

AMENDMENT

Name of Work: RFP for engagement of DEA empaneled Transaction Advisor for providing Advisory services for Development & Operationalization of NW-10, NW-28 and NW-85

E-Tender ID- 2022 IWAI 721889_1

File No: IWAI/HY/Maha-NWs/2022

Last date of Submission of Bids: 12.12.2022

S.No	Tender Clause, Pg No	Tender Condition	Amendment								
1.	Notice Inviting E-Tender, Clause 2, Critical Date, Page No. 9	<table border="1" style="width: 100%;"> <tr> <td style="width: 40%;">Bid Submission Last Date</td> <td style="width: 60%;">12.12.2022 up to 1500 hrs</td> </tr> <tr> <td>Bid Opening date</td> <td>13.12.2022 at 1500 hrs</td> </tr> </table>	Bid Submission Last Date	12.12.2022 up to 1500 hrs	Bid Opening date	13.12.2022 at 1500 hrs	<table border="1" style="width: 100%;"> <tr> <td style="width: 40%;">Bid Submission Last Date</td> <td style="width: 60%;">24.12.2022 up to 1800 hrs</td> </tr> <tr> <td>Bid Opening date</td> <td>26.12.2022 at 1400 hrs</td> </tr> </table>	Bid Submission Last Date	24.12.2022 up to 1800 hrs	Bid Opening date	26.12.2022 at 1400 hrs
Bid Submission Last Date	12.12.2022 up to 1500 hrs										
Bid Opening date	13.12.2022 at 1500 hrs										
Bid Submission Last Date	24.12.2022 up to 1800 hrs										
Bid Opening date	26.12.2022 at 1400 hrs										
2.	ITB Clause 15 Pg 23	7 Bids by Joint venture/consortium- Not applicable	<p>15.1.1 The Joint Venture/consortium can be entered between two firms solely for availing legal services</p> <p>15.1.2 The empaneled firm shall be the lead member in a JV/consortium.</p> <p>15.1.3 There shall be a Joint bidding Agreement as per the format duly formalised on Rs 100 notarised stamp paper prescribed in 4L specifically for this contract between the constituent firms, indicating clearly, amongst other things, the proposed distribution of responsibilities both financial as well as technical for execution of the work amongst them.. The joint bidding agreement to enter into a JV / Consortium agreement should contain at least the following:</p> <ul style="list-style-type: none"> - Name of the Lead Partner - All the partners shall jointly and severally liable for the execution of the Contract in accordance with the Contract terms. - The partner of consortium to which the payment is to be released. <p>15.1.4 Lead partner's authorization shall be evidenced by submitting a power of attorney, duly notarized, signed by the legally authorized signatories of all the partners/members of JV/consortium.</p> <p>15.1.5 The Lead Partner shall be authorized to incur liabilities and to receive instructions for and on behalf of the partners of the Joint Venture, whether jointly or severally, and entire execution of the Contract (including payment) shall be carried out exclusively through the partner-in-charge. A copy of the said authorization shall be furnished in this Bid.</p> <p>15.1.6 In the event of default by any partner, in the execution of his part of the Contract, the Employer shall be so notified within 30 days by the Lead</p>								

Partner, or in the case of the Lead Partner being the defaulter, by the partner nominated as partner-in-charge of the remaining Joint Venture/consortium. The partner-in-charge shall, within 60 days of the said notice, assign the work of the defaulting partner to any other equally competent party acceptable to the Employer to ensure the execution of that part of the Contract, as envisaged at the time of bid. Failure to comply with the above provisions will make the Consultant liable for action by the Employer under the Conditions of Contract. If the Lead Partner, defined as such in the Communication approving the qualification, defaults, it shall be construed as default of the Consultant and Employer will take action under the Conditions of Contract.

15.1.7 Notwithstanding the permission to assigning the responsibilities of the defaulting partner to any other equally competent party acceptable to the Employer, all the partners of the Joint Venture/consortium will retain the full and undivided responsibility for the performance of their obligations under the Contract and/ or for satisfactory completion of the Works.

15.1.8 The bid submitted shall contain all relevant information for each member of JV/consortium as per the requirement stipulated under clause 10.1 of ITB

15.1.9 Lead member should have stake in the Joint Venture / consortium as and it should be clarifying the proposed responsibilities as per the format in Form 4L. However, the JV / Consortium members together shall meet the overall qualification Criteria stipulated in Clause 16.1 if ITB.

15.1.10 For sustainability of JV, refer clause 13 of Standard form of Contract.

--	--	--	--	--	--

3.	ToR Clause-5 Key Personnel Pg 92-93	# Key Expert Qualification and Relevant Experience			# Key Expert Qualification and Relevant Experience		
		1	PPP Expert cum Team Leader	Minimum: Graduate with Post Graduation and minimum ten (10) years of overall experience out of which minimum five (05) years of experience in feasibility studies, financial analysis, financial modeling, business plan and Bid/ PPP advisory of transportation infrastructure projects Should preferably have relevant experience in the IWT/ Ports / Railway Sectors	1	PPP Expert cum Team Leader	Minimum: Graduate with Post Graduation and minimum twelve (12) years of overall experience in feasibility studies, financial analysis, financial modeling, business plan and Bid/ PPP advisory of transportation infrastructure projects Should preferably have relevant experience in the IWT/ Ports / Railway Sectors
		2	Traffic Expert	Minimum: Graduate with post-graduation in relevant field having minimum five (05) years of experience in traffic	2	Traffic Expert	Minimum: Graduate with post-graduation in relevant field having minimum eight (08) years of experience in

				studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and / or maritime transport including IWT/ Ports / Railway/ Aviation sector			traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and / or maritime transport including IWT/ Ports / Railway sector		
		3	Finance Expert	Minimum: Graduate with post-graduation in relevant field with minimum of five (05) years of overall experience and five (05) years of experience in financial assessment, due diligence, financial modelling for projects in the transportation sector preferable in IWT / Ports / Multi Modal/ Railway/ Roads Sector		3	Finance Expert	Minimum: Graduate with post-graduation in relevant field with minimum of eight (08) years of overall experience in financial assessment, due diligence, financial modelling for projects in the transportation sector preferable in IWT / Ports / Railway Sector	
4.	Instruction to Bidders (ITB), Clause 25.2.1, Detailed marking scheme	#	Expert	Scoring pattern and maximum marks		PPP cum Team Leader & Finance Expert- suggested for following scoring for the proposed marking system for both Team Leader and Finance Expert. The same is suggested in order to align experience of Team Leader and Finance Expert with respect to devising of tariff structure which is one of the most critical elements for the assignment.			
		1	PPP Expert cum Team Leader	Maximum marks: 15		PPP Expert cum Team Leader Maximum marks: 15			
				Criteria	Scoring pattern	Maximum marks	Criteria	Scoring pattern	Maximum marks
				Total Work Experience	- 10 years: 4 marks - More than 10 years: 5 marks	5	Total Work Experience	- 12 years- 2 marks - More than 12 years- 15 years – 3.5 marks - More than 15 years- 5 marks	5
				Experience in feasibility studies, financial analysis, financial modelling, business plan and Bid/ PPP advisory of transportation infrastructure project	- 5 years: 4.5 marks - More than 5 years: 6 marks	6	Experience in transaction advisory projects in India related to IWT/Ports/Railways sector	- 2 PPP transactions: 3 marks - More than 2 projects 5	5
				Experience in transaction advisory projects in India	- 2 projects: 3 marks - More than 2 projects: 4 mark	4	Experience in feasibility studies, financial analysis, financial modelling, business plan and Bid/PPP advisory of transportation infrastructure project	- 1 project: 3 marks - 2 projects or more projects: 5 marks	5
				Total		15	Total		15
		4	Finance expert	Maximum marks: 9		Finance Expert: Maximum marks: 9			
				Criteria	Scoring	Maximum	Criteria	Scoring	Maximum

				<table border="1"> <thead> <tr> <th></th> <th>pattern</th> <th>marks</th> </tr> </thead> <tbody> <tr> <td>Total Work Experience</td> <td>– 5 years: 4 marks – More than 5 years: 5 marks –</td> <td>5</td> </tr> <tr> <td>Experience in financial assessment, due diligence, financial modelling for projects in the transportation sector preferable in IWT / Ports / Multi Modal/ Railway/ Roads Sector</td> <td>– 5 years: 3 marks – More than 5 years: 4 marks</td> <td>4</td> </tr> <tr> <td>Total</td> <td></td> <td>9</td> </tr> </tbody> </table>		pattern	marks	Total Work Experience	– 5 years: 4 marks – More than 5 years: 5 marks –	5	Experience in financial assessment, due diligence, financial modelling for projects in the transportation sector preferable in IWT / Ports / Multi Modal/ Railway/ Roads Sector	– 5 years: 3 marks – More than 5 years: 4 marks	4	Total		9				<table border="1"> <thead> <tr> <th></th> <th>pattern</th> <th>marks</th> </tr> </thead> <tbody> <tr> <td>Total Work Experience</td> <td>– 8 years- 2.5 marks – More than 8 years –4 marks</td> <td>4</td> </tr> <tr> <td>Experience in financial assessment, due diligence, financial modelling for the projects in the transportation sector preferably in IWT/Ports/Multimodal/ Railways/Road Sector</td> <td>– 1 project: 2 marks – 2 projects or more projects: 5 marks</td> <td>5</td> </tr> <tr> <td>Total</td> <td></td> <td>9</td> </tr> </tbody> </table>		pattern	marks	Total Work Experience	– 8 years- 2.5 marks – More than 8 years –4 marks	4	Experience in financial assessment, due diligence, financial modelling for the projects in the transportation sector preferably in IWT/Ports/Multimodal/ Railways/Road Sector	– 1 project: 2 marks – 2 projects or more projects: 5 marks	5	Total		9
	pattern	marks																														
Total Work Experience	– 5 years: 4 marks – More than 5 years: 5 marks –	5																														
Experience in financial assessment, due diligence, financial modelling for projects in the transportation sector preferable in IWT / Ports / Multi Modal/ Railway/ Roads Sector	– 5 years: 3 marks – More than 5 years: 4 marks	4																														
Total		9																														
	pattern	marks																														
Total Work Experience	– 8 years- 2.5 marks – More than 8 years –4 marks	4																														
Experience in financial assessment, due diligence, financial modelling for the projects in the transportation sector preferably in IWT/Ports/Multimodal/ Railways/Road Sector	– 1 project: 2 marks – 2 projects or more projects: 5 marks	5																														
Total		9																														
5.	Instruction to Bidders (ITB), Clause 25.2.1, Detailed marking scheme	2	Traffic Expert	Maximum marks: 6 <table border="1"> <thead> <tr> <th>Criteria</th> <th>Scoring pattern</th> <th>Maximum marks</th> </tr> </thead> <tbody> <tr> <td>Total Work Experience</td> <td>– 5 years: 2.5 marks – More than 5 years: 3 marks –</td> <td>3</td> </tr> <tr> <td>Experience in traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation &</td> <td>– 5 years: 2.5 marks – More than 5 years: 3 marks</td> <td>3</td> </tr> </tbody> </table>	Criteria	Scoring pattern	Maximum marks	Total Work Experience	– 5 years: 2.5 marks – More than 5 years: 3 marks –	3	Experience in traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation &	– 5 years: 2.5 marks – More than 5 years: 3 marks	3			Traffic Expert Maximum marks: 6 <table border="1"> <thead> <tr> <th>Criteria</th> <th>Scoring pattern</th> <th>Maximum marks</th> </tr> </thead> <tbody> <tr> <td>Total Work Experience</td> <td>– 8 years- 2 marks – More than 8 years –3 marks</td> <td>3</td> </tr> <tr> <td>Experience in Traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and/or</td> <td>– 1 Project: 1 mark – 2 Projects: 2 marks – 3 or above Projects: 3</td> <td>3</td> </tr> </tbody> </table>	Criteria	Scoring pattern	Maximum marks	Total Work Experience	– 8 years- 2 marks – More than 8 years –3 marks	3	Experience in Traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and/or	– 1 Project: 1 mark – 2 Projects: 2 marks – 3 or above Projects: 3	3							
Criteria	Scoring pattern	Maximum marks																														
Total Work Experience	– 5 years: 2.5 marks – More than 5 years: 3 marks –	3																														
Experience in traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation &	– 5 years: 2.5 marks – More than 5 years: 3 marks	3																														
Criteria	Scoring pattern	Maximum marks																														
Total Work Experience	– 8 years- 2 marks – More than 8 years –3 marks	3																														
Experience in Traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and/or	– 1 Project: 1 mark – 2 Projects: 2 marks – 3 or above Projects: 3	3																														

				logistic projects involving river and / or maritime transport including IWT/ Ports / Railway/ Aviation sector						maritime transport including IWT/ Ports/ Railway sector	marks			
				Total						Total		6		
6.	Section VI ToR Pg 91	Within 2 months of receipt of EOI being invited by the Authority or Within 5 months, whichever is later							Within 5 months					
7.	Clause 1.0 Page no 14	<p>1.10 It was accordingly decided that we may develop the NWs in Maharashtra through PPP mode and firstly take on the development of Cat-A National waterways.</p> <p>1.13 The transaction advisor does all the detailed financial, technical and legal work required to implement the proposed project. Transaction advisory services are the third-party services obtained from professional firms.</p>							<p>1.10 It was accordingly decided that we may develop the NWs in Maharashtra through PPP mode and firstly take on the development of Cat-A National waterways. The proposed development activities include but not limited to development of IWT ports, VTMS, Night Navigation, Fairway development. However, the Consultant is required to suggest the suitable methodology for the procurement of above services/infrastructures.</p>					
8.	19.1.4 Enclosure – IV Page no 33	(iv) The Key Personnel shall remain available for the period as indicated in the Tender Document							The consultant's team shall be made available at IWAI office as and when required during assignment. No permanent deputation is envisaged.					
9.	19.1.4 Enclosure – IV Page no 33	a. Scanned copies of following keeping in view the scope of work listed in the ToR: (i) The approach to the work and methodology to be adopted, and (ii) Detailed work plan							Except presentation all other details have to be submitted alongwith the bid. The presentation will be allowed only for the qualified firms.					
10	3. Deliverables Timelines and Payment Terms Page 90	3. Deliverables Timelines and Payment Terms							Mobilisation period of 15 days will be considered. However, the other T&C remains the same,					
11	SECTION-II: INSTRUCTIONS TO BIDDERS (ITB) Clause 25.2 Technical Evaluation, Sub-Clause 25.2.1 Detailed marking scheme Page 38 of 137 of RFP and Page 46 of 137 of RFP	<p><u>Sub-Clause 25.2.1 Detailed marking scheme</u></p> <p>Only those bidders whose Technical Bids score 60 marks or more out of 100 shall qualify for further consideration and shall be ranked from highest to the lowest on the basis of their technical score (ST).</p> <p><u>Following clause is also given on Page 46 of 137:</u></p> <p>Shortlisting of Bidders</p> <p>The bidders ranked on the basis of technical score (St), not more than five shall be prequalified and shortlisted for price evaluation in the second stage. The Minimum technical Score to pass the technical evaluation stage is 70 marks out of total 100 marks.</p>							<p><u>Clause 25.2.1 stands modified as</u></p> <p>Detailed marking scheme</p> <p>In the first stage, the Technical bid will be evaluated on the basis of the bidder's experience, and experience of its key personnel. Only those bidders whose Technical Bids score 65 marks or more out of 100 shall qualify for further consideration and shall be ranked from highest to the lowest on the basis of their technical score (ST).</p> <p>In addition the Shortlisting of Bidders stands modified as under</p> <p>The bidders ranked on the basis of technical score (St), not more than five shall be pre-qualified and shortlisted for price evaluation in the second stage. The Minimum technical Score to pass the technical evaluation stage is 65 marks out of total 100 marks</p>					

12	<p>SECTION-II: INSTRUCTIONS TO BIDDERS (ITB)</p> <p>Clause 25.2 Technical Evaluation, Sub- Clause 25.2.1</p> <p>'Final Evaluation'</p> <p>Page 47 of 137 of RFP</p>	<p>Final Evaluation</p> <p>A combined score of Technical and Financial will be evaluated. The successful Bidder shall be selected as per the following procedure:-</p> <p>(i) The weights, Technical (Tw) and Financial (Fw) would be given for Technical and Financial proposals, where Tw=0.70 and Fw=0.30</p> <p>(Tw=the weight given to technical proposal; Fw=weight given to the financial proposal; Tw+Fw=1)</p>	<p>We understand that this opportunity is very unique and will require quality inputs from the transaction advisor who has lot of relevant experience in transport & logistics sector.</p> <p>Further, in order to ensure that experienced and quality bidders participate in this opportunity, we would request Authority to kindly modify the technical score and financial score weightages under final evaluation clause as per below:</p> <p><i>“(i) The weights, Technical (Tw) and Financial (Fw) would be given for Technical and Financial proposals, where Tw=0.80 and Fw=0.20”</i></p>
13	<p>SECTION-II: INSTRUCTIONS TO BIDDERS (ITB)</p> <p>Clause 25.2 Technical Evaluation, Sub- Clause 25.2.1</p> <p>Table 3: Qualification and Competence of the Key Professionals for the assignment</p> <p>Page 45 of 137 of RFP</p>	<p>S.No. 6: Traffic Surveyor</p> <p>Preferred criteria:</p> <p>Minimum five (03) years of experience in traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and / or maritime transport including IWT/ Ports / Railway/ Aviation sector</p>	<p>The Table No -3 S.No 6 Pg No 45 clause stands modified as under</p> <p>Minimum five (05) years of experience in traffic studies/ Demand Assessment/ Traffic Projections/ Operating cost benchmarking for transportation & logistic projects involving river and / or maritime transport including IWT/ Ports / Railway/ sector</p>
14	<p>SECTION-VII: STANDARD FORM OF CONTRACT</p> <p>Clause 3 Obligations of the Consultant: Sub-Clause 3.1.3 Confidentiality</p> <p>Page 112 of 137 of RFP</p>	<p>3.1.3 Confidentiality:</p> <p>Except with the prior written consent of the Employer the Consultant and the personnel shall not at any time communicate to any person or entity any confidential information acquired in the course of the services, nor shall the Consultant and its personnel make public the recommendations formulated in the course of, or as a result of the services.</p>	<p>The disclosure is allowed only with the written permission of IWAI.</p>