#### RFP No.28(8)/2013-IPHW

#### **Government of India**

### Ministry of Communications and Information Technology Department of Electronics and Information Technology (IPHW Division)

Minutes of pre-Bid Meeting regarding Request for Proposal (RFP) No. 28(8)/2013-IPHW dated 12.12.2014 for selection of Consulting Firm for 3<sup>rd</sup> party appraisal of Detailed Project Reports (DPRs) for setting up of Semiconductor Wafer Fabrication (FAB) manufacturing facilities in India held on 22.12.2014 at 04:00 PM at Deity, Electronics Niketan, New Delhi

Following were present in the meeting:

- 1. Dr. Ajay Kumar, Joint Secretary, DeitY ..... In Chair
- 2. Shri S.K. Marwaha, Director, DeitY
- 3. Shri Rajesh Suri, Dy. Director, DeitY
- 4. Shri Bharat Bhushan Arora, Scientist 'B', DeitY
- 5. Dr. Abhinav Akhilesh, Manager, M/s. KPMG
- 6. Shri Manish Chadha, Manager, M/s. KPMG
- 7. Shri Ajan Kumar Singh, Senior Consultant, M/s. Wipro Ltd.
- 8. Shri Varun Chandra, Consultant, M/s. Accenture Services Pvt. Ltd.

Committee welcomed the participants to the meeting. Queries as shared with DeitY were discussed one by one in order to understand bidders' point of view and other issues related to the RFP for selection of Consulting Firm for 3<sup>rd</sup> party appraisal of DPRs to set up Semiconductor Wafer Fabrication manufacturing facilities in India. Floor was opened for participants to share their queries with the Committee members. These queries were debated and discussed. Queries and Clarifications arrived at by the Proposal Evaluation Committee are placed at *Annexure-1*.

## Annexure-1

Sr. No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiris	ng action	Points	for Clarificati	on	Clarifications	
M/s. KPN								
1.	Section 3.15: Milestones and Timelines (Page number 39)	Deliverable	Time of	It is	requested that	ed are unrealistic. at at the very for interim/ draft	The revised timeline envisage of the assignment are as und	
	(Ligo names)	Inception Report Gap analysis report of	T+5	report from o	submission sho late of receipt	ould be 3 months of response from (in response to	Deliverable (per consortia basis)	Time of completion
		the DPRs received	T+10	gap re		(in response to	Inception Report	T + 5 working days
		Interim Appraisal report Final Appraisal report	T+40 T+60				Gap analysis report of the DPR(s)	T + 10 working days
		T = Date of issue of L selected Consulting Firm.					Submission of gap by consortium	T1
							Interim Appraisal report	T1 + 45 working days
							Final Appraisal report	T1 + 70 working days
							T = Starting date of appr applicant consortia.	raisal process of each
2.	Form 4: Compliance sheet for Technical Proposal (Page number 56)	1. Average Turnover Services 2. Full time professiona services	_	technic Evalua change the lea	cal, the Pre-Q ation criteria shed to allow Tec	scope of work is Qualification and nould be suitably chnical firm to be ering of turnover criteria)	Revised pre-Qualification Technical Evaluation Turnover from Consulting professional staff engaged with revised marks allotmenthis document.	Criteria (Average g Services, Full time and resource profiles)
3.	Section 3.16: Payment Schedule (Page number 39)		Billable Fee (as % of Contract	Payme is sugg		re skewed. Below	Inputs of selected bidder preparation of final agreem executed with both con	nents that needs to be
		No.   for payment	Value) per consortia basis	S.	Milestone	Billable Fee (as % of	consultancy services mig Empowered Committee for issuance of letter of com	ght be required by decision making after
		1 Mobilization Advance (submission of PBG)	10%	No.	for payment	Contract Value) per consortia basis	consortia.  The revised payment milestore.	
				1	Mobilization	15%		

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	(Section to Tage Plantock (S))	2	On submission of draft Appraisal report	30%			Advance (submission of PBG) On submission of draft		S. No	Milestone for payment  On submission of Gap analysis	Billable Fee (as % of Contract Value) per consortia basis
			On submission and approval	200	2	2	Appraisal report	45%	1	report of the DPR On submission	5%
		3	of final Appraisal report	30%			On submission and approval of		2	of draft Appraisal report  On submission	30%
		4	On issue of letter of commitment from GoI to applicant consortia  On approval	20%	3	3	final Appraisal report	30%	3	and approval of final Appraisal report	45%
							On issue of letter of commitment from GoI to	10%	4	On issue of letter of commitment from GoI to applicant	15%
			of the project by GoI (execution of final 5 agreements between GoI and applicant consortia)	the project GoI xecution of			applicant consortia			Consortia  On approval of	
		final 5 agreements between GoI and applicant		10%	4	5	On approval of the project by GoI (execution of final agreements between GoI	As per the scope of work, there is no work to be done post the appraisal, therefore there should be no	5	the project by GoI (execution of final agreements between GoI and applicant consortia)	5%
				and applicant consortia)		payment linked to this milestone	Appr	aisal report, the on-	and approval of final site presence of the on an as required basis.		
4.	Section 3.14: Scope of Work (Page number 38)	DeitY such t	in the DPR ap	required to support opraisal process till nal agreements are applicant consortia	foll pre	low esent	on work, v	he possibility of which was also s RFP. However, not elucidate the	beyor break	nd the execution of fin up of bid price provide	d bidder are retained al agreements then the ded by bidder (as per at) may be used by this

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	(Section to Tage Prints et (5))	and GoI.	rates at which follow on work, if any would be given. It is requested to retain the terms from previous RFP.	Department to determine the relevant remuneration for extension of services, if any. The bidder would be bound to provide services in the period desired ( <i>for extension</i> ) at the same rates without any escalation.
5.	Section 3.14: Scope of Work (Page number 38)	The selected bidder is required to support DeitY in the DPR appraisal process till such time as the final agreements are executed between the applicant consortia and GoI.	Any delay in the process (not solely attributable to consultant, such as delay in submission of document by applicant firms, delay in approval by EC etc.; as per past experience these constitute severe delays) should be compensated by DeitY to consultant on a pro-rata basis (eg if the consultant has quoted X for the work presently envisaged to be completed in 2 months, then for every month's delay, the compensation should be X/2).	No Change. The bidder may make reasonable estimate of the scenario.
M/s. Wip	ro Limited			
6.	Clause 3: Technical evaluation criteria (Page 22)	Geographical Presence of the Consulting organization	Would request to confirm whether we need to submit detail of international office of Wipro OR we have to submit proof for various offices in India.	<ol> <li>Global presence is solicited.</li> <li>Marks allotted to Geographical Presence of the Consulting organization have been revised. Please refer to <i>Annexure-2</i> of this document.</li> </ol>
7.	Clause 4: Technical evaluation criteria (Page 22)	Experience relevant to this engagement as listed below to be demonstrated in a maximum of 10 engagements that have either been completed or an on-going project where a similar deliverable or milestone has been successfully achieved. The work order should have been issued within the last 5 years, as on date of bid submission.  Projects of similar nature shall mean engagements which included all of the following:  -Investment appraisal of proposals to set up large industrial facilities of value not less than INR 500 Crores	We would request to change the same as following "Experience relevant to this engagement as listed below to be demonstrated in a maximum of 5 engagements that have either been completed or an on-going project where a similar deliverable or milestone has been successfully achieved"	Agreed. The past experience relevant to this engagement has been revised to maximum of 5 engagements. Please refer to <i>Annexure-2</i> of this document for revised marks allocation for Technical Evaluation Criterion.

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8.	Clause 5: Technical evaluation criteria (Page 23-24)	-Technical review (Engineering, Technological, Business review) of DPR (or equivalent documents) for such proposals"  Project Manager (7 marks)  Relevant Experience  > 10 years - 2 marks	We would request to change the marking for engagement executed by Project Manager as follows:	No change.  It may be noted that the experience of the Project
		<ul> <li>5 - 10 years - 1 mark</li> <li>&lt;5 - 0 mark</li> <li>&gt;9 engagements - 5 marks</li> <li>7-9 engagements - 4 marks</li> <li>4-6 engagements - 3 marks</li> <li>2-3 engagements - 2 marks</li> <li>1-2 engagements - 1 mark</li> </ul>	<ul> <li>Relevant Experience         <ul> <li>&gt;10 years - 2 marks</li> <li>5 - 10 years - 1 mark</li> <li>&lt;5 - 0 mark</li> </ul> </li> <li>&gt;5 engagements - 5 marks</li> <li>3-5 engagements - 4 marks</li> <li>3 engagements - 3 marks</li> <li>2 engagements - 2 marks</li> <li>1 engagement - 1 mark</li> </ul>	Manager is solicited in similar projects. Projects of similar nature shall mean engagements which included all of the following:  • Investment appraisal of proposals to set up large industrial facilities of value not less than INR 500 Crores  • Technical review (Engineering, Technological, Business review) of DPR (or equivalent documents) for such proposals  It is preferable but not mandatory to have experience in appraisal/support in setting up of Semiconductor Wafer Fabrication manufacturing facility.
9.	Clause 5: Technical evaluation criteria (Page 24)	Five Subject Matter Expert (SME) (5 marks each)  • Relevant experience in semiconductor Wafer FAB industry  ○ Over 10 years − 1 mark  • Experience in similar projects  ○ >5 engagements − 4 marks  ○ 4 engagements − 3 marks  ○ 3 engagements − 2 marks	We would request to change the detail of Five Subject Matter Expert (SME) as follows:  Five Subject Matter Expert (SME) (5 marks each)  Relevant experience in semiconductor Wafer FAB industry Over 10 years – 1 mark  Experience in similar projects >4 engagements – 4 marks 3-4 engagements – 3 marks 2 engagements – 2 marks 1 engagement – 1 mark	To widen the spectrum, the revised details/ marks allotment of Subject Matter Expert is as follows:  Five Subject Matter Expert (SME) (5 marks each)  Relevant experience in semiconductor Wafer FAB industry Over 10 years – 1 mark  Experience in similar projects O >5 engagements – 4 marks Head of the semiconductor wafer FAB industry I mark  Please refer to Annexure-2 of this document.
10.	Clause 5: Technical evaluation	Two Management Consulting Experts (4	We would request to change the detail	Agreed. The revised details/ No. of management

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	(Section & Page Number(s))			
	criteria (Page 25)	marks each) (atleast 5 year experience in engagement in similar hi-tech projects)  • >6 engagements - 4 marks  • 5-6 engagements - 3 marks  • 3-4 engagements - 2 marks  • 1-2 engagements - 1 mark	of Two Management Consulting Expert as follows (atleast 5 year experience in engagement in similar hitech or electronic sector projects)  • >4 engagements – 4 marks • 3-4 engagements – 3 marks • 2 engagements – 2 marks • 1 engagement – 1 mark	consulting experts/ marks allotment, is as follows:  Two (2) Management Consulting Experts (4 marks each) (atleast 5 year experience in engagement in similar hi-tech projects)  • >4 engagements - 4 marks • 3-4 engagements - 3 marks • 2 engagements - 2 marks • 1 engagement - 1 mark  For details (credentials of resources), please refer to Annexure-2 of this document.
11.	Clause 3.8.1: Tender Opening (Page 18)	The Proposals submitted up to 03:00 P.M. on 27.01.2015 will be opened at 03:00 P.M. on 02.02.2015 (financial proposals) by Shri S. K. Marwaha, Scientist "F", DeitY or any other officer authorized by DeitY, in the presence of such of those Bidders or their representatives who may be present at the time of opening.	We would request to extend the time of bid submission till 10 <sup>th</sup> Feb'15.	The Proposals submitted up to 03:00 P.M. on 12.03.2015 will be opened at 03:00 P.M. on 23.03.2014 (financial proposals) by Shri S. K. Marwaha, Scientist "F", DeitY or any other officer authorized by DeitY, in the presence of such of those Bidders or their representatives who may be present at the time of opening.
12.	Clause 3.15: Milestone and Timeline (Page 39)	Final Appraisal report - T+60	We would request to extend the period of project to 120 days	The revised timeline envisaged for the completion of the assignment is at point 1 of this table.
M/s. Wrig	ght Williams & Kelly, Inc.			
13.	Request for Proposal, Fact Sheet: General: A (Page 4)	The applicable law shall be the laws and any other instruments having the force of law in India.	For the consortia supplying the technology and the equipment, the export laws of the supplier countries would be applicable. This would include export laws of the USA, including ITAR reviews, based on the DPRs.	Yes, but not relevant to this RFP.
14.	Request for Proposal, Background Information: 2.d (Page 9)	The selected consultant shall also be responsible for other support to EC as may be deemed appropriate or required from time to time, till the conclusion of final agreements with the consortia.	The Request for Proposal calls for "firm prices" (Request for Proposal, General Terms and Conditions for the Contract, section 4 x.). Since this section requires on-going support of indeterminate length and scope, can it be bid on a time and materials basis or cost + expenses + profit?	Please refer to points 4 & 5 of this table.

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15.	Request for Proposal, Background Information: 2.f (Page 10)	Any contract that may result from this public procurement competition will be issued for a term of four months ("the Term") or till execution of final agreements with the consortia, whichever is later	It is quite likely that significant information necessary for the evaluation of the consortia will not be available until DeitY reaches a final agreement with the consortia. In fact, much of this data will be generated over time as the project takes shape.	The observation is noted. The timelines envisaged have been revised as per point 1 of this table. The bidder may make reasonable estimate of the scenario.
16.	Request for Proposal, Background Information: 2.g (Page 10)	DeitY reserves the right to extend the Term for a period or periods of up to three years (thirty six months, in batches of three months each) with a maximum of twelve such extensions on the same terms and conditions. Post commissioning, the services of the selected Agency may be considered to be continued by DeitY, depending on the performance of the Agency and the project requirement.	The Request for Proposal calls for "firm prices" (Request for Proposal, General Terms and Conditions for the Contract, section 4 x.). Since this section requires on-going support of indeterminate length and scope, can it be bid on a time and materials basis or cost + expenses + profit?	Initial engagement of the Consultants is till signing of the Agreements with the applicant Consortia.  For clarification with regard to payment, please refer to points 4 & 5 of this table.
17.	Request for Proposal, Bidders Queries, 3.3.1.a (Page 11)	DeitY shall hold a pre-bid meeting with the prospective bidders on 22.12.2014 at 04:00 P.M. in Conference Hall No. 4009, Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi.	Will the pre-bid meeting be videotaped so that non-India based organizations/team members may review the meeting during normal local business hours or at a minimum, will a call in telephone number be provided?	Minutes of the pre-Bid meeting will be shared on the tender webpage.
18.	Request for Proposal, RFP Document Fees and Earnest Money Deposit: Section 3.4.2 and 3.4.3 a (Page 13)	The Consulting Firms have to pay the non-refundable document Fee of Rs. 5000/-(Rupees Five Thousand Only) by Demand Draft in favour of "Pay and Accounts Officer, Department of Electronics and Information Technology" and payable at New Delhi from any of the scheduled commercial bank along with the proposal. Bidders shall submit, along with their Bids, EMD of Rs. 2,00,000/- (Rupees Two Lakhs Only), in the form of a Demand Draft OR Bank Guarantee (in the format specified in Appendix 1: Form 3) issued by any scheduled commercial bank in favor of "Pay and Accounts Officer, Department of	Will DeitY waive the submission fee and/or earnest money for organizations constrained by their local laws that prohibit or have the possibility of prohibiting such payments as perceived pay-for-play arrangements?	Document Fees of Rs.5,000/- is waived off.  Earnest Money Deposit of Rs. 2,00,000/- (Rupees Two Lakhs Only) is a refundable amount which can be submitted in the form of Bank Guarantee. This provision is to safeguard the Client against bidder's withdrawing or altering its bid during the bid validity period. For details, please refer to Section 3.4.3 of the RFP document.

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	<b>9</b> (7)	Electronics and Information Technology" payable at New Delhi, and should be valid for at least six months from the due date of the RFP.		
19.	Request for Proposal: Evaluation Process: Clause 3.8.d (Page 18)	The Proposal Evaluation Committee may fix meetings with the Bidders to seek clarifications on their proposals.	Will attendance at these meetings be allowed through remote communications (phone, Skype, etc.) since participants may not be located in India or will such meetings be reimbursed for direct expenses?	Attendance at these meetings will be allowed through remote communications (Video Conference, Phone, Skype, etc.)
20.	Request for Proposal: Pre- Qualification Criteria: Section 3.9.1.1 (Page 20)	The lead bidder and the consortium partner, if any, should be a registered company either in India or in their respective country.	The previously released document entitled "Brief Scope of Assignment" indicated that an Indian consortium partner was a requirement. Has that requirement been lifted? If not, is there a list of possible Indian companies that are looking for experts with whom to partner?	For the purposes of this RFP, consortiums are allowed and it is not necessary to have an Indian Consortium Partner. Also, the bidders may subcontract part of the work. However, the lead bidder in the consortium shall be solely responsible for delivery of services envisaged in this RFP.
21.	Request for Proposal: Pre- Qualification Criteria, Section 3.9.1.4 (Page 20)	The lead bidder in its name must have achieved a minimum average annual financial turnover of INR 20 crores in the last 3 (three) years.	Is this flexible for groups of consultants that individually may not meet this requirement and may not employ a lead organization that is this large? Utilizing large lead firms adds to overhead that will be passed on to DeitY. Additionally, many of the traditional large lead firms that would be interested will no bid this proposal as they are interested in the actual work of design/build on the two wafer fabs.	Basic requirement of the Turnover of the lead bidder has been revised to a average annual financial turnover of INR 10 crores in the last 3 (three) years.  Please refer <i>Annexure-2</i> of this document.
22.	Request for Proposal, Pre- Qualification Criteria, Section 3.9.1.6 (Page 20-21)	Copy of work order along with certification of completion from client or a self-certification from authorized signatory along with any relevant document in support of completion of work	It is 100% assured that all such previous work is covered by non-disclosure agreements. It will not be possible to provide copies of contracts, purchase orders, invoices, or payments. Is a sworn statement from the bidder sufficient?	Since Technical Evaluation Criteria of past experience is based on these documents, they are considered indispensable.  The bidder may provide any of the following (bringing out all details necessary for Proposal Evaluation Committee to evaluate the proposal):  a. Completion Certificates from the client; OR

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				b. Work Order + Self Certificate of Completion (Certified by the Statutory Auditor); OR
				c. Work Order + Phase Completion Certificate (for ongoing projects) from the client; OR
				d. Certified copy of work contract + Self Certificate of Completion (Certified by Statutory Auditor); OR
				e. Letter from Client or Email from Client Official email ID (bringing out the comprehensive data required for evaluation).
23.	Request for Proposal, Technical Qualification Criteria, Company Profile, Section 3.9.2.1-3, (Page 21-22)	Company Profile	It is our opinion that Company Profile is irrelevant given the other evaluation criteria (Relevant Past Experience, Resource Profiles, Approach and Methodology).	The weightage given to Company Profile in Technical Evaluation Criterion has been reduced from 15 marks to 11 marks. For details, please refer to Section 1.2 of the <i>Annexure-2</i> of this document.
24.	Request for Proposal, Technical Qualification Criteria, Relevant Past Experience, Section 3.9.2.4 (Page 22-23)		It is 100% assured that all such previous work is covered by non-disclosure agreements. It will not be possible to provide copies of contracts, purchase orders, invoices, or payments. Is a sworn statement from the bidder sufficient?	Please refer to clarification provided in point 22 of this table.
25.	Request for Proposal, Technical Qualification Criteria: Resource Profiles: Section 3.9.2.5 (Page 23-24)	Resource Profiles	Suggest splitting resource types based on - Tangible measures could be engineering levels attained - Fellow, Distinguished Engineer, Senior Engineer, patents, corporate and industry awards, national awards, publications, best paper awards, SIA appointed leadership positions, customer recognition awards, etc	Bidder is required to provide detailed information about the resources as per Form 10: Curriculum Vitae (CV) of Key Personnel at page 63 of the RFP document.
26.	Request for Proposal, Technical Qualification Criteria, Resource Profiles, 3.9.2.5 reference 5 Subject Matter Experts	Provide industry insights, including but not limited to cost benchmarks, market forecasts, price forecasts, sales forecast, operational forecasts (assumptions related	There is no reference in the subject matter expert descriptions to DPR Format, Business Case, section 8 relative to strategic requirements -	The bidders may make an assessment of the Subject Matter Experts required for execution of the assignment as per Scope of Work defined in the RFP document and make a reasonable estimate

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	(Page 24)	to operations), and CapEx plan. This role would also be required to test all the relevant assumptions which may be made by the applicant consortia in the DPR and judge for reasonableness	Aerospace, Weapons, Nuclear, and Trusted Foundry. Those are very unique skills, both technical and regulatory and are not typical of commercial semiconductor development and manufacturing personnel. There should be a listing for subject matter experts in analysis and adaptation of commercial electronics for space and military purposes with familiarity with compliance for both commercial and ITAR regulations on semiconductor technology, processes, and tools.	of the same in the bid price.  However, the technical evaluation will be done as prescribed in the RFP document.
27.	Request for Proposal, Commercial Bid Evaluation, Section 3.9.4.b (Page 27)	The bidders are required to quote two prices: Price in case only one (1) DPR is to be appraised (X), Price in case two (2) DPRs are to be appraised (Y).	DeitY should only consider bidders that are capable of evaluating both DPRs. This guarantees a consistent methodology when evaluating both DPRs. It should be clarified if this requirement allows for two groups to evaluate the DPRs or if there is some possibility that DeitY will only approach the building of one wafer fab.	Government of India has approved two FABs whose Detailed Project Reports (DPRs) need to be appraised. Please refer <i>Section 2: Background Information</i> of the RFP document.  Department of Electronics and Information Technology, Government of India is looking to hire only one consulting firm which can appraise both the DPRs. The selected Consultants will need to submit two appraisal reports (one for each applicant consortia). The appraisal process of each consortia may start at different time.  The pricing is split in this structure to take into account the scenario if one of the approved FAB project fails to materialize, in which case the payment will be based on the stage/milestone achieved, as defined in point 3 of this table.
28.	Request for Proposal: Commercial Bid Evaluation: Section 3.9.4.f (Page 27)	The bid price will include all taxes and levies and shall be in Indian Rupees	Can you clarify if the Indian government will tax payments made to non-Indian firms and if there is assistance in determining in advance what those taxes might be? It is customary to quote these types of projects as net of all taxes except for those due to U.S. Federal and State	Payments made to non-Indian firms will be taxed as per applicable laws of the Republic of India. The bid price should be inclusive of all applicable taxes, out-of-pocket expenses and miscellaneous expenses (in INR).  The bidder is required to make a reasonable estimate of the same and factor in the bid price.

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	(Section & Lage Pulmber(S))		agencies, paid via UCC1 Letter of Credit drawn on a U.S. bank (for U.S. based bidders).	
29.	Request for Proposal: Performance Guarantee: Section 3.10.4.f (Page 29)	DeitY will require the selected bidder to provide a Performance Bank Guarantee, within 15 days from the Notification of award, for a value equivalent to 10% of the total cost of ownership.	This is typical where a construction project or other hard deliverable is provided; however, it can be difficult to obtain such a bond or insurance policy given that the consultants will be issuing opinions based on decades of experience, something that is difficult to assess until many years later (after the fab is built and operating). Even then it is difficult to assess due to changes in market and technology conditions over time. It is our suggestion that DeitY forgo this requirement as it will add cost to the bids and may, in fact, be unavailable to some well qualified, smaller bidders.	No change.
30.	Request for Proposal: Conflict of Interest: Section 3.13 d (Page 34)	The Bidder eventually appointed shall not take up any assignment that by its nature will result in conflict with the present assignment till 12 months from the date of signing of final agreement with the respective consortia and any breach of this obligation shall be construed as Conflict of Interest.	It is highly likely that the winning bidder (if not all the qualified bidders) will have other clients that are in the business of building and operating wafer FABs. Will DeitY consider new and continued work with other semiconductor manufacturers and their suppliers to be a conflict of interest?	If the semiconductor manufacturers are not a part of the two consortia, then it will not be considered as a conflict of interest.
31.	Request for Proposal: Scope of Work: Cost and Capacity Modeling: Section 3.14 b-c (Page 36)	Verify the Wafer Fab consortium DPR's wafer cost and capacity model to insure accurate factory modeling including yield, cycle time, tool cost, facility cost, labor cost, materials cost. Cost of funding to be reviewed.	Using this section as an example, can DeitY guarantee that all of the necessary data will be made available to the review team? The data necessary to verify the above includes the following as examples, which is normally considered highly confidential to the semiconductor technology transfer partner/manufacturer and is not available until significant fab planning has already taken place; process route(s), process time (including load, process [single	The two consortia are expected to provide a detailed estimate of all such information. In case more information is required, it may be sought from the consortia or can be assumed as per industry standards, under intimation to DeitY.

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			wafer, lot, or batch], unload, delay, transport) by step, yield by step (including step where yield loss is removed from line), equipment used at each step (capital cost and detailed operational costs and full set of interruptions and their distribution), materials consumed at each step (quantity used, cost per quantity, waste disposal), headcount (operators, supervisors, service techs, process engineers, equipment engineers, and their availability), floor space including gross up factors, and factory demand over time by product.	
32.	Request for Proposal, Scope of Work, 3.14 ending paragraphs (Page 37)	The selected consultants would also be required to perform all and any such additional analyses that would be reasonably required to conduct a thorough review of the DPRs. Such review may require additional experts to be provided, the services of whom shall be provided by the selected consultant at no extra cost to DeitY.	This type of clause is so open ended that any response will have to either ask for a deviation (time and materials or cost + expenses + profit) or inflate the bid to anticipate any and all possible requests.	The bidders may make an assessment of the Subject Matter Experts required for execution of the assignment as per Scope of Work defined in the RFP document and make a reasonable estimate of the same in the bid price.  However, the technical evaluation will be done as prescribed in the RFP document.
33.	Request for Proposal: Scope of Work: 3.14 ending paragraphs (Page 38)	The bidder would be required deploy its proposed personnel at DeitY on a full-time basis for the initial review period (specialist resources, i.e. Semiconductor Expert, Engineering Expert, may not be present full time at DeitY. However the bidder is required to estimate the time commitment of such resources as any documents would not be allowed to leave DeitY premises. These experts however would mandatorily be present for any meetings or interactions which may require their inputs or expertise). However, for the period post the submission of first draft, the consultant would deploy personnel at site on an as required basis (it would be guided by the	It would be significantly less expensive if DeitY setup an office in the Silicon Valley and allowed the requirements of this paragraph to be met at that location. There are certain experts that may not be in a position to travel to India due to on-going business arrangements but are still vital resources for the completion of the project. Additionally, there are significant resources in Silicon Valley outside of the consultants and consortia that would be of value to DeitY.	No Change.

Sr. No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring action	Points for Clarification	Clarifications
	(Section & Lage Pulliber(s))	SPoC for the same). However, the consultant would be required to be mandatorily present for required meetings, presentations etc.		
34.	Request for Proposal: Milestones and Timelines: Section 3.15 (Page 39)		There does not seem to be a definition of each milestone. Additionally, the timeline is overly aggressive as the timeline should take into consideration not only the time required to do the work but the time lag in receiving data and answers from the consortia. As previously discussed, 90 days is the minimum time envisioned for this process. Some team members have indicated they believe the lag in responses from the consortia will move this closer to 180 days.	The revised timeline envisaged for the completion of the assignment is at point 1 of this table.
35.	Request for Proposal: Payment Schedule: Section 3.15 (Page 39)		30% of the payments are completely outside the control of the consultants. It is suggested that a maximum time be included in items 4 and 5. Otherwise, the consultants will have to assume they will not see the last 30% and will inflate their bids.	Please refer to point 3 of this table for revised payment schedule.
36.	Request for Proposal: Section 3.16: Payment Terms & Conditions: Page 39	The bid price is inclusive of all applicable taxes and out-of-pocket expenses.	Since many of the consultants will be from outside the New Delhi/National Capital Region, will such travel be considered as part a or b of this section?	Expenses in case the selected bidder is required to undertake travel outside of New Delhi/National Capital Region for the purpose of this project, would be paid separately by DeitY on the terms and conditions mentioned in Section 3.16 of the RFP Document.
37.	Request for Proposal: Payment Terms & Conditions: Section 3.16.b.i. (Page 39-40)	Y class air travel, with appropriate boarding and lodging expenses	It is customary that Director-level or higher responsibility levels fly business class on international flights.	No change.
38.	Request for Proposal: Change Request: Section 3.1.8.a (Page 40)	The following would constitute a Change request, a. Any work which has not been specifically mentioned in the scope of work	This clause seems to be in conflict with the several other sections of the document than indicate open ended support, such as 3.14 ending	The Scope of Work mentioned in the RFP is indicative only and it covers a detailed appraisal of the DPRs and any further work aligned to the same will not be a change request/deviation.

Sr. No.	RFP Document Reference(s)	Content of RFP requiring action	Points for Clarification	Clarifications
	(Section & Page Number(s))		paragraphs, Page 37, "The selected consultants would also be required to perform all and any such additional analyses that would be reasonably required to conduct a thorough review of the DPRs." The Statement of Work needs to be definitive so that it is clearly understood what is a change request and what is inherent to the Statement of Work as written.	Any other completely non-related activity that is requested from the selected bidder at some later stage may constitute Change request/deviation.
39.	Request for Proposal: Delay in Selected Bidder's Performance, Section 4.v.b.: (Page 42)	Any unexcused delay by the bidder in the performance of its implementation / service / other obligations as per conditions of the contract shall render the selected Bidder liable to any or all of the following sanctions; forfeiture of his performance security	Who determines what an "unexcused" delay is and what is the basis for that determination?	Secretary, Department of Electronics and Information and Technology (DeitY) will be the competent authority.
40.	Request for Proposal: Section 4.x: Firm Prices (Page 43)	The prices quoted for the providing the services shall be firm throughout the period of contract and shall not be subject to any change	Since there are many unknown and unknowable issues, it is customary to bid such work on a time and materials basis or cost + expenses + profit (this is what should be expected from the DPRs as well). It is unlikely that any qualified bidder will be willing to take the financial risk given other sections specifying indeterminate work and time in support of DeitY until the consortia agreements are signed or the wafer FAB(s) are in operation.	The Bid price should be calculated such that it covers the work till the signing of the final agreements with the consortia.  If Services are retained beyond the execution of final agreements then the consultants will be paid man month rate for the period that the services are utilized. (Refer point 3.9.4 g at page 27 of the RFP Document): The breakup of bid price provided by bidder (as per Form 2C in revised Form 2: Commercial Bid Template at Annexure-3 of this document) shall be binding and may be used by DeitY to determine the relevant remuneration for extension of services, if any. The bidder would be bound to provide services in the period desired (for extension) at the same rates without any escalation.
41.	Request for Proposal: Section 4.xi: Deduction (Page 43)	Payments, as envisaged in price schedule, shall be subject to deductions (such as Service Tax, etc.) of any amount, for which the selected bidder is liable under the agreement against this RFP.	Can you provide any information about what deductions would be applicable to non-Indian based organization bidding on this Statement of Work? It is customary to quote these types of	The bid price should be inclusive of all applicable taxes, out-of-pocket expenses and miscellaneous expenses (in INR). The bidder is required to make a reasonable estimate of the same and factor in the bid price.

Sr. No.	RFP Document Reference(s) (Section & Page Number(s))	Content of RFP requiring action	Points for Clarification	Clarifications
			projects as net of all taxes except for those due to U.S. Federal and State agencies, paid via UCC1 Letter of Credit drawn on a U.S. bank (for U.S. based bidders).	
42.	Request for Proposal: Section 4.xii.f: Confidentiality (Page 44)	The requirements of use and confidentiality set forth herein shall survive the expiration, termination or cancellation of this tender.	It is customary to include a length of time that materials are to be kept confidential. This timeframe is typically 3 years due to the rapidly changing nature of technology.	No change.
43.	Request for Proposal, Section 4.xiii: Confidentiality (Page 44)	All documents, specifications, reports and other documents prepared by the selected bidder in the execution of the Contract shall become and remain the property of DeitY and before termination or expiration of the contract the selected bidder shall deliver all such documents, prepared under the contract along with a detailed inventory thereof, to DeitY.	It is customary to include a prior arts clause to protect the bidder's previous inventions and discoveries. It is in DeitY's best interest to use consultants who have prior art as it will lower costs and expedite delivery.	The bidder may declare the prior arts upfront in the technical proposal. However, all relevant documents/ information pertaining to appraisal of these projects prepared under the contract would have to be shared with DeitY.
44.	Request for Proposal: Section 4.xix.a: Termination: (Page 48)	The Authority, in its sole discretion and for any reason whatsoever, decides to terminate this Agreement.	This conflicts with section 3.10.5 that states 15 days.	Time period stated in section 3.10.5 stands.
45.	DPR Format		As a general observation, nothing in the DPR requirements specifies that detailed data must be provided in key areas. One such area is the data needed to satisfy Request for Proposal, Scope of Work, Cost and Capacity Modeling, 3.14 b) c., Page 36. Without a specific requirement that the consortia provide such data, our experience is that they will not. There needs to be a statement in the DPR that any and all data required by the Request for Proposal document must be provided in the DPR or in a timely fashion once a bidder has been awarded the contract to review the DPRs.	The suggestion is valid. DeitY shall consider it for suitable incorporation in the undertaking to be taken from the two consortia regarding acceptance of the terms and conditions of the Letter of Intent.

# 1. Criteria for Evaluation

# 1.1 Pre-Qualification Criteria

S. No.	Basic Requirement	Specific Requirements	<b>Documents Required</b>	
1.	Legal Entity	The lead bidder and the consortium partner, if any, should be a registered company either in India or in their respective country.  Lead bidder should have been	Copy of registration certificate for the lead bidder and the consortium partner, if any.	
		operating for the preceding three years as on 1.1.2015.		
2.	Consortiums	Consortiums are allowed to bid.	Copy of consortium agreement outlining the roles and responsibilities of individual partners.	
3.	Blacklisting	The bidder and its consortium partner should not have been blacklisted by Government of India, any State Government in India, by any multilateral agency, or by Government of any other country in the world.	A self-certified letter confirming the same.	
4.	Turnover <sup>1</sup>	The lead bidder in its name must have achieved a minimum average annual financial turnover of INR 10 crores in the last 3 (three) years.	Annual Report certified by the authorized person for both the lead bidder and the consortium partner.	
5.	Profitability	The lead bidder and the consortium partner should have registered profit in the last 3 (three) years.	Statements – Profit and	
6.	Relevant Experience	The bidder must have a minimum experience of:  a. appraising 2 (two) Detailed Project Reports for setting up	Copy of work order along with certification of completion from client or a self-certification from authorized signatory along	

<sup>&</sup>lt;sup>1</sup> The foreign exchange rate to be used for conversion in INR should be average of last 3 months as per the exchange rates of the Reserve Bank of India (http://www.rbi.org.in/scripts/referenceratearchive.aspx), from the date of issue of the RFP document.

semiconductor FABs; OR b. Have supported in setting up of Semiconductor FAB facilities.  with any relevant docum in support of completion work.
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# 1.2 Technical Qualification Criteria

Bidders who meet the pre-qualifications/eligibility requirements would be considered as qualified to move to the next stage of Technical and Financial evaluations.

#### 1.2.1 Technical Evaluation Criterion

S. No	Criteria	Requirements	Max Marks	Supporting Documents
	COMPANY PRO	FILE	11	
1.	Average turnover from consulting services <sup>2</sup> (Turnover of the lead bidding firm would be considered, and the turnover must be from consulting services, not including IT Services, Audit Services and other such nonconsulting activities)	More than INR 50 Crores: 5 marks  INR40 Crores to INR 50 Crores: 4 marks  INR 30 Crores to less than INR 40 Crores:3marks  INR 20 Crores to less than INR 30 Crores:2marks  INR 10 Crores to less than INR 20 Crores: 1 mark  Less than INR 10 Crores: 0 mark	5	Extracts from the audited Balance sheet and Profit & Loss statement;  OR  Certificate from the statutory auditor
2.	Full-time professional staff of the lead bidding firm engaged in appraisal services /support in set-up of high end electronics technology projects (Number of Staff)	More than 40: 4 marks 30 to 39: 3 marks 20 to 29: 2 marks 10 to 19: 1 mark Less than 10: 0 mark	4	A self- certification from authorized signatory

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<sup>&</sup>lt;sup>2</sup> The foreign exchange rate to be used for conversion in INR should be average of last 3 months as per the exchange rates of the Reserve Bank of India (<a href="http://www.rbi.org.in/scripts/referenceratearchive.aspx">http://www.rbi.org.in/scripts/referenceratearchive.aspx</a>), from the date of issue of the RFP document.

S. No	Criteria	Requirements	Max	Supporting
			Marks	Documents
3.	Geographical	>3 offices -2 marks	2	A self
	Presence of the	2-3 offices – 1 mark		certification from authorized
	lead bidding firm	2-3 offices – I mark		signatory
		< 2 office - 0 mark		Signatory
	RELEVANT PAS	T EXPERIENCE	25	
4.	Experience		25	Completion
	relevant to this	5 marks for each project deemed		Certificates from
	engagement as	relevant by the evaluation committee		the client; OR
	listed below to be demonstrated in a	(atleast two projects mandatory to score		Work Order +
	maximum of 5	in this section)		Self Certificate
	engagements that	Loss than 2 musicates a 0 manufact		of Completion
	have either been	Less than 2 projects: 0 marks		(Certified by the
	completed or an	Extra marks would be given (1.5 extra		Statutory Auditor); OR
	ongoing project	mark for each project) if the cited		Auditor); OK
	where a similar deliverable or	project has one or more of the below		Work Order +
	milestone has	features (subject to the total marks		Phase
	been successfully	being awarded in this section to a maximum of 25 marks; i.e. even if a		Completion
	achieved. The	bidder scores over 25 marks owing to		Certificate (for
	work order	extra marks being awarded, it would		ongoing projects) from
	should have been issued within the	still be scored 25 marks only):		the client; OR
	last 5 years, as on			
	date of bid	-Involving high technology (semiconductors or electronics		Certified copy
	submission.	(semiconductors or electronics hardware) sector		of work contract
		-Involving government (Indian or other)		+ Self Certificate of
	Projects of	transaction		Completion
	similar nature	-Of value over INR 5000 Crores (or		(Certified by
	shall mean engagements	equivalent in Foreign currency) <sup>3</sup>		Statutory
	which included			Auditor); OR
	all of the			Latton from
	following:			Letter from Client or Email
	Investment			from Client
	appraisal of proposals to set			Official email
	up large			ID (bringing out
	industrial			the
	facilities of value			comprehensive
	not less than INR			data required for evaluation).
	500 Crores			Craidation).
	-Technical review			

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<sup>&</sup>lt;sup>3</sup> The foreign exchange rate to be used for conversion in INR should be average of last 3 months as per the exchange rates of the Reserve Bank of India (http://www.rbi.org.in/scripts/referenceratearchive.aspx), from the date of issue of this RFP document.

S. No	Criteria	Requirements	Max Marks	Supporting Documents
	(Engineering, Technological, Business review) of DPR (or equivalent documents) for such proposals			
	RESOURCE PRO	FILES	40	
5.	Resume of all professionals proposed for the assignment with experience in similar projects (as defined in point 4 above)  (Non-Indian professionals may also be proposed for the project who can provide specialized	Project Manager⁴ (7 marks)  • Relevant Experience  ○>10 years — 2 marks  ○ 5 - 10 years — 1 mark  ○<5 years — 0 mark  • >9 engagements — 5 marks  • 7-9 engagements — 4 marks  • 4-6 engagements — 3 marks  • 2-3 engagements — 2 marks  • 1-2 engagements — 1 mark  Five Subject Matter Expert⁵ (SME) (5 marks each)  • Relevant experience in semiconductor	40	Self-Certified Resumes

<sup>4</sup> **Project Manager**: Overall coordination of the engagement and ensuring completion of work in time and excellent quality.

It is to be ensured that the 5 SMEs proposed should have experience in the areas listed below:

- Technical/Infrastructure/Semiconductor/etc. experience
- Developing a Factory Manufacturing Plan and Definition Phase Performance Specifications that specify manufacturing and operating requirements to develop design/build contractor bidding specifications and technical direction.
- Equipment Evaluation, Improvement and developing methods to evaluate, improve, select, purchase, and qualify FAB equipment.
- Managing the creation and revision of equipment purchase specifications used to evaluate and purchase production/test/lab equipment for manufacturing advanced integrated circuits in start-up and existing wafer FABs.
- Reviewing suppliers' technical responses to Requests for Quotation (RFQs) and negotiated technical trade-offs to the specifications.
- Reviewing environment impact study and analysis.
- Operational modeling, manufacturing simulation, cycle time analysis, Theory of Constraints application, manufacturing flow analysis, optimization planning, and supply chain analysis.
- Financial modeling (NPV, ROI, IRR) of complex semiconductor factories based on activity based cost management (ABC/ABCM) principles with access to state-of-the-art software tools.

Subject Matter Experts: Provide industry insights, including but not limited to cost benchmarks, market forecasts, price forecasts, sales forecast, operational forecasts (assumptions related to operations), and CapEx plan. This role would also be required to test all the relevant assumptions which may be made by the applicant consortia in the DPR and judge for reasonableness. Indicative scope of work is provided in para 3.14. Bidders may put together the right team as they see fit. Though; numbers and role mentioned above is the minimum number of consultants required but the support staff for special considerations (e.g. Vibration/EMI/Air Permits/Budgeting etc) be brought as needed, but not full time. Bidder may mention the support staff, it intends to bring and their role. Proposal Evaluation Committee will take that into consideration while evaluating Approach and Methodology section in the Technical Evaluation.

S. No	Criteria	Requirements	Max Marks	Supporting Documents
	advice, however, the lead bidder would be held fully liable for their services as well)  The bidder may provide additional CVs or resources it deems relevant to the assignment, the decision of the evaluation committee on the treatment of such CVs for evaluation would be final and binding.	Wafer FAB industry ○ Over 10 years – 1 mark  • Experience in similar projects ○ >5 engagements — 4 marks ○ 4-5 engagements — 2 marks ○ 2-3 engagements — 2 marks ○ 1 engagement — 1 mark  (For the purpose of this profile only, setting up of FAB of any size worldwide would be considered as related project)  Two Management Consulting Experts <sup>6</sup> (4 marks each) (atleast 5 year experience in engagement in similar hi-tech projects) • >4 engagements — 4 marks • 3-4 engagements — 3 marks • 2 engagements — 2 marks • 1 engagement — 1 mark		
	Approach and Me	ethodology	24	
6.	Approach and Methodology to perform the work in this assignment: Understanding of the objectives of the assignment: The extent to which the consultant's approach and work plan respond to the objectives indicated in the RFP Completeness and responsiveness:		7	

<sup>&</sup>lt;sup>6</sup> Management Consulting Expert: Conduct overall assessment of the DPR including verification of Bill of Materials, financial analysis/modeling and appraisal of the proposals, environment impact study, risk analysis, and other reporting requirements as required by the Client.

S. No	Criteria	Requirements	Max Marks	Supporting Documents
	The extent to which the proposal responds exhaustively to all the requirements of all the Scope of Work			
7.	Demonstration of understanding of the Department's requirements	Assessment to be based on: Learnings Challenges likely to be encountered Mitigation proposed Client references <sup>7</sup>	10	
8.	Project work break down structure	Assessment to be based on: Overall Timelines Resource assignments (relevance to the task assigned) Dependencies	7	

Bidders, whose bids are responsive, based on minimum qualification criteria as in Pre-Qualification Criteria and score at least 65 marks from the technical evaluation criteria would be considered technically qualified.

<sup>&</sup>lt;sup>7</sup> Client references' in this regard would involve the nature of work done and success achieved in the prior experience cited in the proposal. No additional documents are required to be submitted in this regard.

#### 2. Commercial Bid Evaluation

- a. The Financial Bids of technically qualified bidders will be opened by the Client's Proposal Opening Committee on the prescribed date in the presence of bidder representatives. At the opening, the names of the Consultants, and the overall technical scores, shall be read aloud. The Financial Proposals will then be inspected to confirm that they have remained sealed and unopened. These Financial Proposals shall be then opened, and the total prices read aloud and recorded.
- b. The bidders are required to quote two prices:
  - Price in case only one (1) DPR is to be appraised ('X')
  - Price in case two (2) DPRs are to be appraised ('Y')
- c. For evaluation purposes, the lowest qualifying financial bid (L1) shall be calculated in the following manner:

$$L1 = (X' + Y')/3$$
 (Sum of X' and Y' divided by three)

d. The bidder with lowest qualifying financial bid (L1) will be awarded 100% score (amongst the bidders which did not get disqualified on the basis of point b above). Financial Scores for other than L1 bidders will be evaluated using the following formula:

Financial Score of a Bidder (Fn) = { $(Commercial Bid of L1/Commercial Bid of the Bidder) x 100} % (Adjusted to two decimal places)$ 

- e. Only fixed price financial bids indicating total price for all the deliverables and services specified in this bid document will be considered.
- f. The bid price will include all taxes and levies and shall be in Indian Rupees<sup>8</sup>.
- g. The breakup of bid price provided by bidder (as per Form 2 in Annexure-3 of this document) shall be binding and may be used by this Department to determine the relevant remuneration for extension of services, if any. The bidder would be bound to provide services in the period desired (for extension) at the same rates without any escalation.

Form 2A, 2B & 2C are to be provided separately for:

- (a) if only one DPR is to be appraised; and
- (b) if two DPRs are to be appraised
- h. Any conditional bid would be rejected.

i. **Errors & Rectification:** Arithmetical errors will be rectified on the following basis: "If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If there is a discrepancy between words and figures, the amount in words will prevail".

<sup>&</sup>lt;sup>8</sup> The foreign exchange rate to be used for conversion in INR should be average of last 3 months as per the exchange rates of the Reserve Bank of India (http://www.rbi.org.in/scripts/referenceratearchive.aspx), from the date of issue of the RFP document.

#### 3. Combined and Final Evaluation

- a. The technical and financial scores secured by each bidder will be added using weightage of 70% and 30% respectively to compute a Composite Bid Score.
- b. The bidder securing the highest Composite Bid Score will be adjudicated as the most responsive Bidder for award of the Project. The overall score will be calculated (*to two decimal points*) as follows:-

$$Bn = 0.70 * Tn + 0.30 * Fn$$
, where

Bn = Overall score of bidder

Tn = Technical score of the bidder (out of maximum of 100 marks)

Fn = Normalized financial score of the bidder

c. In the event the composite bid scores are 'tied', the bidder securing the highest technical score will be adjudicated as the *Best Value Bidder* for award of the Project.

## **Annexure-3: Revised Form 2: Commercial Bid Template**

(ref. pages 67-68 of RFP document)

### **Form 2: Commercial Bid Template**

## Form 2A, 2B & 2C are to be provided separately for:

- (a) if only one DPR is to be appraised; and
- (b) if two DPRs are to be appraised

#### Form 2A: Summary of Costs

S. No.	Costs	Currency (Indian National Rupees)	Amount(s)
1	Total Amount of Financial Proposal (A)		
2	Out of Pocket Expenses (B)		
3	Miscellaneous Expenses (C)		
4	Service Tax (Applicable rate * (A+B+C)) (D)		
	Total (A+B+C+D)		

#### Form 2B: Breakdown of Price per Activity

S. No.	Costs	Currency (Indian National Rupees)	Amount(s)
1			
2			
	Total (Should be equal to "A" in Form 2		

#### **Form 2C:** Breakdown of Remuneration (man month rate)

S. No.	Names	Position	Deliverables Involved	Unit Cost (per man month rate)	Total Man month required / Total Remuneration	Amount
1						
2						
3						
4						
5	_		_		_	
	Total (Should be equal to "A" in Form 2 A)					

**Note**: This representation shall be utilized (on a binding basis) to estimate the appropriateness of the final amount payable to the successful bidder. This may also be used by the Department in case an extension of services is envisaged or required.

# **Form 2D:** Estimate of Out of Pocket Expenses

S. No.	Description	Unit	Quantity	Unit Price In INR	Amount
1					
2					
3					
	Total (Shou				

# **Form 2E: Miscellaneous Expenses**

S. No.	Description	Unit	Quantity	<b>Unit Price</b>	Amount
1	Software/project management tool				
2	< Any others, please specify>				
3					
					_
	Total (Should be ed				