

Addendum / Corrigendum I to the RFP

Subject: Appointment of Consultant for “Preparation of Detailed Feasibility Report and providing Transaction Advisory Services for establishment of Fully Automated Material Recovery Facilities (MRF) in Madurai, Coimbatore, Tiruppur, Tambaram, Trichy, Tirunelveli and Erode Corporations” under SBM 2.0

S. No	Clause	As given in RFP	To be read as
1	Letter of Invitation: Clause 6.4: as given in the RFP	<p>6.4 The first and second envelopes <u>should not contain any cost information whatsoever</u>. The third envelope viz., Cover-3 marked 'Financial Proposal for the captioned project'" must also be sealed and initialled twice across the seal and should contain the detailed price offer for the firms services.</p> <p>You will provide detailed breakdown of costs and fees in the format prescribed in Form 6:</p> <p>The sealed envelopes Cover 1, Cover 2 and Cover3 should again be placed in a separate sealed in one cover, which shall be clearly marked with the name of the assignment and received in the office of the Tamil Nadu Urban Infrastructure Financial Services Limited (TNUIFSL), No. 19, T.P. Scheme Road, Raja Annamalaipuram, Chennai – 600 028, up to 11.00 hours on 30.01.2023.</p> <p>If the cover of proposals is not marked with the name of the assignment indicating the bid submission date and time, the cover will not be opened and returned to the firm unopened treating as “Not Qualified”.</p>	<p>6.4 The first and second envelopes <u>should not contain any cost information whatsoever</u>. The third envelope viz., Cover-3 marked 'Financial Proposal for the captioned project'" must also be sealed and initialled twice across the seal and should contain the detailed price offer for the firms services.</p> <p>You will provide detailed breakdown of costs and fees in the format prescribed in Form 6:</p> <p>The sealed envelopes Cover 1, Cover 2 and Cover3 should again be placed in a separate sealed in one cover, which shall be clearly marked with the name of the assignment and received in the office of the Tamil Nadu Urban Infrastructure Financial Services Limited (TNUIFSL), No. 19, T.P. Scheme Road, Raja Annamalaipuram, Chennai – 600 028, up to 11.00 hours on <u>10.02.2023.</u></p> <p>If the cover of proposals is not marked with the name of the assignment indicating the bid submission date and time, the cover will not be opened and returned to the firm unopened treating as “Not Qualified”.</p>

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		<p>6.5 <u>Opening of proposal.</u></p> <p>The proposals (first envelope (cover 1) containing pre-qualification criteria only) will be opened by the Managing Director, TNUIFSL or his authorized representative in its office at 11.30 hours on 30.01.2023. It may please be noted that the second envelope containing the technical proposal will not be opened until pre-qualification criteria is evaluated, and detailed price offer will not be opened until technical evaluation has been completed and the result approved and notified to all firms.</p>	<p>6.5 <u>Opening of proposal.</u></p> <p>The proposals (first envelope (cover 1) containing pre-qualification criteria only) will be opened by the Managing Director, TNUIFSL or his authorized representative in its office at 11.30 hours on 10.02.2023. It may please be noted that the second envelope containing the technical proposal will not be opened until pre-qualification criteria is evaluated, and detailed price offer will not be opened until technical evaluation has been completed and the result approved and notified to all firms.</p>
2	Letter of Invitation: Clause 7: Evaluation, as given in the RFP	<p>7.2 Pre-qualification</p> <p>Firms who have the following qualifications may submit the proposal along with necessary proof (<i>Assignment along with client certificate will only be considered for evaluation</i>)–</p> <p>(i) The Consultant shall be an entity incorporated under the Indian Companies Act 1956 / 2013 or the Consultant should be a firm/LLP and should submit registration /incorporation under the governing legislation. The Consultant shall be required to submit a certified true copy of its Incorporation Certificate along with the Proposal.</p> <p>(ii) Consultant must have a valid Goods and Service Tax registration in India. The Consultant shall be required to submit relevant proof along with the Proposal.</p>	<p>7.2 Pre-qualification</p> <p>Firms who have the following qualifications may submit the proposal along with necessary proof (<i>Assignment along with client certificate will only be considered for evaluation</i>)–</p> <p>(i) The Consultant shall be an entity incorporated under the Indian Companies Act 1956 / 2013 or the Consultant should be a firm/LLP and should submit registration /incorporation under the governing legislation. The Consultant shall be required to submit a certified true copy of its Incorporation Certificate along with the Proposal.</p> <p>(ii) Consultant must have a valid Goods and Service Tax registration in India. The Consultant shall be required to submit relevant proof along with the Proposal.</p>

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		<p>(iii) The applying firm should not have been sanctioned / blacklisted during the past 5 years (from the date of bid submission), by any government / quasi government agency or any Multi-Lateral Donor Body (World Bank, ADB, JICA, KfW, etc.). Please attach a self-declaration stating the above.</p> <p>(a) The Bidders who have successfully completed at least one feasibility/DPR study of Material Recovery Facilities (MRF) for Municipal Solid Waste of at least 100 MT in India and completed transaction advisory services in any Municipal Solid Waste Management assignment in India from 2016-17 to 2021-2022 wherein the project was developed as per the Solid Waste Management Rules 2016.</p> <p style="text-align: center;">Or</p> <p>(b) Bidders who have at least two ongoing feasibility/DPR study (at least 50% payment received, proof to be submitted) of Material Recovery Facilities (MRF) for Municipal Solid Waste of at least 100 MT (in which one assignment not less than 25 MT and totaling all assignment 100 MT) in India and completed transaction advisory services in any Municipal Solid Waste Management assignment in India, wherein the project was developed as per the Solid Waste Management Rules 2016.</p> <p>(iv) The consultant shall have average annual turnover of at least Rs. 1 (One) Crore in last 3 (three) Financial Years. (2019-20, 2020-21 & 2021-22). The Firm must ensure that they submit the evidence of eligibility criteria on turnover & positive net worth as on 31st March 2022 in the form of audited financial statements signed by Chartered Accountant for the last 3</p>	<p>(iii) The applying firm should not have been sanctioned / blacklisted during the past 5 years (from the date of bid submission), by any government / quasi government agency or any Multi-Lateral Donor Body (World Bank, ADB, JICA, KfW, etc.). Please attach a self-declaration stating the above.</p> <p>(a) The Bidders who have successfully completed at least one Detailed feasibility/ Detailed Project Report study of Material Recovery Facilities (MRF) / Biomining (not less than 6 lakhs Cu.m) for Municipal Solid Waste of at least 100 MT in India and completed transaction advisory services in any Municipal Solid Waste Management sector in India from 2016-17 to 2021-2022 wherein the project was developed as per the Solid Waste Management Rules 2016.</p> <p style="text-align: center;">Or</p> <p>(b) <i>The Bidders who have successfully completed at least two Detailed feasibility/ Detailed Project Report study of Material Recovery Facilities (MRF) / Biomining (not less than 6 lakhs Cu.m) for Municipal Solid Waste in which one assignment not less than 25 MT and totaling all assignment 100 MT in India and completed transaction advisory services in any Municipal Solid Waste Management sector in India from 2016-17 to 2021-2022 wherein the project was developed as per the Solid Waste Management Rules 2016.</i></p> <p style="text-align: center;">Or</p> <p>(c) Bidders who have at least two ongoing Detailed feasibility / Detailed Project Report study (at least 50% payment received, proof (Client certificate or Auditors certificate) to be submitted) of Material Recovery Facilities (MRF) / Biomining (not less than 6 lakhs Cu.m) for Municipal Solid Waste of at least 100 MT (in which one assignment not less than 25 MT and totaling all assignment 100 MT) in India and completed transaction advisory services in any Municipal Solid Waste Management sector in India 2016-17 to 2021-2022, wherein the project was developed as</p>

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		<p>(three) Financial Years. (2019-20, 2020-21 & 2021-22). Audited financials shall be submitted as proof in the last three financial years as per the format attached – Annexure – 2 D.</p> <p>(v) Covers without EMD will be treated as non-responsive and will be disqualified.</p> <p><i>It should be noted that “assignment along with client certificate will only be considered for evaluation”.</i></p> <p>Note: Covers without EMD will be treated as non-responsive and will be disqualified. Conditional Tender will be rejected summarily.</p> <p><u>Only proposals of firms determined to be qualified will be considered for technical and financial evaluation. The technical and price envelopes of others will not be considered and returned unopened after completing the selection process.</u></p>	<p>per the Solid Waste Management Rules 2016.</p> <p>(iv) The consultant shall have average annual turnover of at least Rs. 1 (One) Crore in last 5 (five) Financial Years. (2017-18, 2018-19, 2019-20, 2020-21 & 2021-22). The Firm must ensure that they submit the evidence of eligibility criteria on turnover & positive net worth as on 31st March 2022 in the form of audited financial statements signed by Chartered Accountant for the last 5 (five) Financial Years. (2017-18, 2018-19, 2019-20, 2020-21 & 2021-22). Audited financials shall be submitted as proof in the last five financial years as per the format attached – Annexure – 2 D.</p> <p>(v) Covers without EMD will be treated as non-responsive and will be disqualified.</p> <p><i>It should be noted that “assignment along with client certificate will only be considered for evaluation”.</i></p> <p>Note: Covers without EMD will be treated as non-responsive and will be disqualified. (In the case exemption certificate for EMD available from MSME for consultancy sector, will be considered. Necessary validity proof shall be attached, duly attested by a Notary Public). Conditional Tender will be rejected summarily.</p> <p><u>Only proposals of firms determined to be qualified will be considered for technical and financial evaluation. The technical and price envelopes of others will not be considered and returned unopened after completing the selection process.</u></p>
3	Letter of Invitation: Clause 22: as given in the	Joint Venture and Consortium / JV not allowed.	Joint Venture or Consortium are allowed (subject to 1 lead member and 1 joint venture / consortium member). Combined technical experience (as per the clause 7.2) of both the members will be considered. However, the lead member should have successfully completed at least one

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	RFP		<p>feasibility/DPR study of Material Recovery Facilities (MRF) / <i>Biomining (not less than 6 lakhs Cu.m)</i> for Municipal Solid Waste of at least 100 MT in India and completed transaction advisory services in any Municipal Solid Waste Management sector in India from 2016-17 to 2021-2022 wherein the project was developed as per the Solid Waste Management Rules 2016 Or have successfully completed at least two Detailed feasibility/ Detailed Project Report study of Material Recovery Facilities (MRF) / <i>Biomining (not less than 6 lakhs Cu.m)</i> for Municipal Solid Waste in which one assignment not less than 25 MT and totalling all assignment 100 MT in India from 2016-17 to 2021-2022 wherein the project was developed as per the Solid Waste Management Rules 2016.Or have at least two ongoing feasibility / Detailed Project Report study (at least 50% payment received, proof (client certificate or Auditors certificate) to be submitted) of Material Recovery Facilities (MRF) / <i>Biomining (not less than 6 lakhs Cu.m)</i> for Municipal Solid Waste of at least 100 MT (in which one assignment not less than 25 MT and totalling all assignment 100 MT) in India and completed transaction advisory services in any Municipal Solid Waste Management sector in India from 2016-17 to 2021-2022, wherein the project was developed as per the Solid Waste Management Rules 2016 (Assignment along with client certificate will only be considered for evaluation).</p> <p>Both the Lead and JV / consortium member will be equally liable for the assignment and payments will be released to the lead firm only.</p> <p>Joint Bidding Agreement (JBA) is attached herewith as Annexure-1</p>
4	Clause 18.2. Team Composition	The Team Leader / Project Development Expert shall be full time professional for all the activities i.e., DFR& TA services and to be stationed in corporation till the completion of Study.	The Team Leader / Project Development Expert and Deputy Team leaders shall be full time professional upto Feasibility cum project Stage – Phase I (Final Bid Document Report) and to be stationed in Chennai or respective Corporations.

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	& Qualification Requirements for the Key Experts, Terms of Reference as given in the RFP		<p>For Bid Process Management Stage – Phase II - The Team Leader / Project Development Expert, Deputy Team leaders and other key experts shall be visited all corporations and on as required basis till the completion of Study.</p> <p>Consultant shall deploy the support staff / other experts, on as required basis based on the project conditions.</p>																																								
5	Annexure – 2 - D as given in the RFP	<p style="text-align: center;"><u>Annexure – 2 - D</u></p> <p style="text-align: center;">Financial Qualification of Bidder</p> <table border="1"> <thead> <tr> <th>S. No</th><th>Financial Year</th><th>Annual Turnover (Rs. In lakh)</th><th>Net worth</th></tr> </thead> <tbody> <tr> <td>1</td><td>2019-2020</td><td></td><td></td></tr> <tr> <td>2</td><td>2020-2021</td><td></td><td></td></tr> <tr> <td>3</td><td>2021-2022</td><td></td><td></td></tr> </tbody> </table> <p>Statutory Auditor (Seal & Signature)</p> <p>Name of Audit Firm:</p>	S. No	Financial Year	Annual Turnover (Rs. In lakh)	Net worth	1	2019-2020			2	2020-2021			3	2021-2022			<p style="text-align: center;"><u>Annexure – 2 - D</u></p> <p style="text-align: center;">Financial Qualification of Bidder</p> <table border="1"> <thead> <tr> <th>S. No</th><th>Financial Year</th><th>Annual Turnover (Rs. In lakh)</th><th>Net worth</th></tr> </thead> <tbody> <tr> <td>1</td><td>2017-2018</td><td></td><td></td></tr> <tr> <td>2</td><td>2018-2019</td><td></td><td></td></tr> <tr> <td>3</td><td>2019-2020</td><td></td><td></td></tr> <tr> <td>4</td><td>2020-2021</td><td></td><td></td></tr> <tr> <td>5</td><td>2021-2022</td><td></td><td></td></tr> </tbody> </table>	S. No	Financial Year	Annual Turnover (Rs. In lakh)	Net worth	1	2017-2018			2	2018-2019			3	2019-2020			4	2020-2021			5	2021-2022		
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		<p>Name of Partner:</p> <p>Membership No.:</p> <p>Firm Registration No.:</p> <p>Contact No:</p> <p>Address:</p> <p>Note:</p> <p>The Bidder shall attach copies of the Balance Sheets, financial statements certified by Chartered Accountant in Practice with his registration no for each financial year. The bidder will submit Statutory Audit Report for each year reflecting annual turnover of Consultancy Business for each year. In case of Consortium, each Consortium Member shall furnish in separate sheet.</p>	<p>Statutory Auditor (Seal & Signature)</p> <p>Name of Audit Firm:</p> <p>Name of Partner:</p> <p>Membership No.:</p> <p>Firm Registration No.:</p> <p>Contact No:</p> <p>Address:</p> <p>Note:</p> <p>The Bidder shall attach copies of the Balance Sheets, financial statements certified by Chartered Accountant in Practice with his registration no for each financial year. The bidder will submit Statutory Audit Report for each year reflecting annual turnover of Consultancy Business for each year. In case of Consortium, each Consortium Member shall furnish in separate sheet.</p>				
6	Clause 18Team Composition & Qualification Requirements for the Key Experts, Terms	<table><tr><td>Team Leader / Project Development Expert</td><td>Graduate in Engineering with MBA Finance with minimum 20 years of experience in preparation of feasibility reports, project structuring, bid documents, concession agreement, bid evaluation, scrutiny of</td></tr></table>	Team Leader / Project Development Expert	Graduate in Engineering with MBA Finance with minimum 20 years of experience in preparation of feasibility reports, project structuring, bid documents, concession agreement, bid evaluation, scrutiny of	<table><tr><td>Team Leader / Project Development Expert</td><td>Graduate in Engineering with MBA Finance or Post Graduate in Engineering with minimum 20 years of experience in preparation of feasibility reports, project structuring, bid documents, concession agreement, bid evaluation, scrutiny of</td></tr></table>	Team Leader / Project Development Expert	Graduate in Engineering with MBA Finance or Post Graduate in Engineering with minimum 20 years of experience in preparation of feasibility reports, project structuring, bid documents, concession agreement, bid evaluation, scrutiny of
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	of Reference as given in the RFP		reports, etc. Team leader must have similar project experience (Municipal Solid waste management sectors) as Team Leader for at least two assignments for a city in India		reports, etc. Team leader must have similar project experience (Municipal Solid waste management sectors) as Team Leader for at least two assignments for a city in India

Sd/-
Mission Director, SBM, Urban 2, (SBM 2.0),
Tamil Nadu /
Director of Municipal Administration

Joint Bidding Agreement (the “JBA”)

(Applicable only when the Bidder is Consortium/JV)

THIS JBA is entered into on this the day of, 20.....

AMONGST

1. {..... Limited, a company incorporated under the Companies Act, 2013} and having its registered office at (hereinafter referred to as the “**Lead Member**” which expression shall, unless repugnant to the context include its successors and permitted assigns)

AND

2. {..... Limited, a company incorporated under the Companies Act, 2013} and having its registered office at (hereinafter referred to as the “**Other Member**” which expression shall, unless repugnant to the context include its successors and permitted assigns)

The above-mentioned members of the Lead and Other are collectively referred to as the “**Members**” and each is individually referred to as a “**Member**”.

WHEREAS

- A. The(Hereinafter referred to as the “Authority” which expression shall, unless repugnant to the context or meaning thereof, include its administrators, successors and assigns) has invited Bids (the “Bid”) by its Request for Proposal No. dated namely “” (the “Project”).
- B. The Members are interested in jointly bidding for the Project as a Consortium/JV partners forming a Consortium/JV in accordance with the terms and conditions of the RFP document, and
- C. It is a necessary condition under the RFP document that the members of the Consortium/JV shall enter into an agreement and furnish a copy of this agreement with the Bid.

NOW IT IS HEREBY AGREED as follows:

1. **Definitions and Interpretations**

In this Agreement, the capitalized terms shall, unless the context otherwise requires, have the meaning as specified thereto under the RFP.

2. **Consortium/JV**

2.1 The Members do hereby irrevocably constitute the Consortium/JV (the “Consortium/JV”) for the purposes of jointly participating in the Bidding Process for the Project as Consortium/JV members.

2.2 The Members hereby undertake to participate in the Bidding Process only through this Consortium/JV and not individually and/ or through any other Consortium/JV formation constituted for this Project, either directly or indirectly or through any of their Associates

3. Covenants

The Members hereby undertake that in the event the Consortium/JV is declared the Successful Bidder and awarded the Project, the Lead Member shall come into an Agreement with the Authority and for performing all its obligations as the Consultant as per the Agreement.

4. Role of the Members

The Members hereby undertake to perform the roles and responsibilities as described below:

- a) Member of the First Part (Lead Member) shall possess the technical experience as per the RFP and shall have the power of attorney from Other Member for conducting all business for and on behalf of the Consortium/JV during the Tendering Process and until the appointed date (the date on which the agreement shall be signed);
- b) Member of the Second Part shall be the Other Member of the Consortium/JV.

5. Joint and Several Liability

The Members do hereby undertake to be jointly and severally responsible for all obligations and liabilities relating to the Project and in accordance with the terms of the RFP and the Agreement.

6. Responsibilities of the Members

The Members agree that the responsibilities of the Members, may be as follows:

- Lead Member : *(Fulfilling the Technical Qualification Criteria)-*
- Other Member : *(Fulfilling Other Qualifications and/ or Financial Criteria)*

7. Representation of the Members

Each Member represents to the other Members as of the date of this JBA that:

- a) Such Member is duly organized, validly existing and in good standing under the laws of its incorporation and has all requisite power and authority to enter into this JBA;

- b) The execution, delivery and performance by such Party of this JBA has been authorized by all necessary and appropriate corporate or governmental action and a copy of the extract of the charter documents and Power of Attorney in favour of the person executing this JBA for the delegation of power and authority to execute this JBA on behalf of the Consortium/JV Partners is annexed to this JBA, and shall not, to the best of its knowledge:
- i. require any consent or approval not already obtained;
 - ii. violate any Applicable Law presently in effect and having applicability to it;
 - iii. violate the memorandum and articles of association, by-laws or other applicable organizational documents thereof;
 - iv. violate any clearance, permit, concession, grant, license or other governmental authorization, approval, judgment, order or decree or any mortgage agreement, indenture or any other instrument to which such Member is a member or by which such Member or any of its properties or assets are bound or that is otherwise applicable to such Member; or
 - v. create or impose any liens, mortgages, pledges, claims, security interests, charges or encumbrances or obligations to create a lien, charge, pledge, security interest, encumbrances or mortgage in or on the property of such Member, except for encumbrances that would not, individually or in the aggregate, have a material adverse effect on the financial condition or prospects or business of such Member so as to prevent such Member from fulfilling its obligations under this JBA; and
- c) there is no litigation pending or, to the best of such Member's knowledge, threatened to which it or any of its Affiliates is a member that presently affects, or which would have a material adverse effect on the financial condition or prospects or business of such member in the fulfilment of its obligations under this JBA.

8. Termination

This JBA shall be effective from the date hereof and shall continue in full force and effect until the Appointed Date in case the Project is awarded to the Consortium/JV. However, in case the Consortium/JV is either not pre-qualified for the Project or does not get selected for award of the Project, the JBA shall stand terminated in case the Bidder is not pre-qualified or upon return of the Bid Security by the Authority to the Bidder, as the case may be.

9. Miscellaneous

- i. This JBA shall be governed by laws of India.
- ii. The Members acknowledge and accept that this JBA shall not be amended by the Members without the prior written consent of the Authority.
- iii. The Members shall do the revenue share in the following proportion:
Lead Member :

Other member :

IN WITNESS WHEREOF THE MEMBERS ABOVE NAMED HAVE EXECUTED AND DELIVERED THIS MEMORENDUM OF UNDERSTANDING AS OF THE DATE FIRST ABOVE WRITTEN.

SIGNED, SEALED AND DELIVERED

SIGNED, SEALED AND DELIVERED

For and on behalf of

For and on behalf of

LEAD MEMBER by:

SECOND PART by:

(Signature)

(Signature)

(Name)

(Name)

(Designation)

(Designation)

(Address)

(Address)

In the presence of:

1.

2.

Notes:

1. *The mode of the execution of the JBA should be in accordance with the procedure, if any, laid down by the Applicable Law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
2. *Each JBA should attach a copy of the Power of Attorney in favour of the person executing this JBA for the delegation of power and authority to execute this JBA on behalf of the Consortium/JV Members.*