

**MUMBAI PORT AUTHORITY  
CIVIL ENGINEERING DEPARTMENT  
SPECIAL PLANNING AUTHORITY**

**No.CE.T.34/2024      20<sup>TH</sup> JUNE 2024**

**Tender No.34/2034 – Appointment of Consultant for providing governance structure for implementation of Mumbai Port Redevelopment Project**

**Reply to Pre-bid Queries**

SL No.	RFP Pg. No. Clause No.	Topic/Clause Heading	Pre-bid Query	Reply to Pre-bid Queries
1.	Sr. No. 4, pg. 8	Tender Fee (non-refundable)	Please refer to Rule 161 (IV) of GFR 2017. We understand that cost of tender document should not be charged under the said Rule. Accordingly, we request you to waive / delete the requirement for submitting tender fee under the RFP.	Tender condition prevails.
2	Notes bullet 3, pg. 11	Joint Venture	N/A	Tender condition prevails.
3.	Pg. 13	EMD	N/A	Tender condition prevails.
4	Clause 1.15, pg. 16	Fraudulent Submission by Bidders	N/A	Tender condition prevails.
5.	3.1.1.4, pg. 27	Forfeiture of Security Deposit  The chairman can forfeit Security Deposit in case of failure by Bidder	We request that the Bidder be presented the opportunity to be heard and present its case before any SD is forfeited	Tender condition prevails.
6	3.3.9.1, pg. 30	LDs for error  In case any error or variation is detected in the reports submitted by the Consultant and such error or variation; is the result of negligence or lack of due diligence on the part of the consultant, the	We request that the maximum be limited to 10% of Contract value	Tender condition Modified as follow: In case any error or variation is detected in the reports submitted by the Consultant and such error or variation; is the result of negligence or lack of due diligence on the part of the consultant, the consequential damages thereof shall be qualifying the authority in the reasonable manner and the same shall

		consequential damages thereof shall be qualifying the authority in the reasonable manner and the same shall be recovered from the Consultant by way of deemed liquidated damages, subject to maximum of 50% (fifty percent) of the Agreement value.		be recovered from the Consultant by way of deemed liquidated damages, subject to maximum of <b>10% (Ten percent)</b> of the Agreement value
7	3.3.9.3, pg. 31	The Authority shall have the right to invoke and appropriate the proceeds of the Performance Security, in whole or in part, without notice to the Consultant in the event of breach of this Agreement or for recovery of liquidated damages	We request that the Bidder be presented the opportunity to be heard and present its case before any SD is forfeited	Tender condition prevails.
8	3.3.9.4, pg. 31	In the case of significant deficiencies in Services causing adverse effect on the Project or on the reputation of the MbPA, other penal action including debarring / blacklisting for a specified period may also be initiated as per policy of the MbPA.		

9	3.4.2	Indemnification	We request that any Indemnity amount in this clause 3.4.2 will be subject to final judicial determination.				Tender condition prevails.				
10.	Limitation of Liability Clause	No Clause in RFP, please include in Pre-bid	<p>Client is requested to limit consultant’s liability to 1X of the total contract value. This is as per GFR and the guidelines issued by MeitY. It is also the normal industry practice. Client may consider including the following language:</p> <p>"Purchaser/Client agrees that Consultants total liability for all claims connected with the services or this agreement (including but not limited to negligence), whether in contract, tort, statute, indemnities or otherwise, is limited to one time the professional fees paid / payable for the services. Purchaser/Client agrees that Consultant will not be liable for (i) loss or corruption of data from your systems, (ii) loss of profit, goodwill, business opportunity, anticipated savings or benefits or (iii) indirect or consequential loss."</p>				<p>Please refer to Clause No.6.2.6 (vii) of GFR 2017 Please refer modified Clause No. No. 3.4.2(i) as follows: That the ceiling on the Consultant's liability under the Section shall be limited to <b>100%</b> of the agreed fixed lump sum fee. The liability will end three (3) years after issuance of completion certificate for contract. Such ceiling does not cover the actions, claims, losses or damages caused by the Consultant's gross negligence or reckless conduct, for which the Consultant's liability will be subject to separate evaluation.</p>				
11	Modified Clauses Clause 4.6 Evaluation of Technical Proposals	<b>Evaluation of Technical Proposals (Marking System)</b>		It is requested that the Authority kindly remove the revised the scoring criteria and kindly keep it as it was earlier as per the RFP. The below clause be removed and replaced as Clause 4.6 in Page (1-41) as per RFP			Tender condition prevails.				
		<b>#</b>	<b>Evaluation</b>	<b>Points</b>	<b>Evaluation of Technical Proposals (Marking System)</b>						
		A1	Eligible Assignments – Category 1 (project size and scale will be taken into account while giving points)- Total- 15 marks	100 to 250 Acres	250 to 500 Acres	500 + Acres	<b>#</b>	<b>Evaluation</b>	<b>Points</b>		
			1 project	2	3	5	A1	Eligible Assignments – Category 1 (project size and scale will be taken into account while giving points)- Total- 15 marks	100 to 250 Acres	250 to 500 Acres	500 + Acres
			2 projects	4	6	10					
			3 or more projects	6	9	15		1 project	2	3	5

		A2	Eligible Assignments – Category 2 (project size and scale will be taken into account while giving points)- Total- 6 marks	100 to 150 Acres	150 to 250 Acres	250 + Acres	2 projects	4	6	10				
							3 or more projects	6	9	15				
							A2	Eligible Assignments – Category 2 (project size and scale will be taken into account while giving points)- Total- 6 marks	100 to 150 Acres	150 to 250 Acres		250 + Acres		
					1 project	0.5	1	2						
					2 projects	1	2	4						
					3 or more projects	1.5	3	6	1 project	0.5		1	2	
		A3	Eligible Assignments – Category 3 (project size and scale will be taken into account while giving points)- Total- 9 marks	1000 Cr to 2000 Cr	2000 Cr+		2 projects	1	2	4				
							3 or more projects	1.5	3	6				
						A3	Eligible Assignments – Category 3 (project size and scale will be taken into account while giving points)- Total- 9 marks	1000 Cr to 2000 Cr	2000 Cr+					
					1 project	2	3							
					2 projects	4	6							
					3 or more projects	6	9		1 project	2		3		
	<b>Total A</b>	<b>30</b>			2 projects	4	6							
C1	Team Leader cum Transport Expert (Max marks-10 marks)	For minimum experience of 2 eligible projects-6 marks	For every additional eligible project—1 marks		3 or more projects	6	9							
				<b>Total A</b>	<b>30</b>									
C2	Global Port Waterfront / Harbour Regeneration Expert (Max marks-10 marks)	For minimum experience of 1 eligible projects-6 marks	For every additional eligible project—1 marks		Team Leader cum Transport Expert (Max marks-10 marks)	For minimum experience of 2 eligible projects-6 marks		For every additional eligible project—1 marks						
				C2	Global Port Waterfront / Harbour Regeneration Expert (Max marks-10 marks)	For minimum experience of 1 eligible projects-6 marks								

		C3	Financing & SPV Expert (Max marks-10 marks)	For minimum experience of 1 eligible projects-5 marks For every additional eligible project—1 marks		For every additional eligible project—1 marks	
					C3	Financing & SPV Expert (Max marks-10 marks) For minimum experience of 1 eligible projects-5 marks For every additional eligible project—1 marks	
		C4	Real Estate Expert (Max marks-10 marks)	For minimum experience of 2 eligible projects-6 marks For every additional eligible project—1 marks		For minimum experience of 2 eligible projects-6 marks For every additional eligible project—1 marks	
					C4	Real Estate Expert (Max marks-10 marks) For minimum experience of 2 eligible projects-6 marks For every additional eligible project—1 marks	
			<b>Total C</b>	<b>40</b>		<b>40</b>	
		<b>D</b>	<b>Approach &amp; Methodology</b> <ul style="list-style-type: none"> <li>○ Understanding of Scope of Work and Context</li> <li>○ Approach &amp; Methodology</li> <li>○ Presentation on A&amp;M</li> </ul>	<b>30</b>		<b>30</b>	
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			<b>Total A + B + C + D</b>	<b>100</b>		<b>100</b>	
						<b>Total A + B + C + D</b> <b>100</b>	
		<p>For scoring and evaluation of eligible assignments, project scale and size shall be taken into account for giving final score.</p> <p>Bidder should submit the copy of presentation on the day of presentation in soft and hard copies (5nos) <del>in advance along with Technical offer.</del> The date and time of presentation will be intimated after opening of technical bid.</p>					
		<p>It is requested to the Authority to kindly revise the Scoring Criteria as below, which was as per the RFP:</p>					
		<b>#</b>	<b>Evaluation</b>	<b>Points</b>			
		A1	Eligible Assignments – Category 1 (project size and scale will be taken into account while giving points)				

The Bidder who have scored minimum 70% marks in the technical evaluation shall be shortlisted for further evaluation.		1 project	2
		2 projects	4
		3 or more projects	6
	A2	Eligible Assignments – Category 2 (project size and scale will be taken into account while giving points)	
		1 project	0.5
		2 projects	1
		3 or more projects	1,5
	A3	Eligible Assignments – Category 3 (project size and scale will be taken into account while giving points)	
		1 project	3
		2 projects	6
		3 or more projects	9
		<b>Total A</b>	<b>30</b>
	C1	Team Leader cum Transport Expert	
	C2	Global Port Waterfront / Harbour Regeneration Expert	
	C3	Financing & SPV Expert	

					<table border="1"> <tr> <td>C4</td> <td>Real Estate Expert</td> <td></td> </tr> <tr> <td></td> <td><b>Total C</b></td> <td><b>40</b></td> </tr> <tr> <td><b>D</b></td> <td><b>Approach &amp; Methodology</b></td> <td><b>30</b></td> </tr> <tr> <td></td> <td> <ul style="list-style-type: none"> <li>○ Understanding of Scope of Work and Context</li> <li>○ Approach &amp; Methodology</li> <li>○ Presentation on A&amp;M</li> </ul> </td> <td></td> </tr> <tr> <td></td> <td><b>Total A + B + C + D</b></td> <td><b>100</b></td> </tr> </table>	C4	Real Estate Expert			<b>Total C</b>	<b>40</b>	<b>D</b>	<b>Approach &amp; Methodology</b>	<b>30</b>		<ul style="list-style-type: none"> <li>○ Understanding of Scope of Work and Context</li> <li>○ Approach &amp; Methodology</li> <li>○ Presentation on A&amp;M</li> </ul>			<b>Total A + B + C + D</b>	<b>100</b>	
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12	Modified Clauses Clause 1.6 Conditions of Eligibility for Key Personnel	<p><b>Key Personnel</b> <b>Conditions of Eligibility for Key Personnel</b></p> <table border="1"> <thead> <tr> <th>#</th> <th>Key Personnel</th> <th>Min. Educational Qualification</th> <th>Minimum Professional Experience</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Team Leader cum Transport Expert</td> <td>CA/ Post graduate degree (PG) in Management with Graduate degree</td> <td>20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible project of Category 1 or Category 2</td> </tr> </tbody> </table>	#	Key Personnel	Min. Educational Qualification	Minimum Professional Experience	1	Team Leader cum Transport Expert	CA/ Post graduate degree (PG) in Management with Graduate degree	20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible project of Category 1 or Category 2	<p><b>It is requested that the Authority kindly remove the revised Clause for Key Personnel and kindly keep it as it was earlier as per the RFP. The below clause be removed and replaced as Clause 1.6 in Page (1-10) as per RFP Conditions of Eligibility for Key Personnel Each of the Key Personnel must fulfil the Conditions of Eligibility specified below:</b></p> <p><b>Key Personnel</b> <b>Conditions of Eligibility for Key Personnel</b></p> <table border="1"> <thead> <tr> <th>#</th> <th>Key Personnel</th> <th>Minimum Educational Qualification</th> <th>Minimum Professional Experience</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Team Leader cum Transport Expert</td> <td>CA / Post graduate degree (PG) in Management with</td> <td>20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible</td> </tr> </tbody> </table>	#	Key Personnel	Minimum Educational Qualification	Minimum Professional Experience	1	Team Leader cum Transport Expert	CA / Post graduate degree (PG) in Management with	20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible	Tender condition prevails.	
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1	Team Leader cum Transport Expert	CA/ Post graduate degree (PG) in Management with Graduate degree	20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible project of Category 1 or Category 2																		
#	Key Personnel	Minimum Educational Qualification	Minimum Professional Experience																		
1	Team Leader cum Transport Expert	CA / Post graduate degree (PG) in Management with	20 years of advisory experience in infrastructure sector – strategy, business planning, feasibility studies, market assessment, fund raise, financing strategy etc. of atleast 2 eligible																		

		2	Port Waterfront / Harbor Regeneration Expert	Post graduate degree (PG) in Management with Graduate degree	15 years of advisory experience in real estate and infrastructure sector – strategy, business planning, feasibility studies, market assessment etc. with atleast one project of Port Waterfront / Harbor Regeneration			Graduate degree	project of Category 1 or Category 2		
			2	Port Waterfront / Harbor Regeneration Expert	Post graduate degree (PG) in Management with Graduate degree			15 years of advisory experience in real estate and infrastructure sector – strategy, business planning, feasibility studies, market assessment etc. with atleast one project of Port Waterfront / Harbor Regeneration	Post graduate degree (PG) in Management with Graduate degree	15 years of advisory experience in real estate and infrastructure sector – strategy, business planning, feasibility studies, market assessment etc. with atleast one project of Port Waterfront / Harbor Regeneration	
		3	Financing & SPV Expert	Graduate with MBA in Finance/CA/CS or equivalent	15 years of financial advisory experience involving fund raising, debt & equity structuring, experience in setting up SPVs for implementation of large scale projects, etc. of atleast 1 eligible project of Category 3			3	Financing & SPV Expert	Graduate with MBA in Finance/CA/CS or equivalent	15 years of financial advisory experience involving fund raising, debt & equity structuring, experience in setting up SPVs for implementation of large scale projects, etc. of atleast 1 eligible project of Category 3



