

**Notice of Filing of the Appeal under
Procurement of Consulting Services for Preparation and
Implementation of Resettlement Action Plans (RAP) and
Preparation, Supervision of Implementation of Livelihood
Restoration Plans (LRP) for the Transmission Line Alignment of
Electricity Transmission Project (ETP)**

MCA-N/ETP/QCBS/010

This is to notify all Consultants that submitted a proposal for the above-described procurement MCA-N/ETP/QCBS/010 that as per the MCA-Nepal Bid Challenge System, MCA-Nepal has received an appeal after the decision of the Level 1 Authority was issued on 28 June 2022.

The nature of the Appeal is: Further to the submitted challenge that the Challenger believes that the sub-consultant, without fulfilling the mandatory requirement mentioned in Section III, Qualification and Evaluation Criteria, 3.7. Qualification Table, 3.7.4.2 General and Specific Experience (See Criteria table under 3.4 and specific areas of TOR), Sub-Consultant column states, “Must meet at least one specialized requirement stated below as note #1” and Note 1 states “Experience of Sub-Consultant: The Sub-Consultant must satisfy the Specific Experience requirements for the task for which the consultant is proposing the sub-consultant. The Consultant must submit the required experience certificate of the Sub-Consultant in support of the intended task to be sub-consulted for MCA-Nepal approval, and subsequent clarification 1 dated 31st March 2022, S. No.18, should not be qualified and proposal submitted by the firm with such sub-consultant should be non-responsive and should not be considered in detail evaluation for Technical Proposal”, the Challenger has sought a relief that Level 2 Authority should disqualify the firms with subconsultant which fail in mandatory requirement of Selection Procedure in Evaluation of Technical Proposal. Financial proposal of only qualified firms should be opened.

Name of Challenger: Environment and Resource Management Consultant (P) Ltd., Nepal

The procurement process will remain suspended until the appeal is pending.

Any other party who participated in the Protest proceedings who believes that it may be affected by the decision to be made by the Level 2 Authority with respect to the Appeal may join and participate in the Appeal by Filing a Comment with the Secretariat (with a copy to the party that filed the Appeal) by the Comment Deadline (13 July 2022). The Comment must be substantially in the form set forth in **Annex D**, must state at least the information required in said form. Any party that does not join the Appeal in accordance with this **Rule 3.5** cannot thereafter file a Comment to the Appeal or otherwise participate in the Appeal.