

SAREP RFP-2023-015: QUESTIONS AND ANSWERS

S No.	RFP Section	Reference Details in RFP Section	Question	RTI Response
1	Attachment 'A', Statement of Work	Task 1: Map the evolving Green Hydrogen Economy in India and overseas	Please clarify on what basis interactions need to be conducted with the top 5 industries in each of the mentioned sectors. Can the SOW be modified to conduct interactions with 5 from the top 20 organizations of the sector?	Please mention the approach as part of your proposal.
2	Estimated Price Range	Page 1 of the RFP	Estimated price range is too less to achieve the desired result. The cost of specialized personnel with desired experience in Green Hydrogen and Capacity Building is comparatively higher. Can we quote a higher price and still be eligible for evaluation?	The price range remains the same. However, bidders are free to estimate their own budget keeping in mind that this is a competitive process.
3	RFP Document; Standard Subcontract Terms and Conditions;	Article 4 Page 17 Definition of Sub- contractor, Page 20	We request you to kindly confirm that the arrangement between the subcontractor and RTI will be a commercial contract, and not a grant / sub-grant, with the subcontractor being allowed to charge profit on its services.	The RFP is for awarding a subcontract and not a grant. A bidder can include Fee/Profit in the priced deliverables. Note that Fee/Profit is not to be indicated separately under the priced deliverables in the financial proposal.
4	Attachment "C", Standard Terms and Conditions,	Article 4, Page 20 Independent Subcontractor	It is understood that since it is a commercial contract, the sub- contractor is not required to have registration under Foreign Contributions Regulations Act (FCRA) or any other specific welfare Act for this contract, which is otherwise required for grants. We request for your confirmation on the same.	FCRA registration is not required for contracts
5	RFP Document; Liability of the sub-contractor		We request you to kindly confirm that the maximum cumulative liability of the Sub-Contractor shall be limited to the contract value for the agreement to be signed for this subcontracting.	Kindly refer to the following Sections in the RFP Attachment "C" - Standard Terms and Conditions <ol style="list-style-type: none"> For subcontractor liability: Article 16 (Taxes); Article 24 (Indemnification); and Article 32 (Insurance) As per Article 1, unless terms of the Agreement stipulate otherwise, the Subcontractor's provisional billing rates represent RTI's maximum liability for the reimbursement of indirect expenses.

6	Attachment "B", Instructions to Bidders and Sellers, Clause 3 (d): Proposal Requirements	Unique Entity ID (UEI) in System for Award Management (SAM) (in lieu of the DUNS number	As SAM is mandatory towards participating in this tender, we request you to kindly confirm if we can propose a SAM of our US group entity who in turn will sign the contract, however the services will be executed by our office in India. We request you to kindly confirm this arrangement.	<p>SAM registration is not a mandatory requirement. However, a subcontractor must have a SAM UEI number. A Quick Start Guide for obtaining a UEI number is provided in Attachment "D" of the RFP</p> <p>The applicable geographic code for sourcing subcontractors is 937. As per USAID ADS 310 (https://www.usaid.gov/sites/default/files/2022-12/310.pdf), US based entities are allowed to bid for and receive subcontracts under Geo Code 937</p>
7	Attachment "C", Standard Terms and Conditions	Article 8 Consultants/Lower-Tier Subcontracts	We request you to kindly confirm on whether the sub-contractor is allowed to further sub-contract to its group entity/subsidiary. Do they need the prior written approval of the RTI Subcontract Administrator for obtaining services of consultants and lower-tier subcontractors"	<p>Further subcontracts are possible/ acceptable. Subcontractor should loop in RTI PMU/ Technical team for any lower tier subcontracts and should be willing to provide any documentation/ information. Subcontractor should also flow down key prime agreement flow downs in their subcontract to the lower tier. Since the RFP is for a firm fixed price subcontract, any lower tier subcontract needs to be of firm fixed type. Consent to a lower tier FFP subcontract is required only on unpriced contract actions; and/or exceeds the simplified acquisition threshold of \$250,000; and/or the subcontract value is more than 5 percent of the total estimated cost of our subcontract.</p> <p>Note: Lower tier Subcontractors are your responsibility and RTI does not have any affiliation or connection. You would be responsible for their payments.</p>

8	Attachment "C", Standard Terms and Conditions,	Article 9 Assignment, Delegation, and Subcontracting	<p>a) We would like to seek clarification that if the bid is submitted as a consortium or with sub-contractors, will the eligibility criteria be applied to the consortium/agency with sub- contractors as a whole for qualification purpose.</p> <p>b) Also, can the bidder use the credentials of its group company/parent company for qualification purpose.</p>	<p>a) RTI will receive and evaluate only the prime or lead bidder's proposal. There will be no separate evaluation of a bidder's subcontractor's proposal. There can be no privity of contract between RTI and the bidder's subcontractors. The lead party identified in the bid shall receive the subcontract if their bid is successful and RTI will hold them solely responsible. All of RTI's subcontract clauses will automatically flow down to the bidder's subcontracts</p> <p>b) If the bidder is a separate legal entity and want to receive the subcontract from RTI in their registered name, they should use their own credentials, not someone else's. Also, a bidder cannot submit a proposal on behalf of another entity.</p>
9	General	Article 49	Are there any restrictions on who can submit a bid?	<p>Since this is a USAID funded project, therefore as per USAID ADS 310, only firms that belong to Geographic Code 937 country can bid for and receive a USAID funded subcontract from RTI. Geographic code 937 is defined as - the United States, the cooperating country/recipient country (India in this case), and developing countries other than advanced developing countries, and excluding prohibited sources. For more information on this, please refer to https://www.usaid.gov/sites/default/files/2022-12/310.pdf.</p>