

National Mission for Clean Ganga (NMCG)
Department of Water Resources, River Development & Ganga Rejuvenation
Ministry of Jal Shakti

F.No: Pc-11011/3/2018-PPP/NMCG

Dated: 20th December 2019

Responses to Pre Proposal/Bid Queries

Sub: Selection of Project Engineer for the Development of Sewage Treatment Plants (STPs), rehabilitation of existing STPs & associated Infrastructure and Operation and maintenance of all assets for 15 years in Digha & Kankarbagh, Patna, Bihar under Hybrid annuity based PPP mode

Sl. No.	RFP Clause No.	Subject/RFP Clause	Bidder's Query	Response						
1.	Page 10, Clause 1.8	4. Proposal Due Date or PDD: 20 th December 2019, 12:00 noon	We request to extend the bid submission date by 15 days from the scheduled due date i.e. 20 th December 2019	Please refer to the addendum.						
2.	Page 12, Clause 2.1.4	<p>Key Experts:</p> <table border="1"> <thead> <tr> <th>S. No</th> <th>Category Name</th> <th>Minimum educational qualification and Discipline</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Team Leader cum Waste Water Expert</td> <td>Graduation in Engineering and Post-graduation in Public Health/ Environmental Engineering or Equivalent</td> </tr> </tbody> </table>	S. No	Category Name	Minimum educational qualification and Discipline	1.	Team Leader cum Waste Water Expert	Graduation in Engineering and Post-graduation in Public Health/ Environmental Engineering or Equivalent	Please allow Team Leader cum Waste Water Expert with Graduation in Engineering and Post-graduation in Public Health/ Environmental Engineering/ M.B.A. or Equivalent	As per RFP document.
S. No	Category Name	Minimum educational qualification and Discipline								
1.	Team Leader cum Waste Water Expert	Graduation in Engineering and Post-graduation in Public Health/ Environmental Engineering or Equivalent								
3.	Page 15, Clause 2.1.4	<p>Key Experts:</p> <table border="1"> <thead> <tr> <th>S. No</th> <th>Category Name</th> <th>Minimum educational qualification and Discipline</th> </tr> </thead> <tbody> <tr> <td>9.</td> <td>O & M Engineer</td> <td>Graduation in Civil Engineering/ Environment</td> </tr> </tbody> </table>	S. No	Category Name	Minimum educational qualification and Discipline	9.	O & M Engineer	Graduation in Civil Engineering/ Environment	Please allow O & M Engineer with Graduation in Civil Engineering/ Environment Engineering / Mechanical Engineering/ Electrical Engineering / Biotechnology/ Chemical Engineering / Post-graduation in Civil /Public Health/ Environmental Engineering	Please refer to the addendum.
S. No	Category Name	Minimum educational qualification and Discipline								
9.	O & M Engineer	Graduation in Civil Engineering/ Environment								

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			Engineering / Mechanical Engineering/ Electrical Engineering/ Post graduation in Civil/Public Health/ Environmental Engineering					
4.	Page no. 25, Clause 2.14 Technical Proposal,	2.14 Technical Proposal 2.14.2 While submitting the Technical Proposal, the Bidder shall, in particular, ensure that: (k) no Key Personnel should have attained the age of 60 (Sixty) years at the time of submitting the proposal; and		Please allow Key Personnel should have attained the age of 65 (Sixty-Five) years at the time of submitting the proposal	Please refer to the addendum.			
5.	Page 15, Clause 2.1.4	Key Experts:		Please allow O & M Engineer with Diploma in Civil Engineering/ Environment Engineering / Mechanical Engineering/ Electrical Engineering /Biotechnology/ Chemical Engineering with minimum 15 years of experience	Please refer to the addendum.			
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			Electrical Engineering/ Post graduation in Civil/Public Health/ Environmental Engineering		
6.	ITB 2.1.4 Key Personal Criteria for evaluation 3.1.3 scoring criteria	Minimum education qualification and discipline in mentioned as bachelor degree for Senior Civil Engineer, Senior Mechanical Engineer, Senior Electrical Engineer, Senior Instrumentation Engineer and O & M Engineer in Clause 2.1.4 whereas in Clause 3.1.3 is considered for post-graduation also.		Request you to revise the scoring criteria considering the bachelor degree alone in order to submit competitive offer.	Please refer to the addendum.
7.	ITB 2.1.4 Key personal Criteria for evaluation 3.1.3 scoring criteria	The qualification and expertise required for Senior Civil Engineer, Senior Mechanical Engineer, Senior Electrical Engineer, Senior Instrumentation Engineer and O & M Engineer in clause 2.1.4 as should have undertaken planning, design and supervision ofof at least two eligible assignments. In addition in scoring criteria, maximum mark is allocated for more than five assignments.		Since the nature of assignment is similar to review the design (Which is to be prepared by concessionaire) and monitor the progress, we request you to consider review and monitoring projects also for the assignments more than two (Minimum eligible assignments) for providing marks for the key personals	Please refer to the addendum.

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8.	Agreement Clause 6.3 mode of billing and payment and terms of reference Clause 13 time and payment schedule	It is mentioned the mobilisation advance shall be adjusted in four equal installments..... whereas in Clause 13 eight construction milestones are specified.	We request you to adjust the mobilisation in eight equal installments	Please refer to the addendum.
9.	Agreement Clause 6.3 mode of billing and payment	It is mentioned that advance bank guarantee to remain effective until the advance payment has been fully set off as provided here in	We request you to consider revising / reducing the bank guarantee limit as and when the advance is adjusted against each payment.	Please refer to the addendum.
10.	ITB 2.1.4 Key personal	The qualification and expertise required for Senior Process Engineer, in Clause 2.1.4 as should have undertaken process design and construction of at least two eligible assignments.	Since the nature of assignment is similar to review the design (Which is to be prepared by concessionaire) and monitor the progress, we request you to consider review and monitoring projects also for the assignments for Senior Process Engineer	Please refer to the addendum.
11.	ITB 2.1.4 Key personal	The qualification and expertise required for Senior Civil Engineer, Senior mechanical	We request you to consider Water treatment plant (WTP) projects in addition to STP/ETP/CETP for	Please refer to the addendum.

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	Criteria for evaluation 3.1.3 scoring criteria	Engineer, Senior Electrical Engineer, Senior Instrumentation Engineer and O&M Engineer in Clause 2.1.4 as should have undertaken planning, design and supervision of of at least two eligible assignments. In addition in scoring criteria, maximum mark is allocated for more than five assignments.	the assignments more than two (Minimum eligible assignments) for providing marks for the key personals.	
12.	2.1.4, page 14	"...the selected bidder also provide necessary expertise/ guidance of a Finance and Legal expert(s) as and when required."	Financial as well as Legal expertise are essential inputs for such a long term PPP project. Hence, time input expected from such experts should be defined in the project for correct evaluation of bids and ensure availability of suitably qualified and experienced experts.	Please refer to the addendum.
13.	Clause 13.4, Schedule 2, Form of Agreement, Page 54	"...the selected bidder is expected to provide necessary institutional support / support personnel to the Key Personnel for successful completion of the assignment."	Institutional strengthening and capacity building are useful outcomes of such projects. To ensure necessary and sufficient support, time inputs of the relevant experts should be defined in the project.	Please refer to the addendum.
14.	Annex 5: Payment Schedule, Page 84	"...and shall be adjusted against the first 4 (four) bills in four equal installments..."	The first 4 payments are expected to be about 1% of the Contract Value as per Section 13: Time and Payment Schedule in Schedule 2: Form of Agreement on Page 53. It is not clear how 10% Advance Amount will be recovered from these.	Please refer to the addendum.

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			Please clarify if there is a different understanding.	
15.	General		We request you to kindly extend the submission date by two weeks after issuing the minutes of meeting	
16.	2. Conditions of Eligibility of Bidders, 2.2.2 (b) Financial capabilities:, Pg. No. 18	The Bidder shall have received a minimum revenue of Rs. 5(Five) crore or US \$ 2.5 (Two and half) million per annum from professional fees during Financial Year 2016-17, 2017-18 and 2018-19. For the avoidance of doubt, professional fees hereunder refers to fees received by the Bidder for providing advisory or consultancy services(excluding Audit, Accounting, Taxation and Information Technology) to its clients for project development services/preparation of Detailed Project Reports(DPRs), Technical Feasibility Studies, Project Management Consultancy services, Third Party/Independent Engineer/Owners Engineer Services, Technical Audit services, Assessment of existing assets etc. for infrastructure projects.	In order to bring a competent and experienced consultant, it is suggested that the criteria may be amended as below: Consultant should have minimum average annual turnover of Rs. 100 Crore in last 3 financial years viz 2016-17, 2017-18 & 2018-19.	Please refer to addendum.
17.	2.21 Performance	An amount equal to 10% (ten cent) of the Agreement Value shall be deemed to be the	The value of the performance security deposit is a bit on the higher side, so we request you to reduce it to 5% of the total consultancy fee.	As per RFP document.

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	Security, Page No.30	Performance Security for the purposes of this Clause 2.21, which may be forfeited and appropriated in accordance with the provisions hereof.		
18.	2.26 Substitution of Key Personnel, Page No.33	The NMCG expects all the Key Personnel to be available during implementation of the Agreement. The NMCG will not consider substitution of Key Personnel except for reasons not attributable to the Project Engineer such as any incapacity, resignation or due to health. Such substitution shall ordinarily be subject to equally or better qualified and experienced personnel being provided to the satisfaction of the NMCG. For substitutions against reasons other than mentioned above, a sum - upto 5% (Five per cent) of the remuneration specified for the original Key Personnel may be deducted from the payments due to the Project Engineer. In the case of a further substitutions hereunder, such deduction shall be up to 10% (Ten per cent) of the remuneration specified for the original Key Personnel for each substitution.	Looking at the fierce competition between companies these days, it's very difficult to retain the resources. Even the multilateral funding agencies like ADB, World Bank, JICA, IDA also allow the replacement of experts with equal and better qualification. Hence, we request you to remove this clause. However, we will ensure that we replace the personnel with an equal and better CV.	As per RFP document.
19.	2.30	The Project Engineer shall commence the	We request to revise clause:	As per RFP document.

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	Commencement of assignment, Page no.34	Services at the Project site within 7 (seven) days of the date of the Agreement, or such other date as may be mutually agreed. If the Project Engineer fails to either sign the Agreement as specified in Clause 2.29 or commence the assignment as specified herein, the NMCG may invite the second ranked Bidder for negotiations. In such an event, the Bid Security of the first ranked Bidder shall be forfeited and appropriated in accordance with the provisions of Clause 2.20.4.	The Project Engineer shall commence the Services at the Project site within 30 (Thirty) days of the date of the Agreement, or such other date as may be mutually agreed. If the Project Engineer fails to either sign the Agreement as specified in Clause 2.29 or commence the assignment as specified herein, the NMCG may invite the second ranked Bidder for negotiations. In such an event, the Bid Security of the first ranked Bidder shall be forfeited and appropriated in accordance with the provisions of Clause 2.20.4.	
20.	3.4 Combined and final evaluation, Page no.40	Proposals will finally be ranked according to their combined technical (ST) and financial (SF) scores as follows: $S = ST \times Tw + SF \times Fw$ Where S is the combined score, and Tw and Fw are weights assigned to Technical proposal and Financial Proposal, which shall be 0.70 and 0.30 respectively.	For a type of specialised work the quality should be the main criteria for selection. Hence, we request an amendment as QCBS 80:20 instead of 70:30.	Please refer to the addendum.
21.	10. Assistance in Dispute resolution, Page no.62	10.1 When called upon by either Party in the event of any Dispute, the Project Engineer shall mediate and assist the Parties in arriving at an amicable settlement.	We would like to inform you that in RFP document Legal Expert position is not mentioned and whereas the consultant scope of work requires to provide assistance in dispute resolution.	Assistance in dispute resolution is more of technical in nature.

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		10.2 In the event of any disagreement between the Parties regarding the meaning, scope and nature of Good Industry Practice, as set forth in any provision of the Concession Agreement, the Project Engineer shall specify such meaning, scope and nature by issuing a reasoned written statement relying on good industry practice and authentic literature.	We suggest adding position of Legal Expert / Contract Management Expert for 12 months.	
22.	12. Miscellaneous, Page No.63	12.7 The project Engineer shall develop & maintain a project website and with the approval of NMCG/BUIDCO post from time to time, information (textual and Audio-Visual) on project progress on a continuous basis. On completion of services as per this RFP document, the website with all necessary technical information shall be handed over to BUIDCO.	We suggest adding position of IT Expert for 36 months.	The project engineer may hire the required services instead of having a dedicated personnel.
23.	Schedule-I, TOR, Page No.47-63	EHS Expert & PPP cum Finance Expert	We have gone through the TOR and as per our previous experience, we suggest adding following Key Expert list: 1. Sr. Safety Expert – 12 months 2. Finance cum PPP Expert – 6 months	As per RFP document.

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24.	Time and Payment Schedule, Page No.63 & 64	Time Schedule	Please clarify the project duration ?	Please refer to Clause 13.1 of schedule 1, Term of Reference for Project Engineer
25.	13. Time and Payment Schedule, Page No.63 & 64	Payment Schedule	We request to pay at least 80% payment on monthly basis instead of 54%.	As per RFP document.
26.	7.2 Liquidated Damages, Page no.92	Liquidated Damages for error/variation In case any error or variation is detected in the reports submitted by the Project Engineer and such error or variation is the result of negligence or lack of due diligence on the part of the Project Engineer, the consequential damages thereof shall be quantified by the NMCG in a reasonable manner and recovered from the Project Engineer by way of deemed liquidated damages, subject to a maximum of 20% (twenty percent) of the Agreement Value.	In general, Indian bidding practice, the maximum limit of liquidity damage for error/variation is 5%. We suggest revising the liquidity damage penalty for error/variation as accordingly.	As per the RFP document.
27.	7.2 Liquidated Damages, Page no.92	Liquidated Damages for delay In case of delay in completion of Services, liquidated damages not exceeding an amount	In general, Indian bidding practice, the maximum limit of liquidity damage is 5%. We suggest revising the liquidity damage as accordingly.	As per the RFP document.

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		equal to 0.2% (zero point two percent) of the Agreement Value per day, subject to a maximum of 10% (ten per cent) of the Agreement Value will be imposed and shall be recovered by appropriation from the Performance Security or otherwise. However, in case of delay due to reasons beyond the control of the Project Engineer, suitable extension of time shall be granted.		
28.	Proposal due date, Page No.10	Proposal due date: 20.12.2019 at 12:00 noon	We request you to please provide extension for at least 15 days after the pre-bid replies.	Please refer to the addendum.
29.	13. Time and Payment Schedule, Page No.63 & 64	Time Schedule	We assume that Development Phase of 6 months is an additional period followed by construction supervision (24/36months) and O&M (12/24months). Pl. clarify?	Development period is prior to the start of Construction.
30.	Criteria for Evaluation, Page No.31	Evaluation of Technical Proposal	We requested for QCBS quality criteria to be revised from 70:30 to 80:20. We would reiterate that quality of the staff to be mobilized at site is a key for the success of the PE's as well as the project. Since the Key Experts are the one who plays major role to make any project successful. We sincerely request you to kindly increase the total marks of the key personnel from 300 to 500 marks	Please refer to the addendum.
31.	2.2.5 - Page no	Any entity which has been barred by the	Since this is a national tender, we recommend	As per RFP document.

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	15	Central Government, any State Government, a statutory authority or a public sector undertaking, as the case may be, from participating in any project, and the bar subsists as on the date of Proposal, would not be eligible to submit a Proposal either by itself or through its Associate.	that the language of this clause should be: That our firm have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial authority or a judicial pronouncement or arbitration award against our firm, nor our firm have been expelled/debarred from any project or contract by any Central Government/ State Government/ Public Sector Undertaking or any other Government authority in INDIA nor have had any contract terminated by any Central Government/ State Government/ Public Sector Undertaking or any other Government authority in INDIA for breach of our part.	
32.	2.2.6 - Page no 15	An Bidder or its Associate should have, during the last three years, neither failed to perform on any agreement, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Bidder or its Associate, nor been expelled from any project or agreement nor have had any agreement terminated for breach by such Bidder or its Associate.	We suggest that the clause be changed to: An Applicant Firm should have, during the last one year, neither failed to perform on any agreement, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Applicant Firm, nor been expelled from any project or agreement nor have had any agreement terminated for breach by such Applicant Firm.	As per RFP document.

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33.	3.1.4 A1 - Page no 38	For the purposes of determining Conditions of Eligibility and for evaluating the Proposals under this RFP, Project Management Consultancy (PMC)/Design Engineering construction supervision consultancy /Owner's Engineer/ consultancy assignments for the following projects shall be deemed as eligible assignments (the "Eligible Technical Assignments"); (i) Sewerage Schemes or Sewerage Systems that includes at least one 25 MLD Sewage Treatment Plant (STP)/Effluent Treatment Plant/Common Effluent Treatment Plant	Request to reduce the minimum eligible capacity of STP to 10MLD instead of 25MLD	As per RFP document.
34.	3.1.4 A3 - Page no 39	Additional Technical Consultancy Experience preferred (Network): For the purposes of evaluation, Project Management Consultancy (PMC)/Design Engineering & construction supervision consultancy /Owner's Engineer/ Consultancy assignments for the following projects shall be considered for evaluation over and above the minimum eligibility criteria as mentioned in 3.1.4 A2: (i) at least 1 km should be more than or	(i) At least 1 km should be more than or equal to 1000 mm diameter - Is marine disposal from CETP eligible for this criterion? Or else the diameter shall be reduced to 800mm	As per RFP document.

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		<p>equal to 1000 mm diameter</p> <p>(ii) at least 1 sewage pumping station of minimum capacity of 50 MLD.</p> <p>(iii) Sewerage network of minimum length 200 m using trenchless technology.</p>		
35.	Clause 8 - Page 51	No Provision for termination of agreement by the Consultant has been given in the RfP document.	We Suggest that the Termination Clause 8 shall include the following: "Termination of Contract by Consultant because of non-payment by NMCG after serving 30 days' notice and if NMCG fails to perform its obligations as per the terms of the contract."	As per RFP document.
36.	-	There is No Provision for capping of Total Aggregate Liability.	We suggest that the Total Aggregate Liability be capped up-to the Consultancy Fees paid to the Consultant.	As per RFP document
37.	2.1.4: Key Personnel Sr. no.3 Senior Engineer (Civil) Page No. 12	<p>Senior Engineer (Civil) Minimum educational qualification and Discipline: Bachelor's Degree in Civil Engineering</p> <p><u>Qualification and Expertise required:</u> Should have experience of more than 10 years of experience, of which about 5 years</p>	<p>We request you to please modify the clause as below: Senior Engineer (Civil) Minimum educational qualification and Discipline: Bachelor's Degree in Civil Engineering</p> <p><u>Qualification and Expertise required:</u> Should have experience of more than 8 years of</p>	As per RFP document.

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		should be in sewage treatment plant works. He should have undertaken planning design and supervision of construction of at least 2 Eligible Assignments	experience, of which about 5 years should be in sewage treatment plant works. He should have undertaken planning design and supervision of construction of at least 2 Eligible Assignments	
38.	2.1.4: Key Personnel Sr. no.2 Senior Process Engineer Page No. 12	<p>Senior Process Engineer Minimum educational qualification and Discipline: Post-graduation in Public Health/Environmental Engineering/ Chemical Engineering/ Bio technology or Equivalent</p> <p><u>Qualification and Expertise required:</u> Should be Wastewater Treatment Process Expert with more than 10 years of overall experience, of which at least 5 years as Process Design Engineer in STP construction. He should have undertaken the process design and construction of at least 2 Eligible Assignments.</p>	<p>We request you to please modify the clause as below for second professional required for below said position: Senior Process Engineer <u>Minimum educational qualification and Discipline:</u> Graduate or Post-graduation in Civil Engineering/ Public Health/Environmental Engineering/ Chemical Engineering/ Biotechnology or Equivalent</p> <p><u>Qualification and Expertise required:</u> Should be Wastewater Treatment Process Expert with more than 5 years of overall experience, of which at least 3 years as Process Design Engineer in STP construction. He should have undertaken the process design and construction of at least 2 Eligible Assignments</p>	As per RFP document.
39.	2.1.4: Key Personnel Sr. no.4 Senior	<p>Senior Engineer (Mechanical) <u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Mechanical</p>	<p>We request you to please modify the clause as below for second professional required for below said position: Senior Engineer (Mechanical)</p>	As per RFP document.

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	Engineer (Mechanical) Page No. 12	Engineering <u>Qualification and Expertise required:</u> Should have more than 10 years of experience of which 5 years shall be in supervising, installation and testing of pumps and associated equipment and plant. He should have undertaken the supervision of installation & testing of mechanical equipment/pumps and associated components for at least 2 Eligible Assignments.	<u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Mechanical Engineering <u>Qualification and Expertise required:</u> Should have more than 5 years of experience of which 3 years shall be in supervising, installation and testing of pumps and associated equipment and plant. He should have undertaken the supervision of installation & testing of mechanical equipment/pumps and associated components for at least 2 Eligible Assignments.	
40.	2.1.4: Key Personnel Sr. no.5 Senior Engineer (Electrical) Page No. 12	Senior Engineer (Electrical) <u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Electrical Engineering <u>Qualification and Expertise required:</u> Should have more than 10 years of experience of which 5 years shall be in supervising electrical installations and instrumentation related to power-driven equipment. He should have undertaken supervision of installation of electrical installations/components/ instrumentation for at least 2 Eligible Assignments.	We request you to please modify the clause as below for first professional required for below said position: Senior Engineer (Electrical) <u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Electrical Engineering or Electronic Engineering <u>Qualification and Expertise required:</u> Should have more than 10 years of experience of which 5 years shall be in supervising electrical installations and instrumentation related to power-driven equipment. He should have undertaken supervision of installation of electrical installations/components/	As per RFP document.

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			instrumentation for at least 2 Eligible Assignments.	
41.	2.1.4: Key Personnel Sr. no.6 Senior Engineer (Instrumentation) Page No. 12	<p>Senior Engineer (Instrumentation) <u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Electrical/Electronics/Instrumentation Engineering</p> <p><u>Qualification and Expertise required:</u> Should have more than 10 years' experience of which 5 years shall be in supervising Instrumentation, Control and Automation and SCADA related works. He should have undertaken supervision of Instrumentation, Control & automation/SCADA systems for at least 2 Eligible Assignments.</p>	<p>We request you to please modify the clause as below: Senior Engineer (Instrumentation) <u>Minimum educational qualification and Discipline:</u> Bachelor's Degree in Electrical/Electronics/Instrumentation Engineering</p> <p><u>Qualification and Expertise required:</u> Should have more than 6 years' experience of which 4 years shall be in supervising Instrumentation, Control and Automation and SCADA related works. He should have undertaken supervision of Instrumentation, Control & automation/SCADA systems for at least 2 Eligible Assignments.</p>	As per RFP document.
42.	2.1.4: Key Personnel Sr. no.8 O & M Engineer Page No. 12	<p>O & M Engineer <u>Minimum educational qualification and Discipline:</u> Graduation in Civil Engineering/Environment Engineering /Mechanical Engineering/ Electrical Engineering/ Post-graduation in Civil/Public Health/ Environmental Engineering</p>	<p>We request you to please modify the clause as below: O & M Engineer <u>Minimum educational qualification and Discipline:</u> Graduation in Civil Engineering/Environment Engineering /Mechanical Engineering/ Electrical Engineering/ Post-graduation in Civil/Public Health/ Environmental Engineering</p> <p><u>Qualification and Expertise required:</u></p>	As per RFP document.

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		<p><u>Qualification and Expertise required:</u> Must be an STP Operational Engineer with at least 10 years of overall experience in Municipal domestic wastewater treatment facilities of which at least 2 years in Operational & Management at STP. He should have undertaken at least 2 Eligible Assignments.</p>	<p>Must be an STP Operational Engineer with at least 6 years of overall experience in Municipal domestic wastewater treatment facilities of which at least 2 years in Operational & Management at STP. He should have undertaken at least 2 Eligible Assignments.</p>	
43.	2.2.2. (B) Financial Capacity Page No. 14	<p>(B) Financial Capacity The Bidder shall have received a minimum revenue of Rs.5(Five) crore or US \$ 2.5 (Two and half) million per annum from professional fees during Financial Year 2016-17, 2017-18 and 2018-19.</p>	<p>We request you to please modify the clause as below: (B) Financial Capacity The Bidder shall have received a minimum revenue of Rs.5(Five) crore or US \$ 2.5 (Two and half) million from professional fees in any one of the Financial Years 2016-17, 2017-18 and 2018-19 and the average annual turn of the last three years 2016-17, 2017-18 and 2018-19 should be more than Rs.4.9 Crores</p>	Please refer to the Addendum.
44.	2.20 Bid Security Page No.25	<p>The Bidder shall furnish as part of its Proposal, a bid security of [Rs. 300,000 (Three Lakhs)] in the form of a Demand Draft/Bankers Cheque/Bank Guarantee issued by one of the Nationalised/ Scheduled Banks in India in favour of the National Mission for Clean Ganga payable at New Delhi (the "Bid Security"), returnable not</p>	<p>We would like to bring your kind notice that with reference to the Ministry of Micro, Small & Medium Enterprises, Government of India, "the companies/firms registered under Micro and Small Enterprises (MSEs) as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME) are exempted from furnishing cost of tender fee and Earnest Money</p>	Please refer to the Addendum.

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		later than 30 (thirty) days from PDD except in case of the two highest ranked Bidders as required in Clause 2.25.1. In the event that the first ranked Bidder commences the assignment as required in Clause 2.30, the second ranked Bidder, who has been kept in reserve, shall be returned its Bid Security forthwith, but in no case not later than 120 (one hundred and twenty) days from PDD. The Selected Bidder's Bid Security shall be returned, upon the Bidder signing the Agreement and completing the Deliverables assigned to it for the first 2 (two) months of the Consultancy in accordance with the provisions thereof.	Deposit/Security Deposit" Therefore, we request you to please provide exemption towards Earnest Money Deposit/Security Deposit to the companies/ firms participating in this tender on submission of necessary proof of registration in MSME.	
45.	1.8 Schedule of Selection Process Page No. 9	Proposal Due Date or PDD: 20th December 2019 at 12:00 Noon	We request you to please extend Proposal Due Date by one month i.e. 20th Jan 2020.	Please refer to the addendum.
46.	Clause 1.1.4 on Page 9.	National Mission for Clean Ganga has simultaneously invited Request for Proposal for the appointment of Project Engineer for Development of Sewage Treatment Plants (STPs) for KMDA area, in Kolkata, West Bengal and Digha & Kankarbagh, Patna in the State of Bihar. Bidders are free to submit	Please confirm whether the Bidders can propose same Key Personnel (for respective positions) in these two packages.	Yes.

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		proposals for all two packages. However maximum number of projects allocated to one consultant will be limited to 1 (one) only.		
47.	Clause 2.1.4 – Key Experts Sl. No. 3 Page 13.	Bachelor’s Degree in Civil Engineering	Kindly allow Civil/ Environment Engineering.	As per RFP document.
48.	Clause 2.1.4 – Non Key Experts, Pages 15& 16.	Non-Key Experts	As per the RFP, we understand that the CVs of Non-Key experts mentioned are not required to be submitted. Kindly confirm.	CVs of both Key and non Key personnel are to be submitted. Please refer to clause 2.14.2(d) of the RFP document.
49.	Clause 2.1.4. Key Personnel & Non-Key Experts, Page 16.	“In addition to the above, the selected bidder also provides necessary expertise/guidance of a Finance and Legal expert(s) as and when required.”	It is to be noted that the requirement of a Finance and Legal expert is solicited , however, the expert man months/duration is not mentioned in either Key Personnel or Non-Key Experts. Kindly confirm the same.	Please refer to the addendum.
50.	Clause 2.15.2 on Page 27.	All the costs associated with the assignment shall be included in the Financial Proposal. These shall normally cover remuneration for all the Personnel (Expatriate and Resident, in the field, office etc.), accommodation, air fare, equipment, printing of documents,	As per this we understand the Project Engineer shall establish the Project office in Patna only , for coverage to the sites namely Digha & Kankarbagh and Howrah. The space for Project office establishment is to be provided by BUIDCO.	The Bidder shall make his own assessment.

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		surveys, geo-technical investigations etc. The total amount indicated in the Financial Proposal shall be without any condition attached or subject to any assumption and shall be final and binding. In case any assumption or condition is indicated in the Financial Proposal, it shall be considered non-responsive and liable to be rejected.	Kindly confirm.	
51.	Clause no.3.1.2 on Page 31 and Clause 3.2: Short-listing of Bidders on Page No.39 & 40.	“However, if the number of such Bidders is less than two, the NMCG may, in its sole discretion, shortlist the Bidder(s) whose technical score is less than 70 (seventy) points even if such Bidder(s) do(es) not qualify in terms of Clause 3.1.2; provided that in such an event, the total number of short-listed Bidders shall not exceed two.”	It is noted that the referred Clause 3.1.2 is linked to the Clause no 3.2. However, the referred clause 3.1.2 in Page no.35 says “ deleted ”. Kindly clarify the same.	The additional requirement as per clause 3.1.2 stands deleted and hence construed accordingly.
52.	Clause 13.2 (B – During Construction Period), page 64.	Certification for the achievement of first construction milestone by the Concessionaire	The construction milestones are not defined in the RFP. Kindly elaborate the same.	For construction milestones to be achieved by the concessionaire, please refer to the concession agreement /tender document for the project. Bidders may visit NMCG and refer to the draft documents.

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53.	Clause 13.2 (B – Payment of fees for supervision of O&M) sub section 1, page 64.	Payment during O & M period on submission of certificate for adherence to KPIs on prorata basis for 24 months (Billing on the basis of man days/man months spend on the project)	As per this we presume that the KPIs mentioned in this clause are applicable to contractor not to the Project Engineer. Kindly confirm.	KPIs are applicable for the concessionaire.
54.	General	Land availability.	As per the RFP document we understand that all lands for STPs/ ISPs are under the possession of BUIDCO. Kindly confirm.	Yes
55.	General	Statutory Approvals.	As per the RFP document we understand that all necessary clearances regarding Environment and other Departments are already obtained by BUIDCO. Kindly confirm.	BUIDCO will fulfill its obligations as per the concession agreement.
56.	General	Witnessing/Inspection of Electro-Mechanical equipments at factory Premises.	Please confirm that Inspection/witnessing of Electro Mechanical equipments test at factory premises before dispatch is in the Scope of Project Engineer. If yes, the cost towards, travel, lodging & boarding shall be in the Scope of Contractor. Kindly clarify.	Bidders may make his own assessment.
57.	Agreement Clause 3.4.4 on Page 86.	Limitation of Liability of Consultant.	The limit of Liability may be limited to a maximum of 5% of the Project Engineer Contract Value. Please confirm.	As per RFP document.

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58.	Agreement Clause 5.3 on Pages 90.	GST.	Please clarify, whether GST shall be paid extra at the prevailing rates, as in any other Consultancy Contracts.	GST is to be quoted in the Financial proposal.
59.	Agreement Clause 7.2.1 on Page 92.	Liquidated Damages for error/ variation.	<ul style="list-style-type: none"> • <u>It is requested to review and eliminate the LD provision for error / variation, which is stated upto the limit of 20% of the Agreement value.</u> • Further, such a high penal provision does question the efficacy of the Consulting service profession. We apprehend penal provision with limit in excess of Performance Security as stated in Clause 7.1.1, would cause adverse impact on the payment of the Consultants. <u>Hence, we request you to eliminate the LD provision for error/ variation.</u> Please confirm. 	As per RFP document.
60.	Clauses 2.3 on Pages 18 to 20 and SCHEDULE – 3 on Pages 104 & 105	Conflict of interest'	We would like to seek your confirmation / clarification on these "Conflict of interest' Clauses w.r.t. our Ongoing NMCG Consultancy assignment "Project Management Consultancy (PMC) assignment to National Mission for Clean Ganga (NMCG)"	PMC in NMCG will not conflict with the Project Engineer (PE) Engagement for individual project, as the scope of work of PE is totally different from PMC in NMCG.
61.	Clause 1.8 Page No. 10 Point 4	Proposal Due Date	It is requested to extend the PDD by four week after issue of corrigendum/ replies to pre bid queries	Please refer to the addendum.

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62.	Clause no. 3.1.4 Eligible Assignments Sub Clause no. A2. Eligible Technical Consultancy Assignments (Network) Page No. 38-39	At Least one 25 MLD Sewage Treatment Plant (STP)/ Effluent Treatment Plant	We Kindly request you to allow WTP experience as eligible assignment.	As per RFP document.
63.	Clause no. 3.1.4 Eligible Assignments Sub Clause no. A2. Eligible Technical Consultancy (Network) Page No. 39	Minimum 150 km length of sewage and drainage network.	Requesting you to relax 150 km length to 75-80 km It is requested to include Water Supply Network along with sewerage and drainage network.	As per RFP document.
64.	Clause no. 3.1.4 Eligible Assignments Sub Clause no. A2. Eligible Technical	At Least one 25 MLD Sewage Treatment Plant (STP)/ Effluent Treatment Plant	Since this is a supervision contract. As per the scope of the work mentioned in the RFP, The supervision works of construction of STP are almost similar to the scope of construction of water treatment plant. Hence we kindly request you to allow WTP experience as eligible assignment.	As per RFP document.

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	Consultancy (Network) Page No. 38-39			
65.	Clause no. 3.1.4 Eligible Assignments Sub Clause no. A2. Eligible Technical Consultancy (Network) Page No. 39	Minimum 150 km length of sewage and drainage network.	Requesting you to relax 150 km length to 90-100 km. It is requested to include Water Supply Network along with sewerage and drainage network.	As per RFP document.
66.	Clause 1.8 Page no. 10 Point 4	Proposal Due Date	It is requested to extend the PDD by three weeks after issue of Corrigendum/ replies to pre bid queries.	Please refer to the addendum.
67.	Clause no 2.14 Page no. 14 Serial no. 6 & 7	Senior Engineer (Electrical) and Senior Engineer (Instrumentation)	Kindly allow water infrastructure experience.	Please refer to the addendum.
68.	Page No. 35 Criteria for Evaluation Clause 3.1.3 Scoring	Relevant Experience of the Bidder STP Experience 200 Upto 3 Project :75 4-6 Projects: 150	Please consider the experience in Eligible Technical Assignments 1for Evaluation of Technical Proposals for the scoring purpose rather than just STP experience.	Please refer to the addendum.

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	Criteria Point No 2	More than 6 Projects 200		
69.	Page No. 35 Criteria for Evaluation Clause 3.1.3 Scoring Criteria Point No 2	Relevant Experience of the Bidder STP Experience 200 Upto 3 Project :75 4-6 Projects: 150 More than 6 Projects 200	Please consider the combined capacity of Eligible Technical Assignments 1 that includes multiple treatment plants within one project/contract for Evaluation of Technical Proposals for scoring purpose.	Please refer to the addendum.
70.	Page No. 21 Clause No. 2.1.4 Key Personnel	Key Experts: He should have undertaken planning design and supervision of construction of at least 2 Eligible Assignments- STPs.	Please consider the experience in Eligible Technical Assignments 1 & 2 rather than just STP projects for all key Experts.	As per RFP document.
71.	Page No. 17 Clause No. 2.2.2 (A) Conditions of Eligibility of Bidders	Technical Capacity: The Bidder shall have, over the past 10 (ten) years preceding the PDD, has completed a minimum of 3 (three) Eligible Technical Assignments in STP specified in Clause 3.1.4 (A1) and 2 Eligible assignment of network as specified in Clause 3.1.4 (A2) of RFP document.	We understand that any Eligible Technical Assignments completed between 2009 to 2019 will be considered for the evaluation of technical capacity of the bidder. Please clarify.	RFP document is self explanatory.
72.	Page No. 10 Clause No. 1.8	Proposal Submission due date: 20 th December 2019, 12:00 noon	We request you to extend the date at least two weeks from the date of confirmation of our queries.	Please refer to the addendum.

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73.	Key Experts; Page No. 13 & 14	Team Leader cum Waste Water Expert Graduation in Engineering and Post-graduation in Public Health/ Environmental Engineering or Equivalent	The client requested to allow Post- Graduation in Civil Engineering or Equivalent degree.	Please refer to the addendum.
74.	Key Experts; Page No. 13 & 14	Senior Engineer (Civil) Bachelor's Degree in Civil Engineering	The client requested to allow Bachelor's Degree in Environmental Engineering or Equivalent degree.	As per RFP document.
75.	Key Experts; Page No. 13 & 14	Senior Engineer (Network) Bachelor's Degree in Civil Engineering/ Mechanical Engineering	The client requested to allow Bachelor's Degree in Environmental Engineering or Equivalent degree.	As per RFP document.
76.	Page No 17, Clause no. 2.2.2(B)	Financial Capacity: The Bidder shall have received minimum revenue of rs. 5 (Five) crore or US\$ 2.5 (Two and Half) million per annum and 2018-19.	Considering the challenging nature of this assignment, it is desired to have a technically strong firm with a strong technical and financial standing. We request that the financial qualifying criteria have at least INR 50 Crores turn over. Kindly consider.	Please refer to the addendum.
77.	Page 40 Clause 3.4.2	Where S is the combined score, and Tw and Fw are weights assigned to Technical Proposal and Financial Proposal, which shall be 0.70 and 0.30 respectively.	Considering the challenging nature of this assignment, which required a strongly skilled and capable firm, it is suggested that the QCBS selection 70:30 be revised to 80:20.	Please refer to the addendum.
78.	Page no. 64, Clause no 13.2, Para B	13. Time and Payment Schedule 13.2, B. During Construction period, For STPs S No. 1 Certification for the achievement of	As the bidders do not have any information about the construction milestones, it is requested to elaborate the construction milestone. Also, we understand that in case the project is	Please refer to the reply to the query no 52.

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		first construction milestone by the concessionaire	extended due to unforeseen reasons, the consultant will be eligible to receive additional fees in proportion to the staff deployment. Kindly confirm	
79.	Page 92 Clause 7.2	<p>7.2.1 Liquidated Damages for error/variation In case any error or variation is detected in the papers submitted by the Project Engineer and such error or variation is the result of negligence or lack of due diligence on the part of the project Engineer, the consequential damages thereof shall be quantified by the NMCG in a reasonable manner and recovered from the Project Engineer by Way of deemed liquidated damages, subject to a maximum of 20% (twenty per cent) of the Agreement Value.</p> <p>7.2.1 Liquidated Damages for delay In case of delay in completion of Services, liquidated damages not exceeding an amount equal to 0.2% (zero point two per cent) of the Agreement Value per day, subject to maximum of 10% (ten per cent) of the Agreement Value will be imposed and shall be recovered by appropriation from the Performance Security or otherwise. However, in case of delay due to reasons</p>	<p>We understand that the total LD under the combined clause 7.2 is 20%. Kindly confirm.</p> <p>Further, we request that the total liquidated damages indicated under Clause 7.2 be limited to 10% of the Consultancy Contract value. Kindly consider and confirm.</p>	As per RFP document.

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		beyond the control of the project Engineer, suitable extension of time shall be granted.		
80.	Page 133 Appendix 2 Form 2	Survey Investigations related Costs	The financial proposal format mentions heading related to surveys and investigations. We understand that the consultant is not required to undertake any surveys and investigations under this contract. Also, in case any surveys and investigations are required to be undertaken, the same will be discussed with the client/contractor and undertaken with additional cost reimbursed by the client. Kindly confirm	No
81.	General	Escalation on the contract value	Considering the long duration of the assignments, it is requested that annual escalation be applicable on the consultant's rates after 24 months into contract. Kindly consider.	As per RFP document. The Bidders may make their own assessment as per prevailing market/Economic conditions.
82.	General	Date of submission	It is requested that the date of submission of the proposal be extended to provided at least 3 weeks after the issue of the clarifications to the queries. Kindly consider.	Please refer to the addendum.
