

**National Mission for Clean Ganga (NMCG)**  
**Ministry of Water Resources, River Development & Ganga Rejuvenation**  
**Responses to Pre proposal/bid queries.**

**Sub: Request for Proposal (RFP) for the Selection of Project Engineer for the Development of 50 MLD Sewage Treatment Plants (STP) at Varanasi and 82 MLD STPs at Haridwar Under Hybrid Annuity Based PPP mode.**

<b>Sl.No</b>	<b>RFP Clause No.</b>	<b>Subject</b>	<b>Bidders' Query</b>	<b>Response</b>
1	1.1.3	Draft Concession agreement	We request you to provide the copy of Tender document for the said works to know the works to be carried out by the Contractor under this contract.	The draft concession agreement for Varanasi and Haridwar projects under Hybrid Annuity based PPP mode are available in the website of UP Jal Nigam and Utrakhand Pey Jal Nigam respectively. Also the same is available in the archives section of the website of NMCG.
2	1.8	Bid Submission Date	Request to revise the bid submission date to provide minimum 3 weeks after receiving bid query responses i.e. to 27th Oct 2017. Also request cascading adjustments to dates for other events as a part of this tender submission. It should be noted that the current date of submission falls very close to major festival holidays. Considering the first kind of PMC named as PE with the intend to align right CVs for the prestigious job, we request you to please extend the last date of submission by 10 <sup>th</sup> November 2017.	The submission date is extended to 25 <sup>th</sup> October 2017. Please refer to the Addendum.
3	2.1.1	Scope of proposal	Detailed description of the objectives, scope of services, deliverables and other requirements	Please refer to the addendum

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			<p>relating to this consultancy are specified in this RFP. The bidder shall be a single entity/joint venture firm/consortium. Experiences of joint venture/consortium firms shall be added up for the qualification purposes.</p> <p>Since JV is not allowed we request if Consultant can be allowed to claim experience of their own entities with projects outside India and in India.</p>	
4	2.1.4	O&M Engineer	<p>Traditionally it is the Operators and Contractors who employ O&amp;M engineers and not Consultants. We request NMCG to consider experience of Consultants in preparation of O&amp;M manual or Providing trainings to Plant Operators of STPs as relevant and acceptable experience as well.</p>	<p>The job of the O &amp; M Engineer is to supervise the O &amp; M operations of the plant. Please refer to the detailed scope of work during operation period as per RFP.</p>
5	2.1.4	Support from Financial/ Legal expertise/guidance is requested from the Bidder as a part of this assignment.	<p>Could NMCG kindly clarify typical aspects/ roles/ purposes/ duration for which inputs from Legal/ Financial experts may have to be considered by the bidder?</p> <p>To ensure that the concession agreement that is already in place is</p>	<p>The role of Financial and Legal Expert is of advisory in nature and not on a regular basis. The expertise is need based and are to be provided as and when required as an institutional support.</p>

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			<p>adhered to in both letter and spirit, continual expert input on both finance and legal matters will be needed.</p> <p>We therefore request that the positions of Financial Expert as well as Legal Expert be clearly marked as Key Positions with minimum qualification Requirements. Further, these positions may also be allotted specific man days for providing this much needed ongoing input over the duration of this assignment.</p>	
6	2.1.4	Instructions to bidders - Key Experts viz Team Leader position requirements.	<p>We believe that the role needs to be split due paucity of availability of professionals with combined experience in design, construction and planning aspects as currently defined in tender document.</p> <p>A) We request NMCG to kindly accept the requirement of Team Leader's experience as proposed under:</p> <p>1. Min Qualifications - BE(Civil) for planning and construction supervision.</p>	As per RFP document.

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			<p>2. Experience requirements - He/She will have min 15 years of overall experience, 3 years as Team Leader and at least 2 eligible projects for planning and construction supervision of sewerage/ waste water projects.</p> <p>B) Add a Dy Team Leader with Post Graduation in civil (Environmental/ Public Health) and responsible for overall design reviews/ technical inputs. He will have 15 years of overall experience, 3 years as Design Manager (Design Team leader) and at least 2 eligible projects for overall design of sewerage/ waste water projects.</p>	
7	2.1.4	Key Personnel	For support during implementation of the concession agreement we request that the position of Contract Specialist be included in the list of Key Personnel with associated time input.	No change.
8	2.2	Conditions of eligibility of Bidders	The stipulated clause intend experience of firm over last seven years preceding PDD. We request	Please refer to the addendum

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			that this may please be increased to 12 years preceding PDD to represent better project experience.	
9	2.14.2 (n)	Bidder is required to fill in a datasheet	Please clarify which datasheet is being referred here, or provide web link to the document.	The data sheet is already provided in the website of National Mission for Clean Ganga at <a href="http://nmcg.nic.in/pdf/data%20sheet.xlsx">http://nmcg.nic.in/pdf/data%20sheet.xlsx</a>
10	2.26	Substitution of Key Personnel	The stipulated clause intends for penalty of 10% and 15% subsequently on request of substitution. The clause also stipulates for termination of agreement on replacement of Team Leader during study. May please be noted that the retainer ship of an employee is beyond the control of an organization. In lieu of the same it becomes a high risk project during bidding where needs relaxation for the same. Kindly waive off this clause and confirm.	Please refer to the addendum
11	3	Evaluation of Technical Proposal	If a single project can achieve high capacity and high project cost can it be delinked with number of counts weightage? Please confirm.	As per RFP document.
12	3.1.3	Revenue from Professional Fees-100	We understand that the intent of this clause is to select a consultant with strong financial capacity.	As per RFP document.

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			<p>However since a minimum Annual Revenue from Professional Fees requirement has already been specified (Rs. 10 Cr in preceding 3 Financial Years), we suggest that the following methodology be used in the interest of fair competition:</p> <table border="1"> <tr> <td>Financial Capability of the firm in terms of Average annual Turnover in previous 3 FYs</td> <td>100</td> </tr> <tr> <td>Min. 10 Crore</td> <td>60</td> </tr> <tr> <td>Above 10 Crore to 15 Crore</td> <td>80</td> </tr> <tr> <td>More than 20 Crore</td> <td>100</td> </tr> </table>	Financial Capability of the firm in terms of Average annual Turnover in previous 3 FYs	100	Min. 10 Crore	60	Above 10 Crore to 15 Crore	80	More than 20 Crore	100	
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Min. 10 Crore	60											
Above 10 Crore to 15 Crore	80											
More than 20 Crore	100											
13	3.1.3	Relevant Experience of the Bidder	We request that maximum no. of projects that will be evaluated for determining relevant experience be specified. For example Max. of 3 or more Projects	As per RFP document.								

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14	3.1.4	Relevant experience of the bidder – marking system	<p>We suggest a range of capacity and capital cost be provided for better evaluation of bids. Example are provided below:  The Consultant shall have experience of Project Management Consultancy(PMC) / design engineering &amp; construction / Owner’s Engineer / Consultancy assignment of at least one Sewage treatment plant(STP)/ETP / CETP of minimum 25 MLD capacity having estimated capital cost of at least Rs. 50 Cr.</p> <table border="1" data-bbox="804 938 1278 1372"> <tr> <td data-bbox="804 938 1041 1084">Relevant experience of the bidder</td> <td data-bbox="1041 938 1278 1084">300</td> </tr> <tr> <td data-bbox="804 1084 1041 1268">Minimum one STP of 25 MLD or higher capacity</td> <td data-bbox="1041 1084 1278 1268">100</td> </tr> <tr> <td data-bbox="804 1268 1041 1372">Two STPs of 25 MLD or higher capacity</td> <td data-bbox="1041 1268 1278 1372">200</td> </tr> </table>	Relevant experience of the bidder	300	Minimum one STP of 25 MLD or higher capacity	100	Two STPs of 25 MLD or higher capacity	200	Please refer to the addendum
Relevant experience of the bidder	300									
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			Three or more STPs of 25 MLD or higher capacity.	300	
15	3.1.3	Marks	We kindly request to consider as below, Qualification: 30% Relevant Graduation – 15% Relevant Post Graduation – 15% Kindly confirm.		Please refer to the Addendum
16	3.1.4	Eligible Project	Pleas confirm if project with design engineering/DPR for sewerage works including MLD specified in the clause shall also be considered eligible.		Design Engineering as part of the construction supervision of the STP project will be considered as eligible project. DPR preparation/Design Engineering alone is not an eligible project.
17	3.4.2	Weights assigned to Technical Proposal and Financial Proposal, which shall be 0.70 and 0.30 respectively.	Kindly consider the weightage of technical 80% and financial for 20% for best technical quality of proposal as ADB and world bank weightage is also 80-20.So Request you to kindly consider the same.		As per RFP document.
18	TOR		Kindly indicate the Key Performance Indicators to be achieved by the Contractor. Also we request you to		Please refer to the draft Concession Agreement for Varanasi and Haridwar projects.



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			indicate the Proposed treatment process.	
19	2.1(b) TOR	Designing, financing, rehabilitating, restoring, upgrading the Associated Infrastructure in accordance with Applicable Laws, Applicable Permits, Technical Specifications, Designs and Drawings, the Construction Plan, the EHS Plan and Good Industry Practices;	Kindly clarify and indicate any Rehabilitation or Restoring or Up gradation works is in this Contract. Kindly confirm.	Please refer to the scope of work for concessionaire for Haridwar and Varanasi projects.
20	4.1.(i) TOR	Non key experts - Safety Expert	NMCG to confirm whether the Safety engineer can have generic experience in any field and not specifically limited to sewerage work projects.	Please refer to the Addendum.
21	4.1.(i)	Roles and Functions	NMCG to confirm the expectations from the Project Engineer with respect to data verification.	All data submitted by the concessionaire has to be verified by the consultant.

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22	4.1.(vii)	Roles and Functions	It is stated "To assist NMCG for getting statutory permissions". Kindly elaborate on the nature of assistance to NMCG for getting statutory permissions.	This is a general role and the scope of work is to assist the NMCG/ project executing agency in obtaining statutory clearances/permissions if any.
23	4.1.(ix)	Roles and Functions	We understand that as a Project Engineer, we will witness the tests which will be conducted by the concessionaire on completion of construction as part of his contract. NMCG to confirm.	Yes
24	4.1.(ix)	Roles and Functions	This para indicates "Any other matter which is not specified in ((vi),(vii), or (viii) above and which creates an obligation or liability on the Employer/ NMCG beyond the provisions of the Concession Agreement". NMCG to kindly elaborate on this scope of works.	Please refer to the objectives of the engagement of Project Engineer. The role of the Project Engineer is to achieve these objectives and the referred clause is to protect the interest of the project proponent. The TOR is indicative and not exhaustive. Hence from his own expertise, the Project Engineer, may envision, advice and protect the interest of the project proponent accordingly.
25	4.3 (iii)	Roles and Functions	As Project Engineer, we will ensure that the concessionaire builds and operates the plant as per the concessionaire agreement between NMCG and concessionaire. Project Engineer cannot ensure the efficient treatment of Sewage and handling	No. RFP document prevails.

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			and disposal of STP By- Products and the Treated Effluent. NMCG to confirm.	
26	4.4	Roles and Functions	NMCG to kindly clarify the battery limits for "Rehabilitation" and "associated infrastructure"	As per the scope of work for concessionaire in the draft concession agreement for the project under consideration.
27	5.6	Comment on the EPC Contract or any other contract for construction, operation and maintenance of the Project	We kindly request you to clarify the work is limited to the 50 MLD STP only. Pls.confirm We kindly request you to clarify the work is limited to the two STPs (68+14) MLD only. Pls.confirm	RFP document is self-explanatory.
28	6.2	Construction Period	NMCG to kindly clarify what Phase 1 and Phase II drawings mean	Please refer to the draft concession agreement for the Haridwar and Varanasi projects.
29	7.7	Tests to be conducted	Please confirm the cost of the tests shall be borne by the Department. If the Project Engineer shall have to conduct these tests, we request that the cost of these tests shall be reimbursed accordingly, as it is not possible to quantify the requirement as of now.	The tests will be conducted by the concessionaire.
30	7.17	Training /capacity building by O & M Engineer	It is difficult to assess the requirement at the bidding stage. We request to keep provisional sums for the purpose of training/capacity	This scope of work is for filling the gaps in the skill sets of the operators through on job training/capacity building by the O & M Engineer as required.

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			building to be conducted by any external institutions or agency.	
31	9.1	Determination of time and costs	We understand that the Project Engineer shall only review the costs, and/or their reasonableness, that are required to be determined by it under the Concession Agreement. NMCG to confirm.	Yes
32	12.7	Miscellaneous	We understand that the project Engineer shall only give project related inputs to NMCG/ Uttarakand Pey Jal Nigam/ UP Jal Nigam for them to develop and maintain a project website. NMCG to confirm. Development and Maintenance of the Project would require the services of an IT/web designer Expert. Whereas such a position has not been included/specified in the RFP. We request you to consider the inclusion of IT/web designer Expert position for the duration of the assignment.	The Project Engineer has to develop and maintain the website till the end of the engagement.
33	13	Time and schedule of payment	Please confirm that the Project Engineer will be paid extra in case of construction time over run by the concessionaire.	The services of Project Engineer/Ke Personnel is

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34	13.2	Indicative set of Payments	<p>Since the Maximum load of work for the Project Engineer is expected during the Preconstruction to Completion of trial run and issue of COD phase we suggest 88% of the Contracted Consultancy Value be spread over this period and payments during O&amp;M period on submission of certificate for adherence to KPIs on prorata basis be 1% for each month of the 12 months O&amp;M Period</p> <p>As per the payment breakup the cumulative payment (%) is only 99%. Kindly review S.No.3 cumulative % is 64% instead of 65%</p> <p>Item no three onwards cumulative percentage starts from 65% which should be 64%.May please confirm and hence onward percentages can be reframed.</p>	Please refer to the addendum.
35	13.4	Safety Engineer – 150 Man days	Barring the position of Safety Engineer, the RFP does not clarify the no. of support staff/Non Key	The consultant has to make his own assessment based on the scope of work.

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			<p>Expert, nor does it indicate their man days. It seems, bidders are required to make their own estimates of the number of support staff needed and also their expected man days, which may lead to significantly varying financial costs.</p> <p>Hence, to be at par in calculation of total man months, we request client to kindly provide a list of indicative/estimated no"s of non-key expert"s/support staff along with minimum man-month(s).</p>	
36	13.4	Expected man days for each both key and non-key personnel:	<p>We understand that, the input of indicated key personnel shall be on intermittent. Kindly confirm. Please confirm that these man-days comprise both deployment at site and home office</p>	As per RFP document.
37	3.2 Agreement	Conflict of Interest	<p>We are currently rendering Project Management Consultancy services for National Mission for Clean Ganga projects. Please clarify whether this STP project falls under</p>	As per RFP document.

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			“Conflicting assignment” for the above Project Engineer Consultancy assignment”.	
38	3.4.4 Agreement	Limitations of Liability	The limit of Liability may be limited to a maximum of 10% of the Agreement Value. Please confirm.	As per RFP document.
39	5.3 Agreement	GST.	Please clarify, whether GST shall be paid extra at the prevailing rates, as in any other Consultancy Contracts.	Bidders shall consider prevailing GST rates for submission of Bids.
40	7.2.1 Agreement	Liquidated Damages for error/ variation.	It is requested to review and eliminate the LD provision for error / variation, which is stated up to the limit of 50% of the Agreement value.  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. Hence we request you to	Please refer to the Addendum.

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			eliminate the LD provision for error/variation. Please confirm.	
41	7.2.2	Liquidated Damages for Delay	Stipulated clause intend for suitable extension of time for the reasons beyond the control of Project Engineer. May we please request for provision of additional payment during such extension with appropriate escalation.	As per RFP document.
42	17 of TOR & 2.4 of the agreement	Completion of Services & Expiry of Agreement	Please clarify	Please refer to the Addendum.
43	Form-1 and Form-3	Letter of Proposal and Statement of Legal Statement	In Form-1 and Form-3 the term "Consortium" has been used at many places. However, according to the main RFP no JV/Consortium is allowed. Please clarify and if no JV/Consortium is allowed then the reference to the word Consortium" be deleted from Forms 1 and 3	As per RFP document
44	Form -8 Appendix I	Abstract of Eligible Assignments of the Bidder	Instead of certification from Statutory Auditor on the enclosed project/assignments, completion certificate/work order/contract	As per RFP document.



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			<p>agreement shall be accepted since the statutory auditor will not certify the parameters like estimated capital cost of the Project and Treatment Capacity in MLD. Moreover, Professional fees is not the part of the eligibility criteria. Please delete the requirement of certification from statutory Auditor for the fees received.</p> <p>For furnishing an ongoing project as eligible project, can we furnish the simple certificate from Statutory Auditor mentioning the Contract value and with the statement “more than 80% fees have been paid to the company”.</p>	
45	Form 8 Appendix I		The footnote \$ refers to Appendix I - Form No 14 which has not been provided	Please refer to addendum
46	Appendix II, Form-2, Financial Proposal	Clause A-VII, Survey and Investigation	Kindly indicate the type, extent and nos. to be carried out for survey & investigation.	Bidder shall estimate on the basis of scope of work.
47	Appendix II, Form-2, Financial	Additional Cost (not included in Evaluation)	We understand the Lodging; boarding and local travel during NMCG meetings shall borne by the	As per RFP document. Travel cost will be paid as per actuals as per the terms of RFP document. Please refer to the addendum.

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	Proposal, Clause-G		Uttar Pradesh Jal Nigam. Kindly confirm. Also we request to add the additional cost for the Evaluation of bid.	
48	Appendix II	Resident Personnel cost	Please confirm whether the office space shall be provided within the STP premises along with Office Furniture and equipment by the department/Concessionaire	Bidder shall make necessary arrangements on their own.
49		General	Since JV is not allowed, we request you to allow use credentials of parent company in case an Indian company is a fully owned subsidiary of a foreign company.	Please refer to the addendum
50		Witnessing/Inspection of Electro-Mechanical equipment's at factory Premises	.Please confirm that Inspection/witnessing of Electro Mechanical equipment 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.	Yes. The actual cost of travel will be reimbursed as per RFP document.