

**Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Co. Ltd.**

Response / Clarification to query raised by bidder for appointment of Tax consultant

Sr.No.	Queries	Reply/Clarification
1	In serial number I under 'Customs', we understand that the scope of work involves providing "classification assistance". We would request you to clarify the exact nature of services required by MEGA in this regard	Opinion/Consultancy required as and when for rate/assessment
2	In serial number II under 'Customs', we understand that the scope of work involves providing "wide range of custom procedures and its documentation requirements". We would request you to clarify as to whether the said assistance shall be required by way of providing advisory or undertaking any compliances.	It is required by way of opinion or advice on the rate charged by the contractor. Clarification of the documents submitted by the contractor.
3	As per Clause I (Direct Taxes) - Section C, the scope of work includes replying to various tax notice and providing necessary tax support. In relation to same, we request MEGA to share with us the high level direct tax status chart listing various ongoing tax/ litigation proceedings along with issues and years involved. Further, is possible please share with us computation of income and corporate tax return filed for Financial Year 2016-17	At present, there is no litigation but it could arise in future and cannot be decided at this stage. Currently, MEGA is under implementation of Metro Project. Presently, its earning income is from Interest on surplus fund deployed with the financial institutions and thus MEGA has incomes of interest and other misc. income.
4	As per Clause II (Direct Taxes) - Section C, with regard to advance tax calculation, kindly clarify whether the scope would include preparation of the same or only a review of computation prepared by MEGA. Further, with regards to filing of all kind of periodic returns, we understand that Bidder will be responsible for filing of TDS statements, corporate income tax return and Form 61A. Please confirm	Bidder is responsible to file TDS Return, Income Tax Return, 15CA&CB, Form 61A and any other return applicable to MEGA. For filing of return necessary details will be provided by the MEGA.
5	As per Clause III (Direct Taxes) - Section C, in relation to compliance of tax details for audit and support to the Internal / Statutory / CAG Auditors, please confirm whether Bidder would be required to assist in preparing (or just reviewing) the tax provisioning for quarterly financials prepared by MEGA. Also, whether Bidder would be required to assist in preparation (or just review) of details requested by auditors for preparation of tax audit report. Further, Bidder will be responsible for providing assistance during the period of engagement only. Please confirm.	MEGA does not prepare quarterly financials. But for advance tax liability, the bidder is required to prepare provisional statement of total income as and when required by MEGA. Presently, tax audit is not applicable to MEGA, however during the contract, if it happens to be applicable, then bidder is required to prepare necessary details and audit report for tax.
6	As per Clause IV (Direct Taxes) - Section C, we understand that calculation, deduction along with deposit of TDS will be sole responsibility of MEGA. Bidder will not responsible for PF calculations, salary TDS calculations, declarations and investment proofs to be maintained by MEGA	Company is working on SAP ERP platform. However, once in a year documents collected by the MEGA through ERP is required to be verified by the bidder. Tax calculation of salary is required to be carried out by bidder. Documents will be maintained by MEGA. PF will not be in the scope of the bidder.
7	As per Clause VI (Direct Taxes) - Section C, with regard to updating MEGA regarding changes in 'rates', we understand that rates refer to corporate tax rates and TDS rates. Please confirm.	Yes rates refer to corporate tax & TDS rates. However, it happens to be a new tax under direct tax regime during the contract, the bidder is expected to assist on that also.
8	As per Clause VII & XII (Direct Taxes) - Section C, the Bidder will be responsible for query and intimation raised by tax authorities in relation to data uploaded by Bidder even after the period of engagement. Kindly clarify whether it refers to any query/ notice issued by Indian revenue authorities in relation to any defects in data uploaded by Bidder (such as notice for defective return/ errors in withholding tax returns etc.) or does it also include assistance in relation to the following: a. Statements issued upon electronic processing of returns such as intimation under section 143(1) etc. b. Any assessment/ scrutiny proceedings that may be initiated for examining the claims made in the return c. Any appellate proceedings arising pursuant to assessment/ scrutiny proceedings referred above	Bidder will be responsible to address the all.
9	As per Clause X (Direct Taxes) - Section C, in relation to periodical training for direct tax matters to MEGA's personnel, please provide the frequency and duration of each training. Also, confirm the mode of training i.e. in person or conference call or any other?	Training will normally be given on the amendment made in the Finance Act. However, it may be given on the major changes in the law having substantial impact.

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10	As per Clause XIII (Direct Taxes) - Section C, in relation to issuance of certificate in form No. 15CA and 15CB, we understand that providing the relevant documents from foreign parties will be sole responsibility of MEGA. Also confirm, if MEGA requires our assistance for lower withholding or no withholding certificate under section 197 or 195.	All necessary data for preparation of Form 15CA and 15 CB will be provided by MEGA. Services related to Lower deduction of TDS may be availed if required.
11	As per Clause XV (Direct Taxes) - Section C, please appreciate that we don't render legal services. Our comments will be limited from direct tax implications. Accordingly, MEGA legal team can take into consideration our comments while drafting contracts. Could you provide an estimate/ forecast on the number of contracts that may be entered by MEGA.	Your comment is expected from tax point of view only.
12	Please confirm, whether the proposed scope of work for direct taxes covers personal direct tax services for employees and officers of MEGA	Proposed scope of work for direct taxes cover only MEGA
13	Whether the scope of work purports to include 'preparation' of monthly TDS computations and quarterly withholding tax statements, including generation of TDS certificates or only 'review' thereof?	As per tender conditions.
14	We understand transfer pricing regulations are not applicable to MEGA?	At presently it is not applicable to MEGA.
15	Whether the compliance pertaining to period covered by the contract but due post the period of contract shall not be covered under the scope. For e.g. - Assuming the contract is valid from 1 July 2018 to 30 June 2019, whether filing of corporate tax return (pertaining to period 1 April 2018 to 31 March 2019 but due to be filed in September/ November 2019) is not covered under the scope of	Tender Condition prevails
16	In relation to filing of corporate tax return, withholding tax returns etc., whether the authorized signatory would be available for signing and uploading the same electronically, once the same has been duly prepared by Bidder?	Yes, it is available for signing and uploading the same electronically.
17	Whether fee quote can be variable i.e. fixed up to a certain forecasted level of activity (ranging in terms of hours) and additional fixed fee in case level of activity exceeds such forecasted normal limit during a particular month?	Tender Condition prevails
18	For 'Bidder Eligibility Criteria' purposes, please confirm whether engagements with companies which are not government or public but are key entities operating in infrastructure sector, can also be submitted and considered for the purpose of technical evaluation?	Tender Condition prevails
19	With respect to submission of engagement contracts, can the same be submitted by striking out confidential details such as background, fee etc. but retaining details such as name of client and scope of work?	Yes, you can submit by striking out confidential details such as fee.
20	Please provide the list/number of open litigations/ assessments/ audits pending under the Sales Tax/ VAT Law – Authority Level wise.	At present, only two assessments with respect to VAT is going on.
21	1. Please elaborate the details of any exemptions/ classifications/ export schemes availed by MEGA currently 2. Please provide the list of any open proceedings under Customs Law	No proceeding is initiated against MEGA under Customs Law. Metro Projects have been given specific exemption on import of goods.
22	Please provide the list/number of open litigations/ assessments/ audits pending under the Service Tax Law – Authority Level wise.	No such incidents at present.
23	1. What is the approx. number of vouchers in a month, whether the same will be provided in soft copy or hard copy 2. Tax Compliance certificate is required on completeness of voucher or is there any other requirement	1.Approx. number of voucher in a month is 450 2.Tax compliance certificate is required on completion of monthly voucher audit. 3. The bidder is required to come MEGA office personally for records. Records would not be provided in soft or even not allowed to bring out side MEGA office. In a special circumstances, MEGA may allow at its discretion.

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24	We are having non- disclosure agreements with maximum number of clients, hence we will not be able to provide the contract/ engagement letter in all the assignments. Kindly let us know if we can provide any of the following 1. Certificate from clients that we are appointed as service provider for their tax consultancy assignments 2. Wherever permitted to us, copy of Engagement letter stating period and scope of work 3. Self-attested list of clients containing details of scope of work and engagement period.	You can submit completion certificate received from client stating period and scope of work etc.,
25	Request you to please provide the general terms and conditions that would form a part of the final engagement letter/contract covering clauses such as Indemnity, Liquidated damages, Confidentiality period, etc.	Final engagement letter shall be in line with tender document.
26	Please share the number of registrations taken under GST by MEGA	Presently MEGA is having one registration under GST. It may be possible MEGA will obtain more registration under GST.
27	Tax Compliance period will start from April 2018 to March 2019 or any other period, pls. confirm our understanding for each of the tax regulations(Direct Tax, Indirect Tax (Old laws and GST), Customs and FEMA	Tender Condition prevails
28	List of ongoing assessment with respect to Direct Tax, Indirect Tax (Old laws and GST), Customs and FEMA	At present, only two assessments with respect to VAT is going on.
29	List of ongoing query/enquiry/litigation with respect to Direct Tax, Indirect Tax (Old laws and GST), Customs and FEMA;	No such incidents at present.
30	Nature of transactions undertaken for compliance relating to FEMA	Major transactions relating to remittance outside India towards import of service and goods
31	Is there any old compliance requirements to be taken care during the tenure or its only relating to period starting from April 2018 to March, 2019, pls. clarify	Tender Condition prevails
32	Pls. provide us location , it is single location or multi location	It is clarified that Finance MEGA is stationed at Gandhinagar.
33	Column No 4 - Total completed years	Total completed years of Firm
34	Column No 8- Number of completed years post qualification Experience with the firm/ No of years.	It is clarified that No. of completed years post qualification experience of partner with the firm.
35	In tender document of Tax consultancy, we need to declare that, <b>“3. individually we are not engaged in practice otherwise or in any other activity which would be deemed to be a practice under Section 2(2) of the Chartered Accountants Act, 1949”</b> (refer Page No. 14) – <i>As we are currently appointed as Internal Auditor. Do we able to apply for this tender?? Kindly clarify</i>	Tender Condition prevails
36	Declaration given at the time of <b>Internal Audit RFP</b> – which states – <b>“That from the time of appointment and for one year after (to be counted from the date of issue of final audit report) the Firm ceases to be internal auditor, no other assignment of any kind to the PIA/project (including consultancy) will be accepted, either by the firm or by its partners or relatives of partners of the firm or by its associates”</b> - <i>As per this declaration, can we apply for this tender?</i>	Tender Condition prevails