

EOI-2 Clarifications dated 25-01-2023; on the Queries received, in c/w Pre EOI Application submission conference held on 20-01--2023 and in terms of Sub Para 3.3.3 of EOI Document, from Prospective Consultants

EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/12 dated-10-01-2023 [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-3.3, to the Prospective Consultant's Queries, conveyed with respect to Pre-Proposal conference held on 20-01-2023. 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/Cla use	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	Section-1: Minimum Eligibility Criteria, Sl. No. 1,	Page 10 of 39	Establishment and Certification of Firm	The Consultant's Firm shall have been established (registered in India) for a minimum period of 5 Years from the EOI Notification date i.e., the period from Consultant's Year of establishment to EOI Notification date shall be	We are an Indian subsidiary firm incorporated in India for less than 5 years. We are using the Parent Company Credentials of foreign firm registered in India for more than 5 years. So, as a wholly owned subsidiary firm, we can claim both Technical & Financial credentials of Parent Company including claimed marks in Establishment of Firm. Please clarify whether we can get empanelled as Sole Firm	19.01.2023	The minimum eligibility Criteria, as mentioned at serial no-1 of Section -1 (Minimum Eligibility Criteria)-Annexure-1 to EOI Document, is for a Consultant Firm to be registered in India for a minimum period of five years.



				minimum Five years.			
2	Clause 2.3, Work Experience, Documents Required, Sr. No. i)	Page 13 of 39	i) In Case of "successfully completed Works"	Self-Attested Copies of completion certificates (also mentioning, in case of executing Agency being JV/Consortium, the Consultant Participation, in % terms) issued, by the original Contact Awarding entities like	For example: If a consultant has completed a Highway project in JV with 40% share of 100 Crore value in the last 7 years. In what segment will be the criteria fall: Above 07 projects of Rs. 08 crore and above OR 02 Projects and above of Rs. 100 crores & above. Please clarify.	19.01.2023	In this direction, Please refer sub Clause 3.1.2.(vi) [at Page-5 of 39]
3	Clause 2.3, Work Experience, Documents Required, Sr. No. ii) b)	Page 13 of 39	ii) In Case of "Successfully ongoing Works"	b) Self-attested copy of the 'Last paid invoice'	Since it will be difficult to collect last paid invoice of project from our foreign firm, we request you to consider CA/ Statutory Auditor certified value for ongoing projects	19.01.2023	No Change is envisaged in the referred Sub section 2.3.
4	Clause 2.4.2 Key Expert, Note 1 (i),	Page 18 of 39	Key Personnel on Permanent Roll of the Consultant	Latest, as issued [& duly certified by the Consultant, as True copy'] Salary slips of each of the said professionals with details like Description of the Employer, Employee No., Year of Employment, PF Account No. (PF	Being an international firm registered in India, we will be proposing expatriate staff. Request you to please accept Social Security Document or Payslip as proof of permanent employee.	19.01.2023	In this direction, Sub Para (i) of Note-1 [on Page 18 of 39] is reiterated as under; <i>(i) latest, as issued [& duly certified by the Consultant, as True copy'] Salary slip of each of the said professionals with details like Description of the Employer, Employee No., Year of Employment, PF</i>



				Account No. is not, a mandatory requirement) mentioned therein and the associative details of salary, clearly mentioning therein. And/or. Form-16. And /or Form 26-AS of the professional			Account No. (PF Account No. is not, a mandatory requirement) mentioned therein and the associative details of salary, clearly mentioning therein
5	Post Empanelment		General	General	What kind of projects will be invited after eligible for empanelment, i.e., HSR, Dedicated Freight Corridor, Tunnel, etc. Please clarify	19.01.2023	Post empanelment, Indian Railways Zones & Project units would undertake downstream tendering. DFCCIL mandate is restricted to process and completion of empanelment of consultants, only.
6	Invitation for EOIs	04 of 39	EOI documents does not provide clarity which exact documents of parent company to submit if we are claiming experience of one of the affiliates of parent company.	The Participating Consultant, desirous of claiming the experience of their Parent Company, submits an unreservedly given Parent Company Guarantee (PCG), in the format attached as Form-10 to this EOI Document	Kindly clarify which exact documents (other than Parent company Guarantee) require to submit if we are submitting Experience of our Parent company	23.01.2023	In this direction, please refer Sub Clause 3.1.1 (at Page 4 of 39) of EOI Document which is self-explanatory.



7	Invitation for EOIs	04 of 39	EOI documents does not provide clarity which exact documents of parent company to submit if we are claiming experience of one of the affiliates of parent company.	The Participating Consultant, desirous of claiming the experience of their Parent Company, submits an unreservedly given Parent Company Guarantee (PCG), in the format attached as Form-10 to this EOI Document	<p>We SGS is a Geneva based MNC with presence over 140 countries and SGS India Pvt Ltd is a 100% subsidiary of parent group SGS SA and the same with other country affiliates.</p> <p>We propose to use other country affiliate experience which is also 100% subsidiary of our parent company.</p> <p>So we request to accept only "Parent Company Guarantee" and relax criteria of forming consortium with parent company or affiliate company since Parent company is already giving guarantee for the same.</p>	23.01.2023	<p>In case, the Participating Consultant Firm wants to aggregate the experience of of Parent Company's Subsidiary Company, the Sub Clause 3.1.1.(i) (at Page 4 of 39) of EOI Document may be referred which provides for the Parent Company's Subsidiary Company, also required to be registered in India, to Participate in Joint Venture with the Participating Consultant Firm.</p> <p>Please, also, refer serial no-2 of Addendum no-1 dated 25-01-2023.</p>
8	Submission of EOI Application	08 of 39	As Many details technical document required to submit with bid will require more time to collect & arrange	Consultant shall submit their EOI Application no later than/up to 1500 hrs on the date 10-02-2023.	Request you to extend bid due date by 20 days	23.01.2023	Please, refer serial no-3 of Addendum no-1 dated 25-01-2023.
9	Work Experience	11 of 39	Requesting to broaden the eligibility criteria	The eligible Works should be of Railway/Metro Projects/Highways projects.	Request to consider other infrastructure projects like Airports, smart cities, Residential & commercial projects, etc.	23.01.2023	No Change is envisaged in the serial no-3 (Work Experience) of section-1 (minimum eligibility Criteria)
10.	Section 1 / SI.No.3	11	We request you to consider and	Consultant's firm must secure a	Consultant's firm must secure a minimum of 10 marks, in the evaluation	20.01.2023	No Change is envisaged in the serial no-3(Work Experience)



			include Infrastructure Projects including Residential, Commercial, Industrial & Power	minimum of 10 marks, in the evaluation (Ref Para 2.3 of Annexure-1). The eligible Works should be of Railway/Metro Projects/ Highways projects. Details to be given in Form-4 (Appendix to Annexure-1).	(Ref Para 2.3 of Annexure-1). The eligible Works should be of Railway/Metro Projects / Highways projects/ Infrastructure Projects including Residential, Commercial, Industrial & Power . Details to be given in Form-4 (Appendix to Annexure-1).		of section-1 (minimum eligibility Criteria)
11	Section 2 / Clause No. 2.3	12	We request you to consider and include Infrastructure Projects including Residential, Commercial, Industrial & Power And We request to reduce the minimum contract value of INR 3.0 Crores	In order to be eligible for award of marks under this criterion, the Consultant shall submit, details of Number of, Project Management Consultancy Contracts (PMC) / General Consultancy Services (GC) /Engineering Services Consultant (ECS)/ Independent Engineer (IE)/ Authority Engineer (AE), successfully Completed /Successfully	In order to be eligible for award of marks under this criterion, the Consultant shall submit, details of Number of, Project Management Consultancy Contracts (PMC) / General Consultancy Services (GC) /Engineering Services Consultant (ECS)/ Independent Engineer (IE)/ Authority Engineer (AE), successfully Completed / Successfully ongoing Works, as on date of EOI Notification, during the last 7 years (from EOI Notification Date) for Rail /Metro/ Highway projects/ Infrastructure Projects including Residential, Commercial, Industrial & Power in India and outside India [Outside India experience is subject to Note no-2.1.(viii) & (ix) (Sub Para title- 'Invitation of EOIs'] , of the Minimum Contract Value of ₹ 3 Crores out of which Minimum 02 nos. (two) works	20.01.2023	No Change is envisaged in the first Para of Sub section-2.3 (Work Experience).



				<p>ongoing Works, as on date of EOI Notification, during the last 7 years (from EOI Notification Date) for Rail /Metro/ Highway projects in INDJA and outside India [Outside India experience is subject to Note no- 2.1. (viii) & (ix) (Sub Para title- 'Invitation of EOIs') , of the minimum Contract value of INR 5.0 crores out of which Minimum 02 nos. (two) works should have been successfully completed/ successfully ongoing Works, as on date of this EOI Notification , for Railway /Metro projects. The aforesaid details to be given in the Form 4, given in the Appendix.</p>	<p>should have been successfully completed/ successfully ongoing Works, as on date of this EOI Notification , for Railway /Metro projects. The aforesaid details to be given in the Form 4, given in the Appendix.</p>		
12	Section 2 / Documents	13	We request to consider	Self-Attested copies of	We request you to consider and include "Self-Attested copies of completion	20.01.2023	No Change is envisaged in the Last Column (Documents)



	Required Column Sl.No. (i)		experiences from Public Listed Companies listed on National Stock Exchange (NSE)/ Bombay Stock Exchange Indexed (BSE).	completion certificates (also mentioning, in case of executing Agency being JV/ Consortium, the consultant Participation, in % terms) issued by original contract Awarding entities like Railways, NHAI or relevant Metro organization or any Central /State Government Department /PSU of India or Autonomous Body of central/State Government of India or the awardee concessionaire.	certificates (also mentioning, in case of executing Agency being JV/ Consortium, the consultant Participation, in % terms) issued by original contract Awarding entities like Railways, NHAI or relevant Metro organization or any Central/State Government Department / PSU of India or Autonomous Body of central/State Government of India or Public Listed Companies listed on National Stock Exchange (NSE)/ Bombay Stock Exchange Indexed (BSE).		required) of Table titled ' Marking Criteria (Maximum Marks 30: Minimum Marks-10 Marks) under Sub section-2.3 (Work Experience).
13	Section 2 / Documents Required Column Sl. No. (ii)	14	We request to consider Form 26AS duly Certified by CA as a Payment Receipt	Payment released to the Contractor-	Payment released to the Contractor/ Form 26AS duly Certified by CA as a Payment Receipt.	20.01.2023	No Change is envisaged in Serial no-(ii) of the Last Column (Documents required) of Table titled ' Marking Criteria (Maximum Marks 30: Minimum Marks-10 Marks) under Sub section-2.3 (Work Experience).



14	Section 2 / Clause No.2.4.2 (Note:1)	18	We request to consider Key Personnel for less than 01 Year/ prior to bid due date on the Permanent Roll of the Consultant having EPF A/c from the date of EOI	Weightage / Marks for the above Key Personnel will be given only if he/she is employed (on permanent roll having EPF A/c) with the Applicant Firms for more than 01 Year from the date of EOI.	Weightage / Marks for the above Key Personnel will be given only if he/she is employed (on permanent roll having EPF A/c) with the Applicant Firms for less than 01 Year/ prior to bid due date from the date of EOI.	20.01.2023	No Change is envisaged in Note-1 under sub section 2.4.2 (on Page 18 of 39)
15	Section 2 / Clause No.2.4.2 (Note: 4)	18	We request to consider Experienced Key Personnel having Less than 01 year/ prior to bid due date on the Permanent Roll of the Consultant having EPF A/c	Post empanelment, any Change/replacement [with a suitable Professional having equivalent or better qualification and experience, as compared to the Professional being replaced) or of "Key Personnel on the Permanent Payroll of the Consultant" shall be subject to prior approval of the Indian Railways.	Post empanelment, any Change/replacement [with a suitable Professional having equivalent or better qualification and experience, as compared to the Professional being replaced) or of " Experienced Key Personnel having Less than 01 year/prior to bid due date on the Permanent Roll of the Consultant having EPF A/c " shall be subject to prior approval of the Indian Railways.	20.01.2023	No Change is envisaged in Note-4 under sub section 2.4.2 (on Page 18 of 39).
16	Pg 4 Clause 3.1.1 Pg 5				We understand that in case of an Indian subsidiary, 100% owned by the foreign Based company, requiring accreditation	21.01.2023	In terms of Sub Clause 3.1.1.(i) read with serial no-2 of Addendum no-1 dated 25-



	Clause 3.1.2 (iv)	-	-	-	of Parent Company's credentials the parent company not need to be registered in India. Kindly Confirm		01-2023, It is confirmed that the Parent company must also be registered in India.
17	Pg 11. Eligibility Criteria:, 3. Work Experience	-	-	-	We request Client to kindly consider the project s related to the Power System studies/Traction Studies in any of the railway and metro projects. Also we request you to kindly consider the Buildings projects for the eligible assignments. Please confirm.	21.01.2023	No change is envisaged in the referred work experience criteria.
18	Pg 11. Eligibility Criteria:, 3. Work Experience	-	-	-	We request you to kindly consider the TPQA (Third Party Quality Assurance works as eligible assignments for the empanelment. Kindly confirm	21.01.2023	No change is envisaged in the referred work experience criteria
19	Pg. 12, Clause 2.3	-	-	-	We request Client to consider the contracts eligible with minimum Contract value of INR 3.0 crore	21.01.2023	No change is envisaged in the referred work experience criteria.
20	Pg. 14, table (Marking Criteria)	-	-	-	Please confirm if the consultant has raised the invoice which has not paid by the client can be considered along with the self-attested copy of the agreement for evaluation under the ongoing assignment category. Kindly Confirm	21.01.2023	No change is envisaged in the referred work experience criteria.
21	Pg-15, Clause 2.4.1	-	-	-	We request you to kindly consider the employees who joined recently in the firm for PMC /GC/ESC /IE/AE/TPQA projects	21.01.2023	No change is envisaged in the referred Sub Section 2.4.
22	Pg-18, point 1.1	-	-	-	We request you to kindly consider the undertaking from the HR for the experts proposed in the EOI as the proof that the proposed experts are on the roll of the firm	21.01.2023	No change is envisaged in the referred Sub Section 2.4.



23	General – Bid submission date	-	-	-	We understand that a suitable time gap shall be provided to the bidders after the minutes of meeting/ clarification of queries are provided. In such case, kindly postpone the date of submission by 3 weeks from the date of receipt of clarifications from the client. Please confirm	21.01.2023	In this direction, please refer serial no-3 of Addendum no-1 dated 25-01-2023.
24					As per tender annual turnover shall be 10Cr. Can we reduce that to 1-1.5Cr ? That would have helped us to bid for the same	19.01.2023	No change is envisaged in the referred serial no-2 (Financial Standing) of Section-1 (Minimum eligibility Criteria) – Annexure-1 to EOI Document
25					As per tender ISO certificate is required and there are 5 Marks for it Can we remove that marking score for this or reduce it.	19.01.2023	No change is envisaged in the referred Section-2.1.2 (availability of ISO Certificate)

-x-

