

**DADRI-KHURJA SECTION OF EASTERN DEDICATED FREIGHT CORRIDOR**  
**PRE-QUALIFICATION OF SYSTEMS WORKS CONTRACT: CONTRACT PACKAGE: 105**

**RESPONSES TO PRE-SUBMISSION QUERIES OF THE APPLICANTS**

<b>S.No</b>	<b>Reference to PQ Document</b>	<b>Clarification Sought by the Applicant</b>	<b>DFCC's Response</b>
<b>(1)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
1.	<p>FORM CCC Section IV Application Forms</p> <p>Notes :- (i) Copy of Joint Venture for each contract should be submitted. (ii) Copy of letter of award (LOA) for each contract should be submitted.</p>	<p>In case of many contracts/customer both the information sought by you are confidential so we will not be able to provide documents Regarding this. However we can provide self - Attested information about JV and Customer. In our view that information will be sufficient for PQ submission Please confirms.</p>	<p>In case it is not possible to submit the copy of JV agreement and / or copy of Letter of Award, then in addition to providing the self-attested information about JV and customer, the Applicant should submit a certificate from the Client stating the member's share in the JV, Contract Amount and Date of Award of Work.</p>
2.	<p>Section I: Instruction to Applicants Sub Clause 25. Evaluation of applicants Sub clause 25.4</p> <p>Only the qualifications 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 a JV in accordance with ITA 4.2 (or participating as a sub-contractor as per ITA 25.2) shall not be considered.</p>	<p>Request you that while computing the technical and financial capacity of the applicant, the Technical and financial capacity of their associate should also be eligible. Definition of associate with respect to the applicant: is one who directly/indirectly controls, or are controlled by, or are under common control.</p>	<p>Request not accepted. Provision(s) of PQ Document shall prevail.</p>
3.	<p>ITA 17.1 / PDS</p> <p>For application submission</p>	<p>Request you to extend the submission deadline by 3 months at least. Proposed deadline for application submission : Date: 29.05.2016 Time: 15:00 hrs</p>	<p>Request not accepted. Please refer Section II, Prequalification Data Sheet, ITA – 7.2 &amp; 19.1.</p>

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	<p>purposes only, the Employer's address is the same as stated in ITA 7.1 above.</p> <p>The deadline for application submission is: Date: 29.02.2016 Time: 15:00 hrs.</p>		
4.	General Query	<p>Please provide key dates and access dates for following:-</p> <p>(i) Embankment</p> <p>(ii) Ballast Fit</p> <p>(iii) Track fit</p>	These items shall be dealt with in the Bidding Document.
5.	General Query	<p>Please provide the following details :-</p> <p>(i) Alignment details of the track.</p> <p>(ii) Crossing and Junction details with Indian Railway.</p> <p>(iii) Location of SSP, TSS, SP and Indian railway connection.</p>	These items shall also be dealt with in the Bidding Document.
6.	General Query	<p>Please confirm whether following tax and duties exemption will be provided during project execution :-</p> <p>Excise duties, Custom duties, VAT/CST.</p>	<p>The bidders may note that this DFCC project being funded by the World Bank, qualifies for exemption from payment of Customs Duty and Excise Duty on goods supplied / intended to be supplied to the project in terms of Government of India's Notification No. 84/97 – customs dated 11.11.1997 and Central Excise Notification No. 108/95-C E dated 28.08.1995 (read with all subsequent amendments including amendment dated 01.03.2008) respectively. However, while quoting the bid price, bidders are advised to ascertain exemptions of custom &amp; excise duty and / or availability of deemed export benefits for goods required as inputs for completion of the Works under the World Bank Funded Projects. The bidders are also advised</p>

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			to ascertain the availability of the custom / excise exemptions for the goods supplied by their subcontractors used as input for the construction of Works. The above information shall be provided in the Bid Document. The issues pertaining to VAT and CST shall also be dealt with in the Bid Document.
7.	<p>Clause 5.1,Section VII Scope of Works</p> <p>Utilities However there is always a possibility of some of the unidentified utilities being detected by the electrical works contractor during the course of the work. These utilities will be relocated by the electrical works contractor as per the provisions of the Bid document.</p>	Please provide the details about unidentified utilities.	These items shall be dealt with in the Bidding Document.
8.	<p>Clause 1.9.8,Section VII Scope of Works</p> <p>In addition, the contractor shall undertake the rectification of defects and deficiencies for all permanent works falling under the purview of the contract during the Defect liability period extending to a period of 24 months after the date of commissioning.</p>	Please confirm role and responsibilities during DLP which contractor will have to perform.	These items shall be dealt with in the Bidding Document.
9.	ITA 4.2 Eligible Applicants	In case of single Applicant/private entity, with in intent to incorporate a new company as 100% subsidiary of the	Such subsidiary company shall not be permitted.

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	<p>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>-----</p> <p>----- behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a bid) and during contract execution (in the event the JV awarded the Contract). Unless specified in the PDS, there is no limit on the number of members in a JV.</p>	<p>applicant after the receipt of Letter of Acceptance from DFCCIL at award stage, please confirm that this new company would be permitted to sign the contract with DFCCIL.</p>	
10.	<p>Evaluation of Applications ITA 25.2</p> <p>Applicants planning to subcontract more than 10% of total volume of work shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete details of the sub-contractors and their</p>	<p>At this stage we cannot substantiate whether Key activity or activities which we are planning to Sub-Contract will amount to more than 10% of total volume of work. Please suggest which Key Activity we should indicate in Application Form Clause g.</p>	<p>It is up to the Applicant to decide about the key activities and percentage of total volume of work which he wants to sub contract. However the maximum percentage of subcontracting permitted is 30% of the total value of the contract.</p> <p>Please also refer to S.No. 01 of the Addendum No. 3 dated 18.04.2016.</p> <p>Notwithstanding the above and the provisions of ITA 25.2, the Bidders shall also be provided an opportunity to propose sub- contractor(s) at the submission of First Stage Technical</p>

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	qualification and experience --- ----- The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria.		Proposals.
11.	ITA 4.2 PDS  Maximum number of Partners in the JV shall be 4 (Four), (each member should have at least 15% of share with total for all members as 100%).	As per fair industry practices for localization and government initiative as 'MAKE IN INDIA', we would request DFCCIL to change the % participation requirement to a reasonable value i.e. at least 5 % share for each member.	The provisions of the PQ Document shall prevail.
12.	3.1 Financial Capabilities (iii) Remark 8  The audited balance sheets, profit and loss account and cash flow statement of Group Companies, Parent Companies or Sister Companies and its affiliates shall not be considered for evaluation unless they are part of JV. The Applicants are advised to strictly adhere to this requirement and submit the financial statements of the Applicant and / or its JV /consortium members only in accordance with the laws of the	We request you that while computing the technical and financial capacity of the applicant, the technical and financial capacity of their affiliates that are directly or indirectly controlled, or are controlled by or are under common control with the applicant should also be considered for the purpose of eligibility. Hence, we propose the following amendment in this clause: "The audited balance sheets, profit and loss account and cash flow statement, Technical capacity of Group Companies, Parent Companies or Sister Companies and its affiliates shall be considered for evaluation. The Applicants are advised to strictly adhere to this requirement and submit the financial statements of the Applicant and / or its JV /consortium members or affiliates/Group companies only in accordance with the laws of the Applicant's Country.	Request not accepted. The provisions of the PQ Document shall prevail.

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	Applicant's Country.		
13.	ITA 24.1 PDS Sub- Contractors  At this time the Employer does not intend to execute any part of the Works by sub-contractors selected in advance.	This clause seems to be contradiction to Section III. Qualification Criteria and Requirements: 4.2(b) Specific Experience, where Telecom works of OFC and 25 kV or 2 *25 kV OHE works proposed can be subcontracted.  Please clarify	ITA 24.1 is not in contradiction to ITA 4.2(b) because ITA 24.1 is with regard to the intention of the Employer for executing some part of the Works by sub-contractor(s) selected in advance by the Employer.
14.	Clause no. 1.10.2  Tapping of 132kV or 220kV Double circuit incoming power supply as the case may be and interface with the state utilities as required.	Customer shall be provide the 132kV or 220kV tapping point at boundary of EDFC TPSS as provided in the existing EDFC contracts. Scope of cable laying / High voltage Line transmission shall be excluded from CP-304 contractor scope.	Tapping from 132 kV Transmission Line is <b>not</b> in the scope of work. Details of availing 132kV incoming supply for the TSS shall be furnished in the Bid Document.
15.	Clause no. 1.10.2  SCADA works	Noida BCC is presently excluded from the scope of existing EDFC contracts, please confirm the Noida BCC to be provided under this package of contract.	What is required is mentioned under the Scope of work - clause 1.10.2(there is no mention of Noida BCC there in).
16.	Clause no. 1.10.2  SCADA works	Please confirm the location of new Operation control centre to be provided under this contract.	No new OCC to be provided. All operations will be from the common centralized OCC of EDFC at Allahabad. Details will be provided in the Bid document.
17.	Clause no. 1.10.2  Electrical and Mechanical works	Please elaborate the scope of stray current control for AC systems. Normally stray current mitigations are application for DC systems.	Please refer to S.No. 02 of the Addendum No. 03 dated 18.04.2016.
18.	4.2(a) and 4.2(b)  Specific Construction & Contract Management Experience	It is general practice for companies to form 100% owned subsidiaries to execute specific projects or dispose of activities in a particular country. Since the subsidiaries are completely owned by the parent company, the work credentials for the works executed by fully-owned subsidiary can also be shown by Parent company as its own work experience. The parent company would	The provisions of the PQ Document shall prevail.

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		be the part of the bidding consortium.  We request you to confirm our understanding.	
19.	FORM CCC Section IV Application Forms  Notes :- (i) Copy of Joint Venture for each contract should be submitted. (ii) Copy of letter of award (LOA) for each contract should be submitted.	As both these information are confidential, hence we will not be able to provide documents regarding this. However we can provide self-attested information about JV and Customer. Further, the same clause got amended during pre-bid queries of CP-203.	Please refer reply to Query No 1.
20.	Section III. Qualification Criteria and Requirements, Sub – Clause No. 4.2 (b) (i)  Page No. 40 of 82	We understand that the Optical Fibre Communication System works experience could be from any of the projects/works other than Main Line Railways/Metro Railway/ Suburban Railway Transit such as <b>telecom sector, energy sector, aviation sector, coal sector, oil &amp; gas sector, etc.,</b> as Telecom Works in these sectors have similar or more level of complexity in execution.  We hereby request you to confirm that our understanding is correct.	It is clarified that the experience of the Optical Fibre Communication system required for 4.2 b(i) need not necessarily be from Main Line Railways /Metro Railways /Suburban Railway Transit.