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India's Sunrise State

ECONOMIC DEVELOPMENT BOARD
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Responses to RFQ Queries on Notice No.APEDB/Empanelment for DDR/002-2017/05072017

S.No.	Reference to Section and Clause of RFP	Query	Response
10		We would like to append our standard Terms of Business ("ToB") to the proposal for your reference and consideration. Grateful if you could confirm if this fine and not lead to the proposal's disqualification.	It may be attached, however please note that the agreement entered in to at the time of the allotment of work will be the binding agreement.
11	Clause 3.1	Due to confidentiality between our clients and us, we are unable to share the client related details (client name, client contact etc), consultancy fee charged and project cost as required in the RFP.	You may redact the client names from the contract, however please include a provision for us too physically verify the documents, if required.
12	Clause 2.1.2 4) Legal Due Diligence	<p>The scope of work includes Legal Due Diligence as point number 4. Point no. 4(i) states that the consultant should analyse legal documents and evaluate if any hidden legal hazards exist. Similarly point no. 4(ii) states that the consultant should analyse litigations for the past 10 years and assess if it would have any future implications and/ or the ability to undertake the proposed projects.</p> <p>When we conduct due-diligence we do identify all litigation involving the target entity and the target individuals. However, the tasks listed above require a legal assessment of the cases, which KPMG is not allowed to do as per prevailing regulations. We request that the scope for consultants be limited to listing of the litigation for a defined period of time. APEDB may hire a law firm separately and seek such advice as listed in points 4(i) and 4(ii) of the</p>	<p>APEDB does not request a legal opinion on the case. However the applicant is requested to list all the litigations and specify those which may have an adverse impact on the project.</p> <p>Information on negative reporting by public media and regulatory bodies.</p>



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		RFQ on a need basis.	
13	Form 1	We have checked with our internal legal team on the verbiage of the self declarations mention in Form 1 of the RFP document.	As specified in Amendment dated 22nd July, 2017 to Notice No.APEDB/Empanelment for DDR/002-2017/05072017.
14	Clause 2.1.3	In the section on key personnel the requirement states that the Background check specialist should be located in Hyderabad/ Vijayawada. While we understand the requirement of a contact person in Hyderabad/ Vijayawada the specialist can be based anywhere in India as the due-diligence process is usually conducted online or through site visits at the target entity's office/ factory locations. The specialist can also travel to Hyderabad/ Vijayawada for presentations or discussions as required by APEDB. We request you to consider removing the requirement of the Background check specialist being based in Hyderabad/ Vijayawada.	Background check specialist should be located in Hyderabad/ Vijayawada.
15	Clause 2.2.1 - Minimum Eligibility Criteria for Empanelment	X in India is a partnership firm and not a company/a corporate body or a Limited Liability Partnership. Is it possible that X participate as a partnership firm.	Accepted
16	2.2.11 - Minimum Eligibility Criteria for Empanelment	X has conducted multiple assignments of similar nature (preparation of due diligence reports) in the past, but, none of these are with central government/state government or any of its agencies. However, X has worked with government and its agencies for various other services. X wants to clarify if prior working experience with government for similar nature of services (due diligence reports) is a mandatory requirement OR experience of working with government agencies for other services will suffice the purpose.	Prior working experience with government for similar nature of services (due diligence reports) is a mandatory requirement



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17	3.1 Evaluation of proposal	X has experience of working on due diligence reports for multiple clients and also has experience for working with government agencies. However, due to confidential nature of these assignments and non-disclosure agreement with clients, it might not be possible for us to share the completion certificates/work orders/agreement letters. X wants to clarify if a declaration by us with respect to working experience will suffice without naming the client and submission of specific documents.	You may redact the completion certificates/work orders/agreement letters however please include a provision for us too physically verify the documents, if required.
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