

**Appointment of Consultant for
Scrutinizing Tenders, Estimates and
Related Documents.**

The FA&CAO has stated that the Dy. Chairperson has observed that there is delay in processing of estimate and tender proposals. These works require expert analysis and there is ban on recruitment. Due to depleting staff strength, many department found shortage of staff processing the proposals. It is proposed to appoint retired Port employees/Officers having experience and requisite qualification in the Civil/Mechanical/Electrical Engineering/ Legal/Finance.

2. The Chairperson has approved the proposal for Draft Terms of Reference for Appointment of Consultant for scrutinizing tenders, estimates and related documents. The copy of the Chairperson's approval is at *Annexure*. Tender above Rs.1 crore will be forwarded for scrutiny to the Consultant on case to case basis.

Draft Terms of Reference: Appointment of Consultant for Scrutinizing Tenders, Estimates, and Related Documents.

1. Background

The Xxxx Department of the Mumbai Port Authority intends to appoint a Consultant to provide expert scrutiny and evaluation of tenders, estimates, and related documents. The Consultant will play a crucial role in ensuring transparency, fairness, and compliance with established standards and procedures. This Terms of Reference outlines the scope of work, responsibilities, qualifications, and deliverables required for the Consultant.

2. Objective

The main objective of this assignment is to appoint a consultant who will scrutinize and evaluate tenders, estimates, and related documents to ensure their completeness, accuracy, and conformity with the organization's guidelines, regulations, and best practices. The consultant will provide professional advice and recommendations to enhance the procurement process, mitigate risks, and optimize value for money.

3. Scope of Work:

The appointed consultant will be responsible for the following tasks:

3.1. Scrutinizing Estimates:

- a) Analyze cost estimates and pricing proposals prepared by the xxxz Department.
- b) Verify the accuracy, reasonableness, and adequacy of cost estimates.
- c) Evaluate the completeness and appropriateness of pricing methodologies.
- d) Assess the risk factors and contingencies considered in the estimates.
- e) Identify any deviations, discrepancies, or irregularities in the estimates.
- f) Provide recommendations for cost optimization and risk mitigation.
- g) Identify deviations in the preparation of estimates from the Established practices, procurement manuals.

3.2. Reviewing Tenders:

- a) Preparation of Tender document and related work.
- b) Conduct a thorough review of tender documents to ensure compliance with all contractual and legal requirements.
- c) Evaluate the clarity, consistency, and completeness of tender documents.
- d) Assess the eligibility, financial capabilities, and technical capabilities of potential bidders.
- e) Identify any discrepancies, ambiguities, or inconsistencies in the tender submissions.
- f) Provide recommendations for improving the quality and effectiveness of tender documents.
- g) Providing necessary assistance during Pre-bid meeting and replying Pre-bid meeting queries.

3.3. Ensuring Compliance:

- a) Verify the adherence of tender submissions to applicable laws, regulations, and procurement guidelines.
- b) Evaluate the fairness, impartiality, and transparency of the procurement process.

- c) Assess the adequacy of evaluation criteria and methods used in the tender process.
- d) Identify any conflicts of interest or unethical practices in the procurement process.
- e) Provide recommendations for enhancing compliance and integrity in the procurement process.

4. Deliverables:

The consultant is expected to deliver the following:

4.1. Preliminary Assessment Report:

- a) A comprehensive report summarizing the findings of the initial review of tender documents and estimates.
- b) Identification of any significant issues, discrepancies, or non-compliance observed.
- c) Recommendations for corrective actions or improvements.

4.2. Final Evaluation Report:

- a) A detailed report presenting the consultant's final evaluation of tender documents and estimates.
- b) Clear identification of strengths, weaknesses, and risks associated with the submissions.
- c) Recommendations for selecting the most suitable bidder(s) or adjustments to estimates, if applicable.
- d) Suggestions for process improvements and lessons learned.

5. Qualifications and Expertise:

Ideally consultant should possess the following qualifications and expertise:

5.1. Professional Experience:

- a) Proven experience in scrutinizing tenders, estimates, and related documents in a similar context. Preference to applicants having experience in the port sector would be given.
- b) Familiarity with relevant laws, regulations, and procurement practices.
- c) Demonstrated knowledge of project management, contract administration, and risk assessment.

- d) having worked for a minimum of 10 years in a class 1 position in central government or state government/ organisations under central government or state government/ autonomous organisations formed by central government or state government.
- e) The applicant should not have been penalised with any major penalty during career or convicted by any court of law.

5.2. Technical Competencies:

- a) Strong analytical skills to review and evaluate complex documents and calculations.
- b) Excellent understanding of cost estimation methodologies and financial analysis.
- c) Proficiency in utilizing relevant software tools and technologies for document analysis.

5.3. Communication and Reporting:

- a) Excellent verbal and written communication

6. Remuneration

6.1 Attending Meeting

Level of Official	Virtual Meeting	Physical Meeting	Maximum limit in a month	Travel charges would be paid at actuals
Chairman/ Deputy Chairman	₹5000	₹8500	₹1,00,000	As per entitlements of class at the time of retirement/
Heads of Department	₹4000	₹5,500	₹75,000	
Officers below the rank of HOD	₹2500	₹4,500	₹50,000	

6.2 Preparing Tender Documents:

For Tender Value less than ₹1 crores	₹ 40,000.00	The Tender document needs to be prepared with a maximum period of 15 days
For Tender Value more than ₹1 crores	₹70,000.00 or 0.5% of cost put to tender whichever is lesser	The Tender document needs to be prepared with a maximum period of 30 days

In case of delay 1% penalty shall be levied for each day of delay subject to a maximum of 10%.

6.3 Scrutiny of tenders:

Completion of Scrutiny within 5 (Five) working days	₹ 50,000.00
Completion of Scrutiny beyond 5 (Five) working days	₹ 30,000.00

In case of delay 1% penalty shall be levied for each day of delay subject to a maximum of 10%.

6.4 Preparation of Minutes of Meeting and replies to Pre-bid queries:

₹5,000.00 per bidders query.

7. Procedure for scrutinizing the applications:

The applications shall be invited by each department based on their requirement. The applications shall be scrutinized by the respective HOD and empanel the applicants with the approval of the Deputy Chairman (and in his absence the Chairman).

8. All the fees/charges mentioned are excluding GST. TDS shall be deducted as per the provisions of the Income Tax Act.

3. The FA&CAO has requested Board's approval to Para.2 above.

4. The Board's approval is requested to the FA&CAO's proposal at para 2 above.

DRAFT BOARD RESOLUTION:

Resolved to approve FA&CAO's proposal at para 2 of the note.

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Item No.18: Appointment of Consultant for Scrutinizing Tenders, Estimates and Related Documents.

FA&CAO explained the proposal in brief.

The Board directed FA&CAO to place the table paper on quarterly basis before the Board informing the Board of the appointments made and payments released.

Thereafter, Board approved FA&CAO's proposal at para 2 of the note.

Resolution No.208 dated 11.1.2024:

Board approved FA&CAO's proposal at para 2 of the note.