

# ଡଡ଼ିଶା ବିଦ୍ୟୁତ୍ ଶକ୍ତି **ସଂଚାରଣ ନି**ଗମ ଲିଃ.

#### ODISHA POWER TRANSMISSION CORPORATION LIMITED

(A Government of Odisha Undertaking) Regd. Office: Janpath: Bhubaneswar-751022.

Telephone: (0674) 2540051 (EPABX), Website: www.optcl.co.in

CIN: U41020R2004SGC007553

### CORRIGENDUM - I to TENDER NOTICE NO. SLDC-01/2022-23

#### TENDER NOTICE NO. SLDC-01/2022-23

"Selection of Project Management Consultant (PMC) to assist OPTCL in implementation of Scheduling, Accounting, Metering and Settlement of Transactions in Electricity (SAMAST)"

(i) The <u>revised timeline</u> under the "Calendar of Event" of SECTION-1 for the above mentioned e-Tender is as follows:

Event	Current Date	Revised Date
Last date for submission of bids through e-tender portal	20-05-2022 till 03:00 pm	03-06-2022 till 03:00 pm
Opening of Technical bids	20-05-2022 at 04:00 pm	03-06-2022 at 04:00 pm

(ii) The "EMD/Bid Security" amount for the above mentioned e-Tender is revised as NIL.

Director (SLDC)

Enclosure: Annexure-I: Response to Pre-Bid Queries

## **ANNEXURE-I**

	Selection of Project Management Consultant (PMC) to assist OPTCL in implementation of Scheduling, Accounting, Metering and Settlement of Transactions in Electricity (SAMAST)  [TENDER NOTICE NO: SLDC-01/2022-23]					
	Response to Pre-Bid Queries					
SI No	Document	Clause No./ Page No.	Clause	Query	Clarification from OPTCL/SLDC	
1 1	PRDC TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No A-1/ Page No. 31	Certificate of Incorporation and copy of Memorandum and Articles of Associations of the company evidencing that they are working in the project Management consultancy services for the last five years should be attached.	We understand this certificate agianst the clause is relevant LoA/Work Order, Please confirm.	Certificate of Incorporation and copy of Memorandum and Articles of Associations of the company is required for evaluation to know the type of bussiness(project Management consultancy services) of the bidder's organization.  However LoA/Work Order is the supporting document for the bidder's past experience, which is asked separately under another eligibility criteria.	
2	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No A-2/ Page No. 31	The Minimum Average Annual Turnover (MAAT) for IT related services turnover of the bidder should be at least INR 10 crores or more with positive net worth in each of the immediately preceding three years (2018-19, 2019-20 and 2020-21), calculated as revenue earned from the projects.	Requesting to consider MAAT for Consultancy Services , not specific to IT Related Services. MAAT for Consultancy Services for Power Sector may be increase to 20 Crore for three financial years (2018-19, 2019-20 and 2020-21)	criteria. The eligibility criteria is revised herewith and shall be read as: "The Minimum Average Annual Turnover (MAAT) for related services (project management and consultancy services) of the bidder should be at least INR 10 crores or more with positive net worth in best three financial years out of the last five immediately preceding financial years, calculated as revenue earned."	
3	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No A-7/ Page No. 32	The Bidder must have on its roll at least 50 professionals in the area of Project Management consultancy services as on bid submission date.	Requesting to reduce the requirement of PMC resources from 50nos to 30 nos. $ \\$	The eligibility criteria is revised herewith and shall be read as: "The Bidder must have on its roll at least 100 professionals in general and atleast 30 professional in the area of Project Management consultancy services as on bid submission date."	
4	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Payment Terms for IA for use by OPTCL/Page No60	Phase-I: Pre-Tender Activities: 5% Phase II: Tender Stage: 5% Phase III: Tenjoet Implementation and Monitoring Stage Site survey and supply and installation of hardware under SAMAST: 30% Design, development and installation of SAMAST software components: 30% Integration, Site Acceptance Testing(SAT) and Training and Project Go-Live: 20% Phase IV: Project Sign-Off Stage: 10%	Considering to the effort distribution, requesting you to make the changes in Payment Terms as below.  Phase-I: Pre-Tender Activities: 15%  Phase II: Tender Stage: 15%  Phase III: Tender Stage: 15%  Day The Stage Sta	No changes in the Tender Payment term is accepted.  Tender Clause Stands	
5	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Appendix C- Estimated Manpower Requirement/Page-85	Project Manager-More Than 10 Years Power Market Expert-More Than 15 Years Hardware Expert-More Than 15 Years Solution Architect-More Than 15 Years Training and Change Management Expert-More Than 15 Years Database Expert-More Than 15 Years Analytics Expert-More Than 15 Years	Considering to the Project Requirement, requesting you to make the changes in Minimum Years of Experience Required for Manpower as below.  Project Manager-More Than 15 Years  Power Market Expert-More Than 15Years  Hardware Expert-More Than 10Years  Solution Architect-More Than 15Years  Training and Change Management Expert-More Than 15Years  Database Expert-More Than 10Years  Analytics Expert-More Than 10Years	The tender clause regarding Manpower Requirment is revised herewith and shall be read as:  "Minimum Years of Experience Required for Manpower is as detailed below. Project Manager-More Than 10 Years Power Market Expert-More Than 8 Years Hardware Expert-More Than 8 Years Solution Architect-More Than 8 Years Training and Change Management Expert-More Than 8 Years Database Expert-More Than 8 Years Analytics Expert-More Than 8 Years	
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6	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Section IV – Eligibility Criteria A. Firm's Financial and Manpower Strength Sl. No. 5/Page No. 31	The Bidder should have at least one office (registered/branch) in Bhubaneswar. If the Bidder is not having any office in Bhubaneswar, then the bidder should submit a letter of undertaking to open an office in Odisha within 30 days from the date of issue of work order.	In case of not having any office in Bhubaneswar, it would be very difficult to open an office in Odisha for one assignment within 30 days from the date of issue of work order especially in the unprecedented times of Covid-19. Further the payment are based on milestones and are not on man-month basis.  We therefore request you to remove this criteria.	It is clarified that, If consultant do not have any office set up in Bhubaneswar at the time of project award, the consultant may be allowed to operate from the SLDC's premises for the initial 6 month of consultancy engagement. SLDC may provide on best efforts basis, space, sitting arrangement (furniture) and electricity. Consultant shall be responsible to bring their own Laptop and provision for internet access. Such facility may be discontinued in case of need arises and bidder will not have right to claim this facility.  Due to space constarint at SLDC, in future, the consultant shall need to set up its office in Bhubaneswar within 6 months of engagement. In this regard bidder neet to submit a undertaking during bid submission. Registered/ branch office in Bhubaneswar is preferable,however office setup without registration will also be considered subject to verification and approval of the purchaser.	

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	Selection of Project Management Consultant (PMC) to assist OPTCL in implementation of Scheduling, Accounting, Metering and Settlement of Transactions in Electricity (SAMAST)  [TENDER NOTICE NO: SLDC-01/2022-23]					
	Response to Pre-Bid Queries					
SI No	Document	Clause No./ Page No.	Clause	Query	Clarification from OPTCL/SLDC	
7	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC-	Section IV – Eligibility Criteria B. Past Performance & Relevant	The Consultant firm should have relevant experience of providing consulting services or professional employment in power transmission and SLDC areas (central /state power utilities in India) focused on RFP preparation / feasibility study / IT assignments / procurement / project management in last 5 years.  Note: Prior experience of working with Odisha state power utilities will be an added advantage.	Requested to amend the Clause as "8. The Consultant firm should have relevant experience of providing consulting services or professional employment in power transmission (central /state power utilities in India) and NLDC/ RLDC/ SLDC focused on RFP preparation / feasibility study / IT assignments / procurement / project management in last 10 years.	The eligibility criteria is revised herewith and shall be read as:  "8. The Consultant firm should have relevant experience of providing consulting services or professional employment in power transmission and SLDC/RLDC/NLDC/ Central or State power utilities in India focused on RFP preparation / feasibility study / IT assignments / procurement / project management in last 5 years.  Note: Prior experience of working with Odisha state power utilities will be an added advantage."	
8	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC-	Appendix C- Estimated Manpower Requirement	Table: Estimated Manpower Requirement (may vary as per requirement): To be filled in by the bidder.	if these will be dedicated resources or shared resources. Since the and completion of the project	As this is an time essense project focused on the milestone achievement and completion of the project within the stipulated timeline, bidder need to propose manpower deployment planning in terms of number of	
	01/2022-23		Roles   Minimum   Dedicated   Shared   Resources   R	requirement of putting number if man-months for dedicated and shared resources.	resource and man-month, considering both dedicated and shared resource as per their proposal for best fit solution complying to the project timeline.	
9	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Appendix C- Estimated Manpower Requirement Page 85	Roles Minimum Years of Experience Required Project Manager More than 10 Years Power Market Expert More than 15 Years Hardware Expert More than 15 Years Solution Architect More than 15 Years Training and Change More than 15 Years	The team of resources should comprise of both junior and senior staffs for successful completion of the project. While senior reosurces will be provide in necessary expertise and overall monitoring the assignment, the junior resources will provide support in day to day activities. Requirement of resources of 15+years experience for so many man-months will lead to high quote.  Requesting for modification in the minimum years of experience	The tender clause regarding Manpower Requirment is revised herewith and shall be read as:  "Minimum Years of Experience Required for Manpower is as detailed below. Project Manager-More Than 10 Years Power Market Expert-More Than 8 Years Hardware Expert-More Than 8 Years	
			Management Expert  Database Expert More than 15 Years  Analytics Expert More than 15 Years	required.	Solution Architect-More Than 8 Years Training and Change Management Expert-More Than 8 Years Database Expert-More Than 8 Years Analytics Expert-More Than 8 Years"	
10	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Appendix B - Evaluation Methodology		The Consulting Agency should be selected under the Quality cum Cost Based System method (QCBS) with weightages of 70:30 (70% for technical proposal and 30% for financial proposal). A snapshot of the same is provided in the Annexure - 1 for your reference.	Tender Clause Stands	
11	01/2022-23	Appendix B – Evaluation Methodology Page No. 82	e-Reverse Auction is hereby incorporated in the referred tender as follows.	Since this is not a material procurement, and quality and knowledge of Bidder is critical, it is requested	Tender Clause Stands	
12	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Calendar of Event Page No. 9	Last date for submission of bids through e-tender portal: 20-05- 2022 till 03:00 PM	It is requested to extend the submission of proposal by 4 weeks.	Refer "Corrigendum-I" for information related to Time extension	
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13	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria Sl No A-1/ Page No. 31	The Bidder should be a company incorporated/registered in India under the Companies Act, 1956 and (or as amended in companies Act 2013) and should have been in the business of project management consultancy for the last 5 financial years.	Requested to amend the Clause as "The Bidder should be a company incorporated/ registered in India under the Companies Act, 1956 and (or as amended in companies Act 2013)or Limited liability partnership ACT 2008 and should have been in the business of project management consultancy for the last 5 financial years"	Tender Clause Stands	
14	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No A-2/ Page No. 31	The Minimum Average Annual Turnover (MAAT) for IT related services turnover of the bidder should be at least INR 10 crores or more with positive net worth in each of the immediately preceding three years (2018-19, 2019-20 and 2020-21), calculated as revenue earned from the projects.	The approximate budget is 2.6 crore which is just 5 times of the asked turnover. We request you to please consider increasing the turnover to at least INR 100 crores so that financially competitive bidders can participate in this tender	The eligibility criteria is revised herewith and shall be read as: "The Minimum Average Annual Turnover (MAAT) for related services (project management and consultancy services) of the bidder should be at least INR 10 crores or more with positive net worth in best three financial years out of the last five immediately preceding financial years , calculated as revenue earned."	

	Selection of Project Management Consultant (PMC) to assist OPTCL in implementation of Scheduling, Accounting, Metering and Settlement of Transactions in Electricity (SAMAST)  [TENDER NOTICE NO: SLDC-01/2022-23]					
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15	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No A-5/ Page No. 31	Bhubaneswar. If the Bidder is not having any office in Bhubaneswar then the bidder should submit a letter of undertaking to open an office in Odisha within 30 days from the date of issue of work order.	Since office setup requires many procedural approvals, we request you to please consider increasing the time limit of setting up office from 30 to 60 days from the date of issue of work order.	It is clarified that, If consultant do not have any office set up in Bhubaneswar at the time of project award, the consultant may be allowed to operate from the SLDC's premises for the initial 6 month of consultancy engagement. SLDC may provide on best efforts basis, space, sitting arrangement (furniture) and electricity. Consultant shall be responsible to bring their own Laptop and provision for internet access. Such facility may be discontinued in case of need arises and bidder will not have right to claim this facility. Due to space constarint at SLDC, in future, the consultant shall need to set up its office in Bhubaneswar within 6 months of engagement. In this regard bidder neet to submit a undertaking during bid submission. Registered/ branch office in Bhubaneswar is preferable,however office setup without registration will also be considered subject to verification and approval of the purchaser.	
16	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Eligibility Criteria SI No B-8/ Page No. 32	The Consultant firm should have relevant experience of providing consulting services or professional employment in power transmission and SLDC areas (central /state power utilities in India) focused on RFP preparation / feasibility study / IT assignments / procurement / project management in last 5 years.  Note: Prior experience of working with Odisha state power utilities will be an added advantage	We request you to please clarify how added advantage will be considered provided this is a L1 bid. We request you to kindly remove this clause.	Tender Clause stands  It is required for evaluation of the bid and selection of the technically qualified bidders and subsequent opening of the price bid for those qualified bidders.	
17	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Appendi x C / Page No. 85	Estimated Manpower Requirement	Since Analytics is comparatively new field, we request you to please relax the manpower experience criteria from 15 to 5 years. Similarly, Database expertise is an evolving area and a 5 year experience resource might have more knowledge than a 15 year resource. For training and change management, solution architecting we request you to consider reducing experience criteria to 10 years. This shall also reduce the budget at the same time ensuring optimum resource quality.	The tender clause regarding Manpower Requirment is revised herewith and shall be read as:  "Minimum Years of Experience Required for Manpower is as detailed below. Project Manager-More Than 10 Years Power Market Expert-More Than 8 Years Hardware Expert-More Than 8 Years Solution Architect-More Than 8 Years Training and Change Management Expert-More Than 8 Years Database Expert-More Than 8 Years	
18	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	Payment Terms / Page No. 60, 61& 62	Payment Terms for IA for use by OPTCL	Request to revise payment terms as cashflow in intrinsic to optimum project delivery and the current payment terms are heavily backloaded which might create hindrances for the consultant to be able to effectively execute the scope of work.	No changes in the Tender Payment term is accepted.  Tender Clause Stands	
19	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23		QCBS	This is a prestigious tender. It requires the participant to be technically competent and hence we recommend considering revising the tender evaluation methodology to OCBS from L1	Tender Clause Stands	
20	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 18/ Page No. 52	Confidential Information	We request you to please add this in the clause:  Except as otherwise permitted by this Agreement, neither of the parties may disclose to third parties the contents of this Agreement or any information provided by or on behalf of the other that ought reasonably to be treated as confidential and/or proprietary.  Parties may, however, disclose such confidential information to the extent that it: (a) is or becomes public other than through a breach of this Agreement, (b) is subsequently received by the receiving party from a third party who, to the receiving party's knowledge, owes no obligation of confidentiality to the disclosing party with respect to that information, (c) was known to the receiving party at the time of disclosure or is thereafter created independently, (d) is disclosed as necessary to enforce the receiving party's rights under this Agreement, or (e) must be disclosed under applicable law, legal process or professional regulations. These obligations shall be valid for a period of 3 years from the date of termination of this Agreement."	Tender Clause Stands	

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21		SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 17 / Page No. 52	Intellectual Property	We request you to please add this in the clause: Bidder may use data, software, designs, utilities, tools, models, systems and other methodologies and know-how ("Materials") that consultant own in performing the Services. Notwithstanding the delivery of any Reports, Bidder retain all intellectual property rights in the Materials (including any improvements or knowledge developed while performing the Services), and in any working papers that Bidder compile and retain in connection with the Services (but not Client Information reflected in them). Upon payment for the Services, Client may use any Materials included in the Reports, as well as the Reports themselves as permitted by this Agreement.	Tender Clause Stands
22	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 22 / Page No. 53	Liquidated Damages	We request you to please add this in the clause: The Client shall not recover from the Bidder, in contract or tort, under statute or otherwise, any amount with respect to loss of profit, data or goodwill, or any other consequential, incidental, indirect, punitive or special damages in connection with claims arising out of this Agreement or otherwise relating to the Services, whether or not the likelihood of such loss or damage was contemplated. The Client shall not recover from the Bidder, in contract or tort, under statute or otherwise, aggregate damages in excess of the fees actually paid for the Services that directly caused the loss in connection with claims arising out of this Agreement or otherwise relating to	Tender Clause Stands
23	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 27 / Page No. 55	Termination	We request you to please add this in the clause: Bidder may terminate this Agreement, or any Services, immediately upon written notice to Client if Bidder reasonably determine that bidder can no longer provide the Services in accordance with applicable law or professional obligations.	Tender Clause Stands
24	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 24 /Page No. 54	Force Majeure	We request you to please add this in the clause:  (i) To the extent that the provision of the Services is impacted by a pandemic (including COVID-19) and any reasonable concerns or measures taken to protect the health and safety interests of either Party's personnel, the Parties will work together to amend the Agreement to provide for the Services to be delivered in an appropriate manner, including any resulting modifications with respect to the timelines, location, or manner of the delivery of Services (ii) Where Bidder's Personnel are required to be in present at Client's premises, Bidder will use reasonable efforts to provide the Services on-site at [Client] offices, provided that, in light of a pandemic the parties agree to cooperate to allow for remote working and/or an extended timeframe to the extent (i) any government or similar entity implements restrictions that may interfere with provision of onsite Services; (ii) either party implements voluntary limitations on travel or meetings that could interfere with provision of onsite Services, or (iii) Bidder resource determines that he or she is unable or unwilling to travel in light of apandemic-related risk.	Tender Clause Stands

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25	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 8 / Page No. 49	Settlement of Disputes	We request you to replacing the language with the followings:  1. Any dispute arising out of or in connection with this Agreement shall be referred by written notice:  a. first to the Service Manager of each Party who shall meet and endeavor to resolve the dispute between them within five (5)  Business Days of such notice; and  b. failing resolution of the dispute, to a senior Service Manager of the Bidder (together the "Senior Service Managers") who shall meet and endeavor to resolve the dispute between them within ten (10) Business Days of such notice (the "Senior Service Managers" Meeting"). The joint written decision of those Senior Service Managers shall be binding on the Parties.  2. If the Service Managers or Senior Service Managers are unable to resolve the dispute, the Parties shall, refer the dispute to arbitration and shall be governed by the provisions of the Arbitration & Conciliation Act, 1996 (as amended). The arbitration proceedings shall be adjudicated by a sole arbitrator appointed by mutual consent of both the Parties, and the arbitration proceedings shall be held in New Delhi. The language of arbitration shall be English. The decision of the arbitrator shall be final and binding upon the Parties.	Tender Clause Stands		
26	01/2022-23 RFP Identification number: SLDC- 01/2022-23	SECTION VII- GENERAL CONDITIONS OF CONTRACT (GCC), Clause No. 31 / Page No. 56	SLA Audit	We request you to add this in the clause: Bidder can provide the client or its auditor (bound by respective confidentiality obligations) upon request of the latter with all the information and documents directly related to the engagement, without granting access to the Bidder Firm's premises.	Tender Clause Stands		
27	TENDER NOTICE NO. SLDC- 01/2022-23 RFP Identification number: SLDC- 01/2022-23		Enquiry	As Global Infrastructure Partners India LLP (GIP) which is a wholly owned subsidiary of Global Infrastructure management LLC ("GIM LLC"), USA' is your funding partner and is our Channel 1 Partner; , we cannot work with OTPCL. As we are keen working with you in this prestigious tender, you are requested to confirm us that is GIP is not your funding partner.	It is clarified that, neither the project " Selection of Consultant for SAMAST" nor the project " Implementation of SAMAST in SLDC" is funded by the said firm Global Infrastructure Partners India LLP (GIP).		