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| # | Question | Answer |
| 1 | According to the RFP, the Offeror and any second-tier subcontractors must be within the authorized geographic codes, noted in Section 3 of the RFP. The offerors and second-tier subcontractors of the offerors that are outside of 937 and 110 geographic codes will not qualify for evaluation. The expected scope of work described in the RFP implies certain tasks to be accomplished in Poland and, in our view, it will be more beneficial for the project if such services are provided by a subcontracted advisor from Poland – whether individual or legal entity. Geographic code 937, however, explicitly excludes Poland from the list of countries eligible for receiving funds under the USAID-funded projects if this country is not a project cooperating or recipient country.  Whereas involvement of a Polish-resident subcontractor/partner seems critical for the overall success of the project, we would appreciate if you clarify whether geographic code 937 applies to the Polish-resident companies and whether any subcontractors/partners from Poland may be engaged to provide services under this particular assignment (i.e. whether Poland may be considered a recipient/cooperating country for this particular Project). | Please see Amendment 1 to the RFP. Offerors outside the geographic code are eligible to apply. Offerors or their lower-tier subcontractors, if any, outside the 937 and 110 country code will be subject to separate USAID approval and waiver process if selected for award |
| 2 | The RFP documents contain no information on the expected budget of the procurement. We would appreciate if you provide the potential bidders with an indication of the expected budget range for the procurement, if any, as it deems important for the understanding of the future setup of a consortium of advisors. | Offerors shall provide budget proposals independently considering the financial evaluation criteria as outlined on the page 8 of the RFP. A total budget limitation or expectations is not available. |
| 3 | According to clause 6C of the RFP (Technical Approach), a narrative (that describes how the Offeror would implement the tasks identified in the scope of work) must include, inter alia, proposed performance indicators to measure the impact of the Offeror’s planned activities and the progress of the Awardees as a result of the Offeror’s assistance. In this context we would like to clarify:   * Who are the “Awardees” in terms of this particular RFP whose progress should be measured? * Can you give an example of the project team performance indicators expected to be established within this particular RFP and whether such indicators must be proposed by an Offeror in its technical approach/methodology. | Awardees is the awarded offeror (or lead bidder from the consortium)  Performance in this instance will largely be time related and delivery on the project within the time frames set. |
| 4 | Please confirm that the Awarding Entity allows the offeror to have subcontractors. Do you need any confirming subcontracting agreements/ letters to be provided to you? | Confirmed – subcontractors will need to follow the same rules of the RFP. Letters will be helpful |
| 5 | Please confirm that the offeror may be a consortium of entities.  Do you need any letters/agreement from the members of consortium confirming the consortium is formed? | Consortium comprising or JV is acceptable.  Same as above. |
| 6 | 1) Please confirm that it is only the offeror or the consortium leader that should comply with the formal requirements.  2) Should only offeror or the consortium leader receive the DUNS number or all subcontractors/consortium members? | 1) All second-tier subcontractors must comply with the requirements outlined in the RFP  2) All second-tier subcontractors must comply with the requirements outlined in the RFP, including obtaining DUNS and SAM numbers if the proposed second-tier subcontract price is above $30,000 |
| 7 | Please confirm the dates of:  1. the proposal conference as on the front page of the RfP it is indicated that it will take place on 14 April 2020 at 14:00 while further in the text of RfP 16 April 2020 at 14:00 is indicated,  2. the deadline for provision of offers since 26 April is a Sunday. Is the deadline on 27 April then (Monday)? | 1) It is April 16th, 2020: 2pm Kyiv time  2) It is April 26th, 2020: 2pm Kyiv time |
| 8 | Please explain what documents are necessary to confirm compliance with the requirement that the offeror is not owned or controlled by any entity of any government. Will declaration of the offeror suffice or an excerpt from the commercial register with its translation is required. If the latter is required, is it enough if the translation is made by the offeror (without any notarization and apostille). | A signed certification must be provided in the English language on company letterhead in the form prescribed in the RFP. A notarization or apostille is not required. |
| 9 | Please confirm whether the limit of projects given as a reference pertains also to the situation in which the offeror is a consortium or the offeror has subcontractors or the Awarding Entity allows more credentials to be provided in such instance. | A total limit of five references is required. |
| 10 | Please confirm that the offeror may provide description of studies or assignments undertaken by the offeror or the dedicated team members even when a given task was not assigned to the offeror itself but to its team members where the entire team changed firms in the last years. | Please include in the teams bio and CV/reference as individuals not company. |
| 11 | Please confirm that considering the corona virus circumstances and restrictions connected to that performance of the SoW can be made remotely and that all necessary information and documents within the project will be made available in the same way. If certain works need to be made physically in Ukraine (e.g. interviews, etc.), could you please specify such works? | This will be down to the methodology – we envisage that majority of works can be done remotely, with physical work to be conducted after several months. A back up/mitigation plan in the proposal will be helpful. |
| 12 | Please confirm whether it is mandatory to provide a detailed cost breakdown in per diems units and travel/transportation costs or the Awarding Entity allows provision of bundled weekly team rates. It is our practice to calculate the fees as “all-in”, with expenses, travel, etc. included. | Yes, a detailed cost breakdown is required for all line items and costs. |
| 13 | Please confirm whether in the description of deliverables of the project and also in the payment schedule references made to the SoW are correct. It seems that ‘Analysis on technical infrastructure between Poland and Ukraine’ is described in 3.c of the SoW instead of 3.b as indicated in the deliverables list and the payment schedule. The same applies to ‘Analysis of the legal and regulatory framework’ (3.d in SoW instead of 3.c as indicated) and ‘Assessment and recommendations on tariffs and business case for infrastructure services and bundled services (3.e instead of 3.d) | Please see amendment 1 to the RFP |
| 14 | Please also clarify whether the conference will take place on **April, 14** (as stated on the front page of the RFP) or **April, 16** (as stated on page 4, clause 5.1). | It is April 16th, 2020: 2pm Kyiv time |
| 15 | Technical Proposal — A. Organization’s Information, B. Company Technical Capability, D. Proposed Staff, E. Company Past Performance (pages 5, 6). Is it allowed to present experience of affiliated consultancy firms from a global network, without presenting them as subcontractor/consortium partners? | Past performance citations may only be provided from affiliates that are proposed to perform that work under the subcontract. |
| 16 | Technical Proposal — B. Company Technical Capability (page 5). We see that in this section we should indicate "activities/qualifications carried out like the scope of work requested". At the same time, Section E should contain a summary of relevant studies or other assignments, specifically, "the most relevant studies or other assignments performed in the last 5 years". Do we understand it correctly that in Section B we should provide some general details about our past experience, activities/qualifications, while in Section E we should provide a detailed description of credentials in standardized form? | Yes – in relation to demonstrate ability to perform the tasks. |
| 17 | Technical Proposal — D. Proposed Staff (page 5). Do we need to include all staff that would be involved in the project (up to the most basic level), or only the relevant key experts? | All staff that will be part of the budget. |
| 18 | Technical Proposal — D. Proposed Staff (page 5). Attachment A mentions no labor categories. What are the labor categories that we should use? | As you see fit. |
| 19 | Financial Proposal — a. Detailed Budget (page 6). Please provide total budget limitations/expectations. | Offerors shall provide budget proposals independently considering the financial evaluation criteria as outlined on the page 8 of the RFP. A total budget limitation or expectations is not available. |
| 20 | Financial Proposal — b. 1420 Forms for the proposed personnel (page 7). Should USAID forms 1420 be completed and signed by all staff that would be involved in the project (up to the most basic level), or only the relevant key experts? | The forms shall be submitted for all proposed personnel specified in Direct Labor and all consultants included in the detailed cost proposal budget (Please refer to the page 15 of the RFP) |
| 21 | Attachment A – Technical Specification — 3. Scope of Work — d. Assessment of the legal and regulatory environment (page 12). This section mentions development of step-by-step guidelines for a shipper. Should these guidelines cover any tax and/or customs matters? | Yes – and recommendation to improve, if applicable. |
| 22 | From a wording of RfP, we understand that the project under consideration is focused on a business model in which transfer of gas will be performed via a gas transmission system.   * 1. Whether within a framework of this project should we also analyze legal and tax aspects of potential alternative ways of gas transportation (e.g. by trains or trucks)?   2. Whether our analysis should also take into consideration the scenarios in which temporary storage of gas in Poland takes place during its movement? | 1. Not envisaged in the scope, however including such analysis will be beneficial to the methodology 2. To be discussed, potentially considered. |
| 23 | Additionally, we would like to confirm that our legal and tax analysis should concern both directions of a gas transfer:   * 1. from outside of the EU via Poland to Ukraine   2. as well as from Ukraine to a territory of a EU country (to Poland or via Poland to other EU countries)? | 1. Taxes applicable to the business case. 2. As above. If it is applicable. |
| 24 | We would like to ask whether the planned re-exportation of gas from Ukraine to the EU will be solely conducted through Ukrainian border with Poland or Ukrainian borders with Slovakia, Hungary and Romania as well (borders of other Ukrainian EU neighbours)? | All exit points with EU neighbors, but entry from Poland. |
| 25 | Whether at this stage of the project it is known who will act as an importer of gas to Poland, who will be organize its transportation and purchase services related to it etc. (which jurisdiction will the entity responsible for these activities come from)? Such information may be relevant from a perspective of assessment of legal and tax requirements and/or consequences of the planned actions. | No – it is outlined in the RFP – US, Scandinavia, or other sources that come into Poland. |
| 26 | What is the date of planned start of work? | As soon as award and contracts are signed. |
| 27 | What is the duration of the project? | As outlined in the RFP |
| 28 | Please clarify when the proposal conference will be held: April 14 (stated on page 1 of RFP) or April 16 (stated on page 4 of RFP)? | It is April 16th, 2020: 2pm Kyiv time |
| 29 | Please confirm that the legal work is limited to section *a)* on page 10 of RFP and section *d)* on page 11 of RFP. | The legal work needs to address the objectives. Your methodology will outline suggestions to address this. And evaluation on technical approach/methodology will be reviewed. |
| 30 | There is a slight discrepancy between section 3 (SOW) and section 4 (deliverables and due dates) for numbering of deliverables 2 (b instead of c?) and 3 (c instead of d?). Please confirm the right numbering. | Please see amendment 1 to the RFP |
| 31 | Please advise whether there should be on lead from Ukraine or Poland in case of consortium. The other members will be sub-contractors or somehow different. | See response to question 1. |
| 32 | * Can law firms participate only in legal part of the scope which we find to be 3.a and 3.d (with the remainder of the scope being fully carved out) or it is clearly preferable for Tetra Tech that one bid covers the entire scope (i.e., law firms join other consultants to co-bid)? | All scope needs to be addressed |
| 33 | * If the bid is to be filed by a consortium of consultants, should they nominate one main contractor vis-à-vis Tetra Tech to be its sole contracting party? If so, who Tetra Tech prefers to be the leading contractor - a business, technical, financial or  legal adviser? If one leading contractor is chosen, should all communication from the remaining consultants be streamlined through such leading company or Tetra Tech anticipates direct contacts with such other consultants? | No preference regarding lead – however should consider best fit for the task and justify i.e. lead should have best experience in similar.  This should be outlined in the work plan and methodology as you see best from a project management perspective.  The subcontract will be awarded only to the leading consultant. See also response to questions 1 and 6. |
| 34 | * Will reports under the Scope of Work have to be made based on publically available information only? Alternatively, can the bidders expect that the relevant participants of the Ukrainian and Polish gas transportation and storage markets (UA GTSO, UTG, Gas Transmission Operator GAZ-SYSTEM S.A., Polskie LNG S.A, PGNiG S.A., etc.) will be available to cooperate with consultants to provide the relevant business and technical information and documentation? Can it be assumed by the bidders that the Scope of Work excludes site visits to assess technical capacities and conditions of the infrastructure? | Confidential information will be provided where required.  Site visits can be conducted by TSO teams virtually and guided by the consultants should travel restrictions still apply. |
| 35 | Please advise if the indicative/ceiling budget has been defined for the this project by Tetra Tech and in which amount if so | See response to question 19. |
| 36 | Do you plan extension of the deadline for submission of proposals due to the complications caused by the COVID-19 pandemic? If yes, please kindly specify, till when. Are other stages’ deadlines (questions’ submission, as well as the proposal conference date) to be influenced by the change? | The deadline of the RFP has been extended to **May 12, 2020:** 2 pm Kyiv time. Please see amendment 1 to the RFP |
| 37 | Do you allow utilization of subcontractors’ services during the Project fulfilment? If yes, are there any additional information or documents the Offeror should provide at this stage regarding the subcontractors? | Yes, please see responses to the questions 1, 6 and 65 |
| 38 | Do you allow submitting the offer as a consortium? If yes, do all members of the consortium have to fulfil all necessary criteria for the Offerors or just one of the entities / consortium leader? Are there any additional information or documents consortium members should provide? | Yes, please see responses to the questions 1, 6, 33 and 65 |
| 39 | Is a Polish company allowed to participate in the project as the company from a Cooperating Country from the geographic code 937? | See response to question 1. |
| 40 | The RFP officially outlines the compulsory pre-requisite for participation in the project as the Offerors’ and their Sub-Contractors’ origination from the countries included in the geographic codes 937 and 110. Is it possible for the entities, located within the geographic codes 937 and 110, to use the support/ resources from the entities, located outside the geographic codes, within the same capital group? | See response to question 1. |
| 41 | Is the DUNS number to be obtained only once? Is any information regarding the company profile to be refreshed / updated in the DUNS-related system? | DUNS number shall be active and maintained active for the full period of performance. |
| 42 | Do you provide the contract template for the successful Offeror? Is the contract template available to view at this stage? Is the contract negotiable? Do you consider submitting a proposal to be a binding commitment to sign the contract? Impact of Corona virus 2: Life will go on, and so must our work. Still, it is hard to see weeks or even months ahead. Would you agree that there should be a cancellation clause, where each party can step back from performing the project BEFORE the start without penalties, should developments dictate this? | The terms and conditions will be shared with the successful offeror. Only mandatory flow down clauses from the prime contract are not negotiable. No, submission a proposal for this procurement is not a binding commitment to sign the subcontract agreement. Tetra Tech reserves the right to cancel the tender due to changed project needs.  Yes, the subcontract agreement will include a mandatory cancellation clause and a mandatory clause FAR 52.249-14 Excusable Delay regarding impacts to the performance beyond the subcontractor’s control. This includes epidemics and quarantine restrictions. |
| 43 | What legal entity is contracting with the successful bidder? What entity will compensate? | Tetra Tech ES, Inc. |
| 44 | You have requested a summary of past relevant studies or other assignments, including contacts to persons who can speak to the Offeror’s performance. Given that such information may be protected personal data, is it possible that such persons would be indicated only by function in the offer and personal contact information would be available upon request? | Yes – if requested, we will expect that it is provided and contact will be made. |
| 45 | Could you please specify the indicative or maximal budget for the tender? | See response to question 19. |
| 46 | Can the offer be signed with an electronic signature issued in one of the Member States of the European Union? | Yes. |
| 47 | Is English considered to be the official language of the Project? Are any reports or presentations to be delivered in any other languages? | Yes. No other languages will be used. |
| 48 | Are any financial penalties to be issued as the result of violating the deadlines of intermediary stages (before the final report submission) of the deliverables’ schedule? | The subcontract does not include penalties, although contract price modifications may apply for unexcused delays depending on costs incurred by Tetra Tech to resolve the delays. |
| 49 | Do you accept the Project deliverables in the printed document format (PDF) or do you require editable files as well (DOC, PPT)? | Both . |
| 50 | Does UA GTSO LLC, as the ordering party of the study, consider sharing the internal information and documents (e.g. reports, analyses) on the current state of the gas infrastructure and the plans regarding its development with the successful Offeror? Please kindly notice that this could significantly improve the quality of the investigations, conducted for UA GTSO LLC, yet not being a full member of the ENTSO-G organization, publishing such information for the 10 years periods’ perspective. | Yes |
| 51 | Can the major part of the final report regarding the increase of integration between Ukrainian and Polish gas transmission infrastructure and gas market be prepared based on the commonly available information (e.g. published on official websites, reflected in official reports, etc. accessible via Internet)? | Additional information will be made available as requested and permissible. All information should be considered. |
| 52 | Should the investigation concentrate solely on Polish-Ukraine cross-border gas trade and the state of the respective gas infrastructure enabling bilateral gas deliveries? Please kindly specify, which countries are comprised in the region named as “Eastern Europe” within the actual RFP that is further proposed for investigation of possible future gas supply scenarios. | Yes – but also consider Poland – Ukraine – other Ukraine border sharing countries.  Countries with borders shared with Ukraine on western side of Ukraine. |
| 53 | Does the study of the gas transmission systems’ capacity sufficiency require a solely theoretical approach, or are there any calculations or mathematical simulations required to justify the results? | Simulations will be a significant plus. |
| 54 | How many alternative scenarios of the future gas demand are to be investigated in the point c), second dot, in the Attachment A? | To be discussed, no more than 5 |
| 55 | How many bundled products are to be proposed and analysed within the point e), second dot, in the Attachment A? | To be discussed and determined through study. |
| 56 | Is justification of the utilized economic model to assess the economic feasibility of the proposed investments in the point e), last dot, in the Attachment A, expected? How many scenarios are to be investigated within the analysis? | To be determined. Justification of modelling is standard. |
| 57 | How to sign documents taking into account the quarantine and the work from home; Is it possible to provide the documents without signing; | See response to question 46 |
| 58 | Do you need confirmation of our relations with contractors. If need, which confirmation would like to receive? Will the Cooperation Letter be enough? | Please see responses to the questions 1, 6, 33 and 65 |
| 59 | In the scope of works d) on the page 11 we have d) Assessment of the legal and regulatory environment. However in the deliverables we have Assessment and recommendations on tariffs and business case for infrastructure services and bundled services (3.d from SoW) for d). Is it correct deliverables for d)? | Please see amendment 1 to the RFP |
| 60 | The subtask numbers in sections 3 and 4 do not match:   |  |  | | --- | --- | | section 3 | section 4 | | *b) Screening of the market*  у | Delirevable 5: Market evaluation and forecasting of gas supplies through Eastern Europe to Ukraine  **Requires 3.b** | | *c) Assessment of the current technical facilities and infrastructure between Ukraine and Poland* | Delirevable 2: Analyze the status and prospects of technical infrastructure between Poland and Ukraine. (3.b by SoW)  **Requires 3.c** | | *d) Assessment of the legal and regulatory environment* | Delirevable 3: Analysis of Legislation and Regulatory Framework (3c SoW)  **Requires 3.d** | | *e) Assessment of the tariffs and commercial perspective* | Delirevable 4: Assessment and guidance on tariffs and business cases for infrastructure services and bundled services (SoW 3.d)  **Requires 3.e** |   Please confirm our corrections | Please see amendment 1 to the RFP |
| 61 | The numbering of subtasks in section 4 does not correspond to the numbering in table 4 of this section   |  |  | | --- | --- | | section 4 | section 4 (table) | | **Deliverable 2:** As Is, To Be and Gap analysis on technical infrastructure between Poland and  Ukraine | **Deliverable 2**: Market assessment and forecast of  gas supply via Eastern Europe to Ukraine | | **Deliverable 3**: As Is, To Be and Gap analysis of  the legal and regulatory framework | **Deliverable 3**: As Is, To Be and Gap analysis on technical infrastructure between Poland and Ukraine. (3.b from SoW) | | **Deliverable 4**: Assessment and recommendations on tariffs and business case for infrastructure services and bundled services (3.d from SoW) | **Deliverable 4**:As Is, To Be and Gap analysis of the legal and regulatory framework (3.c SoW) | | **Deliverable 5**: Market assessment and forecast of  gas supply via Eastern Europe to Ukraine | **Deliverable 5**:Assessment and recommendations on tariffs and business case for infrastructure services and bundled services (3.d from SoW) |   In these two cases, problems 2 and 5 are reversed.  In our opinion, the sequence of works according to the table seems more correct, since it is advisable to carry out an overview of the technical capabilities of the GTS after reviewing the markets.  Please confirm our correction and adjust the text of section 4. | Please see amendment 1 to the RFP |
| 62 | is it allowed for experts to participate in multiple tenders/projects with Tetra Tech | Companies are eligible to perform more than one Tetra Tech assignment as long as there are no personal or organizational conflicts of interest. Offerors may submit specific conflict questions or mitigation plans directly to Tetra Tech at the address indicated in the RFP for confidential communications with the Tetra Tech legal office for conflict of interest questions only. |
| 63 | Are there any budget limitations (caps) and/or expectations? | See response to question 19. |
| 64 | Is there any possibility to bid for one of the aspects provided by the scope of work? | No, offerors must present complete solutions to the SOW. |
| 65 | Are there any limitations as to the number of sub-contractors? | No limitation; however, the prime subcontractor shall disclose the percentage of work that will be implemented by the second- tier subcontractor, as well as submit a separate detailed SOW, detailed budget, resumes and 1420 form for the proposed personnel, etc. Please note that geographic code requirements also apply to second-tier subcontractors. |
| 66 | Can I confirm if a company, as a UK organisation, is eligible to respond given the wording in section 3 of the RFP | See response to question 1. |