

DFCCI - Western Dedicated Freight Corridor
SPECIAL STEEL BRIDGES - CONTRACT PACKAGE 3A
Responses to Questions received from Applicants for Pre-qualification

Sl. No.	Section No.	Page No.	Clause No.	Title	Questions	DFCCIL response
1			ITA 4.1	Power of Attorney to one representative from Lead Member	In case of Joint Ventures, we request you to permit Authorized Signatory from any of the Member(s) to represent JV, sign documents and correspondences during PQ/BID/Contract execution stage	ITA 4.1(b) is self explanatorily clear on the issue. The representative for the JV may be from any of the partners.
2			ITA 14.1 & Section III qualification Criteria	1) "Foreign exchange rate shall be TTS rate of BTMU, Japan 28 days prior to final submission date of application". 2) "Foreign currency shall be first converted to JPY and then to USD". "The Applicant shall also	To keep uniformity of the exchange rates being adopted by different Bidders, we request you to provide us a base date of TTS rate. BTMU generally does not encourage any request for written evidence on TTS exchange rate. So we request you to kindly provide us the following exchange rates: 1) INR-JPY and JPY – USD	The foreign exchange rate for conversion of any currency to US\$ shall be TTS rate of the Bank of Tokyo Mitsubishi UFJ (BTMU) as on 30th Jan. 2012 irrespective of the due date for submission of PQ Application. The TTS rate of BTMU as on 30 Jan 2012 01 USD \$ = 77.79 ¥ 01 INR = 1.72 ¥

				submit documentary evidence in r/o same”	2) Euro-JPY and JPY-USD	
3	Section II	Page 23	ITA 15	-	Please kindly re-consider waiving the requirement for hard binding. In order for us to arrange the hard binding, it takes one or two days and we are not able to fully utilize the time till PQ submission due date. Furthermore, if we need to revise a document after hard binding till submission, we cannot make it in case of hard binding.	The stipulation regarding Hard bidding of PQ document has been kept to ensure inviolability/integrity of the PQ application document and No Change in referred condition is considered admissible.
4	Section III	Page 32	Experience 4.2 (a)	Specific Construction Experience	This clause requires for the experiences which is similar to the proposed Works, i.e. construction of Major Bridges / Important Bridges across perennial rivers / lakes / sea / Sea creeks. Please kindly confirm that the bridges, which do not across the water but canyon, could be recognized as the similar experience.	The actual scope of work entails construction of bridge which spans across perennial rivers. Bridges across canyons do not meet the requirement. No Change in the condition is considered admissible.

5	Section III	Page 34	Experience 4.2 (b)		<p>This clause requires for the experiences of minimum length 300m of fabrication and erection of open web structural steel super structure in different spans with individual Span length not less than 30.5 m each for Major Bridges / Important Bridges across perennial rivers / lakes / sea/ sea creeks in any one year (Calendar Year or Financial Year).</p> <p>However, it is not normal to complete the above required work within one year and therefore please kindly consider relaxing such conditions, e.g. from one year to one and half years.</p>	<p>The stipulation has been kept to assess the execution capacity of the Applicant in a year.</p> <p>However, being separate activities, the minimum 300m of fabrication and erection of steel structures with individual Span not less than 30.5 m may correspond to different Calendar years/Financial Years.</p> <p>(Ref- Para-4 of Corrigendum)</p>
6	Section I Instructions to Applicants A. General			10. Language of Application	<p>We understand certification and/or notarization is NOT required for English translation of supporting documents and printed literature. Please confirm.</p>	<p>Self certification, to the effect that English translation of the Documents (recorded originally in some other language) is accurate, would serve the purpose</p>

7				15. Signing of the Application and Number of Copies	Please advise whether initial signed by an authorized person is required on each page of the Application or not.	Yes, In compliance of ITA 15.1 PDS, each page of the PQ application is required to be signed by Authorized signatory for the JV as per ITA-4.1(b) and also by the Authorized representative of the respective partner/Sub Contractor/Sub Design consultant to which the respective page pertains.
8	Section II Prequalification Data Sheet		ITA 4.1		Please accept to submit Power of Attorney (PA) issued by our Representative Director and being notarized but without Board Resolution because our Board is held only once a month.	Resolution passed by Board of Directors is one such instrument for authenticating the person issuing the Power of Attorney. Other valid & authentic documentation confirming that the person issuing the Power of Attorney has the authority to do so, would also be acceptable. (Ref- Para-3 of Corrigendum)
9			ITA 4.3/4.7/11.1		We understand that there is no specified form for undertaking. Please confirm.	Confirmed. But the undertaking so furnished should be in fulfillment of ITA 4.3, 4.7 & 11.1 PDS.
10					Please advise who of Sub-Contractors / Sub-consultants shall sign their undertakings. In addition, please advise whether supporting documents of these signers are required or not.	The undertaking should be signed by respective authorized signatory of the respective Partners /Sub Contractor/Sub Consultants and in fulfillment of ITA 15.1PDS, also by authorized signatory for the JV/Consortium.

11			ITA 14.1		As Documentary evidence we understand a set of photocopy of Contract and completion certificate is acceptable. Please confirm.	Yes, such a set with each page signed by authorized signatories (Ref- ITA 15.1PDS) is acceptable.
12			ITA 15		With regard to signing all the documents pertaining to the information and experience where/how Authorized Signatory shall be made? Please advise.	Power of Attorney should be made in compliance of applicable law of the land i.e. the region/city/Country of location of the business entity e.g. Applicant / partner / sub-Contractor / sub-consultant.
13			ITA 24.1		We would like to apply consolidated balance sheet to fill out Form FIN-3.1. Please confirm.	Note no-2 & 3 given below Form Fin-3.1 are self explanatory and the form should accordingly be filled.
14	Table of Content		3. Financial Situation		We understand 28 days prior to final submission date of application is January 31, 2012. Please confirm.	The exchange rate date would be 30 Jan -2012. (See serial no-2 of Corrigendum no-1)
15			4.2 (b) Specific Construction Experience		What does “in any one year” mean? Shall the required “specific construction experience” be completed within 1 year?	For fulfillment of requirement under 4.2.(b).1 , The Year may be Calendar Year or the Financial Year as mentioned under 4.2(b) of section-III (at CP-34 of the PQ document). Except in case of 4.2.(b).2 , The minimum 300 m fabrication and erection of steel structures with individual Span not less than 30.5 m can correspond to different Calendar

					years/Financial Years.(Ref-Para-4 of Corrigendum)
				What does “open web structural steel super-structure” mean? We understand “Truss girder” and “Open web box girder” are included.	The eligibility criteria under Para -4.2. (b).2 (Section-III) would mean Open Web Structural Steel Truss Bridge and Steel Box Girder Bridge for the purpose of prequalification. (See serial no-4 of Corrigendum no-1)
16	Section VI Application Forms		Form FIN 3.1 and 3.2	To certify correctness of the documents we would like to notarize the 2 Forms along with their supporting documents by our Representative person instead of certification by the independent Public or Chartered Accountant. Please accept.	The condition stipulates certification from independent Public or Chartered Accountant which is required for validation of the figures shown in Form-Fin-3.1 & 3.2. No change is considered admissible.
17.	Section III. Qualification Criteria and Requirements	33		4.2(b) Specific Construction Experience	With regard to your Specific Construction Experience for minimum length of fabrication and erection of open web structural steel super-structure, we understand that your requirement is to demonstrate our fabrication and erection capabilities and, taking 3 years construction period of this project Confirmed, the 300 m Fabrication and erection may correspond to different Calendar /Financial years. (See serial no-4 of Corrigendum no-1)

					into consideration, to demonstrate 300m of fabrication in 1 year and 300m of erection in 1 year separately is satisfactory to your requirement. Please confirm.	
18	Ditto	Ditto		Ditto	With regard to your Specific Construction Experience for minimum length of fabrication and erection of steel bridges we propose to include steel box girder bridges in addition to open web structural steel super-structure (truss bridges) because we afraid the length of open web structural steel super-structure bridge projects completed in last 10 years in Japan is not enough to satisfy your minimum requirement.	Confirmed, experience of Steel Box Girder may be included in fulfillment of eligibility criteria. (See serial no-4 of Corrigendum no-1)
					Please refer to the attached documents. Table No.1 shows the steel truss type bridges completed between 2002 - 2008 in Japan. This data is picked up from the database of "Japan Bridge Association" and the original output in Japanese is Table No.2. This association is the	

				<p>semi-public organization under Ministry of Land, Infrastructure, Transport and Tourism of Japan to which most of Japanese steel bridge Contractors, 39 companies including our company at present, are belonging. According to this data, 12,329 meters of steel truss bridges have been completed in 7 years so that 1,761 meters annually by 39 companies.</p> <p>Recently in Japan employment of truss design for the highway bridge is limited. For the railway bridges this design is still employed but due to lack of new railway line construction demand is not big.</p>	
				<p>The reason why we propose to include steel box girders is:</p> <p>a) in steel bridge projects of Japan box girder design is popular as well as plate (I) girder design</p> <p>b) Taking structural similarity into</p>	-

					<p>consideration main members of truss bridge are composed by small box structures so that experience of box girder is better to demonstrate steel truss bridge fabrication and erection capabilities</p> <p>Your understanding and acceptance of our proposal is highly appreciated.</p>	
19	I&II	11 & 20	ITA 7.1	Clarification Deadline	14 days or 21 days before submission? Which is correct?	The dead line for clarifications to reach DFCCIL is 21 days prior to last date of submission of PQ application as per ITA-7.1 PDS.
20	II	19	PDSITA41	Power of Attorney	Board of Director's Resolution is really necessary?	Refer reply to Q no-8; Passing of resolution by Board of Director is not mandatory. (Ref- Para-3 of Corrigendum)
	IV	39	5,6			
21	-	-	-	Notarization of	Is it necessary to get documents	

				Documents	notarized by a public notarization office or by Japanese Embassy?	Yes, It is necessary to get the documents notarized, where ever so required.
22	II	23	PDS ITA 15	Signatory	There is no signature block on the forms except Form ELI-1.1A. Can we add signature block on other forms?	The documents are required to be signed by authorized signatory for the JV/Consortium along with authorized signatory of the respective partner/Sub Contractor/Sub design Consultant to which the relevant page pertains (ref-ITA 15.1 PDS).Same applies.
23	VI	65	Project Background	STEP	No requirements to procure goods from Japan? Please confirm	Confirmed, The Contractor can source goods/products as per specification in the Contract from anywhere including Japan.
24	III	33	4.2(b)	Project Experience	Can we accumulate several projects required Volume of construction?	Please refer Para 4.2(b) of section-III, volumes of other project may be aggregated provide they subscribe to the stipulation regarding time frame i.e. same Calendar /Financial Year.
25	List of Eligible Countries	62	Section V	List of Eligible Countries of Japanese ODA Loans Eligibility for the provision of goods, works and services in JICA-Financed Procurement (1) The Eligible Nationality of the	Since the scope of work is only construction of steel bridge of a lesser Contract value NO Japanese Contractors are showing interest in the project., In view of the above and to encourage competitive bidding, the following changes are proposed; a) The prime Contractor may be a	The condition is mandatory. No Change is therefore considered admissible.

			<p>Supplier(s) / Applicant and all partners constituting the Applicant shall be the following:-</p> <p>(a) Japan in the case of the prime Contractor; and</p> <p>(b) All countries and areas in the case of the sub-Contractor(s).</p> <p>(2) With regard to (1) above, in case where the prime Contractor is a joint venture, such joint venture will be eligible provided that the nationality of the lead partner is Japan, that the nationality of the other partners is Japan and/or India and that the total share of work of Japanese partners in the joint</p>	<p>Japanese/ Indian firm having proven experience of similar work.</p>	
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				venture is more than fifty per cement (50%) of the Contract document		
26		33 & 34	4.2 (b)	Specific Construction Experience 2. Minimum length of 300m of fabrication and erection of open web structural steel super-structure in different spans with individual span length not less than 30.5m each for Major Bridges / Important Bridges across	Kindly change to “Minimum length of 300m of fabrication and erection of open web structural steel super-structure in different spans with individual span length not less than 30.5m each for Major Bridges / Important Bridges <u>across valley</u> / perennial rivers / lakes / sea / sea creeks <u>in any one project</u> instead of “ <i>Minimum length of 300m of fabrication and erection of open web structural steel super-structure in different spans with individual span length not less than 30.5m each for Major Bridges / Important Bridges across perennial rivers / lakes / sea / sea creeks in any one</i>	See response to Q no-4, No Change except as mentioned at serial no-4 of Corrigendum No-1, is considered admissible. (See Serial No-4 of Corrigendum No-1)

				perennial rivers / lakes / sea / sea creeks in any one year (Calendar Year or Financial Year)	year (Calendar Year or Financial Year)”	
27				Soil data, Site Layout, & Bridge Location drawing	Request to provide the soil data, site layout and bridge location drawings for the preliminary site investigation.	Bridge Location has already been provided in the PQ document (Ref- Table below , Para-2 of Section –I, IFP & Table under Para-10 (Section-VI Scope of Works). As regards the other data, same would be a part of the Bid documents.
28		11 & 20	B. Contents of the Prequalification documents Clause: ITA 7.1	Clarification <u>Page 11:</u> The Employer will respond in writing to any request for clarification provided that such request is <u>received not later than fourteen (14) days prior to the deadline</u> for submission of	Both the clause ITA 7.1 on page 11 & 20 are controversy. Kindly confirm and <u>change to 14 days instead of 21 days (in page</u>	The Instruction conveyed in the PDS takes precedence over the ITA sub clause bearing the same number. As conveyed in response to query No-19, the dead line for clarifications to reach DFCCIL is 21 days prior to last date of submission of PQ application as per ITA-7.1 PDS.

				<p>applications.</p> <p>Page 20:</p> <p>Any clarification shall be submitted to the above address <i>not later than twenty one (21) days prior to the deadline</i> of submission of application.</p>	<p>20 prior to the deadline for submission of applications.</p>	
29		22	Clause 14.1	<p>Currency conversion</p> <p>In case of the works/ financial situations involving foreign currencies, the same shall be converted to <i>USD by first converting it to Japanese Yen and then to USD by applying the foreign</i></p>	<p>Kindly change to the <i>“conversion directly to USD as declared by IMF”</i> instead of <i>“first converting it to Japanese Yen and then to USD by applying the foreign exchange rate”</i>.</p>	<p>No Change is considered admissible.</p>

				<u>exchange rate</u> as specified in section III: Qualification Criteria and Requirements.		
30		22	Clause 14.1	<p>Documentary evidence for the appointment of the Engineer</p> <p>The experience certificate issued by the engineer acting on behalf of the client <u>shall also be considered provided the documentary evidence, establishing the appointment of the said engineer by the client is also submitted</u> along with the experience certificate issued by the said engineer.</p>	<p>Kindly <u>consider the project completion certificate issued by the engineer on behalf of the client.</u></p> <p>Request to kindly change to “<u>such certificate will need to be self certified and notarized by Notary of</u></p>	<p>Numbers of alternatives have been provided which address the issue under serial no-5 f Corrigendum no-1. Please refer the same.</p>

				<p>In case of the PPP project, the concessionaire can give experience certificate in respect of the EPC / Construction Contractor. However <i>such certificate will need to be countersigned by the concerned public authority who has granted the concession clearly indicating the name, designation and official address of the signing authority.</i></p>	<p><u><i>Indian Public</i></u>” instead of <u><i>such certificate will need to be countersigned by the concerned public authority who has granted the concession clearly indicating the name, designation and official address of the signing authority.</i></u></p> <p style="text-align: center;"><u><i>(OR)</i></u></p> <p><u><i>The Self certification and notary of Indian public of the Project completion certificate shall be considered for the PPP projects.</i></u></p>	
31	Section I	6	ITA7		Please kindly consider extending the submission date from February	The last date of PQ submission has been extended from 27-02-2012 to 19-03-2012.

					27, 2012 to March 27, 2012. All of Japanese companies are on holidays in the end of December and the beginning of January, and therefore we could not work for the period	Ref- serial -06 of Corrigendum No-1
32	Section I	6	ITA 7	The deadline for application submission	We would request you to extend the submission date by another 1 month, i.e. up to March 27, 2012. We need more time to prepare for application because of the year-end through New Year holidays in Japan.	The last date of PQ submission has been extended from 27-02-2012 to 19-03-2012. Ref- serial -06 of Corrigendum No-1
33	Section III	28	1.1	Qualification Criteria & Requirements Nationality in accordance with ITA Sub-Clause 4.2. As per ITA Sub-Clause 4.2, which further refers to “Section V: List of Eligible Countries of Japanese ODA Loans” of the PQ document mentions that in case of a Joint Venture the lead partner shall be a Japanese Firm and total share of Japanese	May please clarify the correct understanding of this clause from the following: Whether the Japanese Lead Partner can bill their share of payment (i.e. more than 50% of the total goods and services in Japanese Yen) without any physical movement of goods from Japan to India (by outsourcing a portion of their statutory share of Contract/ payment to India)? Or	The ITA Sub Clause 4.2 relates to the Nationality of the Applicants and stipulates that Applicants shall be from an eligible source country as listed in Section V. Sub clause-1 of section-V brings out that the Lead partner would be from Japan and Sub clause no-2 stipulates that while the Lead partner may be from Japan, the nationality of other partners may be Japan and / or India and total share / stake of Japanese Partners is more than 50% of the Contractor amount. There is no such stipulation to the effect that any goods are to be mandatorily manufactured in Japan.(ref-response to Q no-23)

				<p>partners shall in the joint venture shall be more than 50% of the Contract value. For goods & services, the prime Contractor or, in the case of a joint venture, the lead partner and other partners regarded as the Japanese partners shall be nationals of Japan or juridical persons incorporated and registered in Japan, and which have their appropriate facilities for producing or providing the goods and services in Japan and actually conduct their business there.</p>	<p>Whether their portion of goods has to be mandatorily manufactured in Japan and the goods physically exported to India?</p>	<p>Regarding the outsourcing of a share of Contract, It is clear from ITA 23.1 (PDS) which allows only two activities being sub Contracted (i) Well Foundation/Pile foundation (ii) Fabrication and erection of open web Structural Steel Superstructure. and the Applicant shall clearly specify the activity to be Sub Contracted. Applicant is also required to clearly identify the Sub Contractors.</p>
34	Section III	30	3.2	<p>Qualification Criteria & Requirements</p> <p>Average Annual Construction</p> <p>Each partner shall have at least 25% average annual construction turnover of</p>	<p>Will fabrication, assembling manufacturing, supply, and commissioning of Rolling Stock including Freight Cars and EMUs be considered, eligible “railway project” under the prequalification criteria?</p>	<p>Yes, it would be.</p> <p>The Note below Para no-3.2 (Section-III) clearly brings out that For average annual Construction turn over, the turn over related to/erection of physical assets/... shall be considered. This adequately addresses the issue raised in the query.</p>

				<p>US\$ 30 million, calculated as total certified payments received for Contracts in progress or completed, within the last five (5) years. Turnover related activities include all activities consisting of building/ assembling/ erection of physical assets, transportation infrastructure,manufacturing and erection of steel structure, railway project.....etc. shall be considered</p>		
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