|  |  |  |  |
| --- | --- | --- | --- |
| **Sl. No.** | **Referred Clause** | **Bidder’s query** | **Employer’s Response** |
| 1 | General | It will be greatly appreciated if there could be some clarity on whether there is a conflict of interest specifically that there will not be any conflict of intertest for the OEM company performing studies as Consultant herein, and they (Consultants or any of their associates/affiliates) shall not be precluded from participating in any future goods, works or services/software supply tender(s) resulting out of recommendations from this study on account of such Conflict of Interest. | Please refer Amendment-I |
| 2 | Terms of reference | Kindly inform the identified landfall location for this project at both the ends. | Shall be provided to successful bidder during study. |
| 3 | Terms of reference | Since this feasibility study is for the technical consultant and commenting on the legal aspects is not expertise of technical consultant, we request you to kindly remove legal scope from the present TOR. | Provisions of Bidding document shall be unchanged. |
| 4 | Conditions of Contract | Since the Scope of work and TOR is quite detailed and elaborated, we request you to kindly extend the duration of project to Nine (9) months. Please confirm | Duration of the project shall remain unchanged. |
| 5 | Minimum Qualifying Criteria | The bidder should have done at least five (5) numbers of System Studies of at least 25GW installed capacity inter-connected system.” Our interpretation is that 25 GW is the overall power connected to the systems for which the System Studies were performed. Please confirm. | 25GW is the total installed capacity of all types of energy sources based generating stations interconnected in a single Grid. |
| 6 | Minimum Qualifying Criteria | In case the bidder is a holding company, the technical experience referred to in clause 1.1 above shall be of that holding company only (i.e. excluding its subsidiary/group companies). In case bidder is a subsidiary of a holding company, the technical experience referred to in clause 1.1 above shall be of that subsidiary company only (i.e. excluding its holding company)”. Our interpretation is that a bid made by one legal entity can be supported by references made by two other legal entities, whereby these three legal entities are all subsidiaries controlled by the same holding company. Please confirm. | Holding companies and its group companies can form JV/Consortium. However, they will be treated as one bidder. |
| 7 | Minimum Qualifying Criteria | The bidder should have at least two (2) numbers of Generation Planning Software i.e. PLEXOS license keys.” The Bidder request is to provide specific tasks requirements which should be met by the bidder not limiting to one software provider as its potentially discriminatory and limiting | No change in QR is envisaged. The requirement is in line with software used by CTUIL and NG-SA. |
| 8 | Conditions of Contract | We seek your advice on the appropriate approach for managing any potential conflict of interest during the implementation phase, particularly concerning the role and responsibilities of the consultant involved in the feasibility study. | Please refer sl. no. 1 above |
| 9 | Annexure-I to Section-III (Qualifying Requirement) | As per Annexure-I to Section-III (Qualifying Requirement), all eligibility criteria are currently stipulated to be met solely by the holding company or its subsidiary. Given the scope and scale of the requirements—particularly where capability is assessed based on multi-country interconnection studies—we respectfully request your consideration to allow fulfillment of eligibility criteria through a combination of the holding company and its group companies. | Holding companies and its group companies can form JV/Consortium. However, they will be treated as one bidder. |
| 10 | General | M/s. XYZ (a dummy name) has the relevant expertise and global experience to full-fill the technical scope items, including the markets analysis. However for certain scope items such as legal, we do not have in-house expertise and will require the use of sub-contractors to full-fill this scope as per the ToR. Therefore, we request your careful consideration to allow for sub-contractors to be used for this scope of works with M/s. XYZ as the prime. | Since Legal and regulatory analysis is a requirement under Qualification requirements, bidder may fulfill this requirement through a JV/consortium. |
| 11 | General | M/s. XYZ (a dummy name), as a multinational corporation with legal entities in over 100 countries, often delivers complex projects through the collaborative efforts of multiple offices worldwide. In many cases, projects are registered across different countries, and relevant project references may pertain to various M/s. XYZ offices. Given the global nature of this tender, our proposal will involve experts from multiple M/s. XYZ offices with proven experience on similar assignments. We therefore request that such references and collaborative implementation models be accepted for qualification assessment. | As clarified above, Holding companies and its group companies can form JV/Consortium. However, they will be treated as one bidder. |
| 12 | General | Withholding Tax: Is any withholding tax applicable for our project? If yes, please provide the applicable tax percentage. | Yes, withholding tax is applicable for the project as it falls under the scope of Fees for Technical Services (FTS) as per section 9 of the Income tax Act,1961. For the rate of deduction the tax treaty signed between India and bidder's country may be referred.    Further, there is provision u/s 195 of the income tax act for obtaining Nil/Lower rate of deduction from income tax authorities. This certificate, if granted authorizes CTUIL to deduct tax at lower/nil rate as specified by the income tax authorities. |
| 13 | Column (5) of Schedule-1 of Price Schedule | GST: We do not have a GST account in India. In the tax column, it is mentioned as 18% as a standard rate. Should we consider 0% for the GST column? Please confirm | In case the foreign bidder is not registered under GST in India and has no place of business in India.  In such cases, the applicable GST is payable by the Indian recipient of the service i.e., CTUIL under the Reverse Charge Mechanism (RCM) for the import of services. |
| 14 | General | Bank Account: We will be using our Belgium bank account for the payments if we are awarded the project. | Please cl. 33.2, Section-III of Bidding document |