

KHURJA - PILKHANI SECTION OF EASTERN DEDICATED FREIGHT CORRIDOR
PRE-QUALIFICATION OF SYSTEMS WORKS CONTRACT: CONTRACT PACKAGE: 305
RESPONSES TO PRE-SUBMISSION QUERIES OF THE APPLICANTS

SN	Reference to PQ Document	Clarification Sought by the Applicant	DFCC's Response																				
1.	<p>Section III.</p> <p>Qualification Criteria and Requirements, Sub – Clause No. 4.2 (b): Construction Experience in Key Activities. (iv)</p> <p>Page 43 of 88</p>	<p>As per our past experience and from Indian situation point of view, we think the qualification requirement are on higher side in comparison to the earlier packages of Eastern Dedicated Freight Corridor.</p> <p>We feel that the qualification criteria need not be raised by 75% when the length has increased by just 25% in comparison to CP – 304. Further, the qualification criteria of CP – 203 was similar to CP – 304, even after having works of higher route length as <i>below</i>.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Projects</th> <th style="text-align: center;">CP-203</th> <th style="text-align: center;">CP-304</th> <th style="text-align: center;">CP-305</th> <th style="text-align: center;">Change wrt. CP-304</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Length</td> <td style="text-align: center;">402 Rkm</td> <td style="text-align: center;">175 Rkm</td> <td style="text-align: center;">220Rkm</td> <td style="text-align: center;">25.71%</td> </tr> <tr> <td colspan="5">4.2 (b) Specific Construction & Contract Management Experience</td> </tr> <tr> <td style="text-align: center;">Telecom – Mobile Train Radio System based on GSM</td> <td style="text-align: center;">100 Rkm</td> <td style="text-align: center;">100 Rkm</td> <td style="text-align: center;">175 Rkm</td> <td style="text-align: center;">75%</td> </tr> </tbody> </table> <p>Hence, we would like to propose for an amendment in the clause in line with the change in the length of the package as per below:</p> <p>Design and Construction of Telecom Works of Mobile Train Radio System based on GSM (R) on a minimum of One hundred /One Hundred Ten (100/110) Route Km.</p>	Projects	CP-203	CP-304	CP-305	Change wrt. CP-304	Length	402 Rkm	175 Rkm	220Rkm	25.71%	4.2 (b) Specific Construction & Contract Management Experience					Telecom – Mobile Train Radio System based on GSM	100 Rkm	100 Rkm	175 Rkm	75%	<p>CP-203 and CP-304 have an existing MTRC network provided by Indian Railways. As such, the total work of MTRC required to be done by the Contractor of DFCCIL is quite less. However for CP-305, the entire length is required to be provided with an MTRC system as there is no existing MTRC system of Indian Railways in this package.</p> <p>Accordingly, the total length is required to be covered with an MTRC system. 80% of the required length has been specified as the qualifying criteria for this key activity.</p>
Projects	CP-203	CP-304	CP-305	Change wrt. CP-304																			
Length	402 Rkm	175 Rkm	220Rkm	25.71%																			
4.2 (b) Specific Construction & Contract Management Experience																							
Telecom – Mobile Train Radio System based on GSM	100 Rkm	100 Rkm	175 Rkm	75%																			

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2.	<p>Section III.</p> <p>Qualification Criteria and Requirements, Sub – Clause No. 4.2 (b) : Construction Experience in Key Activities. (iii)</p> <p>Page 42 of 88</p>	<p>The sub – clauses 4.2(b) (i) and 4.2(b) (ii) specifically mentions that the experience of the applicant shall be from Main Line Railways/ Metro Railway/ Suburban Railway Transit. However, for the sub-clause 4.2(b) (iii) – Telecom Works of Optical Fibre Communication System, the same has not been mentioned.</p> <p>Hence, 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 telecom sector, energy sector, aviation sector, coal sector, oil & gas sector, etc, as Telecom works in these sectors have similar or more level of complexity in execution.</p> <p>We hereby request you to confirm that our above understanding is correct.</p>	<p>It is clarified that the experience of the Optical Fibre Communication system required for 4.2 b (iii) need not necessarily be from Main Line Railways / Metro Railways / Suburban Railway Transit.</p>
3.	<p>FORM CCC</p> <p>Section IV</p> <p>Application Forms</p> <p>Page 60 of 88</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 confirm.</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>
4.	<p>Section I :</p> <p>Instruction to Applicants Sub clause 25.-</p> <p>Evaluation of applicants Sub clause 25.4</p> <p>Page 22 of 88</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.</p> <p>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>

SN	Reference to PQ Document	Clarification Sought by the Applicant	DFCC's Response
5.	ITA 17.1 / PDS Page 26 – 27 of 88	Request you to extend the submission deadline by 2 months at least. Proposed deadline for application submission : Date: 27.09.2016 Time: 15:00 hrs	The deadline for submission of PQ application is revised. Refer Addendum No.1 dated 18.07.2016. For further update please visit DFCCIL website dfcc.gov.in.
6.	Clause 5.1 Section VII Scope of Works Page 87 of 88	Please provide the details about unidentified utilities.	These items shall be dealt with in the Bidding Document.
7.	Clause 1.9.8 Section VII Scope of Works Page 77 of 88	Please confirm role and responsibilities during DLP which contractor will have to perform.	These items shall be dealt with in the Bidding Document.
8.	ITA 4.2 Eligible Applicants Page 10 of 88	In case of single Applicant/private entity, with an intent to incorporate a new company as 100% subsidiary of the 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.	Such subsidiary company shall not be permitted.
9.	Evaluation of Applications ITA 25.2 Page 19 of 88	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.	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. Notwithstanding the above and the provisions of ITA 25.2, the Bidders shall also be provided an opportunity to replace sub- contractor(s) at the submission of First Stage Technical Proposals.

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10	ITA 4.2 PDS Page 10 of 88	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.	Request not accepted. The provisions of the PQ Document shall prevail.
11.	3.1 Financial Capabilities (iii) Remark 8 Page 35 of 88	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 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 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.
12.	ITA 24.1 PDS Sub- Contractors Page 18 of 88	This clause seems to be contradiction to Section III. Qualification Criteria and Requirements: 4.2(b) Specific Experience, where Train management System / Centralized Traffic Control System works, Telecom works of OFC, GSM-R works along with SCADA works 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. However, the Employer does not intend to execute any part of the works by sub-contractors selected in advance by the Employer.

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