

**RFP #66266 Master Planing of Gambia River Basin, and Technical Assistance and Legal Review of
Gambia River Basin Development Organization
Questions and Answers Release #2
July 8 2020**

Please note that the Question and Answers Release #1 has been embeddeed in the Minutes of the Pre-Bid Conference ([RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference](https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266)) on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266.

S/N	Questions	Answers
1	Could you please send us a copy of the Minutes of the Pre-Bid Conference?	All documents pertaining this RFP will be posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266 . The Minutes of the Pre-Bid Conference hosted on June 15, 2020 has been published.
2	Is it possible to contact each other to discuss the project?	In the spirit of fairness of competition and equal access to information, it is not possible for UNCDF to have any individual discussion with any of the bidders at this stage of the procurement process. All questions and clarifications must only be raised either in writing or in a pre-bid meeting where all other bidders are present or will have access to the questions and the answers provided by UNCDF. All documents capturing questions and answers pertaining to this RFP will be posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266 .
3	As no budget estimate is provided, and in view of the broad of	The total staff input over any period of time is not an information that UNCDF can provide. Some bidders

	deliverables, we would need an estimate of total staff-month input (for each Lot) – if possible split between key staff and support staff.	have ways of completing the work sooner using their own technology and strategy, some will have longer timelines. This is always a factor of the approach and methodology that the bidder will propose in order to complete the work, provided that the total timeline is within the target completion period of the project. As such, only the bidders can make this determination and not UNCDF nor OMVG.
4	Could you please confirm that the UNCDF is the client we would sign the contract with and not the OMVG.	UNCDF is the procuring entity and therefore UNCDF is the same entity that will sign the contract with the vendor, administer the contract, and disburse the payment to the vendor, in close consultation with OMVG being the end-users and beneficiaries of the outputs from this contract.
5	Would it be possible to have further details on how the 238 points would be distributed for the structure of the team, e.g. points per key personnel, points for overall team organization.	If a decision is made to provide additional details on this, it will be posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266 .
6	Following the conference call held on June 15, we come by this email to request details on the availability of the report, answers to questions and the French version of the TOR; items that we did not find on your site.	All documents pertaining this RFP has been posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266 . The Minutes of the Pre-Bid Conference for June 15, 2020 and the French versions of Annex 1 and 2 have been posted.
7	Could you please send us some detailed Terms of Reference for lots 2 & 3?	Please refer to our answer to question 20 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted. We have mentioned in the meeting that the work for Lots 2 and 3 are anchored on Lot 1.
8	Could the same expert be proposed on Lot 1 and Lot 3 (for instance) if	Because Lot 1 vendor must be distinct from Lot 2 and Lot 3 vendors, we should not see experts affiliated

	<p>he is not carried by the same companies?</p>	<p>with one company and also affiliated with another company. This is against the spirit of fair competition.</p> <p>We kindly invite you to please refer to Clause 15.2 of Section 2 of the RFP (Instructions to Bidders). The said section clearly states the following, and we invited you to take note of the phrases in bold letters :</p> <p>1.1 <i>Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:</i></p> <ul style="list-style-type: none"> <i>a) they have at least one controlling partner, director or shareholder in common; or</i> <i>b) any one of them receive or have received any direct or indirect subsidy from the other/s; or</i> <i>c) they have the same legal representative for purposes of this RFP; or</i> <i>d) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process;</i> <i>e) they are subcontractors to each other's Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or</i> <i>f) some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Proposal.</i>
9	<p>Please send us the consultation file (DAO) relating to the RFP.</p>	<p>All documents pertaining this RFP will be posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266</p>
10	<p>Document: "Request for Proposal"</p> <p>Section 3. Bid Data Sheet BDS No.2</p> <p>It would appear that the terms of references for Lots 2 and 3 have not been provided. We would be much obliged if these could be provided.</p>	<p>Please refer to our response to question 7 in this document.</p>

11	<p>Document: "Request for Proposal"</p> <p>Section 3. Bid Data Sheet BDS No.8.42</p> <p>Liquidated Damages: the percentage penalty on the contract price per day of delay has been set at 1.25% per day with a maximum number of days of delay of 60 working days. As per our experience and compared to our other contracts we find this percentage excessive and consider it could lead to some tenderers opting out of this procedure due to the high financial risk involved. Would it therefore be possible for you to consider:</p> <ul style="list-style-type: none"> • A lower penalty rate: a lower percentage which should be applied to the cost of the respective deliverable subject to a delay? • A percentage cap of the total contract value? As an example, we are accustomed to a range of 5 to 10% of the total contract value in the case of liquidated damages for other bilateral and multilateral donors. 	<p>Please refer to question 19 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted.</p>
12	<p>Document: "Request for Proposal"</p> <p>Section 4. Evaluation Criteria 3. Page 21</p> <p>Previous experience: Please could it be explained how the requirement of a 'Minimum of 10 years of experience' is expected to be presented? Is this in the form of the references provided or in a</p>	<p>The evaluation panel will determine the years of experience by counting the number of years of engagement on similar or related project which the bidder is expected to submit to UNCDF as part of the RFP requirements. If the track record are supplemented by reference clients, explanatory notes, and contact details, they would be most helpful to the panel in determining the validity of the track record declared by the bidder. The bidder is solely responsible for convincing UNCDF on how they</p>

	separate explanatory section to be provided alongside the references?	fully meet the criteria for evaluating the bids.
13	<p>Document: "Request for Proposal"</p> <p>Section 4. Evaluation Criteria 3. Page 21</p> <p>Would it be possible to extend the validity period for the 'three contracts of similar value, nature and complexity implemented over the last 3 years' from three to ten years, as the experience required is of a very particular technical nature, and thus has a tendency to be required more infrequently.</p>	<p>UNCDF shall not modify the evaluation criteria that are currently established in the RFP</p> <p>However, if the bidder would like to cite their previous experiences beyond the period that is currently stated (i.e., last 3 years), the bidder is most welcome to present other track record beyond the past 3 years.</p> <p>The treatment of such track record shall be subject to the review by the evaluation panel for this RFP.</p> <p>See also our response on Question No. 19 in this document.</p>
14	<p>Document: "Request for Proposal"</p> <p>Section 4. Evaluation Criteria: Page 22, Technical Evaluation Criteria, Section 1, 1.5: Previous experience:</p> <p>- "Organization is compliant with ISO14001 or ISO14064 or equivalent" Please could it be confirmed if this is an obligatory requirement. We would consider these ISO standards more applicable to a company working in the industrial sector as opposed to a consulting firm providing expertise for a master plan study. Please would you consider removing this requirement.</p>	<p>Please note that this is under the "Technical Evaluation Criteria" and not among the "Minimum Eligibility and Qualification Criteria".</p> <p>Furthermore, kindly understand that the ISO international quality standards and certification apply to various industries that some of the bidders may have. UNCDF would like to acknowledge and give merit to a company that has such accreditation. If such requirement cannot be provided, the bidder may submit any other comparable international accreditation or certification that it may have in order to demonstrate quality standards.</p>
15	<p>Document: "Request for Proposal"</p> <p>Section 4. Evaluation Criteria: Page 22, Technical Evaluation Criteria, Section 1, 1.5: Previous experience:</p> <p>A further option would be to provide information on a Quality Management System (similar is ISO</p>	<p>Please see our response to Question #14 in this document. The detailing of the value of the certification vis-a-vis our requirement would be most welcome.</p>

	<p>9000). Please advise if this would be acceptable in place of ISO14001 or ISO14064. If you would agree to this, would you agree to the provision of a text detailing the equivalent information as opposed to an ISO 9000 certificate itself?</p>	
16	<p>Document: "Request for Proposal"</p> <p>Section 6: Returnable Bidding Forms / Checklist Form B: Bidder Information Form</p> <p>Please could it be confirmed if a "Local Government permit to locate and operate in the assignment location, if applicable" (Senegal, Guinea, Guinea Bissau, and The Gambia) is required/applicable for international firms at the bidding stage? Frequently, this is obtained after contract award if required in accordance with the visa and other business rules and legislation of each respective country.</p>	<p>This requirement refers to permits that the bidders may have to locate and operate wherever it is currently present and operational, including, but need not be limited to, the countries and cities involved in this work.</p>
17	<p>Document: "Request for Proposal (RFP)"</p> <p>Section 6: Returnable Bidding Forms / Checklist Form B: Bidder Information Form</p> <p>"Official Letter of Appointment as local representative, if Bidder is submitting a Bid on behalf of an entity located outside the country". Please could it be confirmed if this is required and better explained: a) what should this letter detail and why is it required, and b) if this is only applicable for individual persons representing an international entity (e.g. when hand</p>	<p>This requirement refers to bidders who are submitting bids for and on behalf of another entity such as, but need not be limited those, companies that are overseas or holding companies with partial ownership of the bidding entity, or any other representational arrangements.</p> <p>If the bidder is submitting a bid on its own and will enter into a contract in its sole capacity as a legal entity, then this requirement is not necessary.</p>

	delivering the tender)?	
18	<p>Document: "Annex 2 - Terms of Reference"</p> <p>The TORs mention a list of 21 different key experts for the Terms of Reference provided. Please would it be possible to confirm if these experts correspond only to Lot 1 or if they correspond to all Lots.</p>	Annex 2 section 7.1 key experts corresponds to lot 1.
19	Regarding the references (Form D), are you asking for references from the last 3 years (page 29) or also a minimum of 10 years of relevant experience (page 21) ?	<p>The references to be given should be from the similar contract of the last 3 years. The relevant experience should be established by listing the track record over the minimum period of 10 years. The difference between the two is that the references could be used by UNCDF to validate the information provided by the bidders or inquire about the performance of the bidder under the contract, which is an integral part of the evaluation of the proposal.</p> <p>Please see also our response on Question no. 13 in this document.</p>
20	Can you tell us the budgets associated with each lot?	<p>Please refer to question 15 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted.</p> <p>We have expressed our regret that UNCDF procurement policy does not allow us to disclose any indication of budget, nor a range of amounts. We request from bidders to submit prices that are based on reasonable and fair value market value of the work.</p>
21	The "Express Interest" function doesn't work on the UNGM platform. So, can you tell us if there have been any other Q&A?	<p>All documents pertaining this RFP including notices have only been posted on the procurement portal of UNCDF where this RFP is hosted - https://procurement-notices.undp.org/view_notice.cfm?notice_id=66266.</p>

22	Will the pre-bid conference will be bilingual (English and French)?	UNCDF will have personnel that speak both English and French attending scheduled Pre-Bid Conference(s). As we did during the last pre-bid conference, UNCDF had real time interpretation from English to French and French to English during these sessions.
23	Is the French version of the TORS available?	We have indicated in the RFP that the preferred language of the proposal is English. At the moment, the TOR shall remain in the English language. Any bidder preference to translate the document into French shall be undertaken by the bidder and shall be at their risk and at their own cost.
24	<p>Section 3 -Bid Data Sheet S.No.2 - Page No. 17</p> <p>There are three “lots” to this RFP. Bidders may submit separate sets of technical and financial proposals for each “lot”. The TOR, however, states that the bidder that will be selected for Lot 1 (Master Plan) should be distinct from the bidders that will be selected for Lots 2 and 3.</p> <p>Bidder selected for Lot 1 should be distinct from Bidder for Lot 2 and 3; however, one bidder can get both Lots 2 and 3. Also, we understand that a consultant can participate in all the 3 Lots. Kindly clarify.</p>	<p>Please see Question No. 8 in this document and our response to the said question.</p> <p>Please refer also to our response to question 3 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted.</p> <p>We have clearly stated previously that <i>“a bidder may bid on all three lots. However, if the contract is awarded to one company for lot one, that same company will not be awarded contracts for lot two nor lot three. Lots 2 and 3 may be awarded to the same vendor, but any company that will be awarded either Lot 2 or Lot 3 will not be awarded Lot 1. A bidder that wants to bid for all lots should submit one set of technical and financial proposal for each lot, so that there should be 3 sets of technical and financial proposals.”</i></p>
25	<p>Section 3 -Bid Data Sheet S.No.19 - Page No. 19 and Annexure 1, 5.2, Page No. 8</p> <p>Maximum expected duration of contract and Duration of work. There is discrepancy in duration of work at two places. Please clarify.</p>	<p>Please refer to our response to question 6 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted.</p> <p>We have stated that <i>“The expected duration of the contract will be for a period of one (1) year as noted in Annex 2 Section 6 (Reporting and Implementation</i></p>

		<p><i>Schedule). However, due to the COVID-19 impact, from a tendering perspective, the RFP document states in Section 3. (Bid Data Sheet part 19) that the “maximum expected duration of the contract” will be for a period of two (2) years. This additional year is subject to section 9 of this document”. We stand by these statements.”</i></p>
26	<p>Section 4 - Evaluation Criteria - Qualification, Page 21</p> <p>Minimum of three contracts of similar value, nature and complexity implemented over the last 3 years.</p> <p>Projects of this nature (Integrated river basin development) are very rare; we request you to consider ongoing projects also under this criterion.</p>	<p>Please refer to our response to question 11 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted.</p> <p>We have mentioned that <i>“Previously completed work will be counted, but ongoing work may be also counted towards the minimum of three contracts. However, it is important that the percentage state of completion of the ongoing work be indicated”</i>.</p>
27	<p>Annexure 2- 7.1 Key Experts, Page 28</p> <p>However, the following specialists are required at a minimum.....</p> <p>The minimum team requirement provided comprises experts for Lot 1 or for all 3 Lots. Please confirm. What is the minimum team requirement individual Lot wise?</p>	<p>Please see our response to Question No. 3 of this document.</p>
28	<p>Annexure 1, 5.3 - Commencement of Work, Page No. 8</p> <p>The OMVG will provide the Service Providers with all the necessary and available technical information for a successful performance of the assignment.</p> <p>Most of the existing situation analysis (inventory or diagnosis) will</p>	<p>Please refer to our response to question 7 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted. We have stated that <i>“The OMVG will provide the Service Providers with all the necessary and available technical information for a successful performance of the assignment”</i>.</p>

	<p>be based on literature review, we understand that all secondary data is readily available and will be provided to successful consultant to save loss of time.</p> <p>We request your confirmation on this.</p>	
29	<p>Authority</p> <p>As the project boundary extends in 4 countries, please confirm the certification authority. Also, whether it shall be under the purview of State (Province) or Central Administration of a particular country.</p>	<p>Please refer to our response to question 13 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted. That entry is reflected below.</p> <p>We have referred bidders to Annex 1 Section 4.1 (Managing the Project). We have stated <i>“In addition, the Chairperson of the Steering Committee is responsible for certifying the acceptance of the outputs and for authorizing the disbursement of payments. Upon receiving the certification of from the Steering Committee, UNCDF will disburse the payments as per schedule and milestones in section 3.4 above”</i>.</p> <p>If this is not the “certification” that the bidder is referring to in the question, we are happy to clarify further.</p>
30	<p>Base Map</p> <p>As the project is integrated River Basin Development which extends in 4 countries, does OMVG has a readily available Base Map defining the boundary of extent of River Basin and shall be made available to successful consultant to save time. Please confirm.</p>	<p>Please refer to our response to question 8 in Minute of the Pre-Bid Conference for June 15 2020 (RFPHQ2-UNCDF-05222020-Blue Peace Minutes of Pre-Bid Conference) posted on the procurement portal of UNCDF where this RFP is hosted. We have confirmed that <i>“OMVG have indicated the availability of maps of the river basins. OMVG has provided to UNCDF a map which has been published on the procurement portal of UNCDF. UNCDF will publish any additional maps received by OMVG on the procurement portal of UNCDF.”</i></p>
31	<p>Section2.RFP (BID Data Sheet). Point 27 page 19</p> <p>Evaluation Method for the Award</p>	<p>In observance of the principle of best value for money, the UNCDF procurement policy does not allow the valuation of financial proposal lower than</p>

	<p>of Contract Combined Scoring Method, using the 70%-30%.</p> <p>We are requesting to revise the scoring method to 80%-20%.</p>	<p>30%.</p> <p>The current weight distribution between technical and financial proposal as indicated in the RFP shall therefore remain unchanged.</p>
32	<p>Section 4. Evaluation Criteria page 20</p> <p>Under this Section, the preliminary evaluation criteria indicated that Bid Security shall be submitted as per RFP requirements with compliant validity period. This is not clearly defined in the Bid Data Sheet.</p> <p>We are requesting that the validity period of the bid security of 120 days to be clearly define in the Bid Data Sheet.</p>	<p>We have provided a template for the Proposal/Bid Security in Form H (Form of Proposal Security) annexed to the RFP.</p> <p>The form clearly required that the guarantee must “remain valid up to 30 days after the final date of validity of bids”.</p>
33	<p>Section 3. Bid Data sheet 3.1 page 20</p> <p>3.1 Composition and structure of the team proposed for the Development of the master Plan is clearly define, However, the key personnel proposed and their specific qualifications for Lots 2 and 3 are not clearly defined</p> <p>There should have been a similar TOR for Lots 2 and 3, indicating relevant qualifications and experiences. Example Legal Expert with a Master Degree in Law with 10 years General and 5 years specific experience in conducting similar Assignments. This will clear any doubt or ambiguity in the Evaluation process of the proposals.</p>	<p>Please refer to our response to Question No. 7in this document.</p>

34	<p>Annex 1 Terms of Reference For Master Planning of Gambia River Basin, Technical Assistance and Legal Review of Gambia River Basin Development Organization</p> <p>Although Annex 1 gives a general overview and scope of the Technical Assistance (Lot 2) and Legal Review (Lot 3), the key experts required to carry out the assignments are not defined, as well as their corresponding specific qualification and competence. Technical Evaluation Criteria in the RFP page 23 under Section 3. Management Structure and Key Personnel, the needed general experience and specific relevant experience needed for the assignment are stated as criteria. However, what the requirements to evaluate these criteria are not defined. It's important to elaborate the key staff including their experience for Lot 2 and Lot 3, just like that elaborated for Lot 1 in section 7.1 page 28 of the TOR (Annex 2).</p>	<p>Please refer to response to question 7 in this document.</p>
35	<p>Please could you confirm when the password for the technical proposal is to be provided by bidders to the UNCDF. Is it to be submitted with the technical proposal, on the 2nd August (the day after submission of the technical proposals) or only when requested by UNCDF?</p>	<p>We kindly invite you to please refer to Clause 22.5 of Section 2 of the RFP (Instructions to Bidders). The said section clearly states the following, and we invited you to take note of the phrases in bold letters :</p> <p><i>22.5 Email submission, if allowed or specified in the BDS, shall be governed as follows:</i></p> <p><i>a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;</i></p> <p><i>b) The Technical Proposal and the Financial Proposal</i></p>

		<p><i>files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS.</i></p> <p><i>c) The password for opening the Financial Proposal should be provided only upon request of UNCDF. UNCDF will request password only from bidders whose Technical Proposal has been found to be technically responsive. Failure to provide correct password may result in the proposal being rejected.</i></p>
36	<p>Please could it be confirmed which administrative or other documents have to be provided in original form and if these documents need to be received by the UNCDF prior to the submission deadline or if they can be received after (and thus what would be the deadline for latest receipt)?</p>	<p>We do not require original version of the documents. A true copy of the original duly certified by any Govt. authority or self-authorized by the owner of the document, submitted along with the rest of the technical proposal should be sufficient.</p>
37	<p>Please could it be confirmed if the period of validity of the three contracts required on page 21 of the RFP could be extended to 7-10 years in order to increase the likelihood of even more relevant experiences being included.</p>	<p>See also our response on Question No. 13 and No. 19 in this document</p>