

**GOVERNMENT OF SINDH
SCHOOL EDUCATION AND LITERACY
DEPARTMENT**



**RESPONSE DOCUMENT NO. I
(PACKAGE 1 TO 3)
FOR
MANAGEMENT & OPERATION OF
GIRLS' ELEMENTARY PUBLIC SECTOR
SCHOOLS UNDER PUBLIC-PRIVATE
PARTNERSHIP MODE**

26TH June 2024

IMPORTANT NOTICE

The responses to prospective Bidders' queries document dated 14th June 2024 (the '**Response Document No. I**') is in furtherance to requests for queries/ clarifications received from the prospective Bidders in respect of a Bidding Process relating to the outsourcing of management and operation of Girls' Elementary public sector schools to private partners under public-private partnership mode (Package 1 to 3) (the '**Projects**'), being conducted pursuant to the Request for Proposals documents dated 19th May 2024 (the '**RFP Document**') floated for each Package separately by the School Education & Literacy Department, Government of Sindh (the '**Authority**') in accordance with the Sindh Public Procurement Rules, 2010 (the '**SPP Rules**').

*Unless expressly specified otherwise, all **capitalized terms** used herein shall bear the meaning ascribed thereto under the RFP Document.*

This Response Document No. I is being circulated by the Authority, after its Evaluation Committee's approval, in pursuance of Section 4.7 (**CLARIFICATIONS**) of the RFP. Neither any of these entities nor their employees, personnel, consultants, advisors, or agents make any representation (expressed or implied) or warranties as to the accuracy or completeness of the information contained herein or in any other document made available to a person in connection with Bidding Process for the Projects, and the same shall have no liability for this RFP Document or any other written or oral communication transmitted to the recipient in the course of the recipient's evaluation of the Bids. Neither any of these entities nor their employees, personnel, consultants, advisors or agents, contractors, etc., will be liable to reimburse or compensate the recipient for any costs, fees, damages, or expenses incurred by the recipient in evaluating or acting upon the RFP or otherwise in connection with the Projects as contemplated herein.

The Bids (Technical Proposal and Financial Proposal) submitted by any of the prospective Bidders in response to the RFP Document shall be upon the full understanding and agreement of any and all terms of the RFP Document, the Addendum to the Request for Proposals, and Response to Questions Document (the '**RFP Documents**') and such submission shall be deemed as an acceptance to all the terms and conditions stated in the RFP Documents. Any Bid submitted by a Bidder in response to the RFP Documents shall be construed based on the understanding that the Bidder has done a complete and careful examination of the RFP Documents and has independently verified all the information received (whether written or verbal) from the Authority (including from its employees, personnel, consultants, advisors or agents, and contractors, etc.).

This Response Document No. I is not an agreement; its sole purpose is to provide prospective Bidders with information that may be useful in preparing their Bids. The Authority reserves its right, in its full discretion, to modify the RFP Documents and/ or the Projects at any time to the fullest extent permitted by law and shall not be liable to reimburse or compensate the recipient for any costs, taxes, expenses or damages incurred by the recipient in such an event.

RESPONSE DOCUMENT NO. I

S. No	PROSPECTIVE BIDDER'S QUERY/ CLARIFICATION REQUESTED	AUTHORITY'S RESPONSE/ CLARIFICATION
1	Suppose an organization nominate one person as power of attorney. Can power of attorney holder sign on all places where organizational signs are required? Please reply?	<p>Yes, the power of attorney can sign at all places where required.</p> <p>The bidders shall appoint a person as power of attorney to undertake the following tasks stated in the Annexure 2 (Form B) of the RFP document:</p> <p>(a) Execute under hand, or under seal, and deliver to the competent authorities all the documents listed in Schedule 1 of the RFP document;</p> <p>(b) Deliver and receive any document or instrument in relation to the documents listed in Schedule 1 attached hereto; and</p> <p>(c) Do all things necessary and incidental in respect of the matters set out herein including to do, execute and perform any other deed or act ought to be done executed or performed to perfect or otherwise give effect to the documents listed in Schedule 1.</p>
2	Is it compulsory to run school in two shifts? Can we run vocational classes or adult education classes after morning shift?	<p>The double shift modality is proposed considering the existing space in the schools' building. The private partner will be required to operate the schools in Morning Shift from Class ECE to Class V and remaining classes (Class VI-VIII) in the Evening Shift. However, if nine (09) classrooms are made available in any school, the private partner would be required to run the school in Morning Shift, subject to written permission of Authority.</p> <p>Further, if an EMO Partner wishes to provide any additional/ancillary educational service beyond the current scope of work stated at Annexure 15 of the RFP document, they can provide such services subject to Authority's prior approval in accordance with clause 7.10 of the draft Concession Agreement, annexed with the RFP Document</p>

<p>3</p>	<p>I am writing to inquire about Rule 82.B of the Sindh Public Procurement Regulatory Authority (SPPRA) 2010, specifically regarding a payment amounting to Rs. 8,500,000.</p> <p>As per our records, there is a payment due under Rule 82.B of SPPRA 2010, and we would like to seek clarification on the relevant provisions and procedures involved in this transaction. Could you please provide a brief explanation of Rule 82.B and its applicability in this context?</p>	<p>The amended Rule 82.B of SPP Rules states that: “For each Public Private Partnership Project, the procuring Agency shall fix the bid security in absolute number whose value shall range between one percent and five percent of the estimated price of the project as determined by the Procuring Agency or its consultants before initiation of the process of procurement.”</p> <p>According to the above stated Rule, the bid security has been set as PKR 8,500,000/- which all the bidders are required to submit along with their Technical Bid Envelope in the form and manner stated in the RFP Document.</p>
<p>4</p>	<p>Additionally, we would like to confirm whether it is necessary to submit a cheque for the aforementioned amount, and if so, kindly provide guidance on the process for doing so. Any relevant documentation or forms required for payment submission would be greatly appreciated.</p> <p>We understand the importance of compliance with regulations and procedures, and we want to ensure that all necessary steps are taken to fulfill our obligations in accordance with the law.</p>	<p>The Bid Security is a security deposit that a Bidder must provide, in the form of a financial guarantee issued by a scheduled commercial bank operating in Pakistan acceptable to the Government (with a minimum credit rating of ‘A-’ according to the PACRA or JCR-VIS rating scale for financial institutions), in form and substance as attached hereto as FORM E to ANNEX 2 (FORMS) and in the amounts and conditions specified in Section 6.2.11 (<i>BID SECURITY</i>) of the RFP Document.</p> <p>It is being clarified that the Bid Security shall not be in the form of an insurance or corporate guarantee. However, the Bid Security in the form of a demand draft or pay order would also be acceptable.</p> <p>The Bid Security should be submitted along with Technical Bid in an amount equal to PKR 8,500,000/- The Bid Security should be in the name of the “Secretary, School Education & Literacy Department, Government of Sindh”. The Bidders shall write the name of the Package on the back of the applicable Bid Security financial instrument.</p>
<p>5</p>	<p>I would like to share one challenge with you that we are facing in collecting baseline information in District Mirpurkhas regarding Elementary schools JICA schools PPP Node SELD.</p> <p>Heads are not responding. No one available on ground. In this situation how we can collect data or verify information according to RFP. Please take it serious action on it. We have very limited time.</p>	<p>We have already issued letters to all concerned DEOs and TEOs. Additionally, the contact details of each school are provided in Annexure 8 of the RFP document. The said letter is also available in the documents bank, which is accessible through the link given below:</p> <p>https://tinyurl.com/rfpro</p>

		All the interested parties are advised to contact the concerned Head Mistresses/Masters before visiting the schools. In case there is still difficulty in visiting the school, please contact PPP Node's focal person Mr. Sajid Hussain Chandio, Assistant Director Education (0334-2772001)
6	During the process of preparing our application, we encountered some uncertainties regarding the operation of evening shift classes . Specifically, we would like to clarify whether these should be included in our budgeting, and if the staffing for these classes (both teaching and non-teaching personnel) will be provided by the Sindh Education and Literacy Department (SELD).	Due to the insufficient number of classrooms in the school building, the successful bidders / EMO Partners will be required to operate on double shift modality. The bidders are required to submit their budget keeping in view that the schools will be running on double shift modality until and unless there is availability of at least nine (09) classrooms in a given school during any time of the Concession Period, subject to prior approval of Authority. However, the Bidders are advised to visit the Facilities, perform their own due diligence and prepare the bid keeping in view the actual position.
7	Additionally, the requirement for an initial investment to facilitate project activities in the inception phase presents significant challenges for our organization. We would like to inquire if the PPP Node can consider providing a mobilization fund as part of the current Request for Proposal (RFP).	The project structure is already approved by the competent authority and there is no provision of mobilization fund. The successful bidders/EMO partners will have to fund the expenditure through their own sources and will submit their claim to IE & IA for reimbursement at the end of each quarter.
	As per the RFP, the optimum student/classroom ratio is 30:1. Therefore, it is assumed that in the first shift, we will have 180 students enrolled since the new block has only 6 classrooms (i.e. 30x6 = 180)? Hence, the EMO is not expected to enroll more than 30 students in one classroom/ grade level. Kindly clarify.	The ideal STR/SCR is 30:1. However, if there is a demand of additional enrolment, the Operator should accommodate subject to availability space in the premises.
	With the restricted infrastructure of 6 classrooms, EMO will only be able to operate primary school in the first shift and will have to operate the second shift in order to run the school up to Grade 8. Which means that EMO will only be responsible to operate one section each for grades 6, 7, and 8. Please clarify.	The Operator will be responsible for operating the primary school in the Morning Shift and will have to operate the Evening Shift to run the school up to Grade VIII. However, it is not mandatory to have only one section for each of Grades. If there is enrolment demand and space available, the EMO can run more than one section for each grade.
	How is the number of non-teaching staff assigned per school (guards, janitors, peons, etc.)? The information provided in the RFP states the number of non-teaching staff and does not mention their assigned task at the school?	The Bidders are advised to visit the Facilities, perform their own due diligence and prepare budget for non-teaching staff keeping in view the requirement of the Concession Agreement and overall scope of the project

	As per our understanding, the government is currently providing books and free tuition. What else does the government provide to the school and students, for e.g. uniforms, supplementary material, teaching kits, AV aids, etc.	The SE&LD currently provides free education and STBB books only.
	Since these are Girls school, is it mandatory to have only female teachers in these schools or can we hire male teachers as well?	The schools should have female staff preferably.
	It is noticed from the data provided in the RFP Pages 90-92, in school GGES New Gud (SEMIS code 413040145), GGES Faqeer Muhammad Palh (SEMIS code 418020162) and GGES Kareem Bux Bhambro (SEMIS code 415070028), that there are some boys in the Katchi & primary level enrolled in the girl school, will they still remain in the school or will these male students be transferred to nearby schools? Who will be responsible for them if the latter is true?	The schools should preferably have girls students only. However, if the schools have existing enrolment of boys, the matter should be addressed by the SMC and district administration levels.
	What are the roles and responsibilities of School Management Committee?	The roles and responsibilities of School Management Committee (SMC) have already been notified by the SE&LD.
	Kindly share the current Academic Calendar for all grade levels (which highlights the when the mid-term, final term, co-curricular activities, summer & winter vacations). Also share the list of co-curricular activities in place, if applicable.	The Academic Calendar is notified by the government from time to time. Such notifications become available publicly .
	<p>If the government teachers or Head Teacher/Principle fail to deliver quality service, as per the concession agreement action against nonperforming employee (Teacher) is a process of many months who will be accountable for the continued poor performance in those months of the said employee? How will the feedback of EMO be incorporated in the appraisal (ACR) of government teachers?</p> <ol style="list-style-type: none"> 1. Non Performing Head Teachers: Who will they be reporting to? If they will be only reporting to the DEO, then this is a question mark for us. Regarding non-performing head teachers / principals, what is the procedure to be followed? What will the EMOs role be in their appraisal? We propose that the EMO should have a role in their appraisal as this will empower us to better run the school. 2. Quality of Teachers: Your Concession Agreement mentions that the EMO will take all the government teachers on board, conduct the 	The review Articles 7.8.3.1, 7.8.3.2, 7.8.3.3, 7.8.3.4, and 7.8.4 of the draft Concession Agreement.

	<p>capacity assessment and then accordingly train the teachers. However, if there are many non-performers in a school, this will affect the overall achievement of KPIs. We request you to reconsider this, as the EMO will be held accountable for the low performance of the teachers and this in turn will affect our achievement of KPIs. We suggest that the Agreement includes a cap for the retention of government teachers and that the teacher should pass a minimum standard of achievement in the assessment, in order to be retained.</p> <p>The importance of this aforementioned issue is that if the teachers issue is resolved, we will be able to achieve all the KPIs; however if it continues to be an issue, then the KPI achievement will be extremely difficult and the EMO will be held accountable for that.</p>	
	<p>As per your Financial Template that also has the guidelines regarding the “Budget for Hiring of Teaching Staff” where “The amount under this category has been calculated by taking into account 40% of optimum strength/ position of the teaching staff and one school based coordinator for all the Facilities” and given the fact that two shifts are required to run and operate Elementary schools where in the second shift no government teacher will be teaching, the EMO will have to hire access teachers to not only run the first shift (where necessary) but also in the second shift. If the additional teachers’ salary surpasses these two budget heads (i.e. Budget for Hiring of Teaching Staff & Unforeseen Costs (Contingencies)) because transfers and retirement is not in EMO’s control, how will the cost of additional teachers be attained?</p>	<p>The Authority shall provide government staff subject to availability of the required staff for both the shifts. For any shortage in staff, the budget has been provided under the head of Budget for Teaching Staff. Any exceptional circumstances will be dealt with the recommendations of Independent Expert and Auditors on the basis of factual position.</p>