

## Minutes of Pre-bid Conference

### Consultancy Services for Establishment of Safety & Business Regulators under a Regulatory Authority Framework (Including Implementation)

A pre bid conference was held in the office of Director General/Technical, Ministry of Railways, D-Block Pak Secretariat, Islamabad on 27.01.2021 in connection with RFP advertised for the subject assignment, following were present:

**A. Ministry of Railways**

- (i) Mr. Mehmood Rehman Lakho, Director Establishment

**B. Representatives of the Firms**

- (i) Mr. Abdur Rehman Chaudhary, M/s ILF Lahore  
(ii) Mr. Ahsan Rashid, M/s Optimus Resources (Pvt) Ltd  
(iii) Mr. Aslam Anwar, M/s ILF Pak Lahore  
(iv) Mr. Sarmad Shamim, M/s Velosi Integrity & Safety Pakistan  
(v) Mr. M. Kamran Ibrahim, M/s Velosi Integrity & Safety Pakistan  
(vi) Mr. M. Assadullah Awan, M/s EY Ford Rhodes  
(vii) Mr. Waseem Mansoor & Shakeel Ahmad, M/s RSM Pakistan

Director Establishment highlighted the purpose of the consultancy services to the representatives of consulting firms. Following were also conveyed to the participants:

1. Firms can participate as Joint Venture only. Formation of Consortium will not be allowed.  
The word “consortium”, wherever written in the RFP shall be treated as deleted.
2. In case of Joint Venture, all partners are required to sign the Consultancy Agreement so as to bind them Jointly & Severally.

Point-wise response to the observations, clarifications, queries and suggestions raised during the meeting are as under:

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1.	<p><b>Inclusion of HR Expert in the Team</b>  The Terms of Reference describe many activities which would require an experienced HR Resource. Some of them are:  3.1.(i)3.1.1 (iii), (ix), (x), (xi) 3.1.2 (iii), (vii), (viii), (ix)</p>	Partially agreed to the extent of addition of HR Expert in the proposed team. HR Expert along with suitable qualifications and experience will added in the proposed team through						
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	<p>4.1 B (i) (c), (d) 4.1 C Part-1  (b),(c),(d)  The Governance Structure may also not be appropriate developed and deployed unless HR policies, roles and responsibilities are properly defined in order to meet desired objectives stated in RFP. imperative to include an HR Expert in the team. Additionally, the qualification criteria for HR Expert be defined as 20 years out of which 10 years should be in HR Leadership role</p> <table border="1" data-bbox="310 716 992 1213"> <thead> <tr> <th>S.#</th> <th>Name</th> <th>Qualification</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>HR Expert</td> <td>MBA/ Master of Human Resource Management (MHRM)</td> </tr> </tbody> </table> <p>experience, similar</p> <p>The requirement of additional assignments etc. should be as per other positions.</p>	S.#	Name	Qualification	3	HR Expert	MBA/ Master of Human Resource Management (MHRM)	Addendum No.1.
S.#	Name	Qualification						
3	HR Expert	MBA/ Master of Human Resource Management (MHRM)						
2.	<p><b><u>IT Solution/Software</u></b>  The actual IT solution development cost should not be included in this RFP. An appropriate IT system will be developed once the exact requirements are known. It may</p>							

	<p>not be possible to give a quote for an IT system at this stage, when the requirements are not exactly known. This would require integration with the existing PR safety systems and therefore, a detailed study would be required before quoting the price. The IT consultant should propose, as part of this project, an appropriate third party system or assist in development of a specialized system as part of this project. However, the cost of an IT system should not be part of this RFP.</p>	<p>As suggested actual IT solution development cost shall be deleted from RFP and necessary amendment in TORs / RFP shall be issued through Addendum No.1</p>
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3.	<p><b>Governance and Organization Structure and Operations</b>  One of the core objectives of the Assignment is to have an independent Safety Regulation regime in line with best practices around the world.  Therefore, the Consultant is required to come with the Governance and Organization structure and operations which ensures world class safety for railways in Pakistan. However, the TORs appear to be mandating several operations which are predefined and may not be as per best-in-class safety regimes. In certain cases, the independence of Safety Regulator may be affected. Therefore, we suggest that it should be left to the Consultant to develop the structure and operational requirements of the Safety Regulator in line with worldwide best practices and they should provide the rationale and justification for the proposed structure/operations instead of mandating certain operations/SOPs.</p>	<p>Detailed discussion will be made with successful Consultant prior to formulation of Safety Regulator regime. The Consultants shall be at liberty to develop the structure and operational requirements of the Safety Regulator in line with world best practices, however, same will be finalized in consultation with Employer.</p>
4.	<p><b>Financial Capabilities (Appendix-I to Data Sheet Details of Evaluation Criteria point A (c) page 20)</b>  The criteria for maximum points in average of last three years Turnover has been changed from previous RFP which was PKR 30 million before and is now PKR 300 million, reflecting 1000% increase. This is too high for most local consulting companies except for the companies engaging in audit and other activities in addition to consulting. Therefore, we suggest reducing it to PKR 100 million.</p>	<p>Limits of Average Annual Turnover shall be reconsidered and appropriate figures shall be incorporated through Addendum No.1.</p>
5.	<p><b>Assignment Team Marks(Appendix-I to Data Sheet Evaluation Criteria point A (ii) page 19)</b>  We suggest making some changes to the assignment team marks structure to include HR Expert and also give more</p>	

		weightage to the IT Expert, whose involvement and the expertise in the Assignment is critical.		Suggestion will be considered and necessary amendments, where required, particularly addition of HR Expert shall be made through Addendum No.1.	
<b>SNo.</b>	<b>Functional Expert</b>	<b>Current Marks</b>	<b>Proposed Marks</b>		
(1)	Railway Safety Expert (Team Leader)	20	16		
(2)	Governance Structure Expert	15	12		
(3)	HR Expert		12		
(4)	Business / Commercial Expert	15	10		
(5)	IT Expert	5	10		
(6)	Railway Track Expert	10	8		
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	(7)	Rolling Stock Expert	10	8	
	(8)	Train Operation Expert	10	8	
	(9)	Railway Signaling Expert	10	8	
	(10)	Legal Expert	5	8	
		Total	100	100	

6.	<p><b>Similar Assignments and Experience of Assignment Team (Appendix-I to Data Sheet - Details of Evaluation Criteria)</b></p> <p>In point B(b)(3) page 21, for Business / Commercial Expert, the requirement of “<i>Experience (min 2 years) of railway related business / commercial</i>” for 20% marks should be taken out and the standard used for other positions should be used i.e. 25 years or more= 100%</p> <p>20 to &lt;25 years = 80%</p> <p>Similarly in No. of assignments completed by Professional, point c (2) Page 22, for Governance Structure Expert, the requirement of “<i>In case of having one assignment of developing railways Governance Structure</i>” for 20% marks should be taken out and the standard used for other positions should be used i.e.</p> <table data-bbox="349 798 990 987"> <tr> <td>One Assignment</td> <td>= 60%</td> </tr> <tr> <td>Two Assignments</td> <td>= 70%</td> </tr> <tr> <td>Three Assignments</td> <td>= 80%</td> </tr> <tr> <td>Four Assignments</td> <td>= 90%</td> </tr> <tr> <td>Five or more Assignments</td> <td>= 100%</td> </tr> </table> <p>Also in point A(a)2. (v) page 20 Number of Similar Assignments, the requirement of “In case of any Railway Safety related Similar Assignment = 15%” should also be taken out and equal marks be given to all assignments.</p> <p>In Appendix-II to Data Sheet, Minimum Qualification and Experience required for each position in Project Team page 26, for Legal Expert the minimum qualifications should be amended as (c) At least 15 years’ professional legal experience in public or private sector with at least 10 years proven experience <b>of agreements/contracts in private sector and/or</b> legislative drafting in public sector.</p>	One Assignment	= 60%	Two Assignments	= 70%	Three Assignments	= 80%	Four Assignments	= 90%	Five or more Assignments	= 100%	<p>The suggestions brought forward as a result of discussion are not acceded to except amendment proposed in experience of Legal Expert, which will be amended through Addendum No.1.</p>
One Assignment	= 60%											
Two Assignments	= 70%											
Three Assignments	= 80%											
Four Assignments	= 90%											
Five or more Assignments	= 100%											
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7.	<p><b>Clause 2.20.2 of Section 2- Instructions to Consultants</b>  The existing text of clause 2.20.2 of Section 2 of the RFP document states as under:  <i>Financial Proposals shall be opened publicly in the presence of the Consultants representatives who choose to attend. The names of the Consultants and the technical score of the Consultants shall be read aloud. The Financial Proposal of the Consultants who met the minimum qualifying marks 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.</i></p> <p>The above clause is presumed to be based on the relevant standard bidding documents issued by Pakistan Engineering Council (PEC). It has however been noted that Clause 5.3 of the PEC document “Standard Procedure for Evaluation of Proposals for Procurement of Engineering Services-March 2009” reads as under:  <b>Financial Proposal-</b>  Option-A: For Quality cum Cost based Selection  5.3: <i>The financial proposals of the three top ranking qualifying consulting firms on the basis of evaluation of technical proposals shall be opened in the presence of the representatives of these firms, who shall be invited for the occasion and who care to attend. The Client shall inform the date, time and address for the opening of financial proposals as indicated in the data sheets. The total cost and major components of each proposal shall be publicly announced to the attending representatives of the firms.</i></p> <p><b>Recommendation</b>  <i>It will be noted that clause 2.20.2 of RFP document is not in accordance with the above quoted PEC’s standard procedure for evaluation of proposals for procurement of engineering services. It is requested that above quoted text of Clause 2.20.2 of RFP document may be replaced the above quoted text of clause 5.3 of “Standard Procedure for Evaluation of Proposals for Procurement of Engineering Services-March 2009”.</i></p>	<p>The suggestion brought forward regarding the opening of financial proposals of top three ranked firms, however, the same cannot be incorporated in order to widen the competition.</p>
8.	<p><b>Number of Similar Assignments (60 marks) (1)</b>  Similar Assignment has been defined in clause 2.1.15 of Section 2 of the RFP as under:  “Similar Assignment” means Assignment of Safety Regulator or Business Regulator or Governance Structure or HR Reforms, in Pakistan or abroad for public or private sector organisation.  The completion of minimum two similar assignments is</p>	<p>The Similar Assignment has been clearly defined and carries four different options and there is no ambiguity whatsoever in that. The additional 15% marks assigned in case of Safety related Similar Assignment are there to provide an advantage to the firms having completed such assignments in Safety related areas because the main intent of this</p>

		consultancy services revolves around
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	<p>mandatory, as per para A-1 of the Evaluation criteria.</p> <p>According to Clause 6 of Section 1 of the TOR, the Consulting firms / JVs should submit details of Five (5) of their most relevant projects of “Similar Assignments” for Technical evaluation using the prescribed format.</p> <p>According to above referred evaluation criteria, the five (5) similar assignments shall be evaluated as under:</p> <ul style="list-style-type: none"> <li>(i) Two (02) Similar Assignments =55 %</li> <li>(ii) 3rd Similar Assignment =10%</li> <li>(iii) 4th Similar Assignment =10%</li> <li>(iv) 5th Similar Assignment =10%</li> <li>(v) For any Railway Safety related Similar Assignment = 15%</li> </ul> <p>The Similar Assignment has been defined in subparagraph 1 above as Assignment of Safety Regulator, but in sub-paragraph 2 (v) above it has been referred to as “Railway Safety related Similar Assignment”, which is not specific. It is recommended that in order to remove this ambiguity the criteria given in para 2 above be revised as under:</p> <ul style="list-style-type: none"> <li>(i) Two (02) Similar Assignments =70 %</li> <li>(ii) Three (3) Similar Assignments =80%</li> <li>(iii) Four (4) Similar Assignments =90%</li> <li>(iv) Five (5) Similar Assignments =100%</li> </ul>	the Safety of the system
9.		

	<p><b>Organization Structure (10 marks)</b></p> <p>According to item A of Appendix-I at page 20, 100 marks have been allocated for Company Profile, out of which 60 marks have been allocated for Number of Similar Assignments vide A (a) above and 10 marks allocated each for Organizational structure at A (b) above and 10 marks for financial capabilities at A (c) above, totaling up as 80 marks only.</p> <p>The marks allocated for organizational structure and financial capabilities be increased from 10 to 20 marks. No other change recommended.</p>	<p>The error pointed out is acknowledged and will be corrected through Addendum No.1.</p>
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10.	<b>Assignment Team (100 marks)</b>	



<p>For minimum qualification and experience of assignment team, reference to Appendix –II to Data Sheet, Each member of the proposed team will be evaluated on the following criteria</p> <p><b>(a) Education (40 marks)</b></p> <ol style="list-style-type: none"> <li>1. According to Appendix-II to the Data Sheet, additional marks shall be granted to team members at Sr. Nos. 1, 2, 3, 4, 5 and 6 for experiences relating to railway safety, governance structure and business/commercial. It has however been noticed that under item (a) above additional marks have indicated against Sr. No. 1 only</li> <li>2. It is recommended that the reference to additional marks against team members at Sr. Nos 2, 3, 4, 5 and 6 be deleted from Appendix-II to Data Sheet. It may be retained against item 1 only, but therein also the specialization relating to railway safety needs to be elaborated and made more specific.</li> </ol> <p><b>(b) Overall Experience of Professionals (30 marks)</b></p> <p>No comments except that the additional marks allocated to some of the professional/experts for carrying out assignments relating to railway safety be deleted as stated under paragraph (a) 2 above, and marks reallocated accordingly.</p> <p><b>(c) Number of Assignments Completed by the Professionals (30 marks)</b></p> <p>It has been stated in Note-2 of Appendix-I to Data Sheet as under:</p> <p><i>Similar Assignment has been defined under “Definitions” for the purpose of comparison of the assignments/projects completed by the Consulting firm/Joint Venture. For various professionals, similar assignment or relevant experience shall be as per their respective field of specialisation unless otherwise for any specified, for any specific requirement for any professional.</i></p> <p>It has however been noted that under sub-paragraph (c) above, completion of five assignments have been specified in respect of each professional or expert for 100% marks, whereas no such requirement has been specified against any one of them in Appendix-II to Data Sheet. This aspect needs to be reviewed.</p>	<p>The additional marks assigned in various categories were incorporated after due diligence and deliberations in order to get the best possible human resource for the intended assignment. Therefore, the same cannot be amended as proposed.</p>
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11.	<b>Terms of Reference (TOR) – Comments</b>	

	<p>The following comments are offered on the TOR included in the RFP Document</p> <p><u>A. Creation of Institution of Government Inspector of Railways</u></p> <p>a. The institution of Government Inspector of Railways was created on Indian Railways in 1908 in accordance with the provision of Section (4) of Railway Act 1890. The Railway Inspectorate was initially placed under the administrative control of Railway Board, but in 1941 the control of the Inspectorate was separated from the Railway Board and placed under the Communication Department on the recommendations of the “Pacific Locomotive Committee-1938” which stated that the Inspectorate should be separated from Railway Board on the principle that those responsible; for the inspection of Railway and holding of enquires into the causes of accidents should be independent of authority administering the Railways, in accordance with the provisions of Section 181 (3) of Government of India Act, 1935.</p> <p>b. According to Chapter II, Section 4 (2) of The Railway Act 1890, the duties of an Inspector of Railways shall be:</p> <ol style="list-style-type: none"> <li>i. To inspect railways with a view to determine whether they are fit to be opened for public carriage of passengers, and to report thereon to the Federal Government as required under the Act;</li> <li>ii. To make such periodical or other inspections of any railway or of any rolling stock used thereon as the Federal Government may direct;</li> <li>iii. To make enquiry under this Act into the cause of any accident on a railway;</li> <li>iv. To perform such other duties as are imposed on him by this Act, or any other enactment for the time being in force relating to railways.</li> </ol> <p>The provisions relating to opening of railways for public carriage of passengers are in Chapter IV (sections 16 to section 25) of the Railway Act, 1890. Similarly the provisions for making enquiries into the causes of any</p>	<p>The proposed amendment regarding addition of wording “and Railway Act, 1890, including amendments issued so far” will be incorporated accordingly through Addendum No.1.</p>
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	<p>accident on a railway are covered in Chapter VIII (sections 84 to 86).</p> <p>Detailed Rules have been framed from time to time under the above referred Railway Act of 1890, for the performance of the above stated function by the Government Inspector of Railways.</p> <p><u>B. Establishment of a Safety Regulator under a Regulatory Authority Framework</u></p> <p>According to the above referred TOR, the institution of Government Inspector of Railways is proposed to be replaced by the proposed Safety Regulator under a Regulatory Authority Framework, as stated in the clause 3.1 of the TOR.</p> <p>In the face of position brought out in sub-paragraph A above, please add the word “and Railway Act, 1890, including amendments issued so far”.</p>	
12.	<p><b>Section 1 Invitation for RFP: clause 10, the submission time for the RFP is 16 February 2021.</b> Considering the revision of RFP, now the quantum of work required to perform has increased manifold due to which for better estimation of work, determination of man hours and engagement of resources it is vital that the submission date of proposal be extended further 3 to 4 weeks at least.</p>	<p>Appropriate time extension for submission of proposals will be provided through Addendum No.1</p>
13.	<p><b>Currently the design and Implementation phase has been clubbed into a single assignment.</b> However, we suggest that for the IT related assignment (Safety Management System and Safety Audit System), there should be segregation of design and development phase, whereby the preparation of SRS (Software Requirement Specification) shall be part of design phase and development + implementation of the design be done in the next phase.</p>	<p>As suggested actual IT solution development shall be deleted from RFP and necessary amendment in TORs / RFP shall be issued through Addendum No.1.</p>
14.	<p><b>As per Appendix-1 of Data sheet, Railway Safety Expert is suggested to be the Team Leader,</b> however the role and responsibility of Team leader is not laid down. We suggest that team lead and overall project management role should be assumed by Governance expert with restructuring/ Institutional experience.</p> <p>Moreover, we suggest that <b>HR expert</b> should be made part</p>	<p>The role of team leader has been assigned to the Railway Safety Expert after due diligence and deliberations, therefore, the same cannot be amended.</p> <p>HR Expert along with suitable</p>

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	of the project team considering the nature of assignment where new regulatory body is being set-up (PRRA) and existing structure of Safety within Pakistan Railways will be reviewed	qualifications and experience will added in the proposed team through Addendum No.1.
15.	<b>As per Part c of Appendix-1 of Data sheet, 20% of markings for the experience of Governance expert and Commercial/Business expert is linked to having one assignment of developing railways governance structure.</b> We suggest the replacement of such requirement with experience with public sector institutional/HR restructuring assignment.	The additional marks assigned in various categories were incorporated after due diligence and deliberations in order to get the best possible human resource for the intended assignment. Therefore, the same cannot be amended as proposed.
16.	<b>As per Appendix-2 of Datasheet, the minimum qualification of the Governance expert (amongst other qualifications) is mentioned as CFA or CPA.</b> We suggest the qualification of governance expert to include Chartered Accountant (CA).	Agreed to the suggestion and it will be incorporated through Addendum No.1
17.	<b>Under Tech-2, value of projects is required under local and foreign credentials,</b> however such information be waived for foreign credentials on grounds of confidentiality.	Not agreed
18.	<b>As per section-6,</b> separate SOPs (system of working and service rules) are required under PRRA, Safety regulator and Business/Commercial regulator, however since it is one body/organization, therefore single consolidated SOPs/service rules shall be provided tailoring to the needs to each department (Safety and Business regulator) where necessary.	The best practices will be adopted after thorough discussion with the successful consultant.
19.	<b>Under Tech-7, Professional staff scheduling is required to be provided for monthly basis for Home and Field,</b> however we understand at this stage it is difficult to estimate the monthly man-hours for professional and staff resources, therefore this requirement be replaced with aggregate hours for the whole assignment divided into Home and Field.	Not agreed.

20.	<b>As per clause 11 and 9 of TORs related to Safety regulator and business/Commercial regulator, consultant is required to design training modules,</b> however we suggest that this requirement be replaced with	Not agreed.
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	only framework for training need assessment.	
21.	<b>As per 5.3, 100% each be payable to the consultant based on implementation of PRRA with 2 wings and Safety Management System (SMS).</b> However we suggest that month-wise fixed fee should be paid during the implementation phase of the assignment.	Not agreed.
22.	What is meant by Safety Management System (SMS) of PR? We understand this to include only inspections. Is the scope of SMS limited to inspection of assets only or does it cover internal inspection audits (conducted within PR) as well?	The scope of SMS also covers internal inspection audits of Pakistan Railways.
23.	Overall <b>structure</b> of SMS / inspection management used at Pakistan Railways is required. The structure should include details of headquarters and divisional level as well.	It will be for both Headquarters and Divisional level.
24.	<b>As per section 3.2 of RFP which requires the study of inspections at headquarters and divisional level only,</b> does it mean we do not need to study and report on the inspections carried at lower-tiers of inspection management system, i.e. inspection procedures and records for specific assets (not covered under Headquarters and Divisional levels)?	Whole Pakistan Railways is covered when we specify Headquarters and Divisional level.
25.	What are the <b>source systems</b> that the Consultant is required to work with? ( <b>For example, timetable system, railroad crossing system, financial system?</b> )	After selection of Consultants a suitable focal person will be nominated for coordination accordingly.
26.	Do <b>source systems</b> presently have an <b>external integration</b> , API, gateway or any other means they can be actually connected?	There is no gateway or any other means they can be actually connected.

27.	In case we know what these source systems are, is it possible to estimate the amount of data coming out of there? (For example, we are speaking about a financial system generating 1000 entries per hour, while a railroad junction system generating 1000 entries per minute, or a cargo trains sensor system generating 1000 entries per second?) This piece of information is extremely important to determine the most suitable system architecture.	Not relevant as explained above.
28.	How many users will eventually work with the system? (For example, we are not speaking about 5 people in the top management, but we are speaking about 1000 people	After selection of Consultants a suitable focal person will be nominated
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	in the corporate office?). Also, we require estimated number of users who are spread across the country at different railway nodes and offices connecting to the system for viewing certain information from that dashboard?	for coordination accordingly.
29.	<b>Mobile apps:</b> We understand this to mean that mobile applications will be developed to support people in the field with a certain viewing capability. There are following queries in support of this:  a) Is there any expectation of the data entry on these mobile apps?  b) Also, are we developing mobile apps for Android only or also for iOS, and/or for Windows devices?	App will be developed for both Android and iOS as well as for PC version.
30.	The definition of “Similar Assignment” does not cover	

	<p>the various heterogeneous component in totality. As, the Consultant may be a JV, hence the various members of the JV must have a significant experience in some unique specialty.</p> <p>For example, the Consultant job is related to Railways Safety, Business, Information technology &amp; Human Resource, at a minimum. However, the definition provided in RFP Clause No.2.1.15 requires the Consultant Experience acceptable in any of the component.</p> <p><b>2.1.15 “Similar Assignment”</b> means Assignment of Safety Regulator or Business Regulator or Governance Structure or HR Reforms in Pakistan or abroad for public or private sector organization.</p> <p><b>It is requested that word “or” may be replaced with “and”,</b> so as the Consultant (JV) must have experience in all the four (4) major components of Assignment. Otherwise, a firm having experience in HR might not have adequate competency in Operational safety, Business regulations and Information Technology, which may create serious issues for framing a comprehensive Document as per requirement of Client during execution phase. Moreover, it will enable the Consultant to provide five (5) Experiences for varied type in FORM TECH-5</p>	Not agreed.
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31.	The academic qualification prescribed for “Railway	



Safety Expert” in Data Sheet is “Bachelor of Engineering or Safety related university degree”. Most of time the there is no undergraduate graduate safety related Degree. For Safety Experts there are either advance safety Diplomas or International certificates (Such as by ISO or other such internationally accredited institute). The further admission for Master degree in special safety regulation is granted on the basis of qualification and experience in these advance level diplomas & certifications.

For example, the Masters in Railway safety is granted an “Railway operations”, for road transport in “Transport Operations” and so on.

**It is therefore, requested that Master in Railway Operations may also be allowed having completed Advance level diplomas in Safety, and RFP prescribed experience as Railway safety regulator, to work as Railway Safety Expert.**

The academic qualifications for “Governance Structure Expert” MBA or Masters in Management or Bachelor of Engineering or Master of Organizational Behavior, Master of Public Policy / Administration (MPP/MPA) or MSc Organizational Development & Leadership or CPA or CFA.

In this connection, it is pointed out that that CFA is an educational Degree of USA. The equivalent degree in Pakistan is FCA.

**It is requested that FCA qualification, in addition to the prescribed experience of RFP, may also be allowed for Governance Structure Expert.**

The Academic Qualification for Business / Commercial

Expert is MBA or Masters in Management or Masters in

Marketing. In this respect it is pointed out that many Engineers of various disciplines are performing as remarkable business executives in various national and multinational organizations.

**It is requested that qualified Engineers, registered with PEC, having relevant prescribed experience of RFP may also be made eligible for this particular expertise.** Similarly, Railway Departmental Commercial Experts have not any specific degree.

Qualification of Railway Safety Expert and Governance Structure Expert will be amended through Addendum No.1. However, the suggestion made regarding the qualification of Business / Commercial Expert is not agreed.

They belong to Occupational

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	<p>Group of the Pakistan Civil Service Cadre. However, their experience in Railway business is tremendous and most relevant. <b>It is therefore, requested that officers from Railway Traffic &amp; Business cadre, having 20 years' service in commercial department of Railways may also be declared eligible for this particular expertise.</b></p>	
32.	<p>There is a lot of expert working required for Human Resource Expert. Following jobs prescribed in RFP can be only conveniently carried out by HR Expert, both for Safety Regulator &amp; Business Regular.</p> <ul style="list-style-type: none"> <li>• Recruitment/ Selection/ Induction rules.</li> <li>• Recruitment/ Selection/ Induction Committees formation and powers.</li> <li>• Organizational Structure.</li> <li>• Pay and allowances and other perks, and incentive/allowances etc.</li> <li>• Seniority and Promotion rules.</li> <li>• Job Descriptions/ responsibilities of middle and senior management.</li> <li>• KPIs to measure the performance</li> <li>• Training needs assessment and design of training modules.</li> <li>• Accountability and Performance Evaluation Report (PER)</li> <li>• Post-retirement benefits.</li> </ul> <p><b>It is therefore requested that an Expert with designation of "HR Expert" may also be added in relevant Clause of Data Sheet. The prescribed qualifications may be MBA, Organizational Structure of highly qualified legal Expert having adequate experience in this field, as might be considered appropriate by Client.</b></p>	<p>HR Expert along with suitable qualifications and experience will be added in the proposed team through Addendum No.1.</p>
33.	<p><b>Software Development:</b> The TORs Clause No.4.2. C. Phase-3 Part-1 (f) &amp; (g) requires:</p> <p>(f) "Software Development (Production-ready Code / Fully Functional Solution) and training of staff</p> <p>(g) User Acceptance Testing (UAT) Manual + Completion Sign-off</p> <p>Similarly, Clause No.3.1 prescribes:</p>	<p>As suggested actual IT solution development (software development_) shall be deleted from RFP and necessary amendment in TORs / RFP shall be issued through Addendum No.1.</p>

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<p>3.1 (xiii) Design an improved and effective geofenced inspection monitoring software, and compliance monitoring mechanism including compliance reporting through IT based software/dashboard managed by Safety Regulator which will be accessible to Secretary/Chairman, CEO/Sr.GM and Additional General Managers as well. Provide a comprehensive and interactive IT tool to implement a robust and real time safety mechanism at various levels through the Safety Regulator. The safety audit system proposed by the Consultant will monitor the safety regime of entire PR network under CEO / Sr. GM.</p> <p>RFP Clause No. <b>D. Phase-5: Implementation Support also requires:</b></p> <p>(a) Agreement (software deployment and roll-out)  (b) User Manuals, Training and capacity building (overall IT based only)</p> <p>All these clauses provide a definite impression that Consultant will be responsible for the Development of Software, both for Safety Regulator and Business Regulator.</p> <p>There is a very serious concern in this respect. This is explained by reproducing the other provisions of TORS, inter-alia:</p> <p><b>4.2 B. Phase-2: Hi-Level Design &amp; Recommendations</b>  <b>/ Gap Report</b></p> <p>(i) Hi-Level Recommendations' Report  (a) Improved safety organizational structure at Headquarters &amp; Divisional Level  (b) HR Operating Framework</p> <p><b>4.2 C. Phase-3: Detailed Design (based on the approved Hi-Level Design &amp; Recommendations)</b>  <u><b>Part-1</b></u></p> <p>(a) Modified Safety Organization Structure of PR  (b) Digitization of inspection forms/ templates  (c) Software Requirement Specification (SRS)  (d) Infrastructure and Architecture Design Document</p> <p>This means that Consultant will study the existing system of both safety and business related structure, make a Gap analysis and the submit a high-level Report. Thereafter, Consultant will submit the new</p>	
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	<p>proposed organizational structure, Inspection forms &amp; templates, Infrastructure, Architecture, inspection and reporting schedules and</p>	
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	<p>required end high level Reports etc.  As such, it is practically not possible to assess the Software Design Requirements at bidding stage. The number of bottom end users, inspection schedules, occurrence, compliance and reporting requirements for super users (Top level Managements) would also become clear, when all the work stated in para supra has been completed and approved by Client.  This will be the stage, when Software/Hardware Requirements &amp; Design can be understood and carried out. Therefore, it will not be possible to submit Software Development cost at bidding stage by any Consultant. If it is insisted by Client then only an approximate cost would be given, which would definitely compromise the quality of complete job.  It is again reiterated in simple words that Software Design &amp; Cost Estimation is not possible until the Organizational structure, HR requirements, Inspection templates, Schedules, compliance mechanism and final Reporting requirements are not established.  <b>It is therefore, very strongly recommended that the complete job Shall be divided into two Phases. First part shall be the Technical Report and its duration may also be curtailed appropriately. Software Development &amp; Deployment may be termed as Phase-II.</b>  Consultant, after working out (&amp;approval) of organizational structure, Business Requirements and Reporting requirements can provide any or all of the following Deliverables as a separate part of Phase-I:  i) Business Requirements (with Flow Diagrams) ii) Performance Requirements iii) Data (Logical) Flow Diagrams iv) Entity-Relationship Diagrams (ERD)  v) Software Requirements Specifications vi) Hardware Requirements Specifications vii) Complete RFP for Software Developer/Hardware vendor  viii) Installation, Deployment, Testing &amp; Acceptance Specifications ix) Supervision of Software/Hardware Consultant/Vendor work  x) Generation of approved Reports of main assignment after completion of Phase-II.  xi) Change management Report (including transition)  xii) Assistance in training of staff with Software developer Consultant.</p>	

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	<p>xiii)Development/Execution of SLA with Software Developer.</p> <p>xiv)Close up and Go alive certification to be provided to Phase-II Consultant</p> <p>However, Client will issue the RFP and select the Software Developer and Hardware vendor, after receipt of RFP &amp; Requirements from Consultant.</p>	
34.	<p>RFP Clause no.3.1 requires to also formulate a Railway Regulatory Authority. The safety and Business regulator will work under this authority. The relevant Clause is reproduced as under:</p> <p><b>3.1. Pakistan Railway Regulatory Authority (RRA)</b></p> <p>Primarily, both Safety and Business Regulators will work under a Regulatory Authority named as “Safety &amp; Business Regulatory Authority”. Consultant will be required to devise a complete structure, chain of command and system of working (SOPs) of the proposed Regulatory Authority in such a way that Safety and Business Regulators will perform their functions independently under the overarching umbrella of the said Regulatory Authority. The arrangement thus finalized will have the following hierarchical structure with well-defined principles, jurisdictions, chain of command, feedback channels, dispute resolution mechanism and complete set of roles and responsibilities of personnel representing each tier.</p> <p>However, the functions of RRA are not mentioned anywhere. Normally, an Authority is represented as a Board, with members. The existence of an Authority at uppermost hierarchy might be impairing the independence of Safety &amp; Business Regulator. On the other hand, it is very clearly indicated that both regulators shall be independent, having administrative and quasi-judicial powers. In that case, both Regulators may be member of RRA to administer the complete organization of their jurisdiction independently. Then, will there be any member of RRA? What shall be the powers &amp; control of head of RRA?</p>	<p>The best practices will be adopted after thorough discussion with the successful consultant.</p>



	How the independence of Safety & Business Regulators be maintained? These questions	
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	can be resolved by mentioning the role of RRA.	
35.	At the end this was a unanimous request of all participants that some suitable time extension may be granted for submission of bid, after clarifications of above requested queries.	Appropriate time extension for submission of proposals will be provided through Addendum No.1.