

Sub.: Pre submission Queries regarding PQ document issued on 11.04.2013 for CST works Mughalsarai – New Bhaupur Section of Eastern DFC.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
1.	Qualification Criteria, 4.2.(a)_Specific Construction & Contract Management Experience, indicated in p.30~31 of PQ Documents	whether a experience in "Highway, Sea/Air Port, Dams/Hydropower Projects and Irrigation Canal Project" as well as Railway shall be considered for similar contract	Please refer Section III, Qualification Criteria & Requirements, Para 4.2(a) , column No. 3 at Page 31 of the document. <i>The works pertaining to Railway, Highway, Sea/Air Port, Dams/Hydroelectric Projects and Irrigation Canal Projects shall only be considered for each contract slice.</i>
2	ITA 14.1 : The applicant shall submit certificates from the client for each contract included in section IV : Form EXP-4.1,4.2(a),4.2(b),4.3(a) and 4.3(b). These certificates should-attested by the applicant.	From the clause it appears that there is no necessity to get certificate notarized and in case of certificates of a foreign J.V partner are also acceptable without Embassy verification/attestation. Please clarify.	Yes, there is no need of notarized attestation of client's certificates for domestic as well as foreign applicants. Please refer Section II: Prequalification Data Sheet, Item no. 14.1. according to which "The applicant shall submit certificates from the clients for each contract included in Section IV: Form EXP – 4.1, 4.2 (a), 4.2 (b), 4.3 (a) and 4.3 (b). These certificates should be self-attested by the applicant."
3	Clause 4.2 (a) : Specific construction and contract Management Experience A minimum number of similar contracts specified below ----- --Between 1stJan 2008 and application submission dead line: For single contract slice At least 1(one) contract of minimum value 320 million US Dollar	As per CVC guidelines followed on Indian Railways 3 options may be kept to qualify the eligibility criteria i.e. one works of----value, or Two works----value or Three works of----value. This will bring more competition in the market. It is requested to consider it. Similarly options may be considered for Both the slices.	Provisions as included in the PQ document shall prevail.

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4	Section III Qualification Criteria and Requirements 4.2 (b) (iv)	<p>“Construction of Important bridge having a length of 350 m over perennial river/sea during the period stated in 4.2 b” is required. However, we have executed totally 3,982 m viaducts exceeding the 350 m criteria definitely and additionally executed 13 river bridges totally having 442 m length. The summary table of viaducts and bridges is listed as below. In this respect, could you please clarify that viaducts and bridges are acceptable for the mentioned criteria as taking into consideration that those viaducts can also be defined as “important bridges” with their complexity and sizes?</p>	<p>Only bridges constructed on perennial river /sea/Canal will be considered. For other details please refer Section III, Qualification Criteria & Requirements, Para 4.2(b) , column No. 3 at Page 33 of the document according to which construction of bridges over perennial river /sea/Canal will only be considered. Please refer Addendum.</p>
5.	<u>Clause – 25.3 of page-15:</u>	<p>This Clause is given the methodology of evaluating the applicability of size of contracts completed by us. Number of options has been given under this clause, which are not clear. We suggest this issue may be clarified during the Pre-Bid Meeting proposed to be held on 2.5.2013.</p>	<p>Clause 25.3 of Section I: Instruction to Applicants covers general provision based on which Section – III, Qualification Criteria and Requirement has been finalized based on which Employer shall evaluate the PQ application.</p> <p>Applicants are advised to peruse the requirements for single contract slice and for both Contract slices as given under Item 4.2 (a), Section III: Qualification Criteria and Requirements.</p>
6.	<u>Clause – 25.4:</u>	<p>This Clause states that only the qualifications of the Applicant shall be considered. For undertaking a Highway Project on Build, Operate and Transfer basis under PPP mode an entity has to incorporate a Special Purpose Company (SPC) specifically for executing the said project, which is</p>	<p>If the Concessionaire has completed a BOT project through a Special Purpose Vehicle (SPV), only Applicants' share based on its equity participation in the SPV, by value, shall be considered to meet the requirement.</p> <p>An Applicant desirous of availing the experience for</p>

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		<p>known as Concessionaire. You are requested to clarify if the Applicant has 100% participation in the form of equity in such Special Purpose Company then can the Applicant take full credit of the work executed by such Special Purpose Company? After completion of a BOT project the name of the entity would be different than the name of the Applicant. Therefore, the certificate issued by the Client would be in the name of the particular Special Purpose Company and it would not be in the name of the Applicant even if it has 100% equity participation.</p>	<p>works executed in a SPV is required to submit the documents proving the equity participation and experience of the Applicant in the SPV.</p>
7.	<p>under Clause – 4.2 (a) of Section – III of the document.</p>	<p>When a work has been executed under Build, Operate and Transfer model by an EPC Contractor who has executed the work, the EPC Contractor would take the credit of the execution of the contract and the Employer / Authority would given the credit to the company who has executed the EPC Contract to that extent only. On the other hand, when the project is commissioned the Total Project Cost includes the cost of EPC component, the interest on lending and other factors which arrives at the Total Project Cost which is always higher than the EPC Cost. As pointed out in the query raised under the afore mentioned Clause the certificate against the Total Project Cost would be given by the Client in</p>	<p>Value of the construction works carried out by the applicant as a member of the SPV shall be considered.</p>

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		<p>favour of the Concessionaire which is the Special Purpose Company and would not indicate the name of the Applicant who has been the EPC Contractor. Therefore, the clarification we need is whether the certificate is issued by the Employer / Authority in favour of the Concessionaire / Special Purpose Company would be made applicable to the Applicant and the value of Total Project Cost could be considered as a Contract Slice stipulated</p>	
8.		<p>The execution of a project of such nature takes 2-3 years from the date of start to the date of completion. For the purpose of conversion from US Dollars into Indian Rupees or vice versa which conversion date should be taken for arriving the project cost i.e. whether the date of contract agreement or the date of completion of the project? This may make substantial difference between the conversions in case of these two events.</p>	<p>Please refer Section I: Instruction to Application, Item no. 14.2 of the PQ Document.</p>
9.	<p>Clause – 3.2 of Section – III</p>	<p>Similarly, in respect of arriving at the conversion of Annual Turnover as stipulated , which date should be taken for conversion into Indian Rupees to US Dollars or vice versa?</p>	<p>Please refer Section I: Instruction to Application, Item no. 14.2 of the PQ Document. Please refer to Addendum.</p>

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10.	<p>Section 1: Instructions to Applicants 4. Eligible Applicants 4.2 : An Applicant may be a firm that is a private entity, a government-owned entity subject to ITA 4.9 - or a combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent.</p>	<p>Whether any standard format of JV is made available from DFCC or the Applicant may use their standard format of JV agreement? Please clarify.</p>	<p>At this stage no format for JV is made available by DFCC and the applicant may use their standard format of JV agreement. However JV agreement / intent to form JV should cover joint and several liability of all members forming JV.</p>
11.	<p>4.10 : An Applicant shall not be under suspension from bidding by the Employer as the result of the execution of a Bid – Securing Declaration</p>	<p>Please clarify "Bid Securing Declaration". Is there any document (like a declaration) has to be given along with the PQ Application on this aspect? Please Clarify.</p>	<p>No. There is no such document to be submitted with the PQ application. Bid Securing Declaration is a declaration given at the time of bidding by the Bidder for those bids which specifically require such declarations. If an Applicant is under suspension from bidding as a result of the execution of Bid Securing Declaration, it shall be ineligible for applying for pre-qualification. ITA Clause 4 define Eligible Applicants and ITA para 4.10 states that an applicant to be eligible shall not be under suspension from bidding by the Employer as the result of the execution of a Bid-Securing Declaration.</p>
12.	<p>25.2: The qualification and experience of sub-contractors proposed by the Applicant under ITA 24.3 will not be considered for evaluation of the Applicant. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria.</p>	<p>Request to consider atleast partially the qualification and experience of sub-contractors proposed by the Applicant under ITA 24.3 for evaluation of the Applicant. Also, this paragraph is not in line with the provisions of Para 24.2 where subcontractors for certain specialized works, as indicated in section iii para 4.2 and 4.3 is allowed. We understand that subcontracting in these specialized jobs shall be</p>	<p>Please refer Section III, Qualification Criteria & Requirements. Wherever specialist sub contractor has been permitted such as 4.2(b) III, IV, 4.3 (a), (b), experience of sub contractor can be utilized for qualification of applicant. For other items applicant must meet requirement based on it's experience or experience of JV Member as the case may be and as permitted in Section III: Qualification Criteria and Requirements of PQ document.</p>

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		permitted, despite the provision of Paragraph 25.2. Please Clarify.	
13.	29. Invitation for Bids 30.1 : Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to the written approval of the Employer prior to the deadline for submission of bids	We understand that the change of structure is also applicable for the Designated Subcontractor (Subject to the proposed new specialist subcontractor satisfying the minimum qualification criteria).	Yes, any change in the structure of the designated specialist subcontractor shall also be subject to the written approval of the Employer prior to the deadline for submission of bids.
14.	Section 2: Pre-Qualification Data Sheet ITA 14.1: These certificates should be self-attested by the Applicant.	Please clarify whether the documents required from overseas shall be subjected to the Notarization process?	Please refer reply to query No. 2
15.	ITA 17.1 : Submission of Application The deadline for application submission is: 29 may 2013 at 15:00 Hrs.	Being an International company, we need to arrange the qualification documents from our overseas Clients based on the requirements stated in the PQ Document. As this process requires a considerable time, we request you to extend the Application submission due date by a one month from its current due date.	Please refer Section II, Pre Qualification Data Sheet, ITA 17.1 and 19.1. Please refer Addendum.
16.	Section 3: Qualification Criteria and Requirements 4.2 (b) : (iv) Construction of Important bridge over perennial river <u>For Both Contract Slices:</u> Construction of two (2) important bridges over perennial river/sea of minimum 350 linear meters each Or a single bridge of minimum length of 700 linear meter over perennial river/sea	Can the viaduct be considered for qualification?	Please refer reply to Query No. 4.

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17.	4.2 (b)(i) : Earthwork in formation/ cutting/ blanketing <u>For Single Contract Slice</u> 6050 thousand cubic meters in any one financial year during the period stated in 4.2(b) <u>For both Contract Slices</u> 9076 Cubic Meters in any one Financial year during the period stated in 4.2 (b) One Member – Must meet 60% requirements	In case of a JV, if one partner is bringing more than 60% of the said volume of Earthwork in any one year of the last 5 years, can the other partner bring the remaining percentage (in the last 5 years) in any other year?	Yes
18.	4.3 (b)(3) :Specific Design Experience Bridges & Structures – Should have designed at least one single bridge on perennial river of total span of 350 linear meters in last 5 years.	We understand that the bridges on Sea/Canal will also qualify for this criterion. Please clarify.	Yes, Experience of bridge design on perennial River/Sea/Canal will qualify for this criteria. Please refer Addendum.
19.	Section 7: Scope of Works Construction Period 2.1 :Construction & Defect Liability Period Defect Liability period of 2 years after commissioning of complete rail system by system contractor	Request to consider Defect Liability period of 2 years after successful handing over of Civil, Structures and Track works.	Not agreed. Provisions of PQ document shall prevail.
20.	Part-1,Section-I, Instructions to Applicants, Page no. 8 of 72, clause 4.2 : -An Applicant may be a firm that is a private entity, a government-owned entity— subject to ITA 4.9 - or a combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent.	We understand that, in case of Joint Venture participation, at the Prequalification stage, the letter of intent from each member of joint venture of Joining the lead partner shall be submitted. Which shall be supported by a Power of attorney in favor of lead partner provided by other partners. Kindly confirm.	Yes
21.	Part-1,Section-II, Pre-Qualification Data sheet Page no. 22 of 72, ITA 14.2 For the purposes of conversion of foreign currency to Indian Rupees (INR) use the Bank Currency (BC) selling exchange rate as published by State Bank of India shall be considered. For few of the currencies where BC selling rates are not published	The Bank Currency (BC) selling exchange rate as published by State Bank of India OR Exchange rates from the oanda.com ,xe.com shall be considered as that on seven (07) days before the application due date. Kindly consider & confirm.	Please refer reply to query no. 8 & 9.

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	by SBI, the exchange rate may be obtained from the web site – http://www.oanda.com/currency/historical-rates or http://www.xe.com/ict/		
22.	Part-1,Section-II, Pre-Qualification Data sheet, Page no. 22 of 72, ITA : 15.2 : In addition to the original, the number of copies to be submitted with the application is : 3 (Three)	We understand that the Document submission shall be in the form of spiral binding or in Hard Board two punched files. and the submission in Hard Bound form is not mandatory. Please consider & confirm.	The document submission shall be in spiral or hard bound form only. The Applicants are advised not to submit loose sheets in plastic folders. The applicants are further advised to machine number all the pages and prepare a table of contents in the beginning of each volume of documents referring the page numbers of the indexed items. Please refer Addendum.
23.	Part-1,Section-II, Pre-Qualification Data sheet, Page no. 22 of 72, ITA 17.1 :- The deadline for application submission is: Date: 29 May, 2013 Time: 15:00 hrs	In view of the Quantum of the Documentation involved, it is requested to Extend the deadline for application submission by one (01) Month i.e up to 30.06.2013. Kindly consider.	Please refer reply to query no. 15.
24.	Part-1, Section-III, Qualification Criteria and Requirements., Page No. 28 of 72, 3.1 (iii), The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Employer, for the last 5 (five) financial years shall be submitted.	For Domestic Bidders it is understood that, the financial statements to be submitted for the last 5(five) financial years shall be from 2007-08 to 2011-12. Kindly Confirm.	Audited Balance Sheets for FY 2008-09 to FY 2012-13 would be required. However for FY 2012-13, provisional balance sheet certified by the auditor can be submitted.
25.	Part-1, Section-III, Qualification Criteria and Requirements., Page No. 31 of 72, 4.2(b) For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor, between 1st January 2008 and application submission deadline, a minimum construction experience in the	It is understood that for the construction experience in Key Activities the Quantities from under implementation contracts / projects can be considered, though the individual contracts are not substantially completed. Kindly consider.	Yes

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	following key activities Successfully completed.		
26.	Page No. 30 of PQ Document , ITA 4.2(a)	Would a " <u>MRTS project involving construction of a Rail Tunnel</u> " qualify as a "Railway project" in line stipulated under section 4.2(a)	Yes. Please also refer footnote 7 at page 30 of the PQ document. The similarity shall be based on the physical size, complexity, methods/ technology and /or other characteristics describes in Section VII, Scope of Works.
27.	Page No. 30 of Section III, 4.2(a)A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and application submission deadline	We request you to consider relaxation in the time frame for completed jobs. i.e more than 5 years	Provisions in PQ document shall prevail.
28.	Page No. 30 of Section III, 4.2(a) In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated.	Would request client to consider the value requirements as stipulated in Cl.4.2 (a) to be met by JV partners together if the overall value is met from respective works executed concurrently.	For a Single Contract: One member of the JV should have completed at least one contract of minimum value of 320 million US\$. For both Contracts: One member of the JV should have completed at least one contract of minimum value of 640 million US\$ Or One /Two member(s) of the JV should have completed at least two contract of minimum value of 320 million US\$ each.
29.	A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor	We would like to clarify, in case of a JV, if one partner is having a contract of value more than US\$ 640 million and the other partner is having contract of value less than US\$ 320	Yes

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	<p>between 1st January 2008 and application submission deadline: For Single Contract Slice (i) At least 1 (one) contract of minimum value 320 million US \$ (US \$ Three hundred and Twenty million only); For Both Contract Slices: Less than or equal to 2 (two) Contracts of minimum value US \$ 320 million each (US \$ Three hundred and Twenty million) but with the total value of all contracts equal to or more than US \$ 640 million (US \$ Six Hundred and forty million). The works pertaining to Railway, Highway, Sea/Air port, Dams/Hydroelectric Projects and Irrigation Canal Projects shall only be considered for each contract slice.</p>	<p>million, but the sum total of their combined contracts value is definitely more than US\$ 640 million (owing to one partners value), can this JV qualify for both the slices assuming the same JV is meeting rest of the qualification.</p>	
30.	<p>Section I. Instruction to Application Clause no. 25.4: Only the qualification of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under JV in accordance with OTA 4.2 (or participating as a sub-contractor as per ITA 25.2) shall not be considered.</p>	<p>In case the Parent company is the Applicant, will the qualifications including the overseas qualifications of its affiliated / subsidiary companies be considered. As per the International Norms and also followed by Indian Tender System</p>	<p>No. Please refer ITB Clause 25.4, Section - I of PQ document..</p>
31.	<p>Section II. Prequalification Data Sheet ITA 19.1 : The application shall be opened on date, time and venue as mentioned below: Date: 29 May, 2013 Time: 15:30 hrs</p>	<p>Please extend the PQ bid submission date by Two (2) Months</p>	<p>Please refer reply to query no.15.</p>
32.	<p>(iv) Construction of Important bridge over perennial river during the period stated in 4.2 (b). For Single Contract Slice Construction of single important bridge over perennial river/sea of minimum 350 linear meters</p>	<p>Please clarify whether the total length of the bridge is being considered or only the span of the total bridge which covers the width of Perennial river is to be considered</p>	<p>Total length of bridge over perennial river/ sea/canal will be considered.</p>

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	<p>For Both Contract Slice</p> <p>Construction of two (2) important bridges over perennial river/sea of minimum 350 linear meters each or a single bridge of minimum length of 700 linear meter over perennial river/sea</p> <p>For fulfillment of this criteria, completion of 350m length of the bridge on a perennial river as a part of a single longer bridge is also permissible. In such a case the contractor should have a demonstrable ability of having completed the foundation, sub-structure and a super-structure covering a length of 350 m for each of these items</p> <p>On similar lines for fulfillment of criteria for two contract slices completion of 700m length of the bridge on a perennial river as a part of a single longer bridge is also permissible. In such a case the Contractor should have a demonstrable ability of having completed the foundation, sub-structure and super-structure covering a length of 700 m for each of these items.</p>		
33.	<p>Section II - PDS ITA 17.1 page 22 of 72: Deadline for submission of Application :</p> <p>Applications for prequalification should be submitted in sealed envelopes, delivered to the address below by 29.05.2013 at 15:00 hours (India Standard Time)</p>	<p>Considering that the documentation involved is huge and time associated for identifying International Partners, we request you to kindly extend the date till 30th June, 2013.</p>	<p>Please refer reply to query no. 15.</p>
34.	<p>Section III Qualification Criteria, Clause No.4.2(a) page 30 of 72:</p>	<p>1. For EDFCCIL Lot 101, 102 and 103 in specific</p>	<p>Provisions of PQ document shall prevail.</p>

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	<p>Specific Construction & Contract Management Experience</p> <p>A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor⁹ between 1st January 2008 and application submission deadline:</p> <p>For Single Contract Slice</p> <p>(i) At least 1 (one) contract of minimum value 320 million US \$ (US \$ Three hundred and Twenty million only);</p> <p>For Both Contract Slices:</p> <p>Less than or equal to 2 (two) Contracts of minimum value US \$ 320 million each (US \$ Three hundred and Twenty million only);</p>	<p>construction experience is asked for last 7 years.</p> <p>We request you to amend the clause 4.2(a), 4.2(b), 4.3(a) and 4.3(b) of Eligibility and Qualification criteria as</p> <p>A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2006 and application submission deadline</p> <p>2. In Indian Railway packages of this magnitude are not invited earlier so it will be difficult for Indian participants to fulfill this criteria. We therefore suggest to reduce by 50%.</p> <p>3. Request you to include power projects, steel projects, and refineries, manufacturing plants and infrastructure projects</p>	
35.	<p>Section III Qualification Criteria, Clause No.4.2(a) page 30 of 72: Specific Construction Experience in Key Activities in Earthwork and Concrete</p>	<p>Our understanding is that 12 continuous months within the last five years can be different ((i.e any 12 continuous months) for the JV/Consortium partners/Associate.</p>	<p>Yes.Please refer Addendum.</p>

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36.	Section III Qualification Criteria, Clause No.4.2(a) page 30 of 72: Specific Construction Experience in Key Activities in Earthwork and Concrete	Will multiple projects executed between 1 st Jan, 2008 and application submission deadline, be accepted to achieve the required quantities of Earthwork, concreting for qualification	Clause reference should have been 4.2 (b). Considering Clause 4.2 (b) response is as follows : Yes, if executed within the stipulated period subject to fulfilment of other provisions of PQ document.
37	Cl 3.1 &3.2 of section III : Audited Annual Reports(Balance sheets and other financial statements) for the Financial year 2012-13	The annual reports for the financial year 2012-13 is not ready and will be ready by September/October 2013. Hence the provisional turnover certificate issued by the Chartered Accountant may Please be considered.	Please refer reply to query no. 24
38.	Cl 4.2(a) : Specific Construction & Contract Management Experience. A minimum number of Similar Contracts Specified Below..... For Both Contract Slices: Less than or equal to 2(two) Contracts of Minimum Value US\$320 Million each but with the total value of all Contracts equal to or more than US\$640 Million	This Clause is not clear. Please clarify.	Please refer reply to query no. 28
39.	4.2(b) For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and application submission deadline, a minimum construction experience in the Following key activities successfully completed. (i) Earthwork in formation/cutting/blanketing For Single Contract Slice 6050 thousand Cubic Meters in	Please clarify, whether we can consider earth work quantity executed in the work other than similar work i.e The works pertaining to Railway, Highway, Sea/Air Port, Dams/Hydroelectric Projects and Irrigation Canal Projects Also please clarify whether the quantity of Earth work executed in Pipelines, Buildings etc can be considered ?	No. Please refer Addendum. No. Please refer Addendum.

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	<p>any one financial year during the period stated in 4.2 (b).</p> <p>For Both Contract Slices</p> <p>9075 thousand Cubic Meters in any one financial year during the period stated in 4.2 (b).</p>		
40	<p>Section III. Qualification Criteria and Requirements No. 4.2 (b) (i), (ii) & (iv) Page no: 31,32 & 33 For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and application submission deadline, a minimum construction experience in the following key activities successfully completed</p> <p>(i) Earthwork in formation/cutting/blanking</p> <p>(ii) Concreting in Bridges and other Structures</p> <p>Construction of Important bridge over perennial river</p>	<p>As we understand that the said clause is to judge the capability of the contractors for Earthwork and Concrete works in any one year out of last 5 years. Hence we request you to allow the consortium partners to take maximum Quantities for different years within last 5 years for different consortium partners and not necessarily common year for all partners</p>	<p>Yes. Please refer Addendum .</p>
41.	<p>Section III. Qualification Criteria and Requirements No. 4.2 (b) (iii) Page no: 32 & 33 (i) Mechanized Track Laying Or Mechanized Track Relaying</p> <p>Compliance Requirements: Must meet requirements or can be a specialist sub-contractor</p>	<p>Please allow us to propose more than One (1) sub-contractor for the work</p>	<p>Only one sub contractor is permitted for one activity.</p>

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42	<p>Section III. Qualification Criteria and Requirements No. 4.3 (b) Page no: 35 Specific Design Experience</p> <p>Compliance Requirements: Must meet requirements or can be a specialist sub-contractor.</p>	<p>Please allow us to propose more than One (1) sub-contractor for the work</p>	<p>Please refer reply to query no.41.</p>
43	<p>Section I – Instruction to Bidders, 14.2 , Value of single contract - Exchange rate prevailing on the date of the contract</p>	<p>We understand that the Value of single contract has to be taken as on the date of project completion. Please confirm.</p> <p>Also, we understand that the exchange rate for computing the Value of single contract should be as per the rate prevailing on the last day of the respective calendar year.</p>	<p>Yes.</p> <p>No. Please refer ITA Para 4.2 of Section –I of PQ document.</p>
44	<p>Section I – Instruction to Bidders, 17.1 , Deadline for Submission of Applications</p>	<p>Project of this magnitude requires extensive study and planning also compilation of documentation will take some more time. Hence, we request you to extend the submission due date atleast by (1) month from the existing due date.</p>	<p>Please refer to query no. 15.</p>
45	<p>Section III – Clause 4.2 (b) Specific Construction Experience, etc , For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and application submission deadline, a minimum construction experience in the following key activities successfully completed.</p>	<p>We understand that the experience of Key activities can be demonstrated from contracts/ projects of any sector. Please confirm.</p> <p>We understand that the experience of Key activities can be demonstrated from under implementation projects (Even from projects which are completed less than 80% of total contract value). Please confirm</p>	<p>Experience in Key activities should be demonstrated from contract / projects of sectors as indicated in Section III, Para 4.2(a), Column 3. Please refer Addendum.</p> <p>Yes.</p>

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46	Section III – Clause 4.2 (b) Specific Construction Experience, etc, For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and application submission deadline, a minimum construction experience in the following key activities successfully completed	<p>In the RFQ for DFCC Eastern Contract Packages 101, 102 & 103, you have allowed to consider experience of Key activities from past 7 years. However in this RFQ for DFCC Eastern Contract Packages 201 & 202, experience of Key activities from past 5 years is only allowed.</p> <p>We request you to please allow to consider the experience of Key activities from past 7 years i.e. between 1st January 2006 and application submission deadline 1st January 2008 .</p>	Provisions of PQ document shall prevail.
47		Whether the bid conditions for this tender would be by and large same as that of Bhaupur – Khurja finalized recently, both being on Eastern corridor and both are being funded by World Bank.	Bid document is not yet finalized. It is not possible to provide detail of bid conditions at this stage. Bid document will be made available to the pre qualified bidders.
48		What would be the scope of work related with Bridge on Yamuna river.	Indicative scope of work has been provided in Section VII of PQ document. Detailed scope will be provided in the bidding document.
49		Whether use of NTC for mechanized Track Laying is compulsory as in Bhaupur – Khurja section or any other mechanized methodology can be used to avoid manual handing of rails and sleepers. The question arises because there is very limited number of agencies who qualify DFC eligibility criteria.	Please refer Mechanized track laying as defined in Section III, Para 4.2(iii) of PQ document. Further details for track laying will be provided in the bid document.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
50		We understand from the PQ document that the Power of Attorneys those are executed overseas and experience certificates of foreign applicants / JV partners are not required to be legalized by the Indian Embassy in the country, where, the projects have been executed please confirm.	Yes.
51	Clause 4.3(b) of Section III, qualification Criteria & Requirements.	We understand that an applicant can propose more than one Detailed Design Consultant as a specialist subcontractors to meet the requirement of specific Design Experience. Please confirm.	No. Please refer reply to query no.41.
52	<p>4.3 (b)(3) , Specific Design Experience For the above or other contracts executed between 1st January 2008 and application submission deadline, a minimum design experience in the following key activities</p> <ol style="list-style-type: none"> 1. Embankment – should have designed railway or highway embankment in last five (5) years 2. Should have designed more than 50 km railway/highway alignment in last five(5) years using and specialized software. <p>Bridges & Structures- Should have designed at least one (1) single bridge on perennial river of total span of 350 liner meters in last five (5) years</p>	We understand that the design having been completed by the Contractor (through design agencies) as part of the Design and Build Contract will be considered for qualification purpose. Kindly confirm.	No. Design work done by design agency will not be considered for the contractor. If the contractor has done design himself/itself then only experience of design can be claimed by the contractor.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
53	<p>4.3(a) page 34of72 <u>General Design Experience:</u> Successful completion of at least one design consultancy project between 1st January 2008 and application submission deadline of a magnitude of US \$ 1,000,000 (US \$ One million) pertaining to Railway/Highway/ Port/ Airport/Dams and having collected out of all the design activities from the aforesaid domains of Railway/Highway/ Port/Airport/Dams, a minimum fee of US \$ 2.0 million (US \$ Two million) in any single financial year in the last five financial years to be eligible for single or both contract slices.</p>	<p>We request you to add Irrigation Canals and water supply / pipeline, transmission. Works as eligible assignments in addition to the stated eligible assignments, as these are of similar nature, i.e., linear projects.</p>	<p>Provisions of PQ document shall prevail.</p>
54.	<p>Specialist Sub-Contractor for Design Consultancy</p>	<p>We request you to consider the assignments carried out through subsidiary companies as eligible to qualify the parent company for this assignment, subject to these assignments meeting the qualifying criteria.</p> <p>Alternatively, JV arrangements between the Parent Company and Subsidiary Company may be permitted.</p> <p>In lieu of very high value of assignment asked for specialized sub-consultant, It is requested JV arrangement between two sub consultants may be permitted. Credential / capacity of two sub consultants (acting as a JV) shall be considered together to meet the eligibility condition as mentioned</p>	<p>No, please refer reply to query no. 30.</p> <p>PQ document does not forbid JV arrangements between Parent company and Subsidiary Company.</p> <p>JV is allowed but in case of JV one member should meet the requirement of the PQ.</p>
55.	ITA 25.1 page 23 of 75	Please clarify whether JV	Yes

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
	The Financial Situation and Experience of Associates, Parent Companies or Sister Companies shall not be considered unless they are part of JV.	arrangement between two sister companies is permitted in respect of "Specialist Sub-Contractor for Design Consultancy".	
56.	<p>4.2 (b) Specific Construction & Contract Management Experience-A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2008 and the date of submission.</p> <p>Form EXP - 4.2(b) page no. 52its mentioned that for key activities last 7 years experience</p>	Is the data to be provided for 5 years or 7 years ?	Data is to be provided for 5 years. Please refer Addendum.
57	Reference to page no 12	Where it is mentioned that for financial data we need to pick last date of financial year & for qualifying project it is date of contract / agreement. We wish to apprise you that SBI rates are not available on their website in public & we need to get those values from their forex branch which will be not easy in order to get so many conversion rates for different dates. We will request you to please allow us to take RBI rates which are easily available on RBI website.	Please refer Addendum.
58		As number of applicants are associating with foreign members in order to submit the competitive bid, we will request you to please provide time extension of 3 weeks so that our foreign partners can provide their documents in time.	Please refer reply to query no.15.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
59	In Eligibility criteria Clause 4.2(a), Page 30 of 72, specific Condition & contract Management Experience.	For single contract slice – In case of All Partners combined if one JV Partner has one completed work of 150 Million US\$ and other JV partner has completed work of 170 Million US\$, totaling to 320 Million US\$, then will this be accepted. Kindly clarify.	No.
60	In eligibility criteria clause 4.2 (b) (i), Page no. 32 of 72	For single contract slice – In case of All Partners combine, if one JV partner has one completed work of Earthwork in the FY 2011-12 of 4000 thousand cubic meters and other completed work of Earthwork in the FY 2012-13 of 2050 thousand cubic, totaling to 6050 thousand cubic meters, then will this be accepted? Kindly clarify. For both contract slices-Same query as single slice.	The quantity executed by one JV partner under different contracts can be added if executed in the same one year for qualification purpose but cannot be added if executed in different years. 60% requirement must be met by one member and balance quantity requirement can be met by other member(s) in different years within the allowed period. Please refer Addendum. ----Do----
61	In eligibility criteria clause 4.2(b) (ii), page 32 of 72	For single and both contract slices –concreting in bridges and other structures – same query as Earthwork as mentioned above.	Please refer reply to query no. 60.
62	In eligibility criteria clause 4.2 (b) (iv), page no. 33 of 72	Kindly consider credentials of flyover and Road over along with bridge over perennial river /sea.	Provisions of PQ document shall prevail.
63	As per the form EXP- 4.2(b) construction Experience in Key activities at page no. 51 of 72 of PQ document,	The Key activity quantities are to be mentioned year wise for each project. However, no summary sheet showing consolidated figures of quantities for all the projects taken together is provided. Please clarify.	Information can be provided on the table on page no. 52 of PQ document.
64	As per the Form Exp 4.2(b) Construction experience in key activities at Page no. 52 of 72 of	In description of key activities in accordance with sub-factor 4.2(b) of	Please refer Addendum.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
	PQ document.	section –III, maximum quantity of each activity namely earthwork in formation, concreting in bridges and other structures, mechanized track laying of mechanized relaying and experience of construction of bridge is required in last 7 years, whereas in the eligibility and qualification criteria mentioned on page 31 of 72 to 35 of 72 experience in last 5 years is required. Please clarify.	
65	4.2(a) specific construction and contract Management Experience – Section III- Qualification criteria and Requirement	<p>As per applicant understanding to achieve qualification for single package, applicant should have satisfactorily and substantially completed at least 1 (One) contract of minimum value 320 million US\$ and For Both Package : Less than or equal to 2 (Two) contracts of minimum value US\$ 320 million each but with the total value of all contracts equal to more than US\$ 640 million.</p> <p>May kindly clarify, if the applicant has experience of executing only one work of US\$ 320 million. In such case can the applicant be eligible to submit the Pre – Qualification application for each of the package APL 201 & APL 202 separately using same credential.</p>	The same credentials can be used for both packages. There is no requirement to submit separate document for package 201 & 202. Based on the qualification of the applicant, the applicant will be qualified for any one or both packages.
66		As this pre qualification is International competitive bidding (ICB) so we assume that the international bidders and consortiums can participate. Please confirm?	Yes.
67	As per No. 4.2 (b) eligibility and	It says that contract will	Please refer Addendum.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
	qualification Criteria (Page no. 31) of the PQ documents.	<p>only be considered if it is. Between 1st January 2008 upto date of submission of pre qualification bid which is last 5 years.</p> <p>But in the application form Exp- 4.2 (b) construction experience in key activities (Page no. 52) of the pre qualification document it says that maximum volume of earthwork in any one year in last 7 years. So please clarify that it is 7 years or 5 years.</p>	
68		<p>As being Spanish company, our credentials are in Spanish language which we have to translate to English Language, get them legalized by Embassy, get it notarized and then apposite which will consume a lot of time. Thus the date of submission of this RFP i.e. 29th May 2013 is too short for us and hence we request you to kindly extend the date of submission at least 4 weeks time i.e. upto 29th June 2013.</p>	Please refer reply to query no. 15.
69	Part-1, Section-III, Qualification Criteria and Requirements. 30 TO 33 of 72, 4.2 (a)(b), Specific Construction & Contract Management Experience Elaborated under Qualification Criteria Cl. 4.2 (a) & (b).	<p>Can the applicant claim the experience of its fully owned subsidiaries?</p> <p>Kindly clarify .</p>	No. Please refer ITA Para 25.4 of PQ document.
70	Clause 4.2 (b) Page 30 of 72 read along with Clause 14.2 page 13 of 72	<p>Value of single Project "A" (based on the exchange rate prevailing on the date of contract) is less than 320 m USD. The said project is now 90% complete (hence substantially completed. In lines with foot note on page 30 of 72) and the revised value of the</p>	Provisions as included in Section III, Qualification Criteria and Requirement of PQ document , Para 4.2 (a) and 4.2 (b) are explicit and unambiguous and thus will prevail.

S.No.	Reference No. of PQ Document	Applicant's Query	Clarification by DFCCIL
		<p>Project "A" as on date is 330 m USD. Is our understanding correct that this project "A" qualifies in line with requirements of Cl 4.2 (b) of the RFQ.</p>	