

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

Sl. No.	RFP Clause No.	Subject/RFP Clause	Bidder's Query	Response
SMEC				
1	1 Introduction, 1.1.4, # Page 9	Bidders are free to submit proposals for all packages. However maximum number of projects allocated to one consultant will be limited to 1(One) only	Please specify the packages of this project and award criteria.	Please refer to the Addendum
2	1 Introduction, 1.9, # Page 10	Prospective Bidders may visit the Site and review the available data at any time prior to PDD. For this purpose, they will provide at least two days' notice to the nodal officer.	For the ease of convenience, please suggest a single date, time and venue detail so that all bidders can schedule site visit on single day accordingly to ascertain site conditions, traffic location, surroundings, climate, access to the site, availability of drawings and other data. Please confirm the date of site visit.	The bidders may approach to the concerned nodal officer of KMC for site visit with notice prior to 2 days of visit.
3	1 Introduction, 1.11.3, # Page 11	All communications, , should contain ... RFP Notice No. ***** Appointment of Project Engineer for _____ project.	RFP notice number is missing. Please specify the RFP notice No. for this assignment and concerned packages.	The NIT no. is Pr-12012/41/2018-PPP/NMCG
4	2 Instruction to Bidder (ITB), 2.1.4 Key	The selected bidder also provide necessary expertise/ guidance of a Finance and Legal expert(s) as and when required.	Please indicate the envisaged input months of Finance and Legal experts so that it could be planned.	Bidder may make their own assessment as per the TOR / Scope of Work

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

	Personnel, # Page 15			
5	Schedule 1, ToR, 13.3 Expected Man months, # Page 64	In addition the selected bidder is expected to provide necessary institutional support / support personnel to the Key Personnel for successful completion of the assignment.	Also, please indicate the input months of institutional support / support personnel so that all bidders should be at par while submission of Financial proposal.	Bidder may make their own assessment as per the TOR / Scope of Work
6	2 ITB, 2.10.1 Personnel, # Page 20	The NMCG will post the reply to all such queries on the Official Website and copies thereof will also be circulated to all Bidders who have purchased the RFP document without identifying the source of queries.	As per RFP Section 1, point 1.4 Sale of RFP document- RFP document can be downloaded from the official website of the NMCG. The RFP cost is not mentioned. Please specify the RFP purchase cost. The bidders should be allowed to submit Demand Draft along with the submission of Technical Proposal.	There is no price to be paid for purchase of RFP document
7	2 ITB, 2.21.2 Personnel, # Page 30	An amount equal to 10% (ten cent) of the Agreement Value shall be deemed to be the Performance Security	Please relax the criteria and reduce the Performance security amount to maximum 5% in line with many other Government funded schemes.	RFP condition shall prevail
8	2 ITB, 2.26.2 # Page 33	As a condition to such substitution, a sum of 5% 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 10% of the remuneration specified for the original Key Personnel for each	You will appreciate that Consulting industry is quite dynamic with huge number of assignments coming out. Further the Consultant will only go for replacement when under compelling situations or under circumstances beyond control. Imposing such huge penalty will pose serious impediment in route to find a suitable and better replacement. We therefore request you to allow replacement with	RFP condition shall prevail

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

		substitution	equal or better experts' without any financial implications in line with multilateral funding and many Government schemes. Please consider.	
9	Schedule 1, Terms of Reference (ToR), 4.1 (ix), # Page 52 viii), # Page 53	Conducting Tests on completion of construction and issuing Completion/ Provisional Certificate Prepare & Issue Commercial Operation certificate through KMC	As per our understanding Project Engineer need to support the client in facilitating Tests on completion of construction and issuing Completion/ Provisional Certificate or it is the responsibility of consultant only. Please confirm	The Project Engineer shall assist the KMC
10	Schedule 1, ToR, 13.1 Time and Payment Schedule, # Page 62 Schedule 1, 16 Completion of Services, # Page 65	The total duration for the assignment shall be 4 years (2 years of construction 2 years operation for STP, 3 year constructing and 1 years O&M of sewerage network) including the time taken by KMC in providing the requisite documents or in conveying its comments on the Draft Reports. The Consultancy shall in any case be deemed to be completed upon expiry of 5 years from the Effective Date, unless extended by mutual consent of the KMC and the Project Engineer.	Project duration conflicts. Please confirm the project duration Since the project duration is 4 years only, we understand that services beyond it will paid extra to the consultants.	The proposed engagement of Project Engineer as per this RFP is for Four Years

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

11	Schedule 1, ToR, 13.2 Time and Payment Schedule, # Page 62	Time schedule for important Deliverables of the Consultancy and the payment schedule linked to the specified Deliverables of the Concessionaire for the Project. Construction Period: Payment is limited to 2.5% per month of the contract value for construction period. Supervision O&M Period: 8% each month and Final certification 4%.	% of fee paid to Project Engineer Consultant must not be linked to delivery/output of Concessionaires of the project. Project Engineer Consultants should be paid monthly and corresponding invoice within 21 days from the date of receipt of invoice.	RFP condition shall prevail
12	Schedule 2, Agreement, 1.8 Location, # Page 73	The Services shall be performed at the site of the Project in accordance with the provisions of RFP and at such locations as are incidental thereto, including the offices of the Project Engineer.	Will the client provide the office space? Please confirm the logistics and facilities, which could be provided by the client.	Project Engineer may arrange their own facilities.
13	Schedule 2, Agreement, 1.11 Taxes and duties, # Page 74 Appendix –II, Form 2 Financial Proposal # Page 133	Unless otherwise specified in the Agreement, the Project Engineer shall pay all such taxes, duties, fees and other impositions as may be levied under the Applicable Laws Goods & Services Tax (GST)	Government of India has enacted Goods and Services Tax (GST) act with effect from 1st July 2017. Any services rendered in India shall be levied GST at prevailing rate currently @ 18%. As per our understanding GST amount will be reimbursed. Please confirm	The quoted price is inclusive of all taxes
14	Schedule 2, Agreement,	Any period within which a Party shall, pursuant to this Agreement, complete any	Please appreciate that such time drawn assignments, which in this case may go beyond 4	RFP condition shall prevail

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

	<p>2.7.4 Extension of time, # Page 76</p> <p>4.2.2, # Page 86</p>	<p>action or task, shall be extended for a period equal to the time during which such Party was unable to perform such action as a result of Force Majeure.</p> <p>If additional work is required beyond the scope of the Services specified in the Terms of Reference, the estimated periods of engagement of Personnel, set forth in the Annexes of the Agreement may be increased by agreement in writing between the KMC/NMCG and the Project Engineer, provided that any such increase shall not, except as otherwise agreed..</p>	<p>years has serious financial implication in terms of escalation in the rates of manpower and resources. We request you to please cater for a suitable escalation beyond the first 12 months of the assignment so as to compensate the Consultant for the increase rates of resources. This will also enable the consultant to manage the resources throughout the period of the Contract which in turn will benefit the Project</p>	
15	<p>Schedule 2, Agreement, 5.3 Change in Applicable law, # Page 88</p>	<p>Any change beyond 2% in the rates of applicable taxes will only be considered</p>	<p>You will appreciate that the taxes are statutory dues for the Consultant and no income. Any increase in the same shall be compensated in the Contract value else this will put additional load to the Consultant. Please consider.</p>	<p>RFP condition shall prevail</p>
16	<p>Schedule 2, Agreement, 6.3 Mode of Billing and payment, # Page 89</p>	<p>A Mobilisation Advance for an amount upto 10% (ten per cent) of Agreement Value. The advance outstanding shall attract simple interest @ 10% (ten per cent) per annum and shall be adjusted in four equal instalments from the first four stage payments</p>	<p>Mobilisation Advance is meant to ensure smooth and timely mobilization of resources by the Consultant. Imposing interest in the same will defeat the purpose of mobilization. Please consider waiver of interest on mobilization advance (Refer Cl 6.3 (a) of Agreement)</p>	<p>RFP condition shall prevail</p>

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

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 KMC area, in Kolkata, West Bengal under Hybrid annuity based PPP mode

17	Schedule 2, Agreement, 7.2.1 Liquidity damages for error/variation, # Page 90 7.2.2 Liquidity damages for delay, # Page 90	Subject to a maximum of 20% (twenty per cent) of the Agreement Value. In case of delay in completion of Services, liquidated damages not exceeding an amount equal to 0.2% of the Agreement Value per day, subject to a maximum of 10%.	Please relax the criteria. Liquidity damages should not be exceeding 10% of the agreement value in line with other Government funding schemes.	RFP conditions shall prevail
18	General	Last Date for Submission of Tender Document: 26/09/2018; 12:30 P.M.	Considering the nature of assignment and requisite experts for the assignment, consultants should be provided 3 weeks' time from the date of clarifications. Please consider.	Please refer to the Addendum.
