

No.1000/03/2018-WF/Auction (Pt.)  
Government of India  
Ministry of Communications  
Department of Telecommunications  
Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001

Dated: 30.12.2019

Pre-bid conference held on 19.12.2019 in respect of the RFP dated 12.12.2019 for  
selection of the auctioneer to conduct Spectrum Auction

1. In pursuance of the Request for Proposal (RFP) dated 12.12.2019 for selection of auctioneer to conduct spectrum auction, a pre-bid conference was held on 19.12.2019 at 14:30 Hrs. in the 13<sup>th</sup> Floor of Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001.
2. Representatives from the four entities namely, M/S ITI Limited, M/S eProcurement Technologies Ltd., M/S MSTC Limited and M/S mjunction Services Limited attended the pre-bid conference.
3. The Independent External Monitors (IEM) of the Department of Telecommunications (DOT) viz. Sh. A.K. Arora and Sh. P.K. Gupta also attended the prebid conference.
4. Sh. Jitin Bansal, Director (WF), Ms. J.P. D'souza, ADG (WF) and Sh. Dhammapal Khandagale, ADG (WR) attended the pre bid conference.
5. A number of queries were asked by prospective bidders, and clarifications sought. The entities/ prospective bidders were also requested by the DOT to submit all the queries by 20.12.2019 as specified in the time schedule of the RFP, to facilitate response to queries.
6. The queries and responses document has since been finalised and is annexed.

*pradeep  
30/12/19*

(Pradeep Kumar Shukla)  
Director (WF)  
Ph: 011-23036187

Copy to:

1. DDG (WPF)
2. Sh. A.K. Arora (IEM), DOT/ Sh. P.K. Gupta (IEM), DoT
3. Prospective bidders

**Annexure**

S. No.	Clause No. referred to	Description of the Clause referred to	Query/Request	Response
1.	1.3(6)	The Sole bidder/ Lead Bidder should be CMMI level 3 (or above) certified.	Is this required since we are a Government of India undertaking?	The clause is self-explanatory.
2.	1.7.17(a)	Bidders have to make one quote only, which will be applicable/ payable per license service area and per band, where the auction is successful. Quotes should be made in INR only. Financial quote made in any other currency will be summarily rejected.	Kindly clarify if the quote to be quoted irrespective of Service Area and each band?	Yes. The quote is irrespective of Service Area or band.

3. 1.9.2(A) Total value of the e-auctions conducted in the last seven (7) years  The marks will be awarded as follows:  <table border="1" data-bbox="369 465 813 807"> <thead> <tr> <th>Total Value of eAuctions (in INR crore)</th><th>Marks</th></tr> </thead> <tbody> <tr> <td>More than 10,000 crore</td><td>20</td></tr> <tr> <td>INR 8,001 to 10,000 crore</td><td>16</td></tr> </tbody> </table>	Total Value of eAuctions (in INR crore)	Marks	More than 10,000 crore	20	INR 8,001 to 10,000 crore	16	<p>Request to reduce the value of each auction to Rs. 50 Crores and above since we are a Government of India undertaking, we have conducted more e-Auctions with a value lesser than 100 Crores.</p> <p>Also clarify whether the certificates issued by private sector organizations are acceptable or only certificates issued by Government Organizations are acceptable?</p> <p>Request you to clarify whether the certificates obtained by our MOU partner is acceptable?</p> <p>1. No change in RFP.</p> <p>2. Work Orders and Completion Certificates must be obtained from the client, irrespective of the client being a private organisation or a government organisation.</p> <p>3. Work Orders and Completion certificates submitted by consortium members, if found to be in order, will be considered for marking of the bidding entity.</p>
Total Value of eAuctions (in INR crore)	Marks						
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INR 6,001 to 8,000 crore	12										
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		<p>Value of each e-auction should be at least INR 100 crore to be considered for marking.</p>	<p>share/membership of the bidder in the Previous Consortium. The percentage share/membership of the bidder in the Previous Consortium would have to be certified by the Statutory Auditor.</p>										
4.	1.9.2(B)	<p>Total number of e-auctions conducted in the last seven (7) years The marks will be awarded as follows:</p> <table border="1"> <thead> <tr> <th>Total Value of eAuctions (in INR crore)</th> <th>Marks</th> </tr> </thead> <tbody> <tr> <td>More than 50</td> <td>20</td> </tr> <tr> <td>21 to 50</td> <td>15</td> </tr> <tr> <td>10 to 20</td> <td>10</td> </tr> <tr> <td>Less than 10</td> <td>NIL</td> </tr> </tbody> </table>	Total Value of eAuctions (in INR crore)	Marks	More than 50	20	21 to 50	15	10 to 20	10	Less than 10	NIL	<p>Request to reduce the value of each auction to Rs. 50 Crores and above since we are a Government of India undertaking, we have conducted more e-Auctions with a value lesser than 100 Crores.</p> <p>Also clarify whether the certificates issued by private sector organizations are acceptable or only certificates issued by Government Organizations are acceptable?</p> <p>Request you to clarify whether the certificates obtained by our MOU partner is acceptable?</p> <ol style="list-style-type: none"> <li>1. No change in RFP.</li> <li>2. Work Orders and Completion Certificates must be obtained from the client, irrespective of the client being a private organisation or a government organisation.</li> <li>3. Work Orders and Completion certificates submitted by consortium members, if found to be in order, will be considered for marking of the bidding entity.</li> </ol>
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5.	1.9.2(C)	<p>Total value of Spectrum eAuctions in the last seven (7) years The marks will be awarded as follows:</p> <table border="1" data-bbox="348 987 802 1411"> <thead> <tr> <th>Total Value of eAuctions (in INR crore)</th> <th>Marks</th> </tr> </thead> <tbody> <tr> <td>More than 10,000 crore</td> <td>20</td> </tr> <tr> <td>INR 8,001 to 10,000 crore</td> <td>16</td> </tr> <tr> <td>INR 6,001 to 8,000 crore</td> <td>12</td> </tr> </tbody> </table>	Total Value of eAuctions (in INR crore)	Marks	More than 10,000 crore	20	INR 8,001 to 10,000 crore	16	INR 6,001 to 8,000 crore	12	<p>Request you to kindly relax this point as only two service providers have processed Spectrum e-Auctions and it will be equal opportunity for other Service Providers to participate.</p>	<ol style="list-style-type: none"> <li>1. No change in RFP.</li> <li>2. Experience in spectrum e-auctions is a desirable qualification for the bidder to be able to execute such a complex auction.</li> </ol>
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		INR 2,000 to 4,000 crore	04		
		Less than 2,000 crore	NIL		
		Value of each e-auction should be at least INR 100 crore to be considered for marking.			
6.	1.9.2(D)	E-security aspects in design and conduct of the auction  vi) Availability of skilled and trained professionals with appropriate qualifications and certification in the organization, so as to demonstrate that it has the requisite technical caliber to complete the assignment, as per Key Personnel CV format at Annexure XIII.	Kindly clarify whether we can share the details of skilled and trained professionals of our MOU partner (Technology Partner)?	Yes.	

7.	1.9.2(E)	<p>Ownership of domain and e-auction related software</p> <p>The bidder should have its own Domain and the e-auction related software, which should be owned by the company.</p>	<p>As we are participating in consortium &amp; proposing the solution belongs to our MOU partner. Request to kindly confirm whether the same is acceptable.</p>	<p>Corrigendum will be issued as under:</p> <p>"In case the bidding is by a consortium, ownership of domain and the e-auction related software should be of any of the members of the consortium."</p>
8.	1.9.2(F)	Design of auction process and development of bid documents	<p>1. Need more clarification as the solution supports digital logging &amp; since this is an</p>	The clause is self-explanatory.

	<p>The bidders would need to give a demo of the auction process, along with a sample/outline of the Notice Inviting Applications for the demo auction. The evaluation would be done on the basis that following points are ensured by the bidder:</p> <ul style="list-style-type: none"> <li>• Only registered users are allowed access</li> <li>• Information about forthcoming events by e-mail to bidders</li> <li>• Digitally signed bids (nonrepudiation by bidders)</li> <li>• Auto extension of auction, as per the budget availability</li> <li>• Bidding in accordance with EMD only</li> <li>• Decision making process in-built in the system, as per the Auction rules as conveyed by the Department</li> <li>• Bidders identity remains undisclosed</li> <li>• Bidders allowed participation in accordance with their eligibility/caps</li> <li>• Various types of bidding options-service area, quantity</li> <li>• Feature to encourage/ensure high bidding activity</li> </ul>	<p>auction where dynamic bidding happens &amp; bidder cannot sign each bid &amp; submit. Kindly clarify/explain what you mean by digitally signed bid in auction process.</p> <ol style="list-style-type: none"> <li>2. Kindly clarify/ explain in detail “Auto extension of auction, as per the budget availability”. If bidder do not have the above mentioned feature &amp; is ready to customize the same if the order is placed is acceptable. This feature may not be able show case in the demo.</li> <li>3. Kindly clarify/ explain in detail “Bidding in accordance with EMD only”. If bidder do not have the above mentioned feature &amp; is ready to customize the same if the order is placed is acceptable. This feature may not be able show case in the demo.</li> <li>4. Kindly clarify/ explain in detail “Decision making process in- built in the system, as per the Auction rules as conveyed by the Department.”</li> <li>5. Kindly clarify/explain in detail “Bidders allowed participation in accordance with their eligibility/caps” &amp; provide the details on criteria for eligibility/caps.</li> <li>6. Kindly elaborate “Feature to encourage/ensure high bidding activity”.</li> </ol>	
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		<ul style="list-style-type: none"><li>• IP address tracking facility</li></ul>		
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	<p><input type="checkbox"/> Audit trail captured on temper-proof medium</p> <p>Above are only illustrative criteria, not exhaustive. The bidders can design the auction process with more features. The bidders/Auctioneer will be asked to make a detailed Presentationcum-Demonstration of their Design of Auction Process and the proposed bid documents before the TEC, which will evaluate the design of the auction process and the bid documents.</p> <p>Each requirement under parameter (F) is of an essential nature and the auctioneer's design will be required to meet each of these requirements. The successful bidder will have to ensure compliance of these during the performance of the contract.</p>		
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9.	1.9.4	<p>The final selection will be made on the basis of the combined score in technical and financial criteria. For this purpose a weightage of 80% and 20% will be assigned to financial and technical criteria respectively. The lowest financial bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Lowest price/ Quoted price) x 80%. The highest technical bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Bidder Technical score/ Highest technical score) x 20%. The weighted scores of technical and financial criteria will be added up and the bidder with the highest combined score will be declared successful.</p>	<p>To get more clarity, kindly elaborate on the point "The final selection will be made on the basis of the combined score in technical and financial criteria. For this purpose a weightage of 80% and 20% will be assigned to financial and technical criteria respectively. The lowest financial bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Lowest price/ Quoted price) x 80%. The highest technical bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Bidder Technical score/ Highest technical score) x 20%. The weighted scores of technical and financial criteria will be added up and the bidder with the highest combined score will be declared successful" with an example.</p>	<p>The clause is self-explanatory.</p>
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10.	1.11.3	<p>Drop dead fee: a lumpsum drop dead fee of Rs. 2.5 lakhs per license service area (for each band) will be paid to the successful bidder (Auctioneer) and no other fee will be payable (for such service areas) in the following cases:</p> <ul style="list-style-type: none"> <li>a) The Government abandons the auction after receipt of bids in one or more or all of the service areas.</li> <li>b) The winning bid received is equal to or above the reserve price but not acceptable to the Government.</li> <li>c) The winning bidder in the auction of spectrum, after</li> </ul>	<p>If the quoted price of any bidder is less than the "Drop dead fee" mentioned in the clause, what will be the criteria of the payment.</p>	<ol style="list-style-type: none"> <li>1. There is no correlation between Quoted price and the Drop Dead fee.</li> <li>2. The quoted price can be lower or higher than the drop-dead fee.</li> </ol>
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	<p>acceptance of the offer by the Government, fails to pay the minimum upfront bid amount and/or fails to submit the Bank Guarantees for the installment arising from the auction process.</p> <p>The total drop dead fee will be limited to a maximum of Rs. 10 lakh only for a particular Auction or a set of Auctions held together.</p>		
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11.	1.9.2(C)	<p>The marks will be awarded as follows:</p> <table border="1" data-bbox="365 282 808 975"> <thead> <tr> <th>Total Spectrum eAuctions (in INR crore)</th><th>Marks</th></tr> </thead> <tbody> <tr> <td>More than 10,000 crore</td><td>20</td></tr> <tr> <td>INR 8,001 to 10,000 crore</td><td>16</td></tr> <tr> <td>INR 6,001 to 8,000 crore</td><td>12</td></tr> <tr> <td>INR 4,001 to 6,000 crore</td><td>8</td></tr> <tr> <td>INR 2,001 to 4,000 crore</td><td>4</td></tr> <tr> <td>Less than 2000 crore</td><td>Nil</td></tr> </tbody> </table>	Total Spectrum eAuctions (in INR crore)	Marks	More than 10,000 crore	20	INR 8,001 to 10,000 crore	16	INR 6,001 to 8,000 crore	12	INR 4,001 to 6,000 crore	8	INR 2,001 to 4,000 crore	4	Less than 2000 crore	Nil	<p>The existing clause gives a distinct advantage to the incumbent service provider putting the other potential bidders at a significant disadvantage. We understand that spectrum would also refer to FM spectrum will also be consider in spectrum request kindly clarify.</p>	<ol style="list-style-type: none"> <li>1. Spectrum refers to any spectrum.</li> <li>2. Experience in spectrum e-auctions is a desirable qualification for the bidder to be able to execute such a complex auction.</li> </ol>
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	<p>Value of each e-auction should be at least INR 100 crore to be considered for marking</p>		
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12.	1.5(j) and 1.9.2(D)	<p>1. 5(j) To develop and test the Electronic Auction System (EAS) as per DoT's requirements, and offer the same to STQC for certification, within 30 days of communication of requirements by the Department. Further, the selected agency would have to comply with all observations of STQC within 20 days of communication of the issues/audit observations of STQC.</p> <p>1.9.2(D) Undertaking to comply with applicable GIGW guidelines issued in February 2018 &amp; STQC guidelines issued on 31-08-2011, and from time to time. (Annexure XI)</p>	<p>As per our understanding, any e-Procurement system (e-Tendering, Reverse e-Auction, Forward e-Auction) used for Public Procurement or Disposal, has to be compliant and in conformance of CVC guidelines, GFR rules, IT ACT and other extant guidelines, tested and audited by STQC, New Delhi.</p> <p>The guidelines include compliance to quality requirement of e-Procurement Systems dated 31st August 2011 of Department of Electronics and Information Technology (DeiTy), Ministry of Communications &amp; Information Technology of the Government of India [DeiTy Guidelines] which Includes</p> <ol style="list-style-type: none"> <li>1. CVC Guidelines of e-Procurement application software as covered by the relevant provisions of Annexure-II of DeiTy – Guidelines</li> <li>2. GFR 2017 as covered by Annexure III of DeiTy – Guidelines</li> <li>3. IT Act 2000 (and its amendment 2008) as covered by Annexure IV of DeiTy – Guidelines.</li> </ol> <p>For the data security concern and to judge</p>
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		<p>bidder's calibre, you are requested to allow only those service providers who have STQC certified e-Procurement/e-Auction application and ask declaration for recertification for the SMRA process which DoT will be going to use.</p> <p>We request you to amend the clause accordingly, and put STQC as mandatory Eligibility Criteria.</p>	
13.	1.11.3 and 1.11.4	<p>1.11.3 Drop dead fee: a lump sum drop dead fee of Rs. 2.5 lakhs per license service area (for each band) will be paid to the successful bidder (Auctioneer) and no other fee will be payable (for such service areas) in the following cases:</p> <p>a) The Government abandons the auction after receipt of bids in one, more, or all of the service areas.</p> <p>b) The winning bid received is equal to or above the reserve price but not acceptable to the Government.</p> <p>c) The winning bidder in the auction of spectrum, after acceptance of the offer by the</p>	<p>You are requested to explain these points with examples.</p> <p>Also note that immense efforts would be required from Application Service Provider (ASP) to configure and conduct the auction in an effective manner; and hence even if no bids are received, the ASP should be compensated with some fee for all his efforts put in for the event. Request you to please take it into consideration and do the necessary.</p> <ol style="list-style-type: none"> <li>1. The clause is self-explanatory.</li> <li>2. No change in RFP.</li> </ol>

	Government, fails to pay the minimum upfront bid amount		
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	<p>and/or fails to submit the Bank Guarantees for the instalment arising from the auction process.</p> <p>The total drop-dead fee will be limited to a maximum of Rs. 10 lakh only for a particular Auction or a set of Auctions held together.</p> <p>1.11.4 In case no bid is received in any service area (in a band), no fee shall be payable for that service area (in that band) to the Auctioneer.</p>	
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14.	1.12	<p>1.12.1 The payment to the successful bidder (Auctioneer) as per the provisions of para 1.7.17 shall be made within a period of two (2) months from the date of receipt of the due payments (minimum upfront bid amount and the Bank Guarantees for the instalment arising from the auction process) from the winning bidder in the auction or within a period of one (1) month from the date of receipt of invoice from the Auctioneer, whichever is later. Payment to the successful bidder will be made in Indian Rupees (INR) only.</p>	<p>Please explain what maximum time period would be allowed to the winning bidder of the auction for submitting minimum upfront bid amount and the Bank Guarantees to the DoT.</p>	<p>The payment will be made by the successful bidders as per the terms and conditions of the Notice Inviting Applications (NIA) document.</p>
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15.		<p>You are requested to share detailed scope of work and process of SMRA auction which DoT is looking to use.</p> <p>We understand that total 8 auction spectrum block (Bands) will be put to auction.</p> <ul style="list-style-type: none"> <li>- Will all the bands be auctioned together in a single auction or they would be auctioned separately in different auctions? Please clarify.</li> <li>-Will the guideline for all the bands remain same or will vary? i.e. Bidding and allocation logic for all bands put to auction would be same? OR Bidding and allocation logic for all bands put to auction would vary?</li> </ul> <p>We would recommend all the bands to be auctioned separately in different auctions, so that the auction can be effectively managed &amp; understood properly by all the Buyers and DOT users.</p> <p>These information is critical for deriving the project cost.</p>	<p>Please see clause 1.5 of the RFP pertaining to scope of work.</p>
16.		<p>What would be the implementation time for the project?</p>	<p>Please see clause 1.5 of the RFP pertaining to scope of work.</p>

17.	1.7.17(a)	Bidders have to make one quote only, which will be applicable/payable per license service area and per band, where the auction is	Request to clarify is the quote to be quoted irrespective of Service Area & each band?	Yes. The quote is irrespective of Service Area or band.
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		successful. Quotes should be made in INR only. Financial quote made in any other currency will be summarily rejected.		
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18.	1.9.2(A)	<p>Total value of the e-auctions conducted in the last seven (7) years</p> <p>The marks will be awarded as follows:</p> <table border="1" data-bbox="392 466 804 1160"> <thead> <tr> <th data-bbox="392 466 656 600"><b>Total Value of e-Auctions (in INR crore)</b></th><th data-bbox="656 466 804 600">Marks</th></tr> </thead> <tbody> <tr> <td data-bbox="392 600 656 718">More than 10,000 crore</td><td data-bbox="656 600 804 718">20</td></tr> <tr> <td data-bbox="392 718 656 835">INR 8,001 to 10,000 crore</td><td data-bbox="656 718 804 835">16</td></tr> <tr> <td data-bbox="392 835 656 904">INR 6,001 to 8,000 crore</td><td data-bbox="656 835 804 904">12</td></tr> <tr> <td data-bbox="392 904 656 988">INR 4,001 to 6,000 crore</td><td data-bbox="656 904 804 988">08</td></tr> <tr> <td data-bbox="392 988 656 1090">INR 2,000 to 4,000 crore</td><td data-bbox="656 988 804 1090">4</td></tr> <tr> <td data-bbox="392 1090 656 1160">Less than 2,000 crore</td><td data-bbox="656 1090 804 1160">NIL</td></tr> </tbody> </table> <p>Value of each e-auction should be at least INR 100 crore to be considered for marking.</p>	<b>Total Value of e-Auctions (in INR crore)</b>	Marks	More than 10,000 crore	20	INR 8,001 to 10,000 crore	16	INR 6,001 to 8,000 crore	12	INR 4,001 to 6,000 crore	08	INR 2,000 to 4,000 crore	4	Less than 2,000 crore	NIL	<p>Request to reduce the value of each auction from 100 crores to 50 crores and above. As you are aware that only few departments conduct e-Auctions with the value of 100 crores and more. This will give an equal opportunity to all bidders/participants.</p>	No change in RFP.
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19.	1.9.2(B)	Total number of e-auctions conducted in the last seven (7) years	Request to reduce the value of each auction from 100 crores to 50 crores and above. As you are aware that only few departments	No change in RFP.
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		INR 6,001 to 8,000 crore	12
		INR 4,001 to 6,000 crore	08
		INR 2,000 to 4,000 crore	04

Also spectrum auctions are only invited by DOT in India and none of the other departments will conduct these auctions.

Hence kindly Relax this condition (1.9.2.C)

		Less than 2,000 crore	NIL	

Value of each e-auction should be at least INR 100 crore to be considered for marking.

21.	1.9.2(F)	<p>Design of auction process and development of bid documents</p> <p>a) Need more clarification as the solution supports digital logging &amp; since this is an auction where dynamic bidding happens &amp; bidder cannot sign each bid &amp; submit.</p> <p>In the earlier NIT we had soughted clarification on the same point what you mean by digitally signed bid in auction process. Since we had not got the clarification. Requesting you to kindly elaborate on this point.</p> <p>b) Request to clarify/ explain in detail "Auto extension of auction, as per the budget availability". If bidder do not have the above mentioned feature &amp; is ready to customize the same if the order is placed is acceptable. This feature may not be able show case in the demo.</p> <p>c) Request to clarify/ explain in detail "Bidding in accordance with EMD only". If bidder do not have the above mentioned feature &amp; is ready to customize the same if the order is placed is acceptable. This feature may not be able show case in the demo.</p>	The clause is self-explanatory.
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		<p>d) Request to clarify/ explain in detail “Decision making process in- built in the system, as per the as conveyed by the mentioned feature &amp; is ready to customize the same if the order is placed is acceptable. This feature may not be able to show case in the demo.</p> <p>e) Request to clarify/explain in detail “Bidders allowed participation in accordance with their eligibility/caps” &amp; provide the details on criteria for eligibility/caps.</p> <p>f) Kindly clarify “Feature to encourage/ ensure high bidding activity”</p>	
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22.	1.9.4	<p>The final selection will be made on the basis of the combined score in technical and financial criteria. For this purpose a weightage of 80% and 20% will be assigned to financial and technical criteria respectively. The lowest financial bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Lowest price/ Quoted price) x 80%. The highest technical bid will be assigned the full weightage and the rest will be proportionately given</p>	<p>To get more clarity, request to elaborate with an example on the point <i>"The final selection will be made on the basis of the combined score in technical and financial criteria. For this purpose a weightage of 80% and 20% will be assigned to financial and technical criteria respectively. The lowest financial bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Lowest price/ Quoted price) x 80%. The highest technical bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Bidder Technical score/ Highest technical score) x 20%. The weighted scores of technical and financial criteria will be added up and the bidder with the highest combined score will be declared successful".</i></p>	No change in RFP.
		<p>lower weightages as per the formula (Bidder Technical score/ Highest technical score) x 20%. The weighted scores of technical and financial criteria will be added up and the bidder with the highest combined score will be declared successful.</p>	<p><i>up and the bidder with the highest combined score will be declared successful".</i></p>	

23.	1.11.3	<p>Drop dead fee: a lumpsum drop dead fee of Rs. 2.5 lakhs per license service area (for each band) will be paid to the successful bidder (Auctioneer) and no other fee will be payable (for such service areas) in the following cases</p> <ul style="list-style-type: none"> <li>a) The Government abandons the auction after receipt of bids in one or more or all of the service areas.</li> <li>b) The winning bid received is equal to or above the reserve price but not acceptable to the Government.</li> <li>c) The winning bidder in the auction of spectrum, after acceptance of the offer by the Government, fails to pay the minimum upfront bid amount and/or fails to submit the Bank Guarantees for the installment arising from the auction process.</li> </ul>	<p>If the quoted price is less than the "Drop dead fee" mentioned in the clause, what will be the criteria of the payment?</p>	<ol style="list-style-type: none"> <li>1. There is no correlation between Quoted price and the Drop Dead fee.</li> <li>2. The quoted price can be lower or higher than the drop-dead fee.</li> </ol>
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		<p>The total drop dead fee will be limited to a maximum of Rs. 10 lakh only for a particular Auction or a set of Auctions held together.</p>		
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24.	1.5.1(a)	<p>The functions of the selected agency shall be:</p> <p>(a) To design, structure and implement the overall process of e-auction as per the requirement/format of Government of India (GoI).</p>	<p>1. The detailed requirement/format of Government of India (GoI) with regard to ebidding software may be provided to all bidders.</p> <p>2. It may be noted that without detailed functional requirement of the software to be developed/ customised in this tender, it is not possible to ascertain cost of development which is to be recovered from conduct of auctions.</p>	<p>Please see clause 1.5 of the RFP pertaining to scope of work.</p>
25.	1.5.1(i)	<p>To provide all other services incidental to the conduct of successful spectrum auction till the completion of the process and selection of the successful bidder(s).</p>	<p>It may please be clarified if conducting Pre bid meetings, post bid meetings etc. shall be in the scope of the selected Agency, if yes, then will the service provider be required to make arrangements including Venue, lunch, stay etc. for participating dignitaries. Will the cost of such arrangements be reimbursed by DOT on actuals?</p> <p>If the cost of such arrangements is in the scope of Service Provider then it may please be clarified in which category of venues such as Government Catered e.g. SCOPE or Private</p>	<p>1. The venue and refreshments will be provided by DoT.</p> <p>2. Any expenses of travel, stay etc. will be borne by the participants.</p>

			Catered such as 5 star hotels, will such arrangement will have to be made.  It is proposed that DOT may issue clarification in this regard.	
26.	1.9.2(A) and 1.9.2(C)	<p><b>1.9.2(A):</b> Total value of e-auctions conducted in the last seven (7) years</p> <p><b>1.9.2 (C):</b> Total value of Spectrum e-Auction in the last seven (7) years.</p> <p><i>Point No. 4 of the Technical Evaluation Criteria at page 15 of the RFP:</i> The e-auctions for which total value is considered in parameter “C”, will also be subsumed/ considered for the value of e-auctions in parameter “A”.</p>	<p>Value of each e-auction should be at least INR 100 crore to be considered for marking.</p> <p>Point No. 4 of Technical Bid Evaluation Criteria in page No. 15 states that “<i>The e-auctions for which total value is considered in parameter “C”, will also be subsumed/ considered for the value of e-auctions in parameter “A”.</i> This is duplication of technical evaluation criteria that gives competitive edge to the existing &amp; the past service providers of the spectrum auction.</p> <p>Further Point 1.9.3 states that Only those bidders scoring 70% and above on the criteria mentioned in para 1.9.2 above will be declared technically qualified, and only their financial bids will be opened for further evaluation.</p> <p>The weightage of point C as stated above is 10 out of 100 which becomes all the more important considering the fact that 50 marks allocated for point D, E, F would have to bring</p>	No Change in RFP.

			<p>out to the attention of the tendering authority during the aforementioned presentation.</p> <p>Criteria "C" may be merged into Criteria "A". Else, allocation of Other Natural Resources by Government of India such as Coal, Oil, Minerals, Gas, Power etc. may be including in Criteria "C".</p>	
27.	1.9.2(D)	<p>Bidders have to furnish the following:</p> <p>i) Undertaking to comply with applicable GIGW guidelines issued in February 2018 &amp; STQC guidelines issued on 31-08-2011, and from time to time. (Annexure XI).</p>	<p>STQC has provided no matrix for cost estimated for certification purposes. In our experience STQC provides cost estimate of certification after receipt of SRS document. Therefore, the cost of getting such certification may vary with the customization done by each individual bidder and other such factors.</p> <p>It is proposed that since STQC is a Government Agency, DOT may reimburse the cost on actuals.</p> <p>In absence of functional requirement it will be even more difficult to estimate such cost which will have to be in built in our price offer.</p> <p>It may be clarified if the cost of STQC and GIGW certification will be borne by the selected bidder or will DOT reimburse the same on actuals.</p>	<p>1. No change in RFP.</p> <p>2. Any costs related to STQC/GIGW compliance will be borne by the selected agency.</p>

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28.	1.9.2(D)	<p>v) Availability of skilled and trained professionals with appropriate qualifications and certification in the organization, so as to demonstrate that it has the requisite technical calibre to complete the assignment, as per Key Personnel CV format at Annexure XIII.</p>	<p>It is not clear how a prospective bidder may indicate to DOT that it has appropriately skilled Personnel to complete the assignment by filling CV given in Annexure XIII which would establish calibre to complete the assignment.</p> <p>The above mentioned point is too vague and subjective as it does not explain as what amounts to as 'Appropriate' qualification &amp; certification, 'requisite' Technical calibre, how many key personnel should be enough, what constitutes as 'Substantial' time a key personnel should devote to this assignment, etc.</p> <p>While there will always be subjectivity in evaluation of personnel of an organization, however the requirement of DOT (i.e. which expertise is sought) needs to be clarified.</p> <p>DOT may provide a list of qualification/experience that will be considered sufficient for scoring maximum marks in this point.</p> <p>Else, this criterion may be modified so that Agency can show its past experience in Government Projects in Resource Allocation so as to demonstrate that it has requisite technical calibre to complete the assignment.</p>	<p>1. No change in RFP.</p> <p>2. The purpose is to understand the overall objectives of the organization to take on complex projects.</p>
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29.	1.9.2(F)	<p>The bidders would need to give a demo of the auction process, along with a sample/outline of Notice Inviting Applications for the demo of the demo.</p>	<p>Without a detailed functional requirement it will not be possible to give a demo.</p> <p>Further, it is also mentioned in the RFP that the technical bid evaluation would rely on presentation / live demonstration of the software. In absence of the functional requirement, bidders (i.e. existing &amp; the past service providers) who have previously provided spectrum auction platform to the tendering authority would have the inherent advantage. Therefore detailed functional requirement may be given to all bidders.</p> <p>Since the RFP does not make any mention of the actual functional requirement, it may be clarified presentation of any existing portal can be given or SMRA based auction specific to spectrum auction may be given.</p>	Please see clause 1.5 of the RFP pertaining to scope of work.
30.	1.9.2(F)	Design of auction process and development of bid document	<p>Weightage to be given to a demonstration of SMRA in this case may be provided.</p> <p>In case presentation of a SMRA based auction, portal is given will there be any preference given to it. If yes, then what would be its weightage?</p>	The clause is self-explanatory.

31.	1.9.2(F)	Design of auction process and development of bid document	There are 12 Points mentioned in this section against which the presentation would be awarded marks. The following points among these may be explained further:	The clause is self-explanatory
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		<p>i) The document mentions that these 12 points are illustrative not exhaustive.</p> <p>ii) Bidders allowed participation in accordance with their eligibility/caps please explain who would mark the bidder's eligibility in spectrum auction?</p> <p>iii) Feature to encourage/ensure high bidding activity -May be elaborated.</p> <p>iv) Auto extension of auction, as per the budget availability - May be elaborated further.</p> <p>v) DOT may kindly confirm that any eBidding portal can be demonstrated in this section.</p> <p>vi) 12 points mentioned in this clause may constitute as exhaustive criterion.</p> <p>vii) It is proposed that a detailed explanation may be provided for point 2, 3 and 4 of our query.</p>	
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32.	1.11.4	In case no bid is received in any service area (in a band), no fee shall be payable for that service area (in that band) to the Auctioneer.	The efforts which would be undertaken by the service provider would be same irrespective of the outcome of the auction. In fact, if there is an auction which results in no auction and result in re-auction, the same efforts would have to be put in again.	No change in RFP.

		<p>This clause may be modified and brought under the ambit of Drop dead fee, i.e. in case band/service area has not received any bid, the e-Auction service provider may be allowed to bill drop dead fee.</p> <p>The upper Cap of 10 lakhs only for auction/ set of auctions held together currently may also be revised / removed.</p>	
33.	1.11.3	<p>The total drop-dead fee will be limited to a maximum of Rs. 10 lakh only for a particular Auction or a set of Auctions held together.</p>	<p>It is proposed that DOT may issue clarification in this regard. It may be clarified that what is meant by 'Set of Auctions' for maximum drop dead fee of Rs.10,00,000/-.</p> <p>'Set of Auctions' means any simultaneous auction.</p>

34.	1.7.17(d)	<p>Successful auction in a particular service area, in a particular band is defined as an auction, wherein at least one bid is received in that service area in that band and the same is accepted and approved by the Government and the required payments are received by the Government.</p>	<p>It is proposed that DOT may clarify the total number of days from the date of successful auction in which the successful bidder would be required to make required payment and maximum number of days from the date of successful auction in which the status of receipt of above mentioned payment will be communicated to the service provider.</p> <p>It may be clarified that How will the service provider come to know about the receipt of payment by the Govt. from the successful bidder of successful spectrum auction in a particular service area, for raising service charge bill for successful auction fee or drop dead fee?</p>	<p>The payment will be made by the successful bidders as per the terms and conditions of the Notice Inviting Applications (NIA) document.</p>
35.	1.3.4	<p>Bidder shall declare it's Indian and foreign equity holdings.</p>	<p>Is any supporting document required for this, or only a declaration will do?</p>	<p>Declaration of the Substantial Equity holders by the bidder, as per Annexure IIA of the RFP, would be required.</p>
36.	1.9.2	<p>Total value/ number/ telecom related/non-telecom related value of the e-auctions conducted in the last seven (7) years.</p>	<p>Value of each e-Auction should be 100 Cr. To be considered for marking.</p> <p>Requesting DoT to accept CA certificates, in place of statutory auditor's certificates as those are very expensive and cumbersome to procure.</p>	<p>No change in RFP.</p>

37.	1.9.2(C)	Total value of Spectrum e-auctions in last seven (7) years	<p>There is a mismatch between the weightage table's max. marks which are mentioned as 20 and the maximum marks given on the adjacent column (as 10). Please confirm the max marks and weightage distribution.</p>	<p>1. Corrigendum will be issued.</p> <p>2. Criteria under clause 1.9.2(C) may be read as under:</p> <table border="1" data-bbox="1503 486 2010 1099"> <thead> <tr> <th colspan="3"><b>Total Value of Marks Spectrum e-Auctions (in INR crore)</b></th></tr> </thead> <tbody> <tr> <td>More than 10,000 crore</td><td>10</td><td></td></tr> <tr> <td>INR 8,001 to 10,000 crore</td><td>08</td><td></td></tr> <tr> <td>INR 6,001 to 8,000 crore</td><td>06</td><td></td></tr> <tr> <td>INR 4,001 to 6,000 crore</td><td>04</td><td></td></tr> <tr> <td>INR 2,000 to 4,000 crore</td><td>02</td><td></td></tr> <tr> <td>Less than 2,000 crore</td><td>Nil</td><td></td></tr> </tbody> </table>	<b>Total Value of Marks Spectrum e-Auctions (in INR crore)</b>			More than 10,000 crore	10		INR 8,001 to 10,000 crore	08		INR 6,001 to 8,000 crore	06		INR 4,001 to 6,000 crore	04		INR 2,000 to 4,000 crore	02		Less than 2,000 crore	Nil	
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38.	1.6.2	<p>The bidder and all its substantial equity holders, consortium and all its members would be jointly and severally responsible for conducting e-auction of spectrum in 700 MHz, 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, 2300 MHz, 2500 MHz and 33003600 MHz bands, and any other bands identified by the Government for auction.</p>	<p>Kindly clarify that all spectrum envisaged for auction by auctioneer is of the nature of cell phone to tower and tower to cell phone. OR whether backhaul / microwave / downlink/ uplink or such other spectrum is also envisaged for auction?</p>	<p>Please see clause 1.5 of the RFP pertaining to scope of work.</p>
39.	1.5.1(i)	<p>To provide all other services incidental to the conduct of successful spectrum auction till the completion of the process and selection of the successful bidder(s) in the auction(s). Incidental services would mean services incidental to the conduct of successful spectrum auction.</p>	<p>DoT is requested to indicate all activities to be undertaken by the successful bidder/consortium as an obligation under these clauses such that there is no scope for ambiguity regarding the SOW.  For example: Auctioneer is expected to host and bear the expenses of hosting (at an appropriate 5 star hotel property) a pre bid meeting for the Telecom service providers when GOI issues the NIA for spectrum auction and. This will help eliminate hidden cost for bidders, which may impair the quality of service delivery post award of contract. Requesting clarity on what constitutes "incidental services" being referred to under this clause.</p>	<ol style="list-style-type: none"> <li>1. Please refer to the Scope of work provided in RFP.</li>   <li>2. The venue of all pre-bid meetings will be Sanchar Bhawan.</li> </ol>

40.	1.9.2(D)	Undertaking to comply with applicable GIGW guidelines issued	Whether the service provider can submit a self-certification of compliance to GIGW	The RFP clauses are selfexplanatory.
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		in February 2018 & STQC guidelines issued on 31-08-2011, and from time to time. (Annexure XI)	guidelines or certification from some authorized agency is required? If so, which agency needs to certify compliance to GIGW guidelines?	
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41.	1.7.17	<p>(a) Bidders have to make one quote only, which will be applicable/ payable per license service area and per band, where the auction is successful.</p> <p>(b) The amount payable to the Auctioneer on completion of a particular auction would be arrived at after multiplying the rate per service area with number of total license service areas (counted separately for all bands) in which auction is successful.</p> <p>(c) Payment with respect to a particular license service area in a particular band would be made only if there is successful auction in that particular license service area in that particular band.</p> <p>(d) Successful auction in a particular service area, in a particular band is defined as an auction, wherein at least one bid is received in that service area in that band and the same is accepted and approved by the Government and the required payments are received by the Government.</p>	<p>The auctioneer will bear regular costs throughout the length of the contract. Additionally the auctioneer bears certain costs depending on the number of auction events held. However, GoI seeks to variabilize its costs by seeking a 'per area per band' price which will be paid on successful auction only. Thus, all the uncertainty regarding number of events and the number of actual bids received has to be borne by the auctioneer. This is not a win-win structure for the contract. This might lead to higher prices for GoI as bidders seek to compensate for uncertainty. GoI is requested to consider changing the pricing model to a fixed monthly fee for the contract duration plus a per auction event fee based on the number of events actually held. A similar pricing model is followed by DGH, MoP&amp;NG, for the allocation of oil blocks.</p>	No change in RFP.
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42.	1.11.2	<p>In case DoT identifies more number of blocks of spectrum in a particular band in a particular service area subsequent to the completion of successful e-auction process of that service area in that band, the Government may ask the successful bidder (Auctioneer) to again conduct the e-auction in this service area in this band within the currency of the contract. The tenure of the contract would be 3+1 years for the Auctioneer (with normal tenure of 3 years and a provision of extension for 1 year by mutual consent, if required).</p>	<p>What is the implication of this clause? In the previous cycle 2014-2018, the understanding was that if (say) 1800 MHz band in MP was auctioned in 2015 and also in 2016, and attracted bids both times, then auctioneer will be paid twice, once in 2015 and also in 2016. Please confirm that the same understanding will continue in the new contract cycle.</p>	<p>Bidders understanding is correct.</p>
43.	1.3.3	<p>The bidder shall not have any equity directly or indirectly in any Telecom Service Provider in India. Similarly, any telecom service provider in India shall not have any direct or indirect equity in the bidding company. Telecom Service Provider is defined as a company who has been granted a license under section 4 of Indian Telegraph Act 1885 as amended from time to time.</p>	<p>Kindly issue a list of Telecom Service Providers in India as on 1<sup>st</sup> September 2019.</p>	<p>Since the telecom service provider has been defined at clause 1.3.3, page 5 of the RFP, it is the onus of the bidder to ensure compliance to this clause.</p>

44.	1.9.4	The final selection will be made on the basis of the combined score in technical and financial	We seek to draw your attention to Ministry of Finance's "Manual For Procurement of Consultancy & Other services2017", page 32,	No change in RFP.
		criteria. For this purpose a weightage of 80% and 20% will be assigned to financial and technical criteria respectively. The lowest financial bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Lowest price/ Quoted price) x 80%. The highest technical bid will be assigned the full weightage and the rest will be proportionately given lower weightages as per the formula (Bidder Technical score/ Highest technical score) x 20%. The weighted scores of technical and financial criteria will be added up and the bidder with the highest combined score will be declared successful.	Para 3.9 Quality and Cost Based Selection (QCBS) "..... For example, the weightage given to cost score may be 30% (Thirty per cent) and technical score may be given weightage of 70% (Seventy per cent, but should never be more than 80%). The ratio of weightages for cost and technical score could also be 40:60 (Forty:Sixty) or 50:50 (Fifty:Fifty) etc. (*REFER Note appended)We request department to reconsider the relative weightage between the technical and financial criteria as per the suggested weighting issued by the Ministry of Finance in the "Manual For Procurement of Consultancy & Other services 2017"	