

RESPONSE TO ENQUIRIES

9 August 2012

This RESPONSE TO ENQUIRIES is provided by the Association of Licensed Telecommunications Operators of Nigeria (ALTON), in response to clarification requested by interested Vendors in relation to the Request for Proposals (RFP) issued by ALTON for the Study on the Socio-economic Impact of Telecommunications in Nigeria.

1. Enquiry

Can a company not registered for VAT in Nigeria bid on this RFP without being registered for VAT in Nigeria? If not, what other option can ALTON suggest?

Response

Yes, a company not registered for VAT in Nigeria can bid for the RFP. ALTON, the consumer of the service, is responsible for the VAT obligation which is to be remitted by the service provider, i.e. the Vendor also referred to herein as the Consultant. For the Consultant who is a non-resident company, ALTON would apply to the Federal Inland Revenue Services (FIRS) of Nigeria for a Tax Identification Number (TIN) for the Consultant to facilitate remittance of the VAT. ALTON is subsequently required to remit the VAT obligation directly to the FIRS on behalf of the Consultant in the given TIN.

2. Enquiry

Can you please clarify how we should charge ALTON the 10% Withholding Tax (5.7 Regulatory Requirements, Withholding Tax)? Should the 10% withholding tax be added to the total RFP financial proposal? If not, please clearly describe the procedure for charging the 10% Withholding Tax.

Response

Unlike VAT, the Vendor, not ALTON, would be responsible for the Withholding Tax obligation. It is not an additional cost to ALTON hence the issue of charging ALTON for same does not arise. ALTON would remit withholding tax deduction on the Vendor's bill to the FIRS. FIRS would in turn issue Withholding tax credit note in favour of the Vendor, which would be collected by ALTON and forwarded to the Vendor. The credit note would be used by a non-resident company to defray its tax liability in its home country.

3. Enquiry

Our bid is going to be submitted in US Dollars or other internationally tradable currencies. Are there any limitations for ALTON to make payment in US Dollars or other internationally tradable currencies?

Response

Payment for invisible services denominated in US Dollars or other internationally tradable currencies are subject to regulatory approval of the National Office for Technology Acquisition and Promotion (NOTAP) or the Nigerian Communications

Commission (NCC). It is important to mention however that existing regulatory prescriptions require that services rendered by Consultants that have presence or representation in Nigeria be quoted and paid for in the national currency.

4. Enquiry

What is ALTON's preferred timeline for the completion of the Study and submission of a Detailed Report?

Response

ALTON would prefer that the Study and the Report be concluded within four (4) months from the commencement date of the contract which would be agreed with the Vendor or upon the issuance of a Purchase Order (PO) by ALTON whichever comes first.

5. Enquiry

Does ALTON expect the Consultant to carry out activities other than the drafting and delivery of the proposed report? (e.g. public presentations, workshops, etc.)

Response

The Consultant would be required to do all that is required to carry out the Study per the Scope of Work and prepare a detailed Report and also make a public presentation of Report of the Study as indicated below.

6. Enquiry

What specific deliverables would ALTON expect from this assignment?

Response

ALTON expects as deliverable: 100 print copies and an electronic version of the detailed Report by the Consultant (as per the given Scope of Work) of the Study undertaken to review the Socio Economic Impact of Telecommunications in Nigeria over the period from January 2001 to 31 December 2011; and also undertake a public presentation of the Report to key stakeholders at a date to be agreed in due course.

7. Enquiry

What type of influence/guidance would ALTON expect to play in the drafting of the Report? Would the Consultant be able to develop its own conclusions on what has worked or hasn't, or would ALTON need to "accept" the conclusions of the report? Whose view would prevail in the event that there is no consensus?

Response

The Consultant would be allowed to develop its own conclusions based on outcome of the survey, discussions and interviews, as well as practices applicable in other jurisdictions; the draft Report would however be discussed with ALTON prior to its conclusion.

8. Enquiry

Should the Consultant expect any form of support from ALTON and/or its members, with respect to collection and sharing of insights and data?

Response

The Consultant would be expected to undertake the Study alone as defined in the Scope of Work. Notwithstanding the above, ALTON would be willing to facilitate or introduce the Consultant to telecommunications operators who are Members of ALTON or to other official persons and contacts in Government.

9. Enquiry

What is the estimated budget allocated to the project? Does it include the possibility of conducting a survey of the market in Nigeria?

Response

ALTON requires the Consultant to submit a bid taking into consideration all likely activities to be undertaken in the course of the Study.

10. Enquiry

Did ALTON conduct a similar study in the past and if so, can you share with us?

Response

No, ALTON has not conducted a similar Study in the past.

11. Enquiry

What do you mean by “5.5 Warranty - Data Warranty start and end during the warranty period must be clearly stated”?

Response

This is a confirmation by the Consultant that the data provided is true and valid for the period within which the study was undertaken.

12. Enquiry

The timelines provided in the RFP for us to prepare our proposals are quite tight for the desired quality that we are usually associated with. We would request an extension to have at least 5 business days after the clarification meeting to finalise our proposal. Would ALTON oblige an extension?

Response

The concern is noted. ALTON would communicate an extension to cover at least 5 business days after the clarification meeting.

13. Enquiry

Whether it is acceptable to submit a proposal subject to contract (which means that contractual terms would be agreed once a preferred Consultant has been selected)?

Response

Yes, after the selection of the preferred Consultant, the contractual terms would be discussed and agreed by both parties (i.e. Consultant and ALTON).

14. Enquiry

Has any of the information discussed in the scope of work already been compiled by ALTON or its members?

Response

The information discussed in the scope of work has not been compiled by ALTON or members but could be collated upon request within a reasonable timeline.

15. Enquiry

Would ALTON organise a representative within each organisation to handle data requests?

Response

ALTON would communicate to the selected Consultant contacts at each organisation to handle data request.

16. Enquiry

Would ALTON provide a staff member for liaising with the operators to obtain any further information that may be required for the Study?

Response

The selected Consultant is required to liaise directly with the contacts provided by ALTON (as indicated above) for any additional information that may be required for the Study.

17. Enquiry

Would ALTON have a platform to provide answers to the multiple questions/requests for clarifications of the Vendor?

Response

ALTON is already doing so through this *RESPONSE TO ENQUIRIES* from Consultants. As advised in the RFP and subject to any change in schedule that would be duly communicated to Consultants, ALTON would receive (further) enquiries from Consultants via email; and also confirm a date and time when a session would be held with the Consultants (via teleconference) to further respond to queries/requests for clarifications about the Study.