

**Project Title:** Strengthening Education for Mining in Ethiopia (STEM)

## A. AMENDMENT TO THE RFP

This addendum 7 provides certain changes following the questions raised by bidders to the RFP SEL: 2016-D-000284-1.

1. In Section 1: Instructions to Bidders - Data Sheet, in article 17.1 **DELETE** in its entirety and **REPLACE** with the following:

“17.1 Advance payments may be permitted:  
YES ☒ NO ☐

The following types of expenses are eligible for advance payment:

- (a) Expenses associated with setting up a new local office in the Recipient Country;
- (b) Long-term leases for offices;
- (c) Procurement of manufactured equipment (project assets);
- (d) Costs associated with students and trainees as specified in DFATD's *Management of Students and Trainees in Canada: Manual for Executing Agencies*;
- (e) Equipment Purchase Fund; and
- (f) Expenses associated with training initiatives (conferences, training workshops, seminars and study tours).”

2. In Section 3: Financial Proposal – Standard Forms, FORM FIN-3 Reimbursable expenses, in b - Purchase and Transportation costs for, **DELETE** the word “Vehicles”.

3. In Section 6: Standard Form of Contract, in articles 6.5.1 (a) and 6.6.1 **DELETE** in its entirety and **REPLACE** with the following:

“6.5.1 (a) and 6.6.1 Advance payment is permitted:  
☒ YES ☐ NO

The following provisions will apply to the advance payment and the advance payment guarantee:

- (a) Subject to the GC 6.6, DFATD will make advance payments to the Consultant not exceeding *[insert amount]* in Canadian dollars to cover the following expenses:
  - (i) Expenses associated with setting up a new local office in the Recipient Country;
  - (ii) Long-term leases for offices;
  - (iii) Procurement of manufactured equipment (project assets);
  - (iv) Costs associated with students and trainees as specified in DFATD's *Management of Students and Trainees in Canada: Manual for Executing Agencies*;

- (v) Equipment Purchase Fund; and
    - (vi) Expenses associated with training initiatives (conferences, training workshops, seminars and study tours).
  - (b) At no time can there be more than 2 outstanding advances and these must not exceed **[insert amount]** Canadian dollars.
  - (c) The advance payment guarantee (ISLC) must equal the total outstanding advance payments in Canadian dollars.”
4. In Section 6: Standard Form of Contract, Annex A – Basis of payment, in 2. Reimbursable expenses, b) Equipment purchase and transportation costs **DELETE** the word “Vehicles”.

### B. QUESTIONS AND ANSWERS

The following questions have been received by DFATD for which DFATD is providing the answers below:

**Question 1** – Referring to question 1, addendum 1, which is still unclear and Section 2, Form TECH-2, clause 5 ‘Conflict of Interest – Unfair Advantage’, please confirm whether a Bidder can put forward a candidate for one of the three rated positions who was involved in the background study “Education for Mining Development in Ethiopia: Background Study”; i.e. whether participation in this study constitutes: a) involvement in the preparation of the bid solicitation, b) a conflict of interest or appearance thereof; or c) having access to information related to the bid solicitation that was not available to other bidders and that would give or appear to give the Bidder an unfair advantage. As the clause in the RFP is unclear in this case and given DFATD will ultimately rule on this matter, we respectfully request that DFATD rule on this item prior to the bid deadline.

**Answer 1** – In order to protect the integrity of the selection process, DFATD avoids giving answers to hypothetical situations or specific cases during the RFP solicitation stage. Once the RFP is closed, DFATD will assess, on a case-by-case basis, bidder’s compliance with the Conflict of Interest – Unfair Advantage certification. This assessment is conducted by an independent team in an objective and fact-based manner.

In principle and subject to other information that may be considered at the evaluation stage, a risk of conflict of interest arises when the bidder, its proposed personnel and contractors have provided input to DFATD in relation of the development of an RFP. In making its determination, DFATD will look at, amongst other things, the nature of the input, if the information is in the public domain, and if the input provided had any impact on the decisions leading to the design. Ultimately DFATD will judge if the Bidder’s (including its proposed personnel and contractors) contribution to the development of the RFP has given the bidder access to privilege information or has given him an unfair advantage.

**Question 2** – Additionally, referring to Section 2, Form TECH-2, clause 5 ‘Conflict of Interest – Unfair Advantage’, please confirm whether an organization employing a person who was involved, independently, in the background study “Education for Mining Development in Ethiopia: Background Study” is eligible to be a member of a bidding Consortium.

**Answer 2** – Please refer to answer 1 above.

**Question 3** – Clause 11.3 of the Data Sheet indicates: "The Bidder whose Proposal obtained the highest combined technical and financial score will be invited for negotiations unless there is less than 10 points (1% of 1000 total evaluation points) between that Bidder and the lower ranked Bidders. In such a case, the Bidder with the lowest financial proposal will be invited to negotiate."

We note that this effectively converts the selection method to a 100% financial-based selection in the event scores are within 10 points of each other. Furthermore, this could create a scenario where a price difference of \$1 results in a lower ranked bidder being invited for negotiation (Example below).

	Technical %	Technical /700	Bid Price	Financial Score	Combined Score	
<b>Bid 1</b>	91%	637	2,100,000	299.86	936.86	Highest Ranked Evaluation
<b>Bid 2</b>	90%	630	2,099,000	300.00	930.00	Winner although bid is only \$1 less than highest ranked bidder

Please clarify the rationale for this clause and how it aligns with the earlier part of 11.3 where the selection method is stated to be 70/30 (Technical/Financial). To ensure better alignment with the intended evaluation of 70/30 and to ensure value and fairness, we respectfully suggest DFATD consider applying a rule similar to the following:

"The Bidder whose Proposal obtained the highest combined technical and financial score will be invited for negotiations unless there is less than 10 points (1% of 1000 total evaluation points) between that Bidder and the lower ranked Bidders. In such a case **and** if the lower ranked Bidder is more than 5% cheaper than the highest ranked bidder, the Bidder with the lowest financial proposal will be invited to negotiate."

**Answer 3** – The provision described is intended to address situations where bidders are tied (defined as less than 1% difference of the total evaluation points) in the total scores between first and second ranked bidders. In such instances, the proposal with the lowest financial proposal will be retained in the interest of best value. The provision is not meant to replace the evaluation process of technical and financial proposals, but merely complement it.

**Question 4 –** Should the cost of living adjustment (COLA) be built into the fees in Form FIN 1A?

**Answer 4 –** The cost of living adjustment (COLA) for personnel on long-term assignment in the field, which was included in the Technical Assistance Regulations (TARs) has been replaced by the monthly rate for Personnel on long-term assignment. The monthly rate for Personnel on long-term assignment is detailed in article 10.8 (b) 1).

**Question 5 –** In follow up to Question 9, Addendum 6: If transportation and supplies are already covered under i) field office expenses and J) Training (for supplies), can you specify what is intended under b) for “vehicles” and “supplies”?

**Answer 5 –** The inclusion of vehicles in b) is an error, please see part A of this addendum for the amendment to the RFP. The equipment and supplies shown in b) are related to implementation of the project other than training. The equipment and supplies listed under j) relate to training related presentations.

**Question 6 –** Under Section 5, Evaluation Criteria for Requirement #1, it states that in a case where a project was carried out by a consortium or joint venture, “only the experience of the consortium member who is identified for overall management and implementation [...] will be evaluated” (p. 90 of the RFP). While we understand from the RFP that a member from a consortium or joint venture on this bid can only present project experience for which they were lead, we would like additional clarification on the following:

Please confirm that a consortium or joint venture bidding on this initiative is permitted to present project experience (under Requirement #1) from any members (not necessarily from the Member in Charge, as identified on Form Tech-1) of their consortium or joint venture (as mentioned in the guidance to bidders of the Form Tech-4 (p. 34 of the RFP)).

**Answer 6 –** In the case of a consortium or joint venture, the definition of "Bidder" means its members.

However, for the purposes of the evaluation of criterion 1, DFATD wants to specifically assess the experience of the consortium member who is responsible for the implementation and management of the resulting contract.

This member should describe a project in which he was responsible for its implementation and management whether he signed a contract individually or in consortium with other persons or entities.

It is possible and acceptable for the member responsible for the implementation and management of the resulting contract to be different from the primary member whose definition appears in Section 1 of the Instructions to Bidders.

**Question 7** – Under 17.1 in the STEM RFP Data Sheet (pg. 23), training expenses are not currently included in the list of expenditures eligible for advances from DFATD. Given that costs for one-off training expenses such as conferences, training workshops, seminars and study tours can be very substantial and that such expenses have typically been considered advanceable in past DFATD contracts, would like to respectfully request that DFATD add “(f) Expenses associated with training initiatives” to the list under section 17.1 of the Data Sheet?

**Answer 7** – We agree to this change to the list of advanceable items. Please see part A of this addendum for the amendment to the RFP.

**D. All other terms and conditions remain unchanged.**