

Pre-Bid Meeting held on 23.06.2023

Clarifications on Query of Agencies regarding engaging Real Estate Advisor to Maximize sale/disposal of DDA flat.

SNo.	Clause & Page No.	Clarification sought	Queries	Modifications/ Amendments/ Clarifications
1.	Tender Schedule Pg 1	Submission of Bids end: 29.06.2023	<p>We request the authority to kindly extend the due date of submission by at least 3 weeks from the date of release of queries.</p> <p>The bid document preparation requires extensive paperwork, preparation of documentation and preparing an experienced team who can lead this assignment.</p> <p>Thus, we request if the requested extension would be provided on the submission deadline.</p>	<p>The submission of Bids end: Date: 07.07.2023 Time: 03:00PM</p>
2	6.Requirement of Personnel Page no. 11	II. The Real Estate Advisor will deploy at least but not limited to the below mentioned officers for completing the work assigned by DDA to it.	We would like to request the Authority to kindly confirm if the Deployment here refers to Experts working out of their own offices or being placed at DDA office in New Delhi.	Deployment of personnel at DDA office is not required and personnel's to be available as & when required and on call basis.
3.	6. Requirement of Personnel Page no. 12	c. The Real Estate Advisor will also deploy at least 2 but not limited to the below mentioned officers for completing the work assigned by DDA to it.	Whether it is minimum requirement	Yes. Same. However, CVs of only three experts need to be provided.

4	6. Requirement of Personnel Page no. 12	Educational Qualification Marketing Expert: MBA with specialization in Marketing Marketing Expert (Consultant): MBA with specialization in Marketing	The experts working also have an MBA in real estate and infrastructure which is more suited qualification should also be included.	Educational Qualification Marketing Expert: MBA with specialization in Marketing/Real Estate/Infrastructure Marketing Expert (Consultant): MBA with specialization in Marketing/Real Estate/Infrastructure
5.	ELIGIBILITY CONDITIONS FOR TECHNICAL BIDS: - Page No.14, Point No. 9.	9.i. Bidder should be an empanelled agency with DIPAM for monetizing land and properties of CPSE/PSU/Other Govt. Organizations evidence should be attached along with the Bid.	We would like to highlight the authority that since 2021 there has been no renewal of empanelment for DIPAM. So, we request the authority to consider all the DIPAM empanelled consultants which are empanelled with DIPAM letter dated 01.09.2021	All DIPAM Empanelled agency will be considered which were last empanelled by DIPAM vide letter dated 01. 09.2021.
6.	9. ELIGIBILITY CONDITIONS FOR TECHNICAL BIDS Pg 15 - 16	9.ii. The bidder should have undertaken 3 projects/ study of similar nature for central govt. or state govt. or their PSUs, autonomous bodies, Development Authorities during the last 3 financial years i.e., 2020-21, 2021-22 and 2022-23. The completion certificate from such clients, to be submitted should not be earlier than 01.04.2020.	We would like to request the authority to kindly allow Feasibility/Market study assignments done in any asset classes for Real Estate as the process and understanding a market and asset class is similar in nature. Additionally, we also request the authority to kindly extend the timeline to last 7 years as the pandemic affected the market with delays in ongoing projects. We also request the authority that in many of the projects the client	Instead of Last 3 financial years, the projects of Last 7 financial years, i.e. 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23 will be considered. Along with completion certificate from such clients, the CA attested certificate for showing completion will also be considered for eligibility.

			<p>completion certificates are not there, Plus, we request that it should not be mandatory to have client completion certificate as for many projects we have signed Non-Disclosure Agreements and thus any client document directly cannot be shared.</p> <p>Thus, we request the authority to kindly allow CA Certificate to show all work experience, the CA certification will prove that the payment has been received in lieu of the project completion and all required project details can be cited like area, project cost, consultancy fee, start and completion date, scope of work covered etc.</p>	
7	<p>Liability of the Consultant Page No.73, Point No. 3.4</p>	<p>i) For any direct loss or damage that exceeds (A) the Agreement Value set forth in Agreement, or (B) the proceeds the Consultant may be entitled to receive from any insurance maintained by the Consultant to cover such a liability, whichever of (A) or (B) is higher.</p>	<p>We would like to request the authority to kindly limit the consultant's liability to the contract value/consultancy fee paid under this contract.</p> <p>We propose the following modified clause: "In no circumstances shall Consultant's total liability for any direct damages under this Contract exceed the Fee paid to Consultant. Consultant shall not be</p>	<p>In case of negligence or willful misconduct on the part of the Consultant or on the part of any person or firm acting on behalf of the Consultant in carrying out the Services, the consultant, with respect to damage caused to DDA's property, shall not be liable to DDA: For any indirect or consequential loss or damage; and</p>

			liable to Client in tort (including negligence), breach of contract, breach of statutory duty or otherwise due to, under and/or arising out of or in connection with this Contract to the extent such loss or damage is consequential, indirect, special or punitive, whether or not Client had been advised of the likelihood of any such loss or damage. "	i) For any direct loss or damage that exceeds (A) the Agreement Value set forth in Agreement, or (B) the proceeds the Consultant may be entitled to receive from any insurance maintained by the Consultant to cover such a liability, up to (A).
8	Payment Provisions & Timelines: Page 11 Point 5(b)	After the study report is submitted within the stipulated time of 30 days, a committee consisting of officers of DDA will evaluate the report/suggestion.	The agencies requested to extend the time for submission of report.	Time for submission of report to be modified from 30 days to 45 days.
9	Payment Provisions & Timelines: Page 12 Point 5(d)	Balance 20% payment of contract value will be released after final acceptance of report by the Competent Authority.	The agencies requested to keep the timeline close ended for final payment.	Balance 20% payment of contract value will be released within 45 days after final acceptance of report by the Competent Authority.
10	Clause 5(b) of RFP	Time limit for giving satisfactory report by committee of officers.	Agencies queried is there a provision of deemed satisfaction if committee does not give a finding in a time frame.	If the committee does not recommend any revisions within 15 days of submission of report it will be deemed as approved.
11	Commensurate changes in clause 5: 5. Payment Provisions & Timelines:			

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| | <ol style="list-style-type: none">a. The payment of 15% of the contract value will be released on submission of draft report in 30 days' time from date of signing of agreement.b. After the study report is submitted within the stipulated time of 45 days, a committee consisting of officers of DDA will evaluate the report/ suggestion. Ease of implementation / economic and legal viability of suggestions/measures and authenticity of data will be the key criteria for evaluation of the report. Based on the findings of the committee, if the report is found satisfactory, further payment of 35% will be made to the agency. If the committee does not recommend any revisions within 15 days of submission of report it will be deemed as approved.c. The committee will then recommend revisions in the report, if any. The agency will have to submit the revised report within 10 days. Next 30% payment of contract value will be released after report is submitted with the necessary revisions desired by the aforementioned committee.d. Balance 20% payment of contract value will be released within 45 days after final acceptance of report by the Competent Authority. |
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