

2018

STATE URBAN DEVELOPMENT AGENCY

NOTE SHEET

File No.: SUDA-227/2018

Sub.: Engagement of Transaction Advisors (TAs) for preparation of Request for Proposal (RfPs) for Solid Waste Management projects of the ULBs in West Bengal.

Ref.: 1. SUDA-281/2016/1317(7) dated 15.11.2018

As per the meeting held on 21.11.2018 at 12:00 noon in the Conference Hall of Nagarayan, DF-8, Sector- I, Salt Lake City, Kolkata – 700 064, on preparation of Request for Proposal (RfP) for Solid Waste Management projects of the ULBs in the state of West Bengal, it was decided that the RfP would have to be prepared on phased manner and Clustered approach. In 1st Phase, the following four clusters have been considered.

- Cluster – I: Dum Dum, North Dum Dum, South Dum Dum, Baranagar, Kamarhati, New Barrackpore Municipality
- Cluster – II: New Town, Nabadiganta Industrial Township Authority (NDITA), Bidhannagar Municipal Corporation and adjacent areas of Kolkata Municipal Corporation
- Cluster – III: Ashoknagar-Kalyangarh and Habra Municipality
- Cluster – IV: Baidyabati, Uttara-Kotrung, Rishra, Serampore, Champdani, Konnagar, Bhadreswar and Dankuni Municipality

For inviting the Tender/RfP for engagement of Transaction Advisors (TAs) it was decided to carry a common site visits for those Clusters, where either an existing facility is available for use or construction of SWM facility is in progress. As proposed the following dates were fixed for the necessary joint site visit.

| Cluster | Date & Time of Visit                                 | Place to meet  |
|---------|--|--|
| I       | 01.12.2018 at 9:00 am                                | SUDA   |
| II      | 01.12.2018 after completion of visit to Cluster - I  | ILGUS Bhavan, HC Block, Sector- III, Salt Lake City, Kolkata – 700 106         |
| III     | 01.12.2018 after completion of visit to Cluster - II |  |
| IV      | 02.12.2018 at 9:00 am                                | SUDA<br>ILGUS Bhavan, HC Block, Sector- III, Salt Lake City, Kolkata – 700 106 |

Now the TAs and concerned officers/engineers of KMDA & MEDte. may be requested to attend the said joint site visit on those days for collecting necessary information for preparation of RfP on management of Municipal Solid Waste, as discussed.

If approved, a draft letter in this regard is placed in this file for kind approval please.

In continuation, OSD, SUDA may be requested for arrangement of vehicle and logistics as per requirement.

Submitted.

Deputy Director, SUDA (AD)

Executive Engineer (C), MNB (U)  
State Urban Development Agency

May kindly be signed, if approved  
22/11

Director,  
SUDA

As per direction, a draft RFP document for selection of Transaction Advisor for selection of Agency/s for assisting State Government for Planning Scientific Solid Waste Management in the ULBs of West Bengal for 4 Clusters as mentioned in NSP-1 placed in the file for kind perusal and approval.

Singh  
(CMPM) 17-12-18

Addl. Director, SUDA

Following discussion & some modification by Principal Secy. Govt. the draft Request for Proposal for bidding amongst selected Transaction Advisors have been resubmitted herewith.

As per draft proposal, we may submit for up-

- (i) Date of notification of tender on 29/12/18
- (ii) Pre bid meeting on 02/01/19 at 3:00 pm
- (iii) Bid proposal submission last date - 07/01/19 at 3:00 pm
- (iv) Financial bid opening - 09/01/19 at 3:00 pm.

Placed for kind perusal.

D. 20/12

May be approved. Singh

Revised bid documents for selection of TA may kindly be approved for floating on 24.12.18.

Singh 20/12/18

Singh 24/12/2018

Director, SUDA

Addl. Director, SUDA

Director, SUDA

Pr. Secretary  
UD & MA Deptt

U.O. No. SUDA: 803

Dated 21/12/2018

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NOTE SH

SUDA

May kindly have a look before SUDA publishes.  
26/12/2018

LD-CLA

Sub :- Engagement of Transaction Advisor for preparation of request for proposal (RFPs) for Solid Waste Management Projects of the ULBs in West Bengal. File No. :- SUDA-227/2018.

This file being no. SUDA-227/2018 has been placed to the Chief Legal Advisor of U.D.&M.A. to have a look to the revised draft of Bid Document for Selection of Transaction Advisor as per written endorsement of Hon'ble Principal Secretary of this department.

In compliance of the direction of the Hon'ble Principal Secretary of this department seen the revised draft of Bid Document for Selection of Transaction Advisor dated 20.12.2018 and it may be approved, if this department deems it just and proper.

Submitted for kind perusal.

Deandizobadhyay  
Chief Legal Advisor  
28.12.2018

Hon'ble  
Pr. Secy.  
U.D.&M.A.

Director, SUDA

28/12/18

DD(AD)

Pl. float the notice/RFP today

Seq 31/12/18

RfP floated accordingly on 31/12/18 and pre bid meeting amongst TA was held on 08/1/19, following the queries raised by TA prior to that pre bid conference received at SUDA, through mail and discussion in the pre bid meeting, prepared a broad para-wise and was placed before Principal Secy, MA & UD Dept.

copy

document  
document  
- suggestion, a revised list  
and that revised list  
as floated.

Placed for kind perusal.  
Pis/

Director,  
SUDA

Revised RFP may be floated with  
extended date of submission of 29.1.19.

20/12/11

Pr. Secretary  
UD & MA Deptt

Approved

NOTE SHEET

Sub.: Bid evaluation for engagement of Transaction Advisor for SWM Cluster Projects.

- Ref.: 1. SUDA-227/2018/1617 dated 31.12.2018 and subsequent
- 2. SUDA-227/2018/1760 dated 18.01.2019 and subsequent corrigendum
- 3. SUDA-227/2018/1796 dated 25.01.2019

It may kindly be recalled that Request for proposal (RfP) from the empanelled Transaction Advisor for assisting State Government for planning of scientific Solid Waste Management through cluster approach and bid process management for selection of developers and operators was floated on 31.12.2018 vide no. SUDA-227/2018/1617 (Flag-A) and subsequent revision was made after pre bid conference held on 08.01.2019, vide no SUDA-227/2018/1760 dated 18.01.2019 (Flag-B), and further the corrigendum was issued vide no. SUDA-227/2018/1796 dated 25.01.2019 (Flag-C) based on certain queries from the bidders.

The last date of submission of financial proposal was 29.01.2019 and the financial bid proposals were opened on 31.01.2019 in front of the representatives of PWC, E&Y and KPMG (attendance sheet placed at Flag-D) and the officials of SUDA (attendance sheet placed at Flag-E). No representative of CRISIL was present.

All the documents submitted by the bidders in closed envelope were opened and verified with the relevant clauses as laid down in the RfP. Detailed compliance sheet alongwith the signature of the representatives present from the bidding firm is placed at Flag-F.

On verification of the documents submitted by the bidders vis a vis clauses of RfP floated from this end, it appears that:

- 1. All the four bidder firms have submitted letter of proposal in Form-1 duly filled in .
- 2. All the four bidder firms have submitted Statement of Legal capacity in Form-3 duly filled in alongwith Power of Attorney.
- 3. All the four bidder firms have submitted declaration of manpower support in Form-4 duly filled in.

All the requisite technical aspects as laid down in the RfP with regards to abovementioned clauses have been complied by all the four bidder firms.

- 4. On verification of EMD, it is observed that PWC, KPMG and Ernst & Young have submitted their EMD amount of Rs. 4 Lakh for each of the four clusters whereas CRISIL has submitted only one EMD amounting to Rs. 4 Lakh only. As they have not mentioned the particular cluster against whom the EMD is deposited by them, in such case application for cluster-1 may be considered for them.

- 5. Financial Proposals (Flag-G) submitted by the Firms are placed below:

(In Rs.)

| Cluster No. | CRISIL    | Ernst & Young | KPMG        | PWC       |
|-------------|-----------|---------------|-------------|-----------|
| 1           | 79,34,000 | 28,93,684     | 95,92,800   | 32,00,000 |
| 2           | 79,34,000 | 28,93,684     | 92,92,800   | 31,31,000 |
| 3           | 74,81,000 | 28,93,684     | 74,96,800   | 31,31,000 |
| 4           | 79,34,000 | 28,93,684     | 1,56,24,960 | 32,00,000 |

From the comparative statement it appears that Ernst & Young is L1 in all the four clusters whereas PWC is L2 in all the four clusters.

Now, on the basis of the clause no 4 of Terms of Reference (ToR) of the RfP that 'each transaction advisor can apply to bid for all the four clusters. However he will be awarded for maximum upto three clusters. If one bidder becomes L1 for all four clusters, he may opt for dropping one as per his choice. In case of finalizing the award for the remaining fourth one, negotiation will be made with the 2<sup>nd</sup> lowest bidder', Ernst & Young may be approached to opt for three clusters of his choice and as per their response the fourth one may be offered to the L2 i.e. PWC for negotiation.

'X'

Placed for kind perusal and approval.

*[Signature]*  
1.2.19  
(Sujay Mitra)  
Chief Manager-P&M

*[Signature]*  
01/02/2019  
(Bijay Krishna Pal)  
Executive Engineer

*[Signature]*  
1/12/19  
(Amitava Das)  
Deputy Director

Additional State Mission Director, MNB (U)

Proposal prepure and above may kindly be approved.

*[Signature]*  
1.2.19.

*[Signature]*  
1/2/19

Director, SUDA

Pr. Secretary  
CO & MA Deptt.

U.O. No. SUDA: 109  
Dated: 01.02.2019

May discuss on 4/12/2019

Director, SUDA

*[Signature]*  
1/12/2019

Discussed.

'X' - yes. We may explore if we can award two more clusters with L2. He should also immediately call to RfP for six more clusters.

*[Signature]*  
5/12/2019

*[Signature]*  
AD (EM)

Dy Dir, SUDA (AD)

FF (SUDA (B.K. Pal))

Pl. *[Signature]*  
6-2-19.

*[Signature]*

*[Signature]*  
6/2/19.

**Sub: Issuing Work Order to eligible Bidders**

May kindly recall NSP-5 & 6 regarding Bid Evaluation of RFP for Transaction Advisors.

Lowest Bidder for all the clusters is Ernst & Young and the 2<sup>nd</sup> lowest is PwC.

As per clause no. 4 of ToR of RfP, E&Y was requested to let this office know which of the three out of four clusters they want to opt for and accordingly they have informed that they are opting Cluster 1,3 &4.

After that, the offer was given to PwC for opting cluster 2. They have also agreed to do the work in L-1 rate.

Now, it is being proposed to issue the work order to E&Y for Cluster-1,3 &4 and PwC for Cluster 2 at the rate of Rs. 28,93,684/- for each cluster.

If approved, draft work orders are placed for kind approval

*[Signature]*  
 (Amitava Das)  
 Deputy Director

May kindly be approved.

*[Signature]*  
 12.02.19

*[Signature]*  
 12/11/2019

*[Signature]*  
 12/2/19

Draft copy of Agreement with regards to Contract for Consultant's service is placed for kind forward following issuance and subsequent acceptance of work order to EY & PwC as successful bidder for cluster 1,3,4 & 2 respectively.

*[Signature]*  
 12/2/19

*[Signature]*  
 Additional Mission Director  
 SBM (U)  
 Director/SUDA

*[Signature]*  
 Pa. Secy, UD&MA  
 Director, SUDA

*[Signature]*  
 EE (BKD)

*[Signature]*  
 Addl. Mission Director,  
 SBM (U)

Draft copy of Agreement placed. It may be sent to Law Cell of the Deptt. for legal vetting.

Placed for kind approval.

Lj  
21.02.19.

Director/SUDA

For n/w pl.

sdj 21/2/19

JS (S. Datta)

U.O. No. SUDA. 131  
Dated. 25.12.2019  
File No. 227/2018

Draft copy of the agreement for Transaction Advisors for Solid Waste Management Project may be checked and opined.

Handwritten Signature  
26/2/19

Sr. L/O (S. Das)

Received on 27/2/19  
at about 1 p.m.



**NOTE SHEET**



1. It appears from NSP - 5 to 7 that work orders are being issued in favour of Ernst and Young L.L.P. for Cluster - 1, 3 & 4 and for Cluster - 2, work order is being issued in favour of Price Waterhouse Coopers Private Ltd.
2. It has been proposed for vetting of draft Agreement between State Urban Development Agency (SUDA), Department of Urban Development & Municipal Affairs, Government of West Bengal and two consultants namely Ernst and Young L.L.P. and Price Waterhouse Coopers Private Ltd.
3. It appears from the draft agreement that both consultants have been impleaded in one agreement for all four clusters. The parties are different in first agreement (between SUDA & Ernst and Young L.L.P.) and second agreement (between SUDA & Price Waterhouse Coopers Private Ltd.). Therefore, two separate draft agreements may be placed for vetting.

SUDA may be requested accordingly.

Submitted pl.

*[Signature]*  
27-02-19

Jt. Secretary(S.K.Dutta)

Two separate draft agreements may be placed for this end for vetting.

*[Signature]*  
27/2/19

DDP 28/2/19

As proposed separate draft MoA for each of 4 clusters have been placed for kind perusal  
*[Signature]*

Placed as per instruction.

*[Signature]*  
1.3.19.

For further action pl. *[Signature]* 1/3/19

Jointly SUDA

DD(AD)

Additional Joint Director,  
SUDA

Director, SUDA  
SS(SD)

With reference to the contract agreement duly vetted by the Legal Cell of UD & MA Department the draft copy was such was shared with Ernst & Young and PWC to sign formal agreement with SUDA. As such both E&Y and PWC approached before us with some modifications to be made in the agreement for

1. Ernst & Young : marked as Flag 'A' : Page No. 10, Appendix A, Clause 19.2 ; Page No. 18, Appendix G, Payment Schedule, Clause (b); Page No. 19, Appendix H, Obligation of the Consultant, Clause 1.2.3.
2. PWC: marked as Flag 'B' : Page No. 10, Clause 1.9.1, 1.9.3; Page No. 15, Appendix C, Key Personnel Detail, Serial No. 3; Page No. 20, Clause 1.2.3, 1.2.4, 1.3, 1.4.3; Page 21, Clause 1.7; Page No. 23, Clause 4h

As such kind instruction is solicited whether such modifications as prayed for would be given effect to or not.

*[Signature]*  
(Amitava Das)  
Deputy Director

Director, SUDA  
*[Signature]*  
JS (S. Datta)

May pl suggest.

ref 18/3/19

U.O. No. SUDA.186.....

Dated 18.03.2019.....

File No. 227/2018.....

for do the needful.

*[Signature]*  
Sr. LO (S. Das)

*[Signature]*  
20/3/19

With regard to column (1) / page-10, the proposal for deletion should not be considered as it will oppose to natural justice if that clause is considered for deletion.

Regarding column (2) / page-18 — the proposal may be considered.

Regarding column (3) / page-19 — it is administrative decision.

*[Signature]*  
H. Sanyal (S.K. Datta)

Submitted  
*[Signature]*  
25/3/19

May pl see.

*[Signature]*  
27/3/19  
ref 27/3/19

*[Signature]*  
Sr. Secy SUDA  
AD(SM)