

National Highways & Infrastructure Development Corporation Limited

Reply to Pre-Bid Queries

Name of the Project: Consultancy services for Authority's Engineer for Supervision of Construction, Operation and Maintenance of 2-Lane bi-directional Zojila Tunnel with Parallel Escape (Egress) Tunnel excluding approaches on Srinagar-Leh Section connecting NH-1 at km 95.00 and at km 118.00 in the State of Jammu & Kashmir on EPC Basis.

Sr. No.	Clause	Description	Suggestions/Query	Reply
1)	Clause 10.1	States that firms/persons of neighbouring country having common land border with India are not eligible to participate in the tender process.	We would request to kindly clarify the premise of determining the nature of the firm and that it belongs to a neighbouring country.	Firms that have been incorporated in such countries having common border with India are covered under this clause. However, it is clarified that the clause shall continue to apply in respect of persons/personnel who have their citizenship of such countries.
2)	As per Page no 61 of RFP Essential Qualification (vii) Position Senior Geologist	It is mentioned as: Experience of 5 years of construction/construction supervision of major transportation tunnel projects in the Himalayan region using NATM technology	It may please be noted in this regard that Himalayan region does not exist in countries other than sub continent countries like European and other countries and personnel having experience in the countries of non-Himalayan region cannot meet this requirement. So, it is kindly requested to modify the same and make it as "Experience of 5 years of construction /construction supervision of major transportation tunnel projects in the Hilly region using NATM technology" in place of Himalayan region	As per RFP.
3)	Sr. Geologist Para 2.2: Qualification and competence of the key staff for	Experience in Major Tunnel (Road/Rail/Metro) for Construction, and project preparation/design projects.	Kindly let us know whether the experience of road tunnel connecting to hydro project/dam is considerable or not.	As per RFP.



	adequacy of the assignment. (Para 12.2 of Datasheet and Enclosure II of TOR-) at Point no. b(i) and (ii), Sr. No. 2.2.6			
4)	Page 132 of RFP: Para 2.2: Qualification and competence of the key staff for adequacy of the assignment. (Para 12.2 of Datasheet and Enclosure II of TOR-) at point no. c (i), Sr. no. 2.2.8	Criteria for position of Contract Specialist: Experience of contract management of major roads/highway projects over Rs 500 crores including experience if handling variation orders, claims of the contractor.	We request you to consider the project management including experience of handling variation orders, claims of the contractor of major roads/highway projects of Rs 150 crores in place of existing Rs 500 crores.	As per RFP.
5)	General	Presently the date of submission of bid is 14.09.2017	We request you to please extend the date of bid submission for another 15 days so that we can submit a comprehensive proposal.	Please refer to Amendment no. 4.
6)	Data Sheet Clause 5.1 (i) on page no. 19 & 20 & Detailed Evaluation Criteria Clause 2.1 Page no. 119	As mentioned on Page No. 19 & 20 (Experience in Construction Supervision/Independent Engineer /Authority Engineer in transportation Tunnel Projects (Road/Rail/Metro) of 30% of project length or 4 Km in length, which ever in minimum for which the RFP is invited in last 12years*) & As Mentioned on Page No. 119 (Experience in construction	According to RFP both the clauses are different & according to NHAI, MORTH & NHIDCL standard criteria number of projects to be counted will be more than 30% of total length of project which will provide us full 16 marks. So, accordingly please clarify.	Please refer to Amendment No. 3. The query is not clear. However, the eligible projects shall be the ones who are equal to or more than 30% length of the project. No. of projects shall be accordingly considered.

		supervision/Independent Engineer /Authority's Engineer of a tunnel project during the last 12 years of minimum length equal to or more than 4.25 km in a single stretch)					
7)	Page No. 2 of the RFP	As mentioned in RFP (The Applicant shall furnish as part of its Proposal, a bid security of Rs. 5,50,000 (Five Lakhs fifty thousands) in the form of a Bank Guarantee (as per the format specified in Appendix N of this RFP document)	According to RFP we have to Submit Bid security in Format of Bank Guarantee. Please allow to submit Bid Security in form of Demand Draft also As authorities like NHAI/IAHE are accepting the DD.	As per Amendment No. 5.			
8)	INFRACON	Residential Engineer cum Excavation specialist	I would request you to please add this position on INFRACON in drop down menu or allow Resident Engineer as similar capacity in RFP.	Position added on INFRACON.			
9)	Regarding Experience Certificates of Key Personnel	According to RFP we have to submit experience certificates of all key personnel	Our maximum key personnel are having mostly abroad experiences; currently they are not having some of their experience certificates, kindly allow undertaking/self declaration.	As per RFP.			
10)	RFP; Data sheet para 5.1 (i) page no. 20 & Amendment no. 3 page no. 17 Appendix-O Detailed Evaluation Criteria Clause 2.1 Firm's Relevant Experience & Amendment no.3, Page no. 16	5.1 (i) Sub Criteria for Relevant Experience of the firm for the assignment; Experience in construction supervision/Independent Engineer/Authority Engineer in transportation Tunnel projects (Road/Rail/Metro) of 30% of project length for which the RFP is invited in last 12 years* <table border="1" data-bbox="674 1262 1106 1407"> <tr> <td>III</td> <td>Experience in construction supervision / Independent Engineer /Authority Engineer in transportation Tunnel projects (Road/Rail/Metro) of 30% of project length for</td> <td>16</td> </tr> </table>	III	Experience in construction supervision / Independent Engineer /Authority Engineer in transportation Tunnel projects (Road/Rail/Metro) of 30% of project length for	16	The longest length of tunnel should be aggregate instead of single tunnel.	As per Amendment No.3.
III	Experience in construction supervision / Independent Engineer /Authority Engineer in transportation Tunnel projects (Road/Rail/Metro) of 30% of project length for	16					



		which the RFP is invited in last 12 years*		
		(i)	<4.29 km = 0	
		(ii)	≥4.29 km to 10.00 km = 12	
		(iii)	≥10.00 to 12.00 km = 13	
		(iv)	>12.00 and equal to 14 km = 14	
		(v)	> 14 and above = 16	
11)	Appendix – O, Detailed Evaluation Criteria, Clause 2.2.2 Resident Cum Tunnel Excavation Expert	Resident Cum Tunnel Excavation Expert position not available on Infracon portal for drop down list.	Position should be added on Infracon portal at dropdown list.	Position added on INFRACON.
12)	Appendix-O, Detailed Evaluation Criteria, Clause 2.2.5 Senior Geotechnical Expert	Experience as Geotechnical engineer or similar capacity in Construction / Construction Supervision of major tunnel projects involving vertical shaft sinking of at least 200m vertical depth	The experience of shaft construction/ sinking may be considered for any depth. Specific depth of vertical shaft sinking may be amended.	As per RFP.
13)	RFP, Section 1, Information to Consultants General; 6 (pg no. 2)	The applicant shall furnish as part of its proposal a bid security of Rs. 5,50,000 (Five Lakhs fifty thousands) in the form of Bank Guarantee (as per the format specified in Appendix N of this RFP document) (the “Bid Security”), valid for 45 days beyond the validity of the bid.	Demand Draft (DD) should also be allowed for bid security.	Please refer to Amendment No. 5.
14)	RFP, Section 1, Information To Consultants, general 11 (A) Eligibility criteria for sole applicant firm. (pg. no. 3 & 4)		Please advise weather we can use the technical credentials of our group companies by bidding through Indian entity.	The experience of the holding company shall be considered while evaluating the proposal of wholly owned subsidiary i.e. Indian Entity. However, the experience of the other subsidiaries will not be considered while evaluating the proposal of a subsidiary (wholly owned).

15)	Enclosure A & B: Qualification of Sub Professional	Highway Engineer Bridge/Structural Engineer	As per Enclosure A, Consultant need to submit CV's of both sub professional Highway Engineer & Bridge/Structural Engineer during contract negotiations, while qualification required for both of the positions is not mentioned in RFP. Request you kindly provide qualification and experience required for both the positions, so that consultant can finalize the positions before negotiations.	Please refer to Amendment no. 5.
16)	Section 2 Clause 3.4 (iv) e	All the CVs of Key Personnel should be complete in all respects. The CVs of the sub-professional staffs complete in all respects including signing and certification by the individual and the firm shall be required to be submitted by the selected bidder during Contract Negotiation and shall be evaluated vis-à-vis the qualifications and experience requirements by the client. It is clarified that the firm's proposal shall be evaluated only on the basis of its experience and key professional staff. It is clarified that the firm's proposal shall be evaluated only on the basis of its experience and key professional staff.	You will agree from our view that while uploading CV's of key personals on INFRACON, consultant needs to fill / update many qualification related fields in CV to fulfil the requirement mentioned in evaluation criteria of RFP. While consultant submit CV through INFRACON website, it is always favourable for client to receive the hard copy of CV's which are duly highlighted by markers and clearly show the requisite qualification requirement in the long CV of key position for which CV is submitted. In view of the same we request you to kindly also considered the submission of CV's in hard copy (Non Infracon CV) and would also request to evaluate from the hard copy. Also, as per the regular Contracts, of NHAI, MORTH & Other state PWD's CV's of sub- professional staff are not required to be submitted at the time of contract negotiation. As you are aware that the mobilization and start of the project is not definite so we request you to kindly consider submission of CV's of sub-professionals prior to their mobilization	As per RFP. Please also refer to Amendment No. 3 in this regard.

			instead of contract negotiation.	
17)	Clause 4, Section-2, Letter of Invitation to Consultant	C. Only Electronic form (to be uploaded on the INFRACON Portal) (a) Firm credentials as per format prescribed in Section – 3 of RFP.	As per general format of NHIDCL AE RFP, section 3 (format for submission of firms credentials) as required to be uploaded in INPUT format of INFRACON portal, while in amendment -3 of Zojila AE project same section is instructed to be uploaded in format provide in RFP. You will agree from our view that details of credentials can be uploaded on INFRACON only as per the input format of portal and it is not possible for bidder to upload the details in other format. So we would request you to amend the same as given below: a) Firm credentials (section 3) as per input format of INFRACON Portal	Agreed. Please refer to Amendment No. 5 in this regard.
18)	Section 2, LOI, clause 3.4 (iv) a	CV's strictly signed in prescribed format are to be furnished in INFRACON portal	You will agree from our view that while uploading CV's of key personals on INFRACON, consultant need to fill/update many qualification related fields in CV to fulfill the requirement mentioned in evaluation criteria of RFP. While consultant submit CV through INFRACON portal, all the required credentials submitted. In view of the same we request you to kindly also consider the submission of CV's in hard copy (Non Infracon CV) and would also request to evaluate from the hard copy.	As per RFP and Amendment no.3.
19)	Clause 3.4 (ix) , page 12	Replacement of key personnel shall be considered only in unavoidable circumstances. In no case more than	As there are 5 International, 4 National and in Total 9 Key Experts, and the project is on very difficult terrain and also it will be tough to retain the experts even after	Please refer to Amendment No. 5.

		<p>two replacements of key personnel shall be permitted during negotiation and in such cases Consultant and such key personnel shall have to submit affidavit to the effect that during the period of assignment specified in para 8 of Section:1, the replaced key personnel shall not be professionally employed anywhere in Employer's works. Employer shall not further consider CV of such key personnel directly or indirectly for any of its projects for this period. The reduction in remuneration of such replacements shall be 5% and 10% for 1st replacement and 2nd replacement respectively within validity period of bid. In case during negotiations held within validity period of bid, more than two replacements are sought by the H-1 consultant; his proposal shall be considered as Non-Responsive. In such case the combined score of remaining technically qualified firms, meeting the non-conflict condition shall be evaluated to arrive at new H-1</p>	<p>getting their consent for such remote location, we would request your good self to allow replacement of at least 4 key personal during negotiation. Also, reduction in remuneration of such replacements shall be requested as 5% for first 2 and 10% for 3rd replacement and 4th replacement respectively</p>	
20)	Form of Contract/Clause 4.5 C, section, Pre-bid replies	<p>This clause has now been slightly modified, mentioning that no reduction in the remuneration shall be applicable for the key personnel whose replacement is sought after he/she has been deployed for at least 50% of his/her scheduled man-</p>	<p>You will agree that it will be tough for consultant to ensure that expert at site completed 50% of his man month because the project site is at tough location and it is impossible to predict the number of workable days without any hindrance. Before the start of the</p>	As per RFP.

		<p>months (instead of 3 years continuous work period on site).</p>	<p>work. Also it's presumed that in a year for three/four months there will be no physical work to be done.</p> <p>And even all the experts will not be required from the starting of the project, for example Tunnel Ventilation cum E&M Expert who will be required after fully excavation of tunnel which will take 2/3rd time of total construction years. In light of same it's not in the control of the consultant to retain the professional for 2/3rd time of construction duration.</p> <p>Also, to strengthen our view, here we would like to refer NHAI tunnel projects in J&K, for example Quazigund-Banihal road tunnel project & Chennai-Nashri project where replacement was allowed in every 3 years without any deduction in remuneration because these are tough terrain for work. Though the above locations are less tough and non-remote in comparison to site location of Zojila, We would request to allow the consultant to replace each key expert after every 3 years with no deduction in remuneration.</p>	
21)	Clause 2.7.5, page 76	<p>Payments During the period of their in ability to perform the Services as a result of an event of Force Majeure, the Consultants shall be entitled to be reimbursed for Additional costs reasonably and necessarily incurred by them during such period for the purposes of the Services and in reactivating the Services after the end of such period.</p>	<p>We understand that there will be a lean period (no construction work will happen) due to extreme conditions at site i.e. snow fall and avalanche for 2-3 months in a calendar year. This occurrence is bound to happen every year.</p> <p>We further understand that consultant will be paid against remuneration part and out of pocket expenses for the 12 months in a calendar year (including lean period of 2-3 months) as the cost incurred by the</p>	<p>The remuneration shall be paid on the basis of man-months input. The out of pocket expenses shall be paid based on the rate per month, as per Appendix-C3. The consultant shall not be paid for the period when he (she) is not available for the project.</p>

			corresponding services will be for the period of 12 months in calendar year. Kindly confirm and clarify?	
22)	Section-6 Terms of Reference Enclosure-B Qualification of Key personnel and Appendix-O Detailed evaluation criteria clause 2.2.5 Sr. Geotechnical Expert	General Qualification: Graduate in Civil/Mining Engineering/Engineering Geology or equivalent from a recognized university Post Graduate in Rock Mechanics /Foundation Engineering/ Tunnel Engineering /Mining Engineering/ Geotechnical Engineering/ Fracture Mechanics	As per the essential qualification the candidate having the qualification in Engineering Geology is qualifying. However in Preferential qualification Post Graduate in Geology is not considered. In view of same we request you to kindly consider Post Graduate in Geology in Preferential qualification also. Please clarify if candidate having Post Graduation in Geology (International Candidates having diploma 5 year degree course which is equivalent to Post Graduate course) will also qualify for both essential and Preferential qualification.	As per RFP.
23)	Amendment no 3 and clause 3.6, page 13 of RFP	Consultants shall be paid billing rates for services rendered by the personnel of all categories namely (i) key Personnel; (ii) sub-Professional personnel and (iii) Support staff on man-month wise. For calculating billing rates of remaining items of the financial proposal, namely (i) Transportation, (ii) Duty travel to site (iii) Deleted, (iv) office supplies communication etc (v) reports & document printing and (vi) survey equipment etc. quoted amount of selected consultant will be made on monthly basis. Beginning 13th months from the last date of submission of bid, billing rates shall be increased for	In amendment no. 3, it is clarified that only remuneration part will be escalated @ 5% every 12 months starting from 13th Month from the last date of submission. Here, we would like to refer MoRTH Letter no. RW-NH-35071/2/2013 —S&R (B) dated 25th Feb 2014, which states that escalation @5% per year will henceforth be provided to cover all items of the contract, inter alia including vehicle hire, office rent, consumables, furniture etc. So, citing above circular from Ministry of Road and Highways, we would like to request you to amend this clause and add escalation @5% per year for remaining items of Financial proposal i.e vehicle hire, office rent, consumables, furniture etc.	Please refer to Amendment No.5.

		the remuneration part only @ 5% every 12 months. However, for evaluation and award of the Bid proposals, the quoted initial rate (as applicable for first 12 months from last date of submission of bid) shall be multiplied by the total time input for each position on this contract, i.e. without considering the increase in the billing rates. All payments shall be made in Indian Rupees and shall be subjected to applicable Indian laws withholding taxes if any.		
24)	Mobilization of personal and Start of consultancy services.		Would request your good self to provide tentative date of Key personal Mobilization and start of services.	On issuance of LOA.
25)	General		We request your confirmation that India Tunnel assignments having 90% of excavation completed will be considered for evaluation or substantially completed assignment.	Substantially completed projects are those which are 90% or more complete in terms of physical progress only as certified by the Authority/ Client and can be put to use safely. Those projects shall also be considered where the Provisional Completion Certificate for the project has been issued and the Authority/ Client has certified that the Project Highway has been safely put to the use of the road users.
26)	Certificates		Tunnels are security sensitive infrastructure establishments. We have worked on various tunnel assignments where the clients have not agreed to our request to issue completion certificates with tunnel specifications because of the	

			<p>sensitivity and the security concerns related to the assignments.</p> <p>We request your understanding that we are a company of international repute and already working in India since last 24 years. SMEC is also working on the Rohtang Road Tunnel since 2006. We are ready to submit self-declaration for such kinds of assignments we have done. The same will be duly notarized and we'll take full responsibility of the same.</p> <p>Considering the strategic importance of this assignment, we request you to please allow the consultant to use experiences where the certificates has not been issued by the client mainly due to security concerns.</p>	
27)	Qualification of Key personnel-Tunnel Safety Expert		<p>As per the essential qualification for the Tunnel Safety Expert, the expert needs to have 7 years of experience in Transportation Tunnel in developed countries, having overall of 20 years after Post Graduation in Civil / Mining.</p> <p>We would like to put forth that this specific criterion of Developed countries experience needs to be relaxed, since it is not apposition that requires extensive international experience 'hence, experience in India only would suffice as well. In addition in developed countries Tunnel Safety Experts never have university degrees.</p> <p>Furthermore we request for the amendment of educational qualification, as Indian experts for these positions generally have Graduation degree in Civil/Mining with</p>	As per Amendment No. 3 .

			<p>Professional Certification from recognized/statutory body in Health/Safety.</p> <p>It is also not required to have 20 years of experience. 10 years would be sufficient.</p> <p>The qualified candidate should not necessarily have worked for 10 years in transportation tunnels. 3 years in the tunneling field is sufficient.</p> <p>The qualified candidate should not necessarily have worked for 10 years in transportation tunnels. 3 years in the tunneling field is sufficient.</p> <p>Therefore, we request for amendment in the essential qualification for this position.</p>	
28)	Qualification of Key Personnel-Senior Geologist		<p>Essential qualification for Geologist position, it is stated that the expert should have total professional experience of 20 years after Post Graduation. Therefore, we request for amendment and the criteria should be relaxed and experience form his graduation degree should be considered.</p>	As per RFP.
29)	Qualification of Key Personnel-Tunnel Ventilation cum E&M expert		<p>With our experience in similar assignments, the assignment cannot be taken up by one person only, since the E&M works comprise too many different fields. We strongly believe there will be a requirement of several positions. It is very important that the designers and the engineers in the field are typically different persons, since they require different skill set. Hence, for one position there is one person for design review and another person for the actual construction supervision:</p>	As per RFP.

			<table border="1"> <thead> <tr> <th>Position</th> <th>Man-months in design review</th> <th>Man-months in construction supervision/O&M /DLP period</th> </tr> </thead> <tbody> <tr> <td>E&M Expert-HV & LV</td> <td>10</td> <td>10</td> </tr> <tr> <td>Ventilation Expert</td> <td>10</td> <td>10</td> </tr> <tr> <td>SCADA Expert</td> <td>9</td> <td>9</td> </tr> <tr> <td>Hydraulic Expert</td> <td>1</td> <td>1</td> </tr> </tbody> </table>	Position	Man-months in design review	Man-months in construction supervision/O&M /DLP period	E&M Expert-HV & LV	10	10	Ventilation Expert	10	10	SCADA Expert	9	9	Hydraulic Expert	1	1	
Position	Man-months in design review	Man-months in construction supervision/O&M /DLP period																	
E&M Expert-HV & LV	10	10																	
Ventilation Expert	10	10																	
SCADA Expert	9	9																	
Hydraulic Expert	1	1																	
30)	Extension of bid submission date		We request the client to kindly provide at least 4 weeks time from the date of reply to queries to submit the bid to enable the consultant to provide the most technically and financially competitive bid. Kindly consider.	As per Amendment No. 4.															