F.No.3/2/2018-DIPAM-II (A)
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF INVESTMENT & PUBLIC ASSET MANAGEMENT
(DIPAM)

Room No.202, 2nd Floor,
Block No.11&14, CGO Complex,
Lodhi Road, New Delhi-110 003.
Dated the 20th November, 2020.

Subject:- Corrigendum (No.2) - Request for Proposal (RFP) for engagement of Legal Advisor for Strategic Disinvestment of Ferro Scrap Nigam Limited (FSNL) - a 100% subsidiary of MSTC Ltd.-under administrative control of Ministry of Steel.

Kindly refer to this Departments Letter No.3/2/2018-DIPAM-II (A) dated 28th October 2020 containing Request for Proposal (RFP) document for engagement of Legal Advisor for Strategic Disinvestment of Ferro Scrap Nigam Limited (FSNL)-a 100% subsidiary of MSTC Ltd. - under administrative control of Ministry of Steel **published on CPP Portal on 29.10.2020 at 1745 Hrs vide Tender ID No.2020_DIPAM_587757_2.**

2. Following provisions of RFP Document have been modified / inserted through this corrigendum notice:

Clause of / Annexure to RFP Document	**Existing provision in RFP/Annexure to RFP**	**Corrected / modified provision**
Para-9 (a) of RFP Document	The Bidder is required to quote a Fixed Lumpsum Fee for aforesaid scope of work in Indian Rupees inclusive of all applicable taxes.	The Bidder is required to quote a Fixed Lumpsum Fee for aforesaid scope of work in Indian Rupees inclusive of **all expenses and duties tec. but excluding GST.**
Para-8 of RFP Document (Clause 8.7 inserted)	-	**8.7 Consortium bids will not be allowed.**

3. The clarifications/responses to pre-bid queries is attached herewith at Annex.-I.

(Rajesh Kumar Singh)
Under Secretary to the Government of India,
Tele: 011-2436 8532

Annexure-I

F.No.3/2/2018-DIPAM-II-(A)

CPP Tender ID: 2020_DIPAM_587757_2
Date of Publication on CPP Portal: 29.10.2020
Pre-bid meeting Date: 13.11.2020

RESPONSES TO THE QUERIES OF INTERESTED BIDDERS

Engagement of **Legal Advisor** for strategic disinvestment of Ferro Scrap Nigam Ltd. (FSNL) – 100% subsidiary of MSTC Ltd. – under administrative control of Ministry of Steel.

S. No.	Content of Tender documents with reference	Query raised by IB	Response/clarification of DIPAM
1.	IB has sent its credentials and Brochure which contains detailed information about the firm.	No specific query	No comments
2.	Para-9 of RFP Document General Query	I. The Bidder will be quoting a lump sum fee including taxes based on the current tax structure. In the absence of a price escalation clause in the RFP and an approximate timeline for the successful completion of the transaction for release of payment, what happens if there is a change in the tax structure? Would the Bidder have to bear the entire increase in cost? II. In the case of a consortium of bidders applying together, would each party to such consortium be required to the fulfill the eligibility criteria individually? Or if one party is eligible to bid then the entire consortium would be considered eligible?	The lump sum fee quoted by the bidders shall be inclusive of all expenses and duties etc. but would be excluding GST. The variation in the rate of GST only, if any, will be payable to the bidders. Given the size of the transaction, it is clarified that the consortium bids are not acceptable.

S. No.	Content of Tender documents with reference	Query raised by IB	Response/clarification of DIPAM
3.	Clause 9 (a) of Annexure B of RFP Document	I. Clause 9 (a) of Annexure B states that *"the bidder is required to quote a fixed lump sum for aforesaid scope of work in Indian Rupees inclusive of all applicable taxes."* However, in Annexure 4, the format of price bid states that the fixed lump sum fee should be excluding the GST. In this context, please confirm our understanding that the legal fee quoted will be exclusive of GST.	Consolidated legal fee quoted shall be exclusive of GST but will include all other expenses and duties etc.
	Clause 9 (d) of Annexure B of RFP Document	II. Clause 9 (d) of Annexure B states that *"the fee quoted should be unconditional and inclusive of all expenditure..."* In this context, please let us know if the members of the law firm are expected to travel outside NCR in connection with the transaction and whether the out of pocket expense related to travel outside NCR is also supposed to be included in the fee quote.	Members of the law firm may have to travel outside NCR in connection with the transaction and, as such, expenses may be factored in the lump sum fee quoted by them. Further, out of pocket expenses related to travel outside NCR are to be included in the fee quoted.
	Other Queries.	III. Please confirm whether the scope of work will also involve advising MSTC Limited/GoI on the process to be adopted post the transaction (e.g. through buy back or dividend etc.) to up-stream the sale consideration received from the disinvestment to GoI	No, the scope shall be limited to the strategic disinvestment of Ferro Scrap Nigam Limited and matters connected incidental thereto.
		IV. Please let us know what is the expected timeline for completion of the strategic disinvestment?	No specific timelines can be drawn but Govt would push for completion of the transaction at the earliest
		V. Please let us know whether the strategic investor for the purposes of disinvestment of FSNL has been identified or whether such strategic investor is yet to be identified?	Strategic Investor is yet to be identified.

S. No.	Content of Tender documents with reference	Query raised by IB	Response/clarification of DIPAM
4.	Paragraph 7.1(1)(i)	I. Please clarify the timelines for refund of the refundable fee/earnest money deposit post completion of the proposed transaction, in case the bidding law firm's bid is selected by DIPAM	Refundable fee/earnest money deposit shall be released upon receipt of Performance Bank Guarantee (PBG) in case the bidder is awarded the contract.
	Paragraph 8.1 read with the Clause 12 of the Schedule Of Important Information and Timelines/Crucial Dates.	II. Whether qualifying applicants would be required to make presentations before the IMG? If yes, please confirm whether such presentations are required to be included as a part of the applicant's technical proposals; (In case qualifying applicants are not required to make presentations before the IMG, it is requested to provide with the suitably modified selection procedure under Paragraph 8 of the RFP.)	The bidder, who meets the preliminary conditions stipulated in Cover-1 of Bid Document, will have to make presentation before IMG on pre-notified date/time in the format of Technical Parameters mentioned in Para-6 of RFP Document.

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