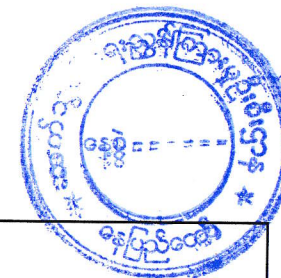
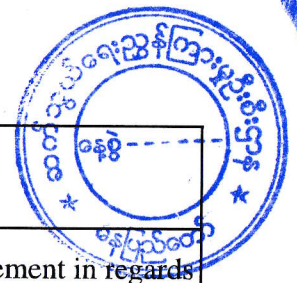


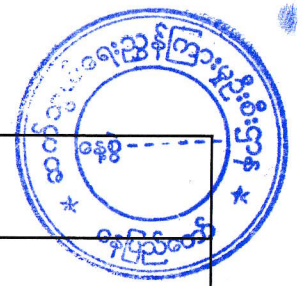
Clarifications to Bidders Questions No.2



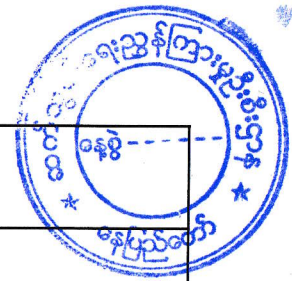
No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
1	IV - Bidder Info Form, Item 7	<p>As MPT enjoys an exemption (ITB 4.6, Pg 30) would MPT still need to submit the documentation establishing:</p> <ul style="list-style-type: none"> - Legal and financial autonomy - Operation under commercial Law - That the Bidder is not under supervision of the agency of Employer 	<p>MPT still needs to submit the bidders information form and fill out all relevant required information. However, MPT is not required to submit information that are not applicable to them.</p>
2	IV - Schedule Forms	<p>Is "Schedule Forms" just a 'header' for the subsequent Forms? Or is this a set of Forms to be created and filled in?</p> <p>Where are the "instructions indicated" according to which the Forms have to be filled?</p> <p>Does the list of non-consulting services "specified in Employer's Requirements" refer to the six Annexes A to F (pg 61 to 74 of RfB)?</p>	<p>Yes, it is just a header for the forms on page 48, 49, 50, 51, 52. Bidders need to submit in their proposal the Activity Schedule as per the format and requirements on page 59/60, a method statement (no format, but description of approach to roll-out services, sales and distribution, etc.), and a work plan including timelines (see also Annex C, and section III, p. 35 on evaluation and qualification: 1.1 Adequacy of Technical proposal), as well as bid securing declaration. Bidders may disregard the notification of award at this stage.</p>
3	IV - Work Plans	<p>Could the bidders be provided a common format/template of the Work Plan?</p>	<p>No, there is no common format or template for the work plan.</p>



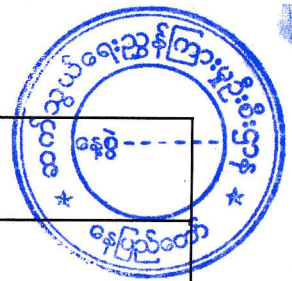
No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
4	VI - Fraud and Corruption	Would an unconditional compliance to the corruption clause suffice?	<p>The Letter of Bid on p.40-42 includes a statement in regards to fraud and corruption, in particular (l) and (p).</p> <p>As per ITB 3, the Bank requires compliance with the Bank's Anti-Corruption Guidelines and its prevailing sanctions policies and procedures as set forth in the WBG's Sanctions Framework, as set forth in the Appendix to the GCC.</p> <p>The Employer requires the Supplier to disclose any commissions or fees that may have been paid or are to be paid to agents or any other party with respect to the bidding process or execution of the Contract. The information disclosed must include at least the name and address of the agent or other party, the amount and currency, and the purpose of the commission, gratuity or fee.</p> <p>No further statements are required from the bidder.</p>
5	IX - SCC, 3.8.1	<p>PTD's Clarification document stated "Liquidated damages are 0.1 % per day or 3% per month. Please see Amendment 1 in this regard."</p> <p>However, Amendment 1 only mentions the 3% per month and not the 0.1% per day. Please clarify.</p>	<p>Liquidated damages are as per the Amendment 1 (issued 24 Dec 2018), i.e., 3% per month and will be pro-rated as required (which is the same as 0.1% per day).</p>



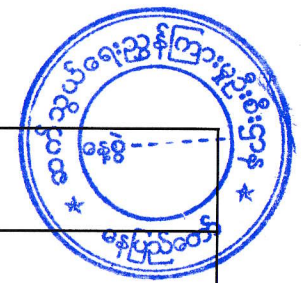
No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
6	ToR Tech Auditor; 5.1.6	<p>We would urge the PTD not to have the TA assist with Service Provider selection as there is a potential conflict of interest; it is preferable for the Technical Auditor to be seen to be at arm's length to the Service Provider so the review work can be done impartially.</p>	<p>The TA works for PTD and not the service provider. Therefore it is already at arm's length to the Service Provider. The TA will not be part of the evaluation of bids, but may be asked to advise PTD on matters of milestone verification tools, resources and methods.</p>
7	ToR Tech Auditor; 5.4	<p>Not aligned with the RfB - 4 months after Milestone 3 versus 9 months</p>	<p>The TOR for the Technical Auditor was a draft which PTD shared with potential bidders, and has been subsequently updated. The RFB is the valid document here.</p>
8	ToR Tech Auditor	<p>As per international norms we would expect the Technical Auditor to only be contracted to review the 3 milestones and produce the acceptance certificates.</p> <p>Any ongoing performance review work over the subsequent 5 year operating period we would expect to be managed by staff from the regulator (possibly supported by network data provided by the Service Provider).</p>	<p>Indeed, the role of the TA is limited to milestone certification. However, whether PTD is conducting ongoing performance review with own staff or chooses to outsource that to an expert third party is at PTD's discretion.</p>



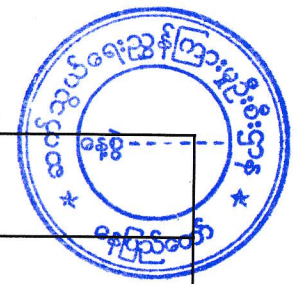
No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
9		<p>(1)Necessity of amend for 2G The initial Request for Bids document merely asked for -100dBm in each USF area and this is the same metric we use for planning purposes. However, the PTD subsequently changed this to -105dBm for 4G, -100dBm for 3G and -95dBm for 2G. We have run some simulations and the 2G requirement leads to a much larger number of BTSs in each Lot (approximately 33% more). Implementing this stricter 2G requirement will lead to a much higher capex budget and this will have a material impact on the USF subsidy required. We therefore request the PTD to reconsider the new requirement and revert back to the initial specification of -100dBm for 2G services.</p> <p>(2)Necessity of provide all 3 technologies Does this specifaion mean operator need to provide all 3 technologies?</p>	<p>(1)As per Annex E, the service provider must provide both voice and broadband services (e.g., see p.69/70) including a download speed of 2.0 Mbps. The initial specification was for -100dBm, as it was assumed operators would choose 3G technology to meet both requirements, and this metric has not been changed. As the bidders meeting revealed that operators may choose a combination of technologies, the specification was amended accordingly with metrics for 2G and 4G. But may we point out that with 2G alone, it will not be possible to meet the broadband service requirement.</p> <p>(2)No, the operator is not required to provide all three technologies. The RFB is technology neutral. The technology to be used needs to be capable of providing the services that are specified in Annex E, especially 1.6 Service Availability and Quality and 1.7 Coverage requirements. It is up to the operator to decide whether they use 3G or a combination of technologies that fulfill the service and quality requirements.</p>
10		<p>If operators covered the USF area with one technology is enough (for example : fulfilled the coverage with 3G -100dBm)?</p>	<p>Yes, as 3G is capable of both voice and broadband services including 2MBps download speed</p>



No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
11		<p>If operators are to provide with for example : 2G and 3G technology, with 3G technology can be covered the area with -100dBm but with 2G technology with -95dBm, shortage of coverage , then will PTD accepted as fulfilled by full coverage of 3G technology alone?</p>	<p>The coverage requirement is for 80% of the population in regards to both voice and broadband services. If the voice, broadband and coverage requirements can be met with 3G alone, as we expect, the 2G performance does not need to be considered.</p>
12	Amendment	<p>Our Technical department has accessed the GIS file circulated by the PTD. However the file is only a raster image (visualisation only) and not grid based data and therefore our Planning team is unable to use it to properly estimate the population covered by different proposed BTS locations. To get around this problem they are trying to get some usable grid based population data from NASA's website; it will take some time to do this. Does the PTD or its consultant have any other suggestions for getting around this issue?</p>	<p>The use of a raster file for population coverage estimates may be a problem for some bidders depending on the capability of their own GIS software.</p> <p>In case operators would like the ASC grid format, here is the download link: http://2d3d-gis.com/clients/MMR_population.zip</p> <p>The file provided is also grid based (geotiff) and originates with the WorldPop high resolution gridded datasets (see http://www.worldpop.org.uk/). It is recommended that bidders go to the WorldPop web site in order to use the same data. WorldPop notes that their data format is readable by all major GIS software types, including ArcGIS, QGIS, MapInfo, SagaGIS and many others.</p>



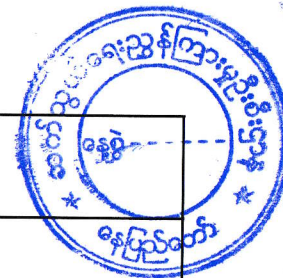
No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
13		<p>We would like to suggest to change deadling of submission, plus 4 weeks at the minimum. Reason is below After Publishing bidding documents, some Technical specifications were changed and criteria of signal strenthe is different from current cirteria in the license. We need to re-design network and estimate cost and revenue again. in addition to the above, GIS and Population Map is only raster image (visualization only) not a grid base data. we are trying to grab some information from NASA Web if there is grid base information available.</p>	<p>This is not true, signal strength specification was not changed, it was expanded to allow operators also a combination of technologies if they do not use 3G alone.</p> <p>For comparison, many USF bids have only 6 to 8 weeks' time , while PTD gave 12 weeks' time for this pilot bid. But PTD accept the Bid deadline extension for operators' request.</p> <p>The deadline of Bid submission is: Date: 6, March 2019 Time: 14:00 hrs Local Time</p>
14		<p>Operator whether shall have the right to exit /shut down the sites after 5 years of subsidy period, if any or all of these sites does not seem to be commercially viable? Recommendation <i>Operator shall have right to exit/shut down the USF subsidy sites after end of USF subsidy contractual agreement.</i></p>	<p>In the Clarifications to Bidders' Questions dated 30 December 2018 and sent out to all bidders by PTD on 2nd January 2019, the following clear statement was made: "The contractual obligation to provide the mandatory services is for 5 years. After that it is the commercial operation of the Service Provider."</p>



No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
15		<p>How many year that PTD will evaluate for bidding period? Whether 5 years forecast or 10 years forecast?</p> <p>Concern <i>Bidding preparations and forecast are very differ from one to another. Therefore, We require PTD's firm and clear instructions.</i></p>	<p>A 5 years forecast are considered appropriate for bidders to submit, and from which to estimate or demonstrate the required subsidy.</p>
16		<p>Referring during Pre-Bid meeting on December 13, 2018 ,PTD indicated that it could be shared consolidated coverage in USF area without disclosing operator name or tower location. Accordingly ,all operator agreed to share as said indication from the meeting.</p> <p>Question <i>When this agreement can happen as the bidding submission date are quickly approaching ?</i></p> <p>Concern <i>This is an imperative information which operator shall look out to build the USF proposition and modeling.</i></p>	<p>The consolidated digital coverage map was shared with bidders under Addendum 1 to the RFB dated 21 Dec 2018, which was sent to all bidders on 24 Dec 2018:</p> <p>Item 2 of the Addendum stated the following: Annex A – Township Coverage Maps and Village Tract Data. An electronic QGIS file is provided to the bidders, that shows:</p> <ul style="list-style-type: none"> • State, Townships (labelled) and VT (labelled) boundaries; • 2015 Populations from Worldpop; Roads and Hill shade • The consolidated 3G operator coverage layer (pink shaded) <p>The file can be downloaded here: https://www.2d3d-gis.com/clients/2D3DGIS_MMR_light_20181214.zip</p> <p>For further information and the complete instructions re the GIS map, bidders should refer back to Addendum 1 communication from PTD.</p>



No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
17		<p>Referring during Pre-Bid meeting on December 13, 2018 ,PTD indicated that ESMF detail requirement will be shared to all operators.</p> <p>Question</p> <p><i>When will provide the detail of the ESMF requirement and how this should oblige operator to run these sites during subsidy period?</i></p>	<p>The Amendment 1 to the RFB has clarified that no ESMF is required at bidding stage, and operators have been referred to the applicable document</p> <p>Government of the Union of Myanmar Telecommunications Sector Reform Project Environmental and Social Management Framework (ESMF) Ministry of Communications and Information Technology (MCIT) November 29, 2013</p> <p>PTD will work with the selected winner to implement the required ESMF procedures</p>
18		<p>We appreciated USF is mainly focusing on basic telecommunication infrastructure development in rural areas.</p> <p>Recommendation</p> <p>We would like to recommend to have exemption of relevent Custom duty and Commercial Tax on the pertinent Capital Investment required for all the USF related basic telecommunication infrastructure development projects.</p>	<p>While Customs Duty and Commercial Tax exemptions for USF related Capex investments could be desirable, these are beyond the remit or powers of the PTD to provide or guarantee at this time.</p>



No	RFB Document ref/Main Topic	Bidder Questions	Clarifications
19	Section IX	<p>We noted that Clause 8,2,4 of Section IX - Special Conditions of Contract under Part III_Conditions of Contract and Contrat forms indicated as "The rule of procedure for arbitration proceedings pursuant to GCC Clause 8.2.4 shall be as follow:" Arbitration shall be carried out in accordance "Arbitration Law " _ The Pyidaungsu Hluttaw Law No.5/2016 dated 5 January 2016 .</p> <p>Recommendation</p> <p><i>We would like to recommend and propose to choose "International Chamber of Commerce Arbitration Rules "as a rules for arbitration mechanism.The proposed clause to be substituted is as follow:</i></p> <p><i>"All disputes arising out of or in connection with this Agreement shall be finally settled under the Rules of Arbitration of the International Chamber of Commerce by three arbitrators appointed in accordance with the said Rules. The seat of arbitration will be Yangon, Myanmar. The language of the arbitration will be English "</i></p>	<p>Thanks for the recommendation, but there will be no change and Myanmar' s Arbitration Law is applicable.</p>