

**EOI-2 Clarifications dated 23.02.2024; on the Queries received, in c/w Pre EOI Application submission conference held on 16.02.2024 and in terms of Sub Para 2.3 of EOI Document, from Prospective Consultants**

**EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/16 dated-07.02.2024 [EOI-2]-Empanelment of eligible consultants / Firms for undertaking consultancy services for the Project Management Consultancy Service for Indian Railway (IR) Projects**

**Note-In connection with the above referred EOI, following is Client's clarification, tendered, in terms of EOI Document Para no-2.3, to the Prospective Consultant's Queries, conveyed with respect to Pre-Proposal conference held on 16.02.2024. The aforesaid DFCCIL's clarifications, as appended in a similarly titled (Col no-8) Column of the below appended Table, are meant to be mere clarificatory, in nature & purpose and shall, thus, cast no impact ( i.e. DFCCIL Clarifications shall not, per se, change any part of the EOI Document) on the EOI Document or the ensuing empanelment of the Consultants. No Part of aforesaid DFCCIL's clarifications can be reproduced by the Prospective Consultants /empanelled Consultant to drive home a point or can be cited as a basis for any request/claim related with the concerned EOI process.**

Consultants' Query							
Sl. No.	Reference Section/Clause	EOI Page No.	Consultant Query With Justification	Existing Clause	Proposed amendment-Amended Clause	Date of Receiving	DFCCIL Clarification
1	2	3	4	5	6	7	8
1	1.6 EOI Fourth (4th) Round-1.6.3	3 of 44	From the said clause we understand that the Consultants who were already empaneled as A JV/ consortium through any of the round of empanelment (round 1, 2 and 3) mentioned in the said clause, <b>will also be eligible to participate in this EOI</b>	Those <b>Consultants, who were empaneled</b> during the Empanelment process linked with EOI-1 Notification dated 04-03-2022 (Round-1), dated 10-08-2022 (Round-2) and dated 09-05-2023 (Round-3) but now, are <b>desirous of improving their Eligibility limit of Participation in the IR Tenders for Consultancy, shall, also, be eligible to participate</b> in this EOI process.	NA	21.02.2024	Not exactly, in terms of EOI-2 Document para 1.6.3. [EOI-4 <sup>th</sup> Round] there is no bar against earlier empaneled Consultant-A in a JV-B submitting application again, in the same JV-B, for enhanced eligibility for subsequent IR Consultancy Contract.  But that Consultant-A would not be eligible to submit application again for Empanelment in different JV (Say JV-C) Formation subject to their earlier empanelment being annulled because the captioned empanelment is for IR Consultancy projects and a consultant-A, once empaneled in a JV-B, would be

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			process for round 4 as a different JV/ consortium and may get empaneled again in round 4 with different JV/ consortium partner with the previous rounds empanelment getting annulled.  <b>-Kindly confirm</b>				eligible, from the date of empanelment, for IR Consultancy contracts of certain value and having been awarded, as JV-B, that IR Consultancy Contract, it would be very difficult for DFCCIL to declare that empanelment as JV-B annulled in the event of the Consultant-A submitting application again, in a different JV-C, for empanelment. It would lead to contractual complications,
2	Invitation for EOI, clause 3	4 of 44	We understand that Parent Company	The Parent Company's subsidiary/sister company, which is, also, required to be	NA	21.02.2024	Attention is invited to EOI-2 Document sub-Para 3.1.2.(iv) which allows, for the purpose of

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			(Foreign company), registered in India under Indian Company's Act 1956 and have project offices in India is eligible to participate in JV/ Consortium with their wholly owned subsidiary.	registered in India, participates in JV with the participating Consultant (Parent Company) or Parent Company, which is also, required to be registered in India, participates in JV with the Participating Consultant (Subsidiary/Sister Company), as the case may be."			accreditation of Work experience, the JV Formation, between a Parent Company (registered in India) with their wholly owned subsidiary (registered in India), to meet the objective of submitting EOI Application, seeking employment for IR Consultancy projects.
3	2.6-Minimum Key-personnel	15 of 44	In the field of Engineering Consultancy services	The Consultant seeking empanelment shall show that they have Minimum	The Consultant seeking empanelment shall show that they have Minimum	21.02.2024	The referred EOI-2 Clause 2.6 was incorporated and been retained in the document during various rounds.

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	on the Permanent payroll of the Consultant		specialised positions generally work as Freelance experts / consultants , however their engagement period with the Firm often crosses the One year period, In lights of the above we request the client to consider also such experts who are	Key personnel on the Permanent payroll of the Consultant. Marks for the above Key Personnel will be given only if he/she is employed with the Applicant Consultant seeking empanelment for more than 01 Year from the date of EOI	<b>Key personnel on the Permanent payroll of the Consultant /directly engaged with the consultant for more than 01 Year from the date of EOI</b>		The Empanelment is for subsequent IR Consultancy project, the idea is to discourage the frequent shuffling of professionals amongst various firms which impacts upon the quality & timeliness of the consultancy Services to be rendered to IR.

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			working with any Consultancy firm for over 1 year as their employee / associate. <b>-Kindly consider</b>				
4	General		Would request to extend the due date by 2weeks from current due date.	4th March 2024, due date for submission of EOI		21.02.2024	Please refer serial no-1 of Addendum no-1 dated 23-02-2024 vide which , the submission deadline has been extended from erstwhile 04-03-2024 to 18-03-2024