Government of India
MINISTRY OF MINES

REQUEST FOR PROPOSAL FOR ENGAGEMENT OF
CONSULTANT FOR
PREPARATION OF POLICY A FIVE YEAR STRATEGIC
PLAN FOR THE MINISTRY OF MINES

Ministry of Mines
Shastri Bhavan
New Delhi
Request for Proposal

Schedule of Activities

1. Last date and time of receipt of communication from bidders seeking clarifications, if any: 09.12.2010

2. Pre-bid meeting with Bidders in office of Shri G. Srinivas Joint Secretary (Mineral Policy) Ministry of Mines New Delhi, at 11.00 a.m.: 14.12.2010

3. Last date and time for receipt of response to this RFP: 23.12.2010 3.30 p.m.

4. Date and time of opening technical bid (in the presence of bidders, should they prefer so), in the office of: Shri G. Srinivas Joint Secretary (Mineral Policy) Ministry of Mines New Delhi.: 23.12.2010 4.30 p.m.

5. Short-listing and evaluation of Technically qualified bidders: 2.1.2011


8. Finalising the organisation/consultant: 10.1.2011

Address for all communications:
Shri G. Srinivas, Joint Secretary (Mineral Policy), Ministry of Mines, New Delhi
e-mail: g.srinivas@nic.in Fax No: 23388487.
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Section A: Disclaimer

The information contained in this Request for Proposal (hereinafter, referred to as “RFP”) document provided to the eligible and interested organisation/consultant, by the Ministry of Mines (hereinafter, referred to as “the Ministry”) is provided on the terms and conditions set out in this document and all other terms and conditions subject to which such information is provided. The purpose of this RFP document is to provide the Organisation/Consultant(s) with information for the formulation of their Proposals. This RFP document does not purport to contain all the information that an organisation/consultant may require. This RFP document may not be complete in all respects, and it is not possible for the Ministry to consider the business/investment objectives, financial situation and particular needs of each Organisation/consultant, who reads or uses this RFP document. Each Organisation/consultant should conduct its own investigations and analysis and should examine the accuracy, reliability and completeness of the information in this RFP document and wherever necessary, may obtain independent advice from appropriate sources. The Ministry makes no representation or warranty and shall incur no liability under any law, statute, rules or regulations as to the accuracy, reliability or completeness of the RFP document. The Ministry may, in their absolute discretion, and without being under any obligation to do so, update, amend or supplement the information in this RFP document.
Section B: Definitions

(a) “Ministry” means the Ministry of Mines which has invited the bids for consultancy services and with which the selected Organisation/consultant signs the Contract for the Services so defined and to which the selected Organisation/consultant shall provide services as per the terms and conditions and Terms of Reference (TOR) of the contract.

(b) “Organisation/consultant” means any entity or person or associations of person who have been shortlisted to make presentation for providing consultancy Services to Ministry of Mines and eventually undertake the consultancy task.

(c) “Contract” means the Contract signed by the Parties and all the attached documents and the Appendices.

(d) “Project specific information” means such part of the Instructions to Organisation /consultant used for reflecting specific project and assignment conditions.

(e) “Personnel” means professionals and support staff provided by the Organisation/consultant or by any sub-organisation/consultant and assigned to perform the Services or any part thereof.


(g) “RFP” means this Request for Proposal prepared by the Ministry for the selection of Organisation/consultant.

(h) “Assignment/job” means the work to be performed by the Organisation/consultant pursuant to the Contract.

(i) “Sub-Organisation/consultant” means any person or entity with which the Organisation/consultant subcontracts any part of the Assignment/job.
Section C: Background, TOR and Objective to RFP

Background:
Ministry of Mines is mainly concerned with Development and regulation of mines and minerals in the territory of India to the extent provided in the Mines and Minerals (Development & Regulation) Act and Rules thereunder and any other law of Parliament, including issues concerning regulation and development of minerals in various States and matters connected therewith or included thereto.

India is among the ten mineral rich countries where development of a Mining Industry holds great promise. As demand from manufacturing sector has grown, mineral production has assumed importance. As the mining sector has grown so have activities of exploration, prospecting and mining to be in line with modern day demands of the economic and industrial sector. It has, therefore, been decided to engage a consultant to devise a 5 year strategic Plan in the Mining Sector for the Ministry of Mines with a view to build a framework and a foundation to meet the growing economic requirements.

Terms of Reference of the Consultant (TOR) :-

The Consultant would formulate a five year strategic plan in the Mining Sector in accordance with detailed Strengths, Weaknesses, Opportunities and the Threats (SWOT). A framework of SWOT Analysis has been indicated in the Document subsequently. However, the Consultant is expected to further develop the SWOT analysis etc independently so as to have holistic approach in the entrusted work. In brief the Vision, Mission & Objectives of the Ministry are as below:

(i) Objectives of Ministry of Mines :-

i) To develop geo-scientific partnerships with State Government, Industry and other Stakeholders for management of mineral resources and development of mineral based industries.
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ii) Facilitate industry for acquisition of raw material assets and technology at home and abroad.

iii) Proper regulation of the mineral concession system, through the MMDR Act and Rules.

iv) Ensure adequate competence for effective supervision of GSI, IBM and PSUs.

v) Position the Ministry as a techno-economic policy formulator and promoter of sectoral scientific activities as per National Mineral Policy.

(ii) Transaction of Government Business in respect of Mines and Minerals are as below:-

Ministry of Mineral Development (Khani Vikas Mantralaya)-

- Geological, and other geoscientific surveys of India and offshore areas, (EEZ and Territorial waters).
- Regional exploration for minerals other than Coal and Atomic minerals and mineral oils.
- Development and regulation of mines and minerals in the territory of India to the extent provided in the Mines and Minerals (Development & Regulation) Act and Rules thereunder and any other law of Parliament, including issues concerning regulation and development of minerals in various States and matters connected therewith or included thereto.
- Matters relating to Base & non ferrous metals such as copper, lead, zinc, aluminium etc.; strategic metals including cobalt, molybdenum, titanium, precious metals including gold, platinoid group, etc. and precious stones including diamonds, and all metals and minerals not specifically allotted to any other Ministry/Department.
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- Techno-economic policy, trade, investment and industry promotion related to mineral development.
- Development and regulation of mines and minerals in the offshore areas and territorial waters of India, including the continental shelf, EEZ and other maritime zone as may be specified under law.
- R&D and special studies related to geoscience, mineral processing and beneficiation.
- Promotion of scientific mining, and issues related and ancillary thereto (including mining within a sustainable development framework and local area development with stakeholders’ participation).
- Matters relating to production of materials of high purity including metallurgical grade Silicon and electronic Metals
- National Inventory of Minerals.
- National Geoscience Awards.
- Geological Survey of India.
- Indian Bureau of Mines.

(iii) The SWOT Analysis in brief for the Mining Sector is as below :-

**SWOT Analysis.**

**Strengths:-**

I. National Mineral Policy (NMP), 2008; giving clear mandate, and identifying core business areas.
II. Sector well regulated through a National Legislation, which provides for a uniform framework.
III. GSI and IBM well positioned (with extensive Human Resources) as extended arms of the Ministry.
IV. Ministry is open to new ideas and well placed to provide sectoral policy direction, and to facilitate industry.
V. Mineral Industry reasonably well organized around Industry associations.
VI. National legislation will provide a uniform atmosphere and also enable Central Government be a strategic facilitator.
VII. Availability of rich mineral potential in the country.
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Weaknesses :-
I. Techno-economic expertise inadequate within Ministry/ sector or industry (and insufficient resort to outsourced advice).
II. Many areas of NMP not yet operationalised. Too much focus on concession Management, and management of PSUs and not enough focus on entire sector, particularly to convert mineral potential into mineral reserves. The Policy Environment ranking are of the lowest among the Mineral rich countries.
III. States, GSI and IBM are inadequately equipped, weakening the reach of the Ministry and the states in respect of both data and regulation.
IV. Inadequate staffing in Ministry, with insufficient in-house expertise on technical, scientific regulatory and economic issues, particularly multidisciplinary approaches.
V. Insufficient interaction and coordination with stakeholders, including States, Industry, S&T institutions, etc. Deficiency of forums for expression and exchange of views between Government and Industry and States, and to develop techno-economic policies.
VI. Inadequate databases for core business and for regulation.
VII. Insufficient understanding of global and local business needs.
VIII. Inadequate skilled manpower in geoscientific disciplines at sectoral level.
IX. Inadequate attention to policy relating to raw materials security.
X. Problems of governance.

Opportunities:-
I. New Mineral Policy provides opportunity.
II. Growth of demand for metals and minerals, both globally and within country provides new opportunities.
III. New economic policies of Government, facilitates sectoral growth and enabling environment for optimum utilization of resources and for investment.
IV. New initiatives for policies relating to acquisition of raw materials and technology assets abroad.
V. Availability of R&D.
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Threats:-
I. Environmental and social issues likely to impose constraints on mining, if not addressed within holistic framework.
II. Legal issues arising out of S.No.1 above.
III. Failure to maintain global competitive edge through R&D, investments, etc.
Section D :- Scope and intent of Consultancy

The Scope of the work will be to develop a strategy for the Ministry for the coming five years for Mineral Sector. The strategic plan should reflect the future scenario for five years based on National Mineral Policy, 2008 and developments world wide. The strategy should also suggest monitoring mechanism for various areas of the Ministry i.e GSI, IBM & other PSUs of the Ministry and also strategy to position them in the overall strategic framework as per the needs of the stakeholders of the Ministry.

The strategic plan should cover all aspects of the Visions, Mission & Revised Objectives as highlighted in the preceding paragraphs.
Section E :- Methodology

The organisation/consultant selected would not necessarily be required to undertake fresh studies, but may use existing studies and draw experiences from others in the sector through structured or unstructured consultative processes. However in certain sectors, the consultant may undertake specific & focused studies as well as draw upon international practices to develop the framework. The strategy documents should cover all the issues in the TOR and objectives laid down. The Consultancy Firm is also expected to indicate the methodology to be adopted in preparation of a Five Years strategic plan for the Indian Mining Sector.
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Section F: Desirable Capabilities in the organisation/consultant

This RFP document is intended to elicit responses from organisations/consultants which have adequate experience in offering consultancy in areas of planning & development in the Mining Sector and related matters. They are expected to have:-

(i) Experience in strategy and policy planning preferably in Mining Sector.
(ii) Expertise in the following areas:
    • Policy and Planning.
    • Regulation of the Mining Sector

(iii) Experience in developing regulatory frameworks
(iv) Knowledge of the techno-economic aspects of the mining sector.
(v) Competence in preparation of guidelines / framework for PSUs.

The Following Five Firms had submitted EOI:

<table>
<thead>
<tr>
<th>S.No</th>
<th>Name of Organization</th>
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<tbody>
<tr>
<td>1.</td>
<td>The Boston Consulting Group ( India) Pvt. Ltd</td>
</tr>
<tr>
<td>2.</td>
<td>The Energy and Resources Institute</td>
</tr>
<tr>
<td>3.</td>
<td>The A.T. Kearney Limited</td>
</tr>
<tr>
<td>5</td>
<td>Bain &amp; Company India Pvt. Ltd</td>
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</tbody>
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03. From the documents submitted by the above five Organizations, all of these qualify for the RFP.

04. This invitation to respond to the RFP is open to the above five firms. Organisation/ company meeting all of the requirements stated in this Section.

05. In case of a Consortium, a Lead Partner shall be specified and fully empowered to represent the Consortium. A Letter of Commitment on the letterhead of the partner company duly signed by an authorized official of the
other member in favour of consortium leader must accompany the response to RFP. The bidders/consortium members should be established and operate in India. Since the Lead Partner is fully empowered to represent the consortium, any liability arising out of implementing the project shall vest with the Lead Partner.
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Section G: General guidelines

1. Introduction

1.1 Ministry will select a consulting firm/organization (the Organisation/consultant) from the bids received in response to the RFP to prepare a Strategic Plan for Indian Mining sector as per the objectives laid down in the TOR and Objectives.

1.2 The name of the Assignment/Job shall be “Consultation to the Ministry for the preparation of a Five Year Strategic Plan for the Ministry of Mines”. Detailed TOR and objectives of RFD and scope and intent of consultancy are given in Section C & D of the RFP.

1.3 The date and time for submission of the proposals have been given in the para 1 to 8 of schedule of activities of RFP.

1.4 The Proposal will be the basis for contract negotiations and ultimately for a signed Contract with the selected Organisation/consultant.

1.5 Organisation/consultant shall bear all costs associated with the preparation and submission of their proposals and contract negotiation. The Ministry is not bound to accept any proposal, and reserves the right to annul the selection process without assigning any reason(s), at any time prior to Contract award, without thereby incurring any liability to the Organisation/consultant.

2. Clarification and Amendment of RFP Documents

2.1 Interested organisation/consultant may request a clarification on any clause of the RFP documents in writing up to 10.12.2010 or by e-mail to Shri G.Srinivas, Joint Secretary(email address: g.srinivas@nic.in). A Pre-Bid meeting will be conducted at 4.30 P.M in the office of G.Srinivas, Joint Secretary (Mineral Policy), Ministry of Mines, Shastri Bhavan, New Delhi, on 15.12.2010 to
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provide clarifications to the written queries and also present the expectations. It may be noted that the Ministry is not bound to respond to all the queries raised by a prospective respondent without assigning any reason. No written reply to the queries will be made by the Ministry. The Ministry would endeavor to provide clarifications to all valid queries raised during the pre-bid meeting. No separate request for clarification in this regard will be entertained by the Ministry. Non receipt of reply to the queries raised by an interested vendor shall not be accepted as a valid reason for non submission of offer. Should the Ministry deem it necessary to amend the RFP as a result of a clarification, it shall do so following the procedure under para 2.3 below. The clarifications provided in the pre-bid meeting will be tabulated and placed in the website for the guidance of all bidders. No separate written communication would be sent to any interested bidder.

2.2 Interested bidders, who attend the pre-bid meeting, might be invited to give a presentation to the Working Group entrusted with the responsibility for Organisation/consultant selection. The schedule for presentation, if any, would be put up on the website of the Ministry. Please note the Ministry would not be incurring any liability towards the cost of such travel, documentation or non receipt of intimation etc.

2.3 At any time before the submission of Proposals, the Ministry may amend the RFP by issuing an addendum. The addendum shall be notified in the website of the Ministry. To enable the Organisation/consultant to take into account the impact of the amendments in their proposals, the Ministry may, at its sole discretion, extend the deadline for submission of proposals.

3. Conflict of Interest

3.1 The Ministry requires that Organization/consultant provide professional, objective, and impartial advice and at all times hold the Ministry's interests paramount, strictly avoid conflicts with other Assignment(s)/ Job(s) or their own

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corporate interests and act without any expectations/consideration for award of any future assignment(s) from the Ministry.

3.2 Without limitation on the generality of the foregoing, Organisation/consultant, and any of their affiliates, shall be considered to have a conflict of interest and shall not be engaged, under any of the circumstances set forth below:

(i) Conflicting Assignment/Job: An Organisation/consultant (including its Personnel and Sub-Organisation/consultant) or any of its affiliates shall not be hired for any Assignment/Job that, by its nature, may be in conflict with another Assignment/Job of the Organisation/consultant to be executed/being executed for the same and/or for another Employer during the currency of the assignment.

(ii) Conflicting Relationships: An Organisation/consultant (including its Personnel and Sub-Organisation/consultant) that has a business or family relationship with a member of the Ministry’s employee who is directly or indirectly involved in any part of:

   (a) the preparation of the scope and intent of Consultation of the Assignment/job,
   (b) the selection process for such Assignment/job, or
   (c) supervision of the Contract,

shall not be awarded a Contract, unless the conflict stemming from this relationship has been resolved in a manner acceptable to the Ministry throughout the selection process and the execution of the Contract. The respondent to RFP is expected to provide complete details of the Ministry’s employees associated with the organization/consultant in any manner whatsoever. In case the information is Nil, explicit mention should be made in this regard.

3.3 Organization/consultant have an obligation to disclose any situation of actual or potential conflict that impacts their capacity to serve the best interest of the
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Ministry, or that may reasonably be perceived as having this effect. If the Organization/consultant fails to disclose the said situations and if the Ministry comes to know about any such situation at any time, it may lead to the disqualification of the Organization/consultant during bidding process or the termination of its Contract during execution of assignment.

3.4 Employees of the Ministry shall not work as, for or be a part of the firm of Organization/Consultant.

4. Proposal

4.1 Draft Policy document should be submitted to the Ministry within 2 months from the date of award of the Consultancy.

4.2 No Organization/Consultant shall submit more than one proposal. If a Organization/Consultant submits or participates in more than one proposal, such proposals shall be disqualified. A proposal submitted independently and another under consortium arrangement would tantamount to two proposals and both would be rejected.

4.3 The Proposal and the documents submitted by the Organization/consultant shall be generally held to be available to the public under the Right to Information Act, unless the organization/consultant specifically mentions in the proposal that the proposal and documents submitted along with the proposal should not be shared under the Right to the Information Act. However, the decision of the Ministry as required under law in this matter shall be final.

5. Proposal Validity

The Proposal must remain valid for 120 days after the submission date. During this period, Organization/consultant shall maintain the availability of Professional staff nominated in the Proposal and also the financial proposal unchanged. The Ministry will make its best effort to complete negotiations within this period. Should the need arise the Ministry may request Organisation/consultant to extend the validity period of their proposals. Organisation/consultant who agree
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to such extension shall confirm that they maintain the availability of the Professional staff nominated in the Proposal, or in their confirmation of extension of validity of the Proposal, Organisation/consultant could submit new staff in replacement, which would be considered in the final evaluation for contract award. Organisation/consultant who do not agree, have the right to refuse to extend the validity of their Proposals. The Ministry would treat such proposals as withdrawn and shall not consider the same for further evaluation.

6. Sub-Organisation/consultant

In case an interested eligible Organisation/consultant intends to associate with other Organisation/consultant and/or individual expert(s), such other Organisation/consultant and/or individual expert(s) shall be subject to meeting the eligibility criteria set forth in the RFP.

7. Preparation of Proposals

7.1 The Proposal as well as all related correspondence exchanged by the Organization/consultant and the Ministry shall be written in English language, unless specified otherwise.

7.2 In preparing their Proposal, the Organisation/consultant are expected to submit in detail the documents comprising the RFP. Material deficiencies in providing the information requested may result in rejection of a Proposal.

Technical Proposal:-

7.3 The Technical Proposal shall provide the information indicated in the following paragraphs from (a) to (l).

(a) A brief description of the organization/consultant's organization and in the case of a consortium/ joint venture, of each partner.

(b) Details of experience of assignments which are similar to the proposed assignment / job as per the scope and intent of Consultancy. Information should
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be provided only for those Assignment/jobs for which the Organisation/consultant was legally contracted as a corporation or as one of the major firms within a joint venture. Assignment/jobs completed by individual Professional staff working privately or through other consulting firms cannot be claimed as the experience of the Organization/consultant, or that of the Organization/consultant's associates, but can be claimed by the Professional staff themselves in their CVs. Details of the ‘Deal Team’ indicating the names, areas of expertise, details of work done etc, by each person, and the number of man-days for which his services will be required. A written consent from the each of the ‘Deal Team’ members, indicating availability for the consultancy, must be attached.

(c) Organization/consultant should be prepared to substantiate the claimed experience along with the proposal and must submit letter of award / copy of contract/ Project Completion Letter as proof for all the assignments mentioned in the proposal.

(d) The Organization/consultant should clearly indicate the support services required from the Ministry for carrying out the activity.

(e) A description of the approach, methodology and work plan for performing the Assignment / job covering the following aspects:

   (i) Approach and major thematic areas
   (ii) Activities proposed to be undertaken
   (iii) Team composition and assignment of work
   (iv) Proposed engagement & networking with relevant organizations and institutions

(f) Activity Chart on PERT chart with clear time lines.

(g) For each Activity indicated, the deliverables to the Ministry or actions required from the Ministry would also be provided in the proposal.
(h) The value addition that is likely to be done by the organization/consultant to be indicated giving information on:

(i) Valuable data generation
(ii) New analysis/insights
(iii) Measureable indicators for five year strategic plan in the mining sector.
(iv) Management systems for the five year strategic plan in the mining sector.

(i) The organization/consultant should clearly indicate the deliverable, outputs emerging out of and as envisaged in the Vision, Mission, Objectives and Scope and intent of consultant.

(j) Any other compelling recommendations:
   (i) Relating to implementation of five year strategic plan in the mining sector.
   (ii) Policy and regulatory framework both at State and Central level

(k) Any other comments and suggestions considered relevant.

(l) If the Project is divided into distinct segments by the prospective Organisation /consultant, it would be required to indicate clearly the stages at which the detailed staff would be associated with the project.

7.4 The Technical Proposal shall not include any financial information or any commercial aspect indicating the conditionality(ies) of the response. A Technical Proposal containing such information may be declared invalid and rejected.

8. Financial Proposals
8.1 The fee in Indian Rupees shall be quoted for (a) Policy document for Strategic Plan (b) Roll-out of strategic plan, giving details of the components of Professional Fees, Travelling Expenses and any other incidentals.
8.2 The proposal should also indicate specific milestones and deliverables for raising bills for part payment and the expected timelines for payments. The Ministry will be at liberty to reduce payments even if the deliverable have been made by the schedule time if the personnel as indicated in the proposal are not deployed while carrying out the Consultancy.

8.3 The organization/consultant may indicate the man month rate that has been used for the various categories of professionals to be engaged in this Project for arriving at the professional fees. The same rates would be applicable till the conclusion of the Project.

8.4 The fee quoted shall be quoted only in Indian Rupees and shall be inclusive of all taxes.

8.5 The financial proposal shall not include any conditions attached to it and any such conditional financial proposal shall be liable for rejection.

8.6 Payment will be made after deducting Tax Deductible at Source as per applicable Tax Laws.

8.7 No additional expenses would be paid for personnel, if any, who are required to come from outside India.
9. Earnest Money Deposit (EMD)

9.1 An EMD of Rs.1 Lakhs (One Lakhs), in the form of DD drawn in favour of the Pay and Accounts Officer, Ministry of Mines, and payable at New Delhi, must be submitted along with the Proposal.

9.2 Proposals not accompanied by EMD shall be rejected as non-responsive.

9.3 No interest shall be payable by the Employer for the sum deposited as earnest money deposit.

9.4 No bank guarantee will be accepted in lieu of the earnest money deposit.

9.5 The EMD of the unsuccessful bidders would be returned back within one month of signing of the contract.

9.6 The EMD shall be forfeited by the Employer in the following events:

(i) If Proposal is withdrawn during the validity period or any extension agreed by the consultant thereof.

(ii) If the Proposal is varied or modified in a manner not acceptable to the Employer after opening of Proposal during the validity period or any extension thereof.

(iii) If the consultant tries to influence the evaluation process.

(iv) If the first ranked consultant withdraws his proposal during negotiations (failure to arrive at consensus by both the parties shall not be construed as withdrawal of proposal by the consultant).
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10. Submission, Receipt, and Opening of Proposal

10.1 The original proposal, both Technical and Financial Proposals shall contain no interlineations or overwriting, except as necessary to correct errors made by the Organization/consultant themselves. The person who signed the proposal must initial such corrections.

10.2 An authorized representative of the Organization/consultant shall initial all pages of the original Technical and Financial Proposals. The authorization shall be in the form of a letter or in any other form demonstrating that the representative has been duly authorized to sign and shall be enclosed to the Proposal.

10.3 The signed Technical and Financial Proposals shall be marked “ORIGINAL”. The original and all copies of the Technical Proposal shall be placed in a sealed envelope clearly marked “TECHNICAL PROPOSAL”. Similarly, the original Financial Proposal shall be placed in a sealed envelope clearly marked “FINANCIAL PROPOSAL” followed by the name of the Assignment/job. The soft copies of the Technical and Financial proposals MUST be inserted in the relevant envelopes. However, only the written submissions will be the valid document in case of a dispute. The envelopes containing the Technical Proposal and the Financial Proposal shall be placed in an outer envelope and sealed. This outer envelope shall be superscripted “Proposal for providing consultancy for the preparation of five year strategic plan in mining sector and addressed to:

Shri G. Srinivas
Joint Secretary (Mineral Policy)
Ministry of Mines, Shastri Bhavan, New Delhi

10.4 The Ministry shall not be responsible for misplacement, losing or premature opening if the outer envelope is not sealed and/or marked as stipulated. This circumstance may be a cause for Proposal rejection. If the Financial Proposal is
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not submitted in a separate sealed envelope duly marked as indicated above, this will constitute grounds for declaring the Proposal non-responsive.

10.5 The sealed envelope containing the proposals shall be received at the address given in paragraph 2.1 not later than 3.30 p.m. on 24.12. 2010 and the Technical Bids will be opened at 4.30 p.m on the same date and venue in the presence of representatives of the consulting firms who wish to witness. No separate intimation in this regard will be made by the Ministry unless there is change in the schedule. Such intimation, if considered desirable shall be notified on Ministry’s website. Any proposal received by the Ministry after the deadline for submission shall be returned unopened.

11. Proposal Evaluation

11.1 The proposals received within the prescribed time limit shall be evaluated on a scale of 100 points, with maximum 70 points for technical proposal and 30 points for the financial proposal. The bidder securing the highest combined marks in both technical and financial proposal (H1) shall be offered letter of invitation to finalise the terms.

11.2 The responses will be opened first for scrutiny of technical proposal in order to ascertain whether the prospective organization/consultant meets the eligibility criteria in terms of the following criteria :

(a) Clarity regarding preparation of policy document and formation of strategies to strengthen the mining sector in accordance with changing National Scenario within next five year and other associated deliverables relevant to mining sector – 15 marks

(b) Professional capability in terms of team manpower assigned for the tasks – 10 marks.

(c) Experience in developing or analyzing regulatory frameworks – 5 marks.

(d) Ability to network and assemble information / data from relevant organizations / institutions – 10 marks.
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(e) Expertise in the following areas (20 marks):

(i) Knowledge of the techno-economic aspects of the mining sector. (6 marks)
(ii) Policy and Planning issues especially in all aspects of Mining Sector. (6 marks)
(iii) Issues regarding promotion of FDI in Mining Sector relevant changes in Act and Rules. (4 marks)
(iv) Competence in preparation of guidelines / framework for PSUs. (4 marks)

(f) Track record & credentials in last five years – 10 marks.

11.3 At the stage of technical evaluation, the financial proposal will remain unopened.

11.4 Only those respondents who score minimum 42 marks out of 70 marks under section 10.2 above of technical evaluation will be declared as technically qualified respondents. The Ministry will notify the technically qualified respondents on completion of the exercise.

11.5 Financial proposals of only those firms who are technically qualified shall be opened in the presence of representatives of the eligible Organisation/consultant, who choose to attend. The Ministry shall inform the date, time and place of opening of the Financial Proposals to all eligible organisation/consultant after completion of the evaluation of the Technical Proposals. The financial proposals of respondents declared unsuccessful during technical evaluation will be returned to them unopened.

11.6 The method for awarding points for the financial proposal (maximum of 30 marks) will be as follows:

(i) The minimum lumpsum fees quoted by a qualified respondent would carry 30 marks, i.e. $L_1 = 30$ marks.
(ii) Any other lumpsum fees amount quoted (higher than $L_1$ fees) would be given marks proportionately as per the given formula:
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Marks for any other lumpsum fees higher than $L_1 = (L_1/ L) \times 30$

e.g if the lumpsum fee quoted by the organization A, amongst the financial proposals submitted by the qualified technical proposals is the lowest at Rs 100, then organization A will be awarded 30 marks for the financial evaluation. An organization B quoting Rs 150 as lump sum fees would be awarded 19.9 marks (i.e. 100/150X30).

11.7 From the time the Proposals are opened to the time the Contract is awarded, the Organization/consultant should not contact the Ministry or any of its officers/employees or representatives on any matter related to its Technical and/or Financial Proposal with a view to influence the Ministry in the examination, evaluation, ranking of Proposals, and recommendation for award of Contract. Such an effort shall result in the rejection of the Organization/consultant’s Proposal.

11.8 In case of discrepancy between amount in words and figures, the former will prevail.

11.9 The Ministry reserves the right to negotiate the price and terms of assignment with $H_1$ (arrived after combining the assigned marks of technical and financial evaluation).

11.10 The Ministry reserves the right:

i. to accept or reject any or all the proposals at any time during the process .

ii. to engage a organization/consultant for the entire project or only for one or more segments of the project’

11.11 If the organization/consultant that is selected after the process fails to perform the task as indicated in their response to RFP, it may be debarred from bidding for any assignment with the Ministry for a period of five years from the date on which it is notified to the Organization/consultant.
12. Contract finalization

12.1 The Ministry and the selected Organization/consultant shall finalise the terms of contract to be executed through mutual discussions. The Ministry shall have the right not to enter into the contract with the Organization/consultant if the Organization/consultant is unable to provide the Professional staff assured in the Technical Proposal. In such an eventuality the Ministry reserves the right to reject the proposal and consider the next best respondent.

12.2 The Ministry will not consider substitution of professional staff during contract negotiations unless both parties agree that undue delay in the selection process makes such substitution unavoidable or for reasons such as long leave, death or medical incapacity or if the professional staff has left the organization/consultant. Any proposed substitute shall have equivalent or better qualifications and experience than the original candidate and be submitted by the Organization/consultant within the period of time specified.

13. Payment terms

All the payments for the job completed by the organization/consultant awarded the contract shall be based on submission of bills, subject to the condition that the Ministry may hold back 10% of the bill amount for payment as final settlement on the completion of the project.

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