidder Should have office in Chandigarh/ Punjab as on date of bid submission	We suggest adding the following to this criteria: In case the Bidder does not already have an office in Chandigarh / Punjab, he should be willing to set up a project office within 30 days of award of contract. Several reference RFPs are available where if required Bidder are allowed to setup a project office in defined timeframe from signing of the Contract	As per Corrigendum
14)	RFP Page 22 Clause 3.18 Table 2.a Relevant Past Experience	The Bidder should have International/ National/ State level Project Consulting or Project Implementation experience of at least two multi-locational Service Delivery projects for Government/ PSU with a Project cost of INR 50 Crore or above, as evidenced by the certificate issued by a competent authority of the concerned government organization(s).	Project cost of INR 50 Cr may be changed to either a consulting fee component of INR 25 lakhs or a project implementation cost estimate of INR 25 CR or above.  Please clarify whether the value of Bidder’s scope of work on the Project should be 50 Cr or the total value of project rollout for which Bidder is the Consultant should be RS 50 Cr  If 50 Cr is the value of project rollout where Bidder is the consultant, we request you to please consider LOI/Agreement for Consulting as a proof for this criteria as in most of cases approx. costing of Govt. Projects are available in Public Domain like CCTNS, eDistrict, Commercial Tax etc.	As per RFP



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			<p>If it's requirement of Project Consulting we request you to kindly relook into the Project Cost Criteria. For your kind reference Pls find below extract from Guidance Note for Model RFP for Consulting Agency approved by Deity ,GOI 1.4.2 Project Experience: Number and Value of Projects</p> <p>The PQ for project experience required from the bidder with reference to the context of the solution to be delivered, as defined in the tender document, should aim to achieve the following:</p> <p>a) One project of similar nature costing not less than the amount equal to 80 – 100% of the estimated value of assignment to be awarded</p> <p>b) Two projects of similar nature costing not less than the amount equal to 50 – 60%% of the estimated value of assignment to be awarded</p> <p>c) Three projects of similar nature costing not less than the amount equal to 40-50% of the estimated value of assignment to be awarded</p> <p>Project cost of INR 50 Cr may be changed to either a consulting fee component of INR 25 lakhs or a project implementation cost estimate of INR 25 CR or above.</p> <p>Considering the geographical scope and scale of the work the National/State experience of the bidder should be considered for projects having overall cost of 100 Crores and above.</p>	
15)	RFP Page 22 Clause 3.18 Table 2.a , 2.b, 2.c	Relevant Past Experience	All the three evaluation points have been made very specific to suit a category of projects. Same projects can be used for Point 2a, 2b and 2c. Hence the evaluation criteria are repetitive in nature.	As per RFP

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	Relevant Past Experience		<p>We request you to please merge both the points as follows:</p> <p>“Bidder should have experience at International/National / State level for Preparing Detailed Project Report, on-Site/ off-Site Survey, Collection &amp; Analysis of Requirement, Project – Planning, Preparing Detailed Project Report, Government Process Re-engineering(GPR), Designing of need based Citizen delivery outlets, service delivery infrastructure plan, Bid Management &amp; Project management plan of minimum 2 projects with minimum Consultancy cost of INR 50 lakhs or more in last five(5) years. Ongoing Projects where billing of Rs. 50 lakhs has been made are also eligible for this criteria”</p> <p>8 or more projects – 25 marks                      5 to 7 projects – 15 marks                      2 to 5 projects – 5 marks</p> <p>&gt; Would the experience of different Indian legal entities under the same international parent group be considered relevant?&gt; Is it expected that the resources who have worked on these international projects would also be working on this project and their experience be utilized/ used?</p> <p>We request you to please consider the projects which are either completed or on-going (but where selection of SI / implementing agency has been completed).</p>	
16)	RFP Page 22 Clause 3.18	Bidder should have experience of Preparing Detailed Project Report for selection of PPP boot operator by	Request that the requirement INR 100 lacs be reduced to INR 25 lakh	As per Corrigendum

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	Table 2.b, Relevant Past Experience	conducting International/National/ State level, on-Site/ off-Site Survey, Collection & Analysis of Requirement, Project – Planning, Preparing Detailed Project Report, Government Process Re-engineering(GPR), Designing of need based Citizen delivery outlets, service delivery infrastructure plan, Bid Management & Project management plan of minimum 2 projects with minimum Consultancy cost of INR 100 lacs or more in last five(5) years.	<p>Requested to also consider experience of preparing Detail project Report for selection of Citizen Service Delivery bidder / selection of PPP boot operator by conducting International/ National/ State level, on-Site/ off- Site Survey, Collection &amp; Analysis of Requirement, Project – Planning, Preparing Detailed Project Report, Government Process Re- engineering(GPR), Designing of need based Citizen delivery outlets, service delivery infrastructure plan, Bid Management &amp; Project management plan of minimum 2 projects with minimum Consultancy cost of INR 100 lacs or more in last five(5) years.</p> <p>Can this criteria be to modified to exclude “selection of PPP boot operator” and consider selection of any operator at International/ National/ State level?</p> <p>Three suggestions: a) Size of implementation project should be a criteria and may be kept at 100 crores of implementation project b) Size of consulting project may be reduced to 25 Lakhs c) Maximum number of projects should be 4 instead of 6 specified in the RFP.</p> <p>We request you to please modify the clause as follows:</p> <ul style="list-style-type: none"> <li>• Please don’t limit the PPP projects to BOOT project. There are many other models which can be used like BOT, DBOT or just PPP. Hence we request you to please modify the requirement to “PPP projects”</li> <li>• Please consider on-going projects as a part of criteria</li> <li>• Please consider the Consulting cost in each of the project as INR 50 lakhs or above.</li> </ul>	
17)	RFP Page 22 Clause 3.18	Adequacy and Quality of Resources proposed for Deployment	These criteria should be applicable for Project Managers only and deleted for the Senior Consultant and	As per RFP

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	Table 4. Adequacy and Quality of Resources proposed for Deployment	Educational Qualification 1 & 2: From top 30 listed institute.....	Consultant. For consultants and Sr. Consultant, quality of experience along with basic qualifications should be considered	
18)	RFP Page 23 Clause 3.18 Table 4.a, Project Manager	Project Manager	Is Project Manager expected to be full time deployed onsite?	Yes
			Suggest that since the team on the Ground is required to be full time the manager should be taken as not more than 8 years (maximum marks) b) Also the education qualification such as MSC IT, CA etc with relevant experience may be considered	As per Corrigendum
19)	RFP Page 23/24 Clause 3.18.3 Adequacy and Quality of Resources proposed for Deployment  4.A 4.B 4.C	Relevant Certification (either of PMP/PMI/Prince2)	PMI is an institute and not a certification. We request you to please consider other certifications like ITIL etc.	As Per Corrigendum
			As PMI is the entity which provides the PMP certification, we assume the statement means “either of PMP PMP / Prince2”. Kindly confirm.	
			Also, for the position of Consultant, we believe that a PMP certification might not be kept as an evaluation criterion; request you to consider removing the same from the Consultant position evaluation criteria.	
			What is the relevance of having this certification requirement for Senior Consultants/ Consultants. Required project management certifications are already stipulated for Project Manager level resource in the RFP.	
			Suggest that since the team on the ground is required to be full time the Senior Consultant should be taken as not	

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			more that 3 years (maximum marks) b) Also the education qualification such as MSC IT, CA etc with relevant experience may be considered	
20)	RFP Page 23/24 Clause 3.18.3 Adequacy and Quality of Resources proposed for Deployment 4.B	Senior Consultant’s Overall Experience in Consulting - More than 9 years: 4 marks - More than 7 years to 9 years: 2 marks - Less than 7 years: 0 marks	Kindly consider revising Senior Consultant’s experience to - More than 7 years: 4 marks - More than 5 years to 7 years: 2 marks - Less than 5 years: 0 marks	As per Corrigendum
21)	RFP Page 23/24 Clause 3.18.3 Adequacy and Quality of Resources proposed for Deployment 4.B	Education Qualifications - From Top 20 listed Institute	We would suggest that this criteria of relative marking should be deleted  Please elaborate on how will the international education qualifications of proposed resources best suited for such assignments will be evaluated.  4 marks will be awarded to profiles From Top 20 listed Institute. The ratings of institutions are published by multiple organizations and publication houses. Please clarify which ratings will be considered for purpose of evaluation.	As per RFP
22)	RFP Page 24/25 Clause 3.18.3 Adequacy and Quality of Resources proposed for Deployment	Education Qualification: B.E./ Btech/ MCA or equivalent	It is understood that the proposed resources can have any of these qualifications (B.E./ Btech/ MCA). Please clarify our understanding	Yes

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23)	RFP Page 25 Clause 3.18.3.1	All offered CVs (for other than Project manager) must have minimum one qualification i.e. out of Education Qualification 1 & 2 as above. However, CVs with both qualifications shall get due weightage as per above criteria. CVs not possessing either of the educational qualifications from 1 & 2 above shall not be considered for evaluation.	To score maximum marks (12 for Senior Consultant and 8 for Consultant) both Education Qualification needs to be addressed. If either of two is missed then maximum marks will not be scoped. Kindly clarify	As per RFP
24)	RFP Page 26 Clause 3.18.3.4	Resources to be deployed by the Consultant must have basic proficiency (Reading & understanding skills) of Punjabi & Hindi languages considering the interactions with stakeholders at all levels of project.	<p>We suggest that this should be modified to - all the resources should be able to interact in Hindi and/or Punjabi. Knowledge about Punjabi for the entire team would make it quite restrictive</p> <p>Since a sizeable team would need to be deployed to undertake this project, we believe some members having the required proficiency in Hindi &amp; Punjabi would suffice to meet the project requirements. Making it mandatory for all team members to have the necessary proficiency in Hindi &amp; Punjabi might not be required. We request you to therefore leave it on the bidder to propose a reasonable mix of resources with the necessary language proficiency for executing the project.</p> <p>It is suggested that the basic proficiency (Reading &amp; understanding skills) for consultants should be considered in Hindi or Punjabi. As proficiency in either of one of them will help him/her to interact with all stakeholders.</p>	As per Corrigendum
25)	RFP Page 26 Clause 3.18.3.6.	Bidders who scored 70 or above marks shall be considered eligible for opening of the commercial bids.	Will the technical evaluation scores affect the final selection of the bidders (after the opening of commercial bid evaluation)?	As per Corrigendum
26)	RFP Page 29 Clause 3.24	Confidentiality	It is suggested that Confidential Information needs to be shared on a strict need to know basis for the purposes	As per RFP

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			<p>relating to this project. Subject to confidentiality restrictions, PwC should be given a onetime approval to refer to this engagement for client citation purposes. The obligations of confidentiality shall not apply to information which: (i) is rightfully known to the consultant prior to its disclosure by Client; (ii) is generally known or easily ascertainable by a non-party of ordinary skill in the business of the consultant or Client; (iii) is released by Client to any other person, firm or entity (including governmental agencies or bureaus) without restriction; (iv) is independently developed by the consultant without any reliance on the confidential information of Client; or (v) is or later becomes publicly available without violation of this Contract; or (6) is required to be compulsorily disclosed to governmental or regulatory agencies under applicable law. In any event, the confidentiality obligations herein shall subsist for a period of eighteen (18) months from the completion of the services under this Contract or expiry/ termination of this Contract, whichever is earlier</p>	
27)	RFP Page 30 Clause 4.3	<p>Standards of Performance The Consultant shall perform the services and carry out its obligations under the Contract with due diligence, efficiency and economy in accordance with generally accepted professional standards and practices. The Consultant shall always act in respect of any matter relating to this contract as faithful advisor to the Society. The Consultant shall always support and safeguard the legitimate interests of the Society, in any dealings with the third party. The Consultant shall abide by all the</p>	<p>Consultant is required to comply with “all the provisions/Acts/Rules etc. of Information Technology prevalent in the country”. It would be advisable to highlight that many of these provisions may not be applicable to the consultant in the context of the proposed services. However, a generic confirmation that consultant shall act in compliance with applicable laws of India to the extent relevant to the consultant in the context of the proposed services.</p>	As per RFP

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		provisions/Acts/Rules etc. of Information Technology prevalent in the country. The Consultant shall conform to the standards laid down in the RFP in totality.		
28)	RFP Page 30 Clause 4.4	Consultant’s Downstream Business Interest	Please elaborate the work which would constitute as Conflict of Interest. Would departmental PMU / District PMU be considered as Conflict of Interest?	As per RFP
29)	RFP Page 31 Clause 4.6	Working Hours / Days	<p>Kindly specify how many leaves the deployed personnel would be entitled to.</p> <p>Please specify the leave policy applicable for the resources to be deployed. As a standard practice in private and government organizations, 30 days of earned leave is allowed along with 5 days of sick leave. There is also a provision for minimum number of days of training in a year for professional growth of the resources. We request Society to provision for these absence and the 90%</p> <p>Please clarify the term "allowed leaves".</p> <p>Please specify the leave policy applicable for the resources to be deployed. As a standard practice in private and government organizations, 30 days of earned leave is allowed along with 5 days of sick leave. There is also a provision for minimum number of days of training in a year for professional growth of the resources. We request Society to delete this clause</p>	AS per Corrigendum
30)	RFP Page 31 Clause 4.7 Reporting	Consultant shall submit fortnightly report, project issue tracker etc.	Soft copy submissions of reports should be allowed	As per RFP
31)	RFP Page 31 Clause 4.8	Consultant shall not outsource any work related to the project or the part thereof to any other	Can a consortium be done with the vendors engaged in the performing the survey work with the overall	As Per Corrigendum



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	Outsourcing	associated/franchisee/third party under any circumstances. If it so happens, then Society will impose penalty as recommended by Project Review & Monitoring Committee. This may also lead to termination of contract along with forfeiture of PBG.	responsibility of the primary bidder	
32)	RFP Page 31 Clause 4.10 Intellectual Property Rights	No services covered under the Contract shall be sold or disposed by the Consultant in violation of any right whatsoever of third party, and in particular, but without prejudice to the generality of the foregoing, of any patent right, trademark or similar right, or any charge mortgage or lien. The Consultant shall indemnify Society from all actions, costs, claims, demands, expenses and liabilities, whatsoever, resulting from any actual or alleged infringement as aforesaid and at the expenses of the Consultant, Society shall be defended in the defence of such proceedings.	It is suggested that we may indemnify the client only with respect to the deliverables submitted by PwC under this engagement, or for a breach of third party IPR which are solely attributable to us and does not arise from a modification of our deliverables (including combination of our deliverables with third party materials), or materials provided by client.  The indemnity shall be subject to final judicial determination and shall be contingent upon (a) the client promptly notifying the consultant in writing of any claim which may give rise to a claim for indemnification under the relevant clause; (b) Consultant being allowed to control the defence and settlement of such claim; and (c) client cooperating with all reasonable requests of the consultant in defending or settling such claim.	As per RFP
33)	RFP Page 32 Clause 4.12 Penalty	4.12.1. Deliverable Timelines :	As the penalties have been mentioned for consultants on any kind of delays, while no period has been mentioned for govt. to provide approval on deliverables. We request you to please consider a period of 21 days for providing approval and after 21 days the deliverable will be considered as deemed approved and Consultants will be eligible to get the payments against that deliverable.  Penalty clauses are quite stringent and are unheard of in the consulting domain. Society should maintain a fine balance between flexibility and getting good quality	As per RFP

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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			output. Having such stringent clauses would act more of a distraction than help the overall objectives. It is suggested that Penalty clauses be diluted and kept for 2-3 important areas	
34)	RFP Page 33 Clause 4.12.1	Delay in deliverables	This should be reduced to 0.005% per week  It is suggested that the penalty should be attributable only on the concerned milestone wherein delay has been reported. Further the quantum may be relaxed from 1% to 0.5% of the milestone value/ deliverable value.	As per RFP
35)	RFP Page 33 Clause 4.12.1	Non-submission of fortnightly status report	This should be deleted  It is suggested the penalty be attributable only the concerned milestone and not on the overall contract value. Further, the clause may be modified to include Department's discretion to decide to levy penalty based on the circumstances under which report submission was delayed.	As per RFP
36)	RFP Page 33 Clause 4.12.1	Penalty: Non-submission of weekly issue tracker	This should be deleted  It is suggested the penalty be attributable only the concerned milestone and not on the overall contract value. Further, the clause may be modified to include Department's discretion to decide to levy penalty based on the circumstances under which report submission was delayed.	As Per Corrigendum
37)	RFP Page 33 Clause 4.12.1.1	Note: If the delay in any of above deliverable is beyond 10 weeks then Society reserves the right to terminate the Contract and forfeit the PBG. Further, Society shall be free to get the work done from some	Kindly reconsider this clause. Also how this clause be applied for delays on account of reasons beyond consultant’s control?	As per RFP

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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		other source at the risk and costs of the Consultant. The Consultant may be debarred for applying in future project consultancy assignments in the state.		
38)	RFP Page 34 Clause 4.12.2 Manpower Deployment	Manpower deployment:	All penalties in this section are too stringent	As per Corrigendum
39)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 1	Attendance less than 90%	We assume that any approved leave be considered appropriately while calculating the shortfall in attendance. Kindly confirm if this understanding is correct.	As per Corrigendum
40)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 2	Shortfall of attendance of compulsory resources	Suggest since the project period is long hence two to three replacements be allowed without a penal clauses. This clause should be deleted	As per RFP
41)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 3	Substitution of resources from those whose CVs Provided during the technical evaluation	Suggest since the project period is long hence three-four replacements be allowed without a penal clauses. This clause should be deleted	As per RFP
42)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 3	Substitution of resources from those whose CVs Provided during the technical evaluation	We would request you to consider not levying a penalty in case the resources have to be replaced owing to reasons beyond the control of the bidder (like resignation, death, medical incapacity etc.).	As per Corrigendum
43)	RFP Page 34 Clause 4.12.2 Manpower	(a) Project Managers I. 1st – 3rd replacement –INR 2,00,000 per replacement	Suggest since the project period is long hence two to three replacements be allowed without a penal clauses. This clause should be deleted	As per RFP

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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	Deployment S. No 4	II. >= 4th INR 4,00,000 per replacement (b) Sr. Consultants/ Consultants I. 1st – 3rd replacement – INR 1,00,000 per replacement II. >= 4th INR 2,00,000 per replacement		
44)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 4	Resources initially deployed are not to be replaced during the tenure of the project. In case resources are replaced, penalties will apply.	Will the penalty be applied for replacement on account of resource’s resignation?	Yes
45)	RFP Page 34 Clause 4.12.2 Manpower Deployment S. No 5	Knowledge Transfer for at least 25 working days	Suggestion: KT time should be reduced to 10 working days (2 weeks calendar duration)  Does the clause imply that the outgoing and the new resource have to be at client site together for 25 days; or would a mix of offsite and onsite knowledge transfer, totaling to 25 days suffice?	As per RFP
46)	RFP Page 34 Clause 4.12.2 Manpower Deployment S.No 6	Prior approval of Society before any resource substitution/ replacement	This should be deleted	As per RFP
47)	RFP Page 35 Clause 4.13.2 Commercial Terms	Consultant will submit the invoice along with respective Deliverable approvals by Project Review Committee and all other supporting documents/proofs only after the completion of a milestone.	We suggest that a pre-agreed acceptance criteria be decided. The deliverables should be judged as per a pre-agreed acceptance criteria and the concept of Deemed Acceptance to be brought in.	As per RFP
48)	RFP Page 35 Clause 4.13.3 Commercial Terms	Society will release the payment within 45 days of submission of Invoice subject to necessary approval of invoice by the Society after proper verification of the invoice and all supporting documents.	Consultant's project profitability and billing cycles are calculated on a monthly basis. Hence, it is suggested that the payment may be released within 30 days of submission of invoice.	As per RFP

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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49)	RFP Page 35 Clause 4.13.6 Commercial Terms	Society may utilize the resources of the consultant for any other additional task beyond scope of work on a man-month basis as per resource man month rates quoted by consultant in Commercial Proposal submitted.	In this regard, there is also a need to stipulate the outer boundaries of the implementation consultant would undertake with necessary exclusions and assumptions, to avoid expectation mismatch and scope creep risk. The reciprocal client obligations should also be mentioned.	Resources shall be utilized only for related consulting work only.
50)	RFP Page 36, 37, 4.15.3, 4.16, 4.17	Termination off Contract	Both parties should have a right to terminate the contract. We request that a consultative/ objective process precede termination under these clauses with purported service related issues being judged against pre-agreed acceptance criteria. A reasonable "cure" period of 30 days should be provided for service related issues. Upon termination, consultant should be paid for the services performed till the date of termination.	As Per Corrigendum
51)	RFP Page 38 Clause 4.19.2 Arbitration	In case dispute arising between the Society and the Consultant, which has not been settled amicably, the Consultant can request the Society to refer the dispute for Arbitration under Arbitration and Conciliation Act, 1996. Such disputes shall be referred to the Arbitrator which shall be “Principal Secretary-Governance Reforms, Government of Punjab”. The Indian Arbitration and Conciliation Act, 1996 and any statutory modification or re-enactment thereof, shall apply to these arbitration proceedings. Arbitration proceedings will be held at Chandigarh. The decision of the arbitrator shall be final and binding upon both the parties. All arbitration awards shall be in writing and shall state the reasons for the award. The expenses of the arbitration as determined by the arbitrator shall be borne by the Consultant. However, the expenses incurred by each party in connection with the preparation,	Disputes are to be referred for arbitration to the Principal Secretary-Governance Reforms, Government of Punjab and shall be governed by the provisions of Arbitration and Conciliation Act, 1996. Ideally, we suggest that the sole arbitrator be appointed mutually by the parties in accordance with the Arbitration and Conciliation Act, 1996. It would also be advisable to highlight that the cost of any such arbitrations should be split equally between the contracting parties, unless otherwise determined by the arbitrator’s award.	As Per Corrigendum

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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		presentation shall be borne by the party itself.		
52)	RFP Page 39 Clause : 5 Scope of Work I	5.0 Scope of Work (SOW) – Part I (Indicative & subject to change as deemed relevant by Society)	<p>The no. of services, related Departments shall be specified tentatively to evaluate the effort estimates for requirement analysis, back end computerization etc. A lot of work of this kind would already have happened during SSDG project. Please clarify if the required work shall be done again.</p> <p>The scope of work doesn't clarify the no. of departments targeted for the project. We request you to please provide some clarity on this, as it will enable us in calculating the man month efforts appropriately.</p> <p>The SoW mentions that Service Delivery centers will be established across the state, but it neither specify the no. of such Service delivery centers nor the locations. We request you to please specify the above details as it will have the direct impact on financial bid.</p>	As per Corrigendum
53)	RFP Page 39 Clause : 5 Scope of Work I	5.0 Scope of Work (SOW) – Part I (Indicative & subject to change as deemed relevant by Society)	Suggest a phased staged as to which departments will be covered and in which time frame to have a better clarity on the scope and time frame for overall project	Please refer to Corrigendum for indicative list of Departments.
54)	RFP Page 42 Clause - 5.1.5. Geographical On-site Survey	Consultant to survey the entire state for identifying the ideal locations for setting up of Service Delivery Centres as per geographic & administrative suitability in Urban & Rural areas.	<p>Out of pocket expense with regard to travel, stay per diem etc should be borne by society or the OPE should be specified.</p> <p>It is understood that Department/society will provide all the arrangements of boarding, lodging, transportation to the Consultants for undertaking the survey of the entire State. Please clarify</p>	As per RFP
55)	RFP Page 42 Clause - 5.1.8. Best	Best Practices	If is understood that best practices study is required to carried out using public resources, secondary research, etc. No travel or primary research is involved in the study	As per RFP

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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	Practices		of best practices. Please clarify	
56)	RFP Page 42 Clause - 5.1.13.8	Highlight deviations/issues in the deliverables of BOOT operator to relevant authority within the specified time limits and assist BOOT operator and Society in resolution of issues.	We suggest that a pre-agreed acceptance criteria be decided. The deliverables should be judged as per a pre-agreed acceptance criteria and the concept of Deemed Acceptance to be brought in.	As per RFP
57)	RFP Page 42 Clause - 5.1.13.16	Engagement of an agency for Impact Assessment Studies and provide status updates	Please clarify in detail what shall be the scope of work of consultant for undertaking this task.	As per Corrigendum
58)	RFP Page 45 Clause 7.2.2	To provide understanding of AS-IS processes to the Consultant.	Will Society provide the full and final AS-IS Document to the consultant?	No, society shall not provide any such document.
59)	RFP Page 45 Form-2A: Bidder Profile S.no 2	Manpower (No. of Professionals)	Is it expected to provide a break-up of professionals in areas mentioned? It is suggested that an overall count may be provided for consideration as many firms do not necessarily keep a segregated count of employees based on skill sets mentioned.	As Per Corrigendum
60)	RFP Page 68 Form 3: Commercial Proposal Format	Summary of Costs	The commercial proposal format doesn't cover the details for OPEs for conducting surveys etc. Please clarify if the OPEs will be borne by State Govt. or will be paid by State Govt. over and above the cost of manpower proposed by the bidder.	As per RFP
61)	RFP Page 68 9.0 Annexure	Work Deliverables, Timelines and Payment Terms:	<p>Advance payment of should be released on the signing of contract /issuance of Lol</p> <p>We request you to please consider payment of 10% of contract value against the submission of PBG after contract signing.</p> <p>The timelines of 2 months for the deliverable of “Requirement Analysis Report”. Considering the activities to be undertaken to finalize the requirements, we suggest to keep timelines of T+3 months for this deliverable.</p> <p>Please clarify on Payment Terms. Payment Term is based</p>	As per Corrigendum

**Response to Queries Related to Request for Proposal (RFP) for Selection of ‘Umbrella Consultant’ to “Conceptualize, Design and implement Comprehensive Service Delivery Roadmap for state of Punjab” Published on 12.05.2013**

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			<p>on Approval of Deliverables or Submission of Deliverables. If it's based on approval of Deliverables by Project review committee, we suggest the Department provides timelines within such review is expected to be completed.</p> <p>We suggest that the project should be converted into a T&amp;M contract for the consultant instead of the Lumpsum contract. Payment terms should also be on monthly basis. Infact, penalty clause proposed by the Society are for T&amp;M contract and not lumpsum contract. Given the size and scope of project is open ended at this stage, we suggest that this should be converted into a T&amp;M contract</p> <p>We request you to please “Preparation of Inception Report” as the first deliverable at T+14 days against a payment of 5% of contract value. Preparation and submission of Inception report will help consultants and dept. in formulating a strategy to go about the project as a lot of clarity would be required on way forward for the project.</p>	
62)	General	Limitation of liability/ Liability Cap	<p>We would request for the liability of the consultant to be limited to the total fee payable to the consultant under this tender.</p> <p>The RFP does not specify a liability cap for the consultant. As per industry practice a liability cap is followed across all projects. It is suggested that a cap of overall project value may be kept as limit of liability.</p> <p>Consultant, as professional advisor, should not be liable for any indirect/consequential damages</p> <p>Would request to define the Limitation of Liability clause for the said RFP</p>	As per Corrigendum