

**Minutes of Meeting**

**Sub:** Minutes of Pre-Eol meeting for Preparation of Study Report to develop MMR as a World Class Sustainable Tourism Destination held under the chairmanship of Shri. S. C. Deshpande, Chief, Town and Country Planning Division, MMRDA on 8<sup>th</sup> December, 2022 at 15.00 hrs (IST).

1. The Pre-EOI meeting for said Eol for Preparation of Study Report to develop MMR as a World Class Sustainable Tourism Destination was held under the Chairmanship of Shri. S. C. Deshpande, Chief, Town and Country Planning Division, MMRDA at Committee Room, 4th Floor, MMRDA Main Building, BKC, Bandra (E), Mumbai on 08.12.2022 at 15.00 hrs (IST).
2. The meeting was held to discuss the pre-Eol queries raised by the participants and their corresponding responses or suggestions. The meeting was attended by participants in person and through Video Conferencing and by the concerned officials of MMRDA (Annexure - 1).
3. At the outset, Shri. S C Deshpande, Chief, Town and Country Planning Division, MMRDA welcomed all the participants and briefed them about the purpose of the Pre - Eol meeting followed by brief presentation on the topic by Shri. Mayur Kulkarni, Planner (Planning Division). The participants discussed their concerns with respect to Scope of Work, Eligibility Criteria, etc. mentioned in Eol document.

The discussion held and the clarification given during the meeting are as below:

<b>S. No.</b>	<b>Point of Discussion</b>	<b>Issues and Discussions</b>	<b>Suggestions/ Clarifications given by MMRDA</b>
<b>1</b>	<b>Eligibility Criteria</b>	The participants enquired about doubts regarding eligibility criteria.	It was informed that all queries related to eligibility criteria shall be raised through email on or by 15.12.2022 (17.00 hrs. IST). It was also clarified that

			understanding of the concept regarding the topic is important at EOI stage.
<b>2</b>	<b>Identification of locations</b>	Participant enquired whether identification of locations in MMR with tourism potential is a part of the study.	It was informed that the participant shall suggest the course of identifying such locations in MMR and strategy for preparing tourism plans in the EOI.
<b>3</b>	<b>Major Stakeholders</b>	Participant enquired about major stakeholders of Tourism in MMR.	It was informed that the participant shall study and identify all possible stakeholders of tourism in MMR.
<b>4</b>	<b>Funding</b>	Participant enquired about the funding agency for the study.	It was informed that MMRDA shall be the funding agency for the study.
<b>5</b>	<b>Convergence of Policies</b>	Participant enquired whether national and state policies regarding tourism are to be considered in the study.	It was informed all national and state policies for Tourism applicable to MMR are to be considered in the study
<b>6</b>	<b>Extension of date for receiving queries</b>		It was informed that the participants can send any queries through email on or by 15.12.2022 (17.00 hrs IST). If necessary, MMRDA may issue clarification / corrigendum on MMRDA's portal.
	The meeting ended with thanks to Chair.		

**Preparation of Study Report to develop MMR as a World Class Sustainable Tourism Destination**

**Pre-EOI meeting**

**08/12/2022**

**15.00 Hours**

**Committee Room, 4th Floor, MMRDA Main Building, BKC, Bandra (E), Mumbai**

<b>S. No.</b>	<b>Name and Designation of concerned MMRDA officials</b>
1	<b>Shri. S.C. Deshpande, CTCP - Chairperson</b>
2	Shri. M.D. Mane - Addl. Chief
3	Smt. Pallavi Paranjape - Senior Planner
4	Smt. Sunayana Kumbhare - Senior Planner A/c.
5	Shri. Mayur Kulkarni - Planner
6	Smt. Kalyani Wani - Dy. Planner
7	Shri. Sanket Mane - Dy. Planner
8	Shri. Atul Gosavi - Dy. Planner

<b>List of Participants</b>	
<b>S. No.</b>	<b>Company Name</b>
1	SBI Capital markets Ltd.
2	Archohm Consults Pvt Ltd.
3	Systra SAI Consulting Engineers Pvt. Ltd.
4	IPE Global Limited
5	Voyants Solutions Private Limited
6	Fourth Dimension Architects Pvt. Ltd.
7	Ernst & Young LLP
8	SPECTRUM Techno Consultants Pvt. Ltd.
9	PricewaterhouseCoopers Private Limited
10	LEA Associates South Asia Private Limited
11	Fortress Infracon Limited
12	Urban Arch Studio

## MMRDA's Response to Queries

Tender No.: PD/Tourism/EOI/300/2022

Name of Tender/EOI: Expression of Interest for "Preparation of Study Report to Develop MMR as a World Class Sustainable Tourism Destination."

S. No.	Clause No. of EOI Document	Page No.	Content of EOI Requiring Clarification	Change Requested/ Clarification required	MMRDA's response/ Clarification
1	1	38	The Mumbai Metropolitan Region (MMR) is spread over 6,328 Sq. Km. encompassing 9 Municipal Corporations, 9 Municipal Councils, 1 Nagar Panchayat along with more than 1,000 villages in Palghar, Thane and Raigad Districts	Kindly confirm total area under this EOI/subsequent project. As per our understanding, the project area is equal to MMRDA area. Kindly clarify. Further, we believe that multiple consulting firms will be selected dividing area into multiple zones. Please confirm our understanding.	Area of the project is equal to the area of Mumbai Metropolitan Region i.e. 6328 sqkm approximately.
2	2	39	The proposal must address the following aspects: 1. Economic Viability 2. Local Prosperity 3. Employment Quality 4. Social Equity 5. Visitor Fulfilment 6. Local Control 7. Environmental Purity. 8. Community Wellbeing 9. Cultural Richness 10 Physical Integrity (land use and infrastructure planning) 11. Biological Diversity 12 Resource Efficiency	These are vast parameters for sustainability and each parameter is required to carry out separate studies and multiple surveys. Kindly provide a list of surveys and studies to be carried out for the study area. Further, we believe expenses towards the same shall be form the provisional sum which will be non-competitive item at the time of Proposal.	Clause 3.1.1 may be referred

S. No.	Clause No. of Eoi Document	Page No.	Content of EOI Requiring Clarification	Change Requested/ Clarification required	MMRDA's response/ Clarification
3	3(d)	40	To suggest governance framework at regional level and identify the stakeholders to be engaged in financing and development of identified tourist destinations.	Kindly clarify the number of stakeholder consultations and we believe expenses towards the same shall be form the provisional sum which will be non-competitive item at the time of Proposal.	To be further detailed out at RFP stage after studying EOI responses.
4	Criteria 1 (ii)	41	During the last 5 years, atleast 3 Consultancy Assignments completed or substantially completed (at least 90% payments received) out of which atleast 1 should be a similar project consultancy fee not less than INR 25 Lakhs.	We request you to kindly consider consultancy assignments during the last 10 years to be showcased as eligible assignments which is also in line with project demanded in note given on page no 56 in Form 2.1.1: Project Citation Format. Further, we believe here that similar project definition can include Tourism Study/report within large consulting assignment / Tourism Development Plans / Tourism Master Plans / Tourism Zonal Master Plans / Tourism Infrastructure Development Plans / Tourism Conceptual Plans. Kindly review and confirm.	Refer Standard Set of Deviation
5	Note to Applicant: (1)	42	The audited balance sheet and/or banking reference certified by a chartered accountant with stamp, signature and UDIN number shall be submitted by the Applicant along with the EOI. Banking reference (from a Scheduled Bank in India, and it should not be more than three months old as on the date of EOI submission) should contain in..... authorised representative of the Applicant.	We understand here that we can submit our audited balance sheets along with required documents mentioning our net assets, liquidity and other financial references certified by Chartered Accountant. Banking reference is not mandatory for such purpose. Kindly confirm.	The applicant shall submit compliance of Qualification Criteria as stipulated in the EOI Document.
6	Form 1: (2)	46	We authorise the MMRDA to contact our Banker to seek references and clarifications.	Kindly review this clause and provide clarity on role of banker in this case.	The applicant shall submit compliance of Qualification Criteria as stipulated in the EOI Document.

S. No.	Clause No. of EoI Document	Page No.	Content of EOI Requiring Clarification	Change Requested/ Clarification required	MMRDA's response/ Clarification
7	Form 2 (b) and ©	51	(b) In the specified period (as per Schedule II: Qualification Criteria), the number of Consultancy Services assignments completed or substantially completed by us is (see Form 2.1): (c) In the specified period, out of Consultancy Assignments mentioned above, the number of Similar assignments (as per Schedule II: Qualification Criteria) are (see Form 2.1):	Kindly quantify the number of projects to be showcased under each criteria.	Please refer Schedule 2 Form 2: Qualification Criteria - Compliance Criteria 1
8	Form 2.3.4	65	Current Contract Liabilities/ Assignments in Progress	We envisage here that we only need to showcase contracts which have been won or in progress within last 10 years only to eliminate a pile of information on long performing contracts. Kindly confirm.	Yes
9	Form 2.4.3	68	Curriculum Vitae (CV) Format	As the Curriculum Vitae of the experts will not be evaluated during EoI Stage. Hence, instead provide one page simple format of CV wherein consulting firm can showcase their in-house staff available to showcase expertise.	Refer Standard Set of Deviation
10	Form 2.4.5	71	Time Schedule for Key Professional Personnel	We understand here that Time Schedule for Key Professional Personnel is not required to submit during EoI Stage.	Refer Standard Set of Deviation
11	Request	Request	Number of total partners including Lead Partner	We believe total 3 partners (1 Lead + 2 JV Partners) are allow. Please clarify.	Please refer AEOI (3.0) of EOI Document
12	Form 2.1: Performance Capability Statement	53	Statement of Performance of Consultancy Services (During Period Specified in Schedule II: Qualification Criteria) and Outstanding Current Assignments  Notes: a. Project shall be either complete or ongoing in the last ten years from the last date of proposal submission	We understand that as per Schedule II, the project for last 5 years can be considered for showcasing Consultancy Services Assignments; However as per notes projects for last ten years can be considered; Kindly clarify.  Further, please provide clarity on number of projects to be shown for scoring maximum marks.	For the purpose of Schedule 2 (qualification criteria), the requirements mentioned in Criteria 1 of Schedule 2 shall be considered.

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13	Schedule II: Qualification Criteria	41	Criteria 1: General and Similar Experience: ii) During the last 5 years, atleast 3 Consultancy Assignments completed or substantially completed (at least 90% payments received) out of which atleast 1 should be a similar project consultancy fee not less than INR 25 Lakhs  Similar Assignments: experience of preparing Tourism Development Plans	Kindly clarify, whether the international experience will be considered as eligible assignment under this criterion.	Will be considered.
14	Clause 10.2.3	30	Key Experts shall not be evaluated at the shortlisting stage.  Form 2.4.3: Curriculum Vitae (CV) Format	We request you to kindly consider pen profile for the proposed Key experts at this stage. The detailed CVs can be provided at RFP Stage.	Refer Standard Set of Deviation
15	Form 2.4.1	66	The Approach and Methodology Report shall be detailed precisely under the following topics and attached as part of Technical Proposal	We understand that as standard practice, at EOI stage the bidder is evaluated against the compliance with the eligibility criteria and the required qualifications / experience in undertaking similar assignments, which saves time for evaluator by avoiding lengthy documents submitted at RFP stage.  Thus, we request you to kindly relax the detailed approach and methodology at this stage and the same could be part of RFP. However, a brief understanding of TOR can be provided, if deemed necessary.	Clause 3.1.1 may be referred
16	Form 2.3.3	64	Financial Resource A Applicant must fill in this Form, specifying proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total cash flow demands of the subject Contract or contracts as indicated in Section II: Qualification Criteria.	As per a general practice, Applicants' Annual Audited statements are considered for assessing the financial capability and stability of the firm as it has information regarding firms' annual equities, liabilities as well as cash flow statement. Thus, we request you to kindly waive off the requirement of providing Form 2.3.3 which can be a time taking process for the firms.	Refer Standard Set of Deviation

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17	Form 2.3.4	65	<b>Current Contract Liabilities/ Assignments in Progress</b> Applicant should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued	IPE Global is a multidisciplinary national firm having an average annual turnover of more than 300 crores and currently working on more than 50 projects. In the given timeframe, it would be very cumbersome and timeconsuming task, therefore, we request you to kindly waive off this condition and gauge the financial capacity of the firms from the Average Annual turnover provided under Form 2.3.1 and 2.3.2	Refer Standard Set of Deviation
18	EOI Form 1 to Form 3		Applicant's Reference No	The submission format states to mention the Applicant's reference number. Kindly clarify the reference No. to provide by Applicant in the submission forms.	Bid ID' generated while responding to this EOI on Mahatender portal.
19	Sch II Qualification Criteria	41	During the last 5 years, atleast 3 Consultancy Assignments completed or substantially completed (atleast 90% payments received) out of which atleast 1 should be a similar project consultancy fee not less than INR 25 Lakhs	Kindly consider last 10 years experience and consider the experience of Water Park, Theme Park, Beautification of lake executed in private sector	Refer Standard Set of Deviation
20	Sch II Qualification Criteria Clause 5	41	Form 2.4: Approach and Methodology and proposed Key Resources	Kindly clarify wheter Approach and Methodology is to be given along with EOI submission or at the time of giving presentation	The applicants shall submit their proposal considering the requirements of EOI Document.
21	Important dates	10	Last date of EOI Submission 26/12/2022	Kindly extend the bid submission upto 10/01/2022.	Refer Corrigendum - I.
22	Terms of Reference			Is MMRDA looking forward for tourism development plan for entire 6328 Sq.km. which include municipal urban areas as well or the plan would be limited to some select potential tourism zones such as sanctuaries, forest areas, coastline, eco sensitive zones, etc.	Area of the project is equal to the area of Mumbai Metropolitan Region i.e. 6328 sqkm approximately.
23	Terms of Reference			Appreciate MMRDA initiative to develop the region as a Sustainable Tourism destination. Similar thought has been ingrained under the National Tourism Policy drafted by Ministry of Tourism. Keeping in view the vulnerability of the region, we suggest that entity having experience of developing sustainable tourism destinations in India or abroad should be considered.	Will be considered.



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24	Terms of Reference			Besides, 'Finance and Marketing strategies' as indicated in the scope, the scope would also require strategies towards infrastructure development, digitalisation, connectivity, skilling and O&M.	According to Schedule I : Terms of Reference, any other relevant parameter should also be vigilantly considered.
25	Qualification Criteria			Experience requirement of 3 Consultancy Assignments with 1 of consultancy fee not less than INR 25 Lakhs is on lower side.  For the MMRDA region to be developed as World class tourism destination, it should encourage participation from reputed consulting firms having substantial experience in tourism destination development both in India and in other countries.	Clause 3.1.1 may be referred
26	10.2.3 Evaluation of Qualification Criteria			"...the remaining 60 % shall be equally distributed between the presentation and write up on approach and methodology as stated in TOR."  To observe the sanctity of the 'Approach & Methodology' document which would contain specific frameworks & strategies for carrying out the assignment, we request you to allow the A&M to be discussed only through the presentation format and not be insisted to form part of hard copy submission.  Further, shortlisting under EOI is done based on basic qualification criteria. A&M is generally being asked at the stage of RFP evaluation wherein scope of work, team requirement, etc. would be described in detail. We request if MMRDA can throw some light on the evaluation criteria envisaged at the RFP stage.	The applicants shall submit their proposal considering the requirements of EOI Document.
27	Financial Capability Statements			Generally, the network & turnover statements are required to be submitted. The firm level details required under 2.3.3 and 2.3.4 would be impractical to share for large firms having presence in multiple countries & working across multiple sectors. Request you to limit the requirement to network / turnover figures.	Refer Standard Set of Deviation
28	Form 2.4.5: Time Schedule for Key Professional Personnel			The scope has been indicated very briefly with specific timeline mentioned. The Work Plan in the said format may be asked at the RFP Stage.	Refer Standard Set of Deviation

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29	No clause in the EOI		No legal contracting terms and conditions in the EOI	We request client to allow us to incorporate our standard terms of business in our proposal. These are very simple and straightforward. Please confirm that we would be allowed to negotiate the ensuing contract based on these TOBs. Alternatively, please confirm that the contracting template for procurement of consultancy services issued by MeitY would be used for contracting purposes.	Clause 3.1.1 may be referred
30	No clause in the EOI		Limitation of Liability:- Liability is unlimited or not documented	Client is requested to limit consultant's liability to 1X of the total contract value. This is as per GFR and the guidelines issued by Meity. It is also the normal industry practice. Client may consider including the following language: "Purchaser/Client agrees that Consultants total liability for all claims connected with the services or this agreement (including but not limited to negligence), whether in contract, tort, statute, indemnities or otherwise, is limited to one time the professional fees paid / payable for the services. Purchaser/Client agrees that Consultant will not be liable for (i) loss or corruption of data from your systems, (ii) loss of profit, goodwill, business opportunity, anticipated savings or benefits or (iii) indirect or consequential loss."	may be considered at RFP stage.
31	No clause in the EOI		Limitation of Liability:- Indirect and consequential losses are not excluded from liability	Client is requested to include to clause to state that we will not be liable for any indirect and consequential losses or damages. This is as per GFR and Meity guidelines and also the industry standard. Even the Contract Act, stipulates and remote and consequential damages are not payable. Client is requested to include the below clause: "Purchase/Client agrees that Consultant will not be liable for (i) loss or corruption of data from your systems, (ii) loss of profit, goodwill, business opportunity, anticipated savings or benefits or (iii) indirect or consequential loss."	may be considered at RFP stage.
32	Pt. 4.1.2.2(c) pg. 18 and Pt. 4.5, pg. 20-21 and Pt. 2E, Form 1.2, pg. 53	18, 20, 21, 50, 53	Conflict of interest:- Several conflict of interest related obligations on us and there are certain declaration requirements	We wish to highlight that we are a large organization providing various services to various state and central government departments, PSUs, international organizations and private clients. We wish you to note that while we have a mechanism in place to identify patent and direct conflict of interests, it may not always be possible to identify any or all indirect or remote conflict of interests. Kindly appreciate that our no conflict confirmations will be subject to the foregoing.	The applicant shall submit compliance of Qualification Criteria as stipulated in the EOI Document.

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33	Pt. 4.1.2.2(b)(iv), pg. 18 and Pt. 4.5.7, pg. 20-21 and Form 1.2, pg. 53	18, 20, 21, 53	Related Party	<p>We understand that this declaration pertains to confirmation wrt related party transaction u/s 188 of the Companies Act, 2013. We understand that the related party provisions however do not apply when a transaction is carried out in the ordinary course of business at an arm's length price and this holds true even when parties are related to each other. Given that this is a tender situation, we submit that this will be an arm's length price / transaction. Hence, we request you to kindly consider making the requirement of giving such related party confirmation/ declaration non-mandatory or removing it from the declarations.</p> <p>Alternatively, we request the client to consider that PwCPL with several employees and any it is not feasible for large organisations with several employees to check this information against every employee. Additionally, since we are also not aware of the employees/personnel of MMRDA involved in this procurement process/preparation of the TOR/evaluation process/implementation/supervision of the contract, we request you to please limit this requirement to the project team proposed to be deployed on the project.</p>	already clarifies in 4.1 1)
34	3.1.5	16	IPR- No protection to our pre-existing IPRs	<p>There are innumerable IPRs that exist with us which we would like to use to your benefit while delivering our services to you. These are our pre-existing IPRs and we use it for all clients. We will not be able to give ownership in such IPRs to you just because we are using them for providing services to you, like we use these for other clients. We request that we are allowed to retain ownership of our pre-existing IPRs, else we might be not be able to use these in providing services to you in order to protect our ownership in them. We request you to kindly include the below clause. This is also the standard mentioned by Meity in its guidelines.</p> <p>"Notwithstanding anything to the contrary in this agreement, Consultant will retain the ownership of its pre-existing intellectual property rights (including any enhancement or modification thereto) even if such IPRs are used for creating deliverables, are incorporated in the deliverables, etc. To the extent such pre-existing IPRs are included/incorporated in the deliverables, upon receipt of all due and payable payment in full, the Consultant shall grant a non-exclusive, perpetual and fully paid up license to the Purchaser/Client to use such pre-existing IPRs for use of deliverables for the purpose for which such deliverables are meant for client's internal business operations."</p>	Clause 3.1.2-5 is limited to the submission under this EOI specifically.

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35	No clause in the EOI		Arbitration- No arbitration clause	<p>We request client to consider referring the disputes to arbitration as per Indian laws. It is easier, faster and less cumbersome. With the recent amendments, it has become even more effective. GFR and Meity guidelines also encourage arbitration. We therefore request you to kindly consider the below clause inclusion:</p> <p>"In case, a dispute is not amicably resolved within forty five (45) days of referral by one party to another, it shall be resolved through arbitration, in India, in accordance with the provisions of Arbitration and Conciliation Act 1996 (and any amendments thereto). The venue of such arbitration in India shall be the _____."</p>	Clause 3.1.1 may be referred
36	No Clause	No Clause	Major Litigation	We request the client to kindly appreciate that any entity having long standing operations would be a party in certain litigations / arbitrations in its ordinary course of business. Such litigations/ arbitrations, even if adversely determined, may not necessarily impact the entity's ability to perform the services under this RFP. Hence, we request the client to modify the term 'Major Litigation' to pending litigation and their impact on the ability of the Bidder to perform services under the proposed tender.	may be considered at RFP stage.
37	Ref Clause 2.3, Schedule II: Qualification Criteria	41	Criteria 1 General and Similar Experience: During the last 5 years, atleast 3 Consultancy Assignments completed or substantially completed (at least 90% payments received) out of which atleast 1 should be a similar project consultancy fee not less than INR 25 Lakhs	We would request the authority to kindly clarify if Consultancy Assignments from any specific sector would be accepted, or it has to be tourism specific sector	Refer Standard Set of Deviation
38	Schedule II: Qualification Criteria, Note to Applicant, Point 1	42	If the Current Net Assets (as seen from the Balance Sheets) are negative, only the Banking references shall be considered. Otherwise, the aggregate of the Current Net Assets and submitted Banking references shall be considered for working out the Liquidity. Failure to submit any of the two documents as evidence of financial capacity may result in the rejection of the EOI.	We will request the authority to kindly clarify if we need to submit banking reference, if the Current Net Assets are positive.	Refer Standard Set of Deviation

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39	Ref Clause 2.3, Form2: Qualification Criteria- Compliance	51	<b>Criteria 3 - Financial Capability</b> <b>Financial Liquidity:</b> ) Overall quarterly cash flow requirements for our current commitments are (see Form 2.3.4):	We wish to highlight that we are a large organization providing various services to various state and central government departments, PSUs, international organizations and private clients. We would request the authority to kindly take off the clause, as it would be very difficult to consolidate the list of all ongoing projects with cash requirements and receivables.	Refer Standard Set of Deviation
40	Ref Clause 2.3, Form2: Qualification Criteria- Compliance & Form 2.3.4	52	Criteria 3 - Financial Capability Financial Liquidity: ) Overall quarterly cash flow requirements for our current commitments are (see Form 2.3.4):	We wish to highlight that we are a large organization providing various services to various state and central government departments, PSUs, international organizations and private clients. We would request the authority to kindly take off the clause, as it would be very difficult to consolidate the list of all ongoing projects with cash requirements and receivables.	Refer Standard Set of Deviation
41	Form 2.4.1	66	<b>Chapter-5</b> Overall implementation strategy, Team Deployment Plan and Work and Project Plan for carrying out the consultancy with illustrations, time schedule for completion of projects supported with details of services that will be provided.	We understand that the exact team requirement and details, deployment and project plan etc. would be decided at the RFP stage. We would request the authority to kindly clarify the same.	The applicants shall submit their proposal considering the requirements of EOI Document.
42	Form 2.4.2	67	Certificate from the HR/ Authorized Signatory on the letter head of the Applicant confirming the staff (minimum 10 nos.) with their experience in years and expertise in the subject concerning the said EOI in consideration and other relevant professionals employed full time in Pay Roll of Applicant as on date of submission of Proposal.	We will request the authority to kindly confirm if we need to propose minimum 10 staff and CVs for this EOI.	The applicant shall submit compliance of Qualification Criteria as stipulated in the EOI Document.