

# **REQUEST FOR PROPOSALS**

The Cooperative Republic of Guyana

Provision of Marketing Services for the Cooperative Republic of Guyana's Oil Entitlement from the Liza Destiny FPSO Vessel.

Ref. No. 2020-SV-ICB-02

## **QUERIES/CLARIFICATIONS - ISSUE #2**

**Issuing Agency:** Department of Energy, Ministry of Natural Resources

**RFP Issue Date:** Friday, August 28, 2020

**RFP Submission Deadline:** before **Friday, September 25, 2020**, at 09:00hrs (Guyana Time)

**RFP submission address:** The Chairman,  
National Procurement and Tender Administration Board,  
Ministry of Finance Compound,  
Main & Urquhart Streets, Kingston,  
Georgetown, Guyana

<b>Bidders' Queries:</b>		<b>Clarifications:</b>
<b>1</b>	<b>Query:</b>	<b>Section 4</b> , Standard Forms makes reference to <b>Paragraph 3.4</b> of the Data Sheet. However, there is no <b>Paragraph 3.4</b> in the Data Sheet. Please clarify Data Sheet numbering and references to same.
	<b>Response:</b>	Please refer to Paragraphs 4.7 and 4.8 in lieu of Paragraph 3.4
<b>2</b>	<b>Query:</b>	<b>Section 1, paragraph 2.4</b> indicates that each sealed envelope will be opened in the presence of bidders' representatives. If there are travel restrictions due to COVID-19, will there be adjustments to this requirement?
	<b>Response:</b>	Envelope will be opened in the presence of bidders' representatives, <b>who chose to attend</b> the Bid Closing Ceremony, as this attendance is not mandatory.
<b>3</b>	<b>Query:</b>	Please confirm size specification of the "Outer Envelope" for RFP submission. This clarification is requested in order to ensure document fits into the tender box.
	<b>Response:</b>	The size of the package containing the Proposals will be accommodated by the Tender Box, and for this, a limit has not been set. However, packages measuring 17"x12"x12", is believed to be more than adequate for proposals of this bid, and can also be accommodated by the tender box.
<b>4</b>	<b>Query:</b>	Please confirm if the Financial proposal allows for the option of the Company to purchase crude outright. If yes, please clarify whether the following lines in <b>Form PR-2</b> Summary of Prices relate to outright purchase: "Financial Proposal per bbl of Crude Oil in USD, Pricing Period (days), and Payment Terms (days)".
	<b>Response:</b>	Crude oil purchase (Company buys from the Client) is allowed as an option. Form PR-2 should be filled accordingly.
<b>5</b>	<b>Query:</b>	If the proposal allows for Companies to propose both outright purchase (Company buys from the Client) or marketing (Company sells on Client's behalf) how will Financial proposals be compared and evaluated?
	<b>Response:</b>	On the basis of overall risk assessment and cash flow (revenue) aspiration that the Government will deem most competitive at the time of final decision.

6	<b>Query:</b>	Section 5. Terms of Reference: Certified There are three (3) references specific to “certified” documents required for submission. Please elaborate on the meaning and <b>acceptable method of certification</b> , in the following: (iv) Certified true copies of Memorandum and Articles of Association of the company and/or similar statutory documents, (xiv) A duly certified written statement confirming that the Company does not have any director who has been convicted in any country for a criminal offence relating to fraud or any financial impropriety or criminal misrepresentation of falsification of facts relating to any matter, (xv) A duly certified written statement giving details of any pending litigation the bidder may or may not have.
	Response:	An acceptable method of certification would be a document endorsed by notarizing third party, or other documents on the company's letterhead signed by the sitting CEO, Chairman, or President, or other person duly authorized to make binding commitments on behalf of the company.
7	<b>Query:</b>	<b>Provide Client’s Address</b>  The Request for Proposal (RFP) requires that letters be addressed to the name of the “Client” and to the client’s address. Please provide the Client’s address.
	Response:	The Name and Address of the Client: Government of the Cooperative Republic of Guyana represented by the Ministry of Natural Resources, Brickdam, Stabroek, Georgetown, Guyana
8	<b>Query:</b>	Please clarify which reference to the “Client” is the appropriate reference for letters.
	Response:	The name of the Client for letters from the bidding firm is, The Permanent Secretary, Ministry of Natural Resources, Brickdam, Stabroek, Georgetown, Guyana
9	<b>Query:</b>	<u>Section 2. Instructions to Companies, Definitions states: a) "Client"</u> means the Government of the Cooperative Republic of Guyana (GCRG) with which the selected Company signs the Contract for the  <u>Services. Section 3. Instructions to Consultants. Data Sheet states: 2.1) Name of Client:</u> Government of the Cooperative Republic of Guyana represented by the Ministry of Natural Resources.
	Response:	The Contract will be signed with the winning firm as one party and The Permanent Secretary, Ministry of Natural Resources, Brickdam, Stabroek, Georgetown, Guyana

10	<b>Query:</b>	Given the current travel restrictions arising from the pandemic: a) Is the DE considering electronic submission of proposals? b) If the proposal submission must be physical, would the DE accept scanned or electronic signatures on signature pages that could be printed out and then submitted physically? Or must the signatures be original (i.e. not scanned or E-Signed)
	Response:	According to the Guyana procurement laws for public tendering, electronic submission of tenders is <b>NOT</b> prohibited at this time, and all tender submissions must be made physically in the designated envelopes as outlined in the RFP. Pages can be e-signed as long as they are submitted in hard copy.
11	<b>Query:</b>	What are your policies for data protection, specifically in relation to how personal data is stored, handled and protected? The RFP requests certain information about individuals which may have data protection ramifications under EU or other country law.
	Response:	The handling of bid proposal, and the data therein, will be done subject to the <b>rules of Confidentiality</b> , pursuant to the Procurement Act of the Laws of Guyana.
12	<b>Query:</b>	Taxes 4.10 - Please confirm that this clause is not applicable given there is no mention of it in the Data Sheet and that this subject shall be discussed during negotiations?
	Response:	Any Guyanese tax, whether VAT or otherwise, becomes payable in relation to the cargoes, and it shall be for the account of the GCRG.”  This clause is applicable, and also refers to the currency which must be used in the Bidder's Financial Proposal, but will be further considered during negotiations.
13	<b>Query:</b>	<b>Section 4 (ix)</b> - Company Tax Clearance Certificate for the last (5) years. Could you please clarify what certificate would be acceptable to the client for companies based in the USA jurisdiction?
	Response:	Any official document used to determine that your company has fulfilled its social fiduciary obligations under the laws governing your operations will suffice.
14	<b>Query:</b>	<b>Section 4 (xi)</b> - Statement of business Integrity code of conduct: could you elaborate on what documents would be acceptable or provide examples of acceptable documents?

	<b>Response:</b>	The code or policy which sets out the principles and values the company follows and which are set forth to guide all actions and decisions. This Code should be provided in the Technical Proposal, so that the Evaluation Team may discern the standards with which the company operates.
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