

Request For Proposals of Selection of Consultants for Kawadi-1 Hydropower Project (16MW), Humla District

S.N.	Requirement as stated in RFP document	Queries/Suggestions	Response From the Client
1.	Section 2 : ITC and Data Sheet A. General Provision 1. Definitions m. "Key Expert(s)" means an individual professional whose skills, qualifications, knowledge and experience are critical to the performance of the Services under the Contract and whose CV is taken into account in the technical evaluation of the Consultant's proposal.	What we understand is that key experts are those who are critical to the performance of the services. But going through the Data Sheet 21.1 and Section 2 F; all experts that have identified are as key experts. We feel that all the 18 experts may not fall in the criteria of key experts and should have limited to maximum five to six experts and all others in the non-key experts category. The weightage of such five to six experts would have more value added to the technical evaluation, if you are looking for an innovative technical proposal. The evaluation of 18 experts has diluted the essence of marks allocated to the qualification and experience of the key staff for the assignment specially the Team Leader who key to the assignment. The provision of non-key experts will also allow the consultant and in overall develop tool of such non-key experts with such minimum inputs with some flexibility of their inputs. Hence, would like to know the rationale to keep such large numbers experts as "Key Expert(s)".	All key experts, other than support staff and non key staffs, will be evaluated.
2.	16.1 The Financial Proposal shall be prepared using the Standard Forms provided in Section 4 of the RFP. It shall list all costs associated with the assignment, including (a) remuneration for Key Experts and Non-Key Experts, (b) other expenses, (c) provisional sums when applicable indicated in the Data Sheet.	The Financial Proposal are to be submitted using standard forms provided in section 4 of the RFP, but additionally a BoQ also has been attached in RFP; kindly suggest which format is to be followed for submission so that it is legally valid and is not disqualified.	You may follow the BoQ attached with the proposal for the submission of financial proposal.
3.	Section 2 : ITC and Data Sheet E. Data Sheet B. Preparation of Proposal 11.1 Participation of Sub-consultants, Key Experts and Non-Key Experts in more than one Proposal is permissible: No	The statement contradicts with the statement under F. Criteria for Evaluation of Technical Proposal, Note: bullet 6. (Page 24) Kindly clarify; which prevails over	Section 2E (B11.1) refers not to participate individual expert in single project from different firms.
4.	B. Preparation of Proposal 14.1.1 Shortlisted Consultant may associate with (a) non-shortlisted consultant(s): No (b) other shortlisted consultants: No	The non-shortlisted consultants should be allowed to participate based on the rigorous requirement of the qualification of the experts. What is the rational for not allowing; kindly clarify. As the additional JV/associates are considered based on the Final TOR and its requirements. This is against the universal practice	Suggestion Appreciated. DoED will review on upcoming assignments.

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5.	1. Specific experience of the consultants (as a firm) related to the assignment Note: Bullet 4 : In case of the firm's experience, if the completion certificate is issued by a private client, the Nepalese firm should mention the name of the public entity where the study reports were submitted; otherwise the experience will not be considered for evaluation. Bullet 5: For experience of the EIA/IEE study projects performed in Nepal, the EIA/IEE study of projects which were approved as per the prevailing Environmental Protection Act, 1997 and the Environmental Protection Rule 1997 will only be considered for evaluation. For the evidence of EIA/IEE approval, firms should submit EIA/IEE approval letter issued by public entity. Otherwise such experience will not be accounted in evaluation.	(a) Note 4 and 5 are discriminatory towards national firms. The evaluation are to be based on same footing for all whether they are national or international firm(s). Kindly clarify this provisions only for national firms. (b) Further, Kindly clarify for evaluation of last seven; will the Project Completion Date or the EIA/IEE approval date will be taken into account to be within the bracket of 7 years? (c) Also confirm what is the cut-off date for considering last seven years in evaluation is of firm(s) experiences?	Specific experience of the consultants related to the assignment Note, Bullet 4. has been amended as follows: " In case of the firm's experience, if the completion certificate is issued by a private client for the project within Nepal, the firm should mention the name of the public entity where the study reports were submitted; otherwise the experience will not be considered for evaluation". The EIA/IEE approval date will be considered. the cut off date is considered from the last date of submission of proposal.
6.	2.Adequacy of the proposed work plan and methodology in responding to the Terms of Reference Note: Last Bullet: In addition to above notes: The Professional proposed by the firm if found being involved in ongoing jobs either through same firm or different firm(s) such professional will not be considered in evaluation.	The expected date of commencement of services is November 2019 (data sheet 30.4, Page 20); Does this mean experts with intermittent input in other projects beyond November 2019 are also not eligible to be proposed for the assignment. The Client is looking for an expert who is idle and jobless beyond November 2019 for a project duration of 12 (15 months) with input of a less as 1.5 months in some cases; kindly Clarify.	The criteria is only for evaluation purpose as per Rule 69 (Cha)-2 of Public Procurement Rule.

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7	Special Conditions of Contract 14.1 Expiration of Contract: The time period shall be twelve months	The time period shall be twelve (12) months does not match with (a) TOR Section 11. Time schedule of 24 months; (b) TOR Section 12. Reports and deliverable schedule; (c) TOR 14. Input of Team leader of 15 man month; and (d) Some of quantities beyond 12 months given in the BoQ like (Page 67, ToR Page 33) · Gauge reader cum sediment data collector – 22 months · Office space utilization – 24 months · Office space operation – 24 months. Kindly clarify and justify these figures for a Lump sum contract.	Amended as "The time period shall be: As specified in ToR"
8.	Special Conditions of Contract 25.1 The insurance coverage against the risk.....	What is the amount and duration that has to be considered for Professional Liability Insurance and other insurances?	It should be as per Rule 81(7) of the Public Procurement Regulation.
9.	Special Conditions of Contract 44.1 The interest rate is: Not applicable	This is biased provision in the contract. Whereas, if the Consultant are in fault of a delay damage of 0.05% is applicable and if the Client is in fault there is no provision for interest rate applied. Hence, request you to make the contract fair for both parties.	Amended as: The interest rate is: "equal to the Weightage average of Bank's interest Rate published by NRB of previous FY of the date of payment"
10.	Special Conditions of Contract 48. (a) Contracts with foreign Consultants:	It is only provisioned for foreign Consultants as this assignment is limited to national consultants, so where is the procedure for such dispute resolution applicable for national procurement. We suggest, arbitration as per Nepal Council of Arbitration (NEPCA) procedure.	Suggestion Appreciated. Arbitration will be as per Nepal Council of Arbitration (NEPCA) procedure.
11.	Cost Estimate Transportation cost A)i) KTM to nearest airport and back to KTM Aero plane-KTM-Dhangadi-KTM	This does not be the most viable/sensible route. Is it not supposed to be Simikot or Kolti Airport? If so then, is the cost also affected. Kindly clarify with justification.	Dhangadi Airport is used for the estimation purpose only. Firms can purpose your own but BoQ (Quantity) shall not be changed.