

LOCAL REPRESENTATION IN INDIA RFP QUESTIONS and ANSWERS

Question 1: Task 1 indicates hiring two (2) key personnel. I am assuming in the RFQ we need to include costs on hiring these two key folks but not include any salary for these employees. Please let me know if my understanding is correct.

Answer: Your understanding is correct. The RFP should include costs needed to conduct the hiring of two staff persons for the USEA/SAREH office in India but not include the actual salary of those employees, as that information is currently not confirmed. The actual salary of the two key personnel will be reimbursed by USEA on an actual cost-basis.

Question 2: What qualifications are you seeking in these two key employees as that will determine sources we can use to bring these folks on board?

Answer: We will not be providing the qualification requirements for the two key employees at this time. The RFP focus is only on the ability of the company to address the issue of the USEA/SAREH office space and the process of hiring and employing staff, following Indian law and regulations.

Question 3: Task 2 – could you please help further clarify suitable office space i.e. are you looking to have offices/cubicles/conference rooms etc. Is there a square footage you have in mind so we can ensure the space meets appropriate requirements. Also do you have a preferred location in Delhi as rents vary hugely based on location of the office.

Answer: The USEA/SAREH office must be in New Delhi, within convenient reach of the US Embassy. We are looking for office space for one senior executive and one additional person hired by the awardee. The senior executive will require a private office and the other key person will require a cubicle. The office must also include conference space to hold small meetings for a group no larger than 15 persons. The office must have access to the awardee's administrative staff to assist the SAREH employees, as needed.

Question 4: What help are you seeking from the awardee in on-going running of the office or awardees role is limited to setting up the facility for USEA ongoing use for 2 years. Is the awardee involved in the USEA strategy/advisory for the next two years?

Answer: The help we will be seeking from the awardee will be assistance in the on-going running of the USEA/SAREH office only regarding the two key employees hired by USEA. The awardee will assist in setting up the facility and ensuring that it operates smoothly for two years, while also assisting that all local (Indian) laws and guidelines are adhered to for the two years of the program (to include but not limited to labor laws and financial arrangement for payment of salaries and other charges) necessary in the running of the program.

Question 5: Task 5 – we will need to include employment attorney fee and tax experts engaged in determining this aspect. For the submission we will include their fees in the costs. All taxes etc that will be borne are not to be included in the cost structure of the RFQ. Please confirm if our understanding is correct?

Answer: If taxes and other costs will need to be paid by USEA for the employment attorney fee and tax experts as part of establishing an USEA/SAREH office in India, then please include them in your proposal along with the fees for the employment attorney and tax expert.

Question 6: How do we treat travel costs to set up the office – are they reimbursed on a cost plus basis in which case we do not need to include them in the total budget.

Answer: You will need to include any travel costs into the proposal if they will be part of the physical setting up and running of the USEA/SAREH office. Estimates can be provided, with background information included on the basis for these estimates. Costs are reimbursed based on actual costs within current US government allowable rates and regulations for airfare, lodging, meals & incidental expenses.

Question 7: When will the results of the tender be announced? Can you give us the entire timeline for the proposal under consideration?

Answer: All proposals are due by 5:00 pm EST on July 18th, 2019. Following this, USEA will undergo a proposal review and approval process to determine the winner of the proposal. USEA will not publicly post the results of the tender. We will inform the winner of the proposal via email, then subsequently inform the non-awardees via email. There is no definite timeline for announcement of the awardee, as multiple parties will be included in the process.

Question 8: Since the project is to be carried out in India, should the financial proposal mention all costs in INR (Indian rupee) or in USD (US Dollars)? Will the payment be made in USD? Will the payment be made from a foreign bank account?

Answer: For the proposal, submit all costs in US dollars. All payments will be made in USD. Payment will be made from a US-based entity that will initiate all payments.

Question 9: Is the proposal open to explore the possibility of securing a suitable office space in the National Capital Region suburbs [for example, cities like Gurgaon (42 kms from Delhi), Noida (46 kms from Delhi)] or does the office space have to be specifically secured in Delhi itself?

Answer: The USEA/SAREH office needs to be in New Delhi and within convenient reach of the U.S. Embassy.

Question 10: In terms of providing various services (mentioned under "Scope of work"), is providing health insurance service mandatory? This is because as per Indian government norms, providing health insurance is not mandatory.

Answer: All services that are required under Indian law should be included in the proposal.

Question 11: Can you give what will be the different work profiles of the employees to be hired for the USEA India office? That would help us draft a just financial proposal.

Answer: The proposal should outline the experience of the employees who will be assisting in setting up and running the administrative, legal, and financial aspects of establishing an Indian office and hiring staff. The proposal does not need to include the work profiles of the two key personnel to be hired at a later date. See questions 1 and 2 for further clarification.

Question 12: Under the section of "Evaluation Criteria", there is a 30% weightage for subject matter expertise. Does this specifically mean the educational and professional background of employees we will be hiring for the USEA India office? Or does this mean the educational and professional background of suggested people from my team who will be working on implementing the proposal and setting up an USEA India office?

Answer: This means the experience and professional background of the suggested people from your team who will be working on implementing the proposal and setting up an USEA/SAREH office. This does not refer to the two key personnel who will be implementing the SAREH.

Question 13: Will there be any tax implications (any withholding tax) on the payments to be made to us - be it consulting fees or expense reimbursements? This is because we are working with another US Government body called Fairfax County Economic Development Authority (FCEDA), and with FCEDA, there are no tax implications. Similarly, we have previously worked with Washington State Department of Commerce, where there were no tax implications either. Would be great if you could clarify this.

Answer: USEA does not withhold taxes from consultants/contractors. You will be required to complete a W9 form and verify that your organization is exempt from withholding taxes.

Question 14: Under section 5- "Proposal Content" - point D, there is a USAID contractor employee biographical data sheet given. We would like to clarify if that sheet needs to have the information of the team implementing the project or of the employees which we will be hiring for the USEA India office.

Answer: The Contractor Employee Biographical Data form needs to be completed by each person submitted as part of the proposal. The form must be completed in its entirety (including salary history). USEA does not require any information (experience, costs, etc.) related to the two key personnel who will be implementing SAREH activities, as those positions are not yet fully known.

Question 15: We have a DUNS number. However, it will take us some weeks to get the SAM registration since this is our first time registering for it. In that case, will you still consider our proposal?

Answer: We will not be able to consider your proposal unless you have both the DUNS number and SAM registration, as those are U.S. government requirements.

Question 16: Can USEA get from and provide USAID assurance to the prospective Offerors that the winning bidder and any of its affiliates will not be precluded from submitting a proposal on any other USAID Asia EDGE related proposals?

Answer: USEA will not be able to provide this assurance although we do not foresee this being an issue.

Question 17: Will the staff hired and working under this contract be privy to any proprietary or restricted USAID Asia EDGE information causing their employer, and its affiliates, to be precluded from bidding for any USAID Asia EDGE procurements?

Answer: We do not foresee the staff hired to be privy to any proprietary or restricted USAID Asia EDGE information as this proposal will be pertaining to the Implementation Process only.

Question 18: Is USEA seeking an independent office space or a co-working space, or the flexibility of a business center (Regus type) facility?

Answer: We are seeking an office space that would be suitable for housing the two key personnel, providing them with administrative support to assist with their work, and housing occasional meetings with USAID/Delhi personnel and local stakeholders. The proposal should provide details of the proposed style/layout of the work space envisioned.

Question 19: Does USEA envisage needing a large conference room associated with the India office space? If yes, please advise on the approximate capacity of the required conference room space? Additionally, does USEA expect the office space to have spare work stations for visiting USEA delegations? If yes, please indicate the approximate quantity of work stations needed?

Answer: Please see the answer to question 3.

Question 20: Must the new India hires who are specific for USEA be staff or can they be long term consultants?

Answer: They can be either staff or long-term consultants.

Question 21: Regarding the two key personnel positions, are position descriptions available? Are these positions intended for local hires?

Answer: There are currently no position descriptions available as this will be part of the discussion with the winning proposal. The positions may be filled by anyone, including local hires.

Question 22: Will USEA be able to provide the winning bidder with exemptions for VAT and duties for the goods and services that are procured for USEA?

Answer: Upfront exemptions on all taxes have been withdrawn since the introduction of Goods and Services Tax (GST) in India. VAT no longer exists. So, there is no exemption to be provided to the agency that will be hired by USEA.

However, any services or goods procured wherein GST is paid if procured in the name of USAID quoting UIN no. 0717UNO00166UNP, then it is possible to get a refund of the GST from the Government of India. This however takes as long as 9-12 months since the date of expenditure. The refunded funds will be channeled back to the agency via USEA.

Question 23: Can USEA provide any guidance on the frequency and volume of local travel it will require for the India staff?

Answer: At this time, the proposal is focused on the establishment of the local office and staff. Any discussions regarding the frequency and volume of local travel will only be with the winner of the proposal. However, it should be noted that the travel will be reimbursed on an actual cost basis.

Question 24: Regarding Task 1 which requires "Assisting in the selection of two (2) key personnel, does USEA expect the offeror to propose these two key personnel in their proposal, or does USEA intend to provide the winning bidder with the candidates for these positions?"

Answer: USEA will provide the necessary job descriptions to the awardee for their assistance in procuring the right persons for these positions. This will be done jointly with USEA and the awardee.

Question 25: Can USEA provide an approximation of the contract dollar value range for this contract?

Answer: USEA will not provide an approximation of the contract dollar range.

Question 26: Does USEA anticipate awarding a cost reimbursement or a fixed price contract?

Answer: Depending on discussions with the awardee, USEA may award either a cost reimbursement or fixed price contract. It is imagined that some costs (e.g. travel) will be reimbursed purely on a cost reimbursement basis.

Question 27: Task 5 requires “setting up all the necessary frameworks to ensure that USEA conforms and adheres with all employment laws, and financial and tax requirements”. As USEA is expecting to contract the services of employment and all financial and tax requirements, the contractor will be required to conform. What does USEA expect for this Task?

Answer: USEA expects that the awardee be familiar with and ensure that USEA complies with all India laws needed to establish and operate an office in India, staffed by Indian or non-Indian citizens, and will assist USEA in establishing the necessary payroll, employment, office, and financial structure needed to house an office in India. This support will continue for the two years of the program.

Question 28: Will the awardee of this contract will be eligible to participate in the upcoming USAID ASIA Edge solicitation for South Asia and other regions? Or he will left out due to conflict of interest (COI) issue? If COI is applicable, will this COI be applicable on all units of the company or only for the unit which will get this award?

Answer: See response to Question 16 and 17. The scope of the sub-contract is limited to supporting USEA in establishing and operating a USEA/SAREH office in Delhi and support in hiring staff.

Question 29: How the space and facility cost will paid, if USEA staff is provided space and other facilities in the awardee office ?

Answer: All costs for the space and facility being utilized by the new hires will be paid directly by USEA to the awardee.

Question 30: Will you pl. like to specify the number, their estimated labor of efforts and qualification of the awardee staff anticipated to support USEA in various tasks?

Answer: USEA has no specific expectations for level of effort/labor. The bidder should indicate the level of effort expected for each staff member and summarize their qualifications in the proposal.

Question 31: Will you pl. like to specify how the services of the awardee will be paid in this assignment?

Answer: The services of the awardee for this assignment will be paid via a subagreement between USEA and the awardee. Payments will be made by bank wire transfer, pending the submission and approval of invoices to USEA.

Question 32: What is the role of the bidder post setting up the New Delhi office?

Answer: The bidder is expected to provide support in day-to-day functioning of the office and provide advice related to compliance with Indian regulations.

Question 33: Could you please provide a flowchart of how do you anticipate the reporting structure for the employees in New Delhi office with respect to USEA/USAID etc. Which all entities will be directly involved in day-to-day functioning of the organization with New Delhi office.

Answer: The awardee will report to USEA/Washington and will be only involved in providing office establishment and operational support to the team hired by USEA. The two key personnel will also report directly to USEA/Washington, but be in direct communication with USAID/Delhi on a regular basis.

Question 34: Could you please elaborate the list of countries in South Asia that will be served by the employees from the Delhi Office.

Answer: At this time we are not in a position to list the countries that will be served by the employees from the Delhi office.

Question 35: On Page 2, paragraph 1, could you please help clarify and define 'enhanced regional energy markets'

Answer: That is background information and has no bearing on the scope of the sub-contract or role that the awardee must perform.

Question 36: Page 1, paragraph 1: is the reference to local regulation for the city of new Delhi?

Answer: All National and local regulations that will apply for establishing office and hiring professionals.

Question 37: Due to the July 4 holiday in the U.S., and the critical nature of the clarifying Q&A, would USEA extend the submission due date?

Answer: Due to time constraints on the part of USEA, we will not be able to extend the submission due date.

Question 38: Related to USAID's organizational conflicts of interest regulations, please confirm whether or not selection and/or implementation of the South Asia Regional Energy Hub subcontract will result in any conflicts that would prevent the same contractor from also bidding and being selected for future Asia EDGE related contract opportunities?

Answer: See response to Question 16 and 17. The scope of the Implementation Support subcontract is limited to supporting USEA in establishing and operating an office in Delhi and support in hiring staff.

Question 39: Does USEA anticipate that any technical assistance or other program support work, such as MEL, knowledge management, communications, technical assistance, or stakeholder engagement, will flow through this subcontract? Or is this procurement strictly to set up the administrative structure for the South Asia Regional Energy Hub function?

Answer: This procurement is strictly to set up the administrative structure for the South Asia Regional Energy Hub functions.

Question 40: The RFP includes the following language in Task 1: "Assisting in the selection of two (2) key personnel positions". Does USEA expect bidders to propose the hiring of specific individuals for these positions in the proposal, or will USEA work with the awardee to select these individuals after award? In other words, does USEA expect us to include specific candidates for these positions as part of this proposal?

Answer: Proposals should not include details on any specific individuals for these two positions. USEA will work with the awardee to select these individuals after award.

Question 41: Can USEA confirm the type and expected ceiling value range for the subcontract to be awarded (CPFF vs. T&M)?

Answer: USEA will not confirm the type and expected ceiling value range for the subcontract.

Question 42: For the financial proposal, can USEA clarify the difference between operating vs. non-operating costs?

Answer: Operating (operational) costs are the expenses incurred as a result of performing the tasks outlined in this subcontract. Non-operating expense are expenses that occur outside of the day-to-day activities. USEA expects all costs included in a proposal to be operating costs. Non-operating costs will not be reimbursed by USEA.

Question 43: In Section II paragraph 2 we notice that "Asia EDGE - South Asia will engage a suote of stakeholders across the region and coordinate interventions with USAID bilateral in South Asia.." Please can you expand on what this engagement and coordination would entail?

Answer: At this time, we are not in a position to expand on this. This will be part of the discussion with the awardee.

Question 44: In Section II paragraph 3 you highlight that as part of a series of inception activities "targeted, quick technical assistance actions to add value to public and private sector stakeholders is required. Please can you expand on what the quick technical assistance actions might entail? Are you able to share examples of the programs and where this support would be required?

Answer: No. This is not relevant to the scope of the sub-contract, which is limited to supporting USEA is establishing and operating office and helping in hiring personnel.

Question 45: In Section III paragraph 4 you state the "New Delhi office will be responsible for the day to day implementation of a variety of capacity-building and technical assistance activities to take place

in India and the surrounding South Asian countries" Please can you expand on what this implementation and technical assistance would entail? Are you able to share examples of the programs and where this support would be required?

Answer: No. This is not relevant to the scope of the subcontract, which is limited to supporting USEA in establishing and operating office and helping in hiring personnel.

Question 46: In Section III paragraph 4 you state the "New Delhi office will be responsible for the day to day implementation of a variety of capacity-building and technical assistance activities to take place in India and the surrounding South Asian countries". Do you anticipate your local representatives travelling to Pakistan? If so, where, for how long and for what purpose exactly?

Answer: This is not relevant to the scope of the sub-contract, which is limited to supporting USEA in finding office space, the specifications of which is provided in response to Question No. 3.

Question 47: Should the proposal we present request that you do not claim to have an actual "office" but have instead "local representaion" (e.g. the "face" as you put it) will that acceptable to USEA? The specific implementation and terms of reference of each proposition are different.

Answer: No. That is not acceptable. USEA requires an actual office space for SAREH staff.

Question 48: Is it acceptable to you that the local representatives immediate reporting line is a member of our team, but they would have a clear responsibility for liaising with you on day to day representation need?

Answer: The local representatives can have an immediate reporting line that is a member of the bidder's team. However, the local representatives must also report directly to USEA on all matters related to their work with the SAREH.

Question 49: What are your expected timelines for deploying the local representatives and supporting administration staff?

Answer: This will be discussed with the awardee. However, USEA hopes to hire the two local representatives by the end of 2019.

Question 50: Are you open to one of the options presented within the RFP being a Branch/Liaison office which would manage on your behalf, or do the terms of reference lean towards you not establishing a local legal entity in India?

Answer: We are looking for the best option that would allow USEA to have an office in India that will allow us to fully manage and complete the tasks to be identified under this program while adhering to all laws in India.

Question 51: Are you able to share profiles of similar roles to the ones you envisage your local representatives having similar experience and skill sets for?

Answer: This information will be shared with the awardee.

Question 52: Do you have a sense of how much the local representatives will be expected to travel (across the South Asian region and will trips be required to the USA per year, if so for how long?)

Answer: One of the two local representatives may be asked to travel within the South Asia region occasionally (e.g. every couple of months) for about 4-8 days in duration. USEA does not anticipate that the other local representative will need to travel outside of New Delhi.

Question 53: You ask for Bio's as part of the RFP and USAID Contractor Employee Biographical Data Sheet. Are these for our US based management staff leading the project or the supporting delivery team in India (or both?). Any further guidance on filling out this form would be appreciated.

Answer: Bios and USAID Contractor Employee Biographical Data Forms need to be included for all individuals who will be submitted (and completed in their entirety, including salary history) as part of your proposal.

Question 54: Does the structure of your RFP require a single cost for two years or two individual years broken down into year one and year two?

Answer: We would prefer to receive a cost for two individual years if you foresee your proposal incurring additional costs in year two that were not included in year one.