

Pre-Qualification Queries of IFP No:- MM3-CBS-RS

QUERIES AND RESPONSES

S.No	Subject ref /Clause / Page No.	Clause Description	Applicant's Query	Response
1	Section I. Instructions to Applicants A General 4 Eligible Applicants		To ensure all the applicants and the future executive body can fulfill the qualification criteria and requirements, In the item 4, eligible applicants, it is kindly suggested to add the following as 4.9: If the applicant is a group company but the executive body is a subsidiary, not only the group company but also the executive subsidiary should fulfill the qualification criteria and requirements.	Refer ITA 23.4 & ITA 28. PQ conditions prevail.
2	PDS ITA 10.1 Page PDS 3, Addendum 6 Page 3	The Applicant shall submit Form FIN 3.1, FIN 3.2 that is duly filled and shall be self certified and certified by certified auditors or chartered Accountants.	Kindly allow us to use our own format as suggested in	Form FIN 3.1 & FIN 3.2 shall be used. PQ condition prevails. Refer Addendum-16.
3	ITA 10.1 (e) (Addendum No.6 SI No. 9)	The Applicant shall submit with its Application, the following additional documents: Form FIN-3.1, Form FIN-3.2 is duly filled shall be self-certified and certified by certified auditors/Chartered Accountants. Form FIN-3.3: Liquidity Position is duly filled and to be self-certified with supporting documents from the bank as per the format in page AF-14 of the Prequalification Document. Form EXP-4.1, Form EXP-4.2(a), EXP-4.2(b) and Form EXP-4.2 (c) is duly filled, shall be self-certified and supported by the necessary documents issued by the respective clients.	According to Addendum No.6 SI No.9, Form FIN-3.1, Form-3.2 is required to be not only self-certified but also certified by Certified auditors/ Chartered Accountants, but we would like to request Employer to delete the sentence "and certified by certified auditors/Chartered Accountants" for following reasons. From FIN-3.1 Financial Situation: Applicants pick up the figure from each Financial Statement, which is duly certified by certified Auditors, so it is not necessary to have separate certificate from certified auditors or Chartered Accounts for this Form FIN-3.1 itself as long as it's Financial Statement is certified by certified auditors or Chartered Accountants. Form FIN-3.2 Average Annual Turnover : Some Applicants, who covers various business fields, have to sum up the figure from their Accounting System in order to provide the figure of Average Annual Turnover of Railway System Contract, since their Annual Report does not always specifically indicate the Annual Turnover data from Railway System contracts. Therefore, it is not a nature to have Certificate by Auditor or Chartered Accountant. Please accept to put self-certificate with relevant back data from such Accounting System.	Form FIN 3.1 & FIN 3.2 shall be self certified and certified by certified auditors/ chartered Accountants. PQ conditions prevail. Refer Addendum-16.
4	Section II Prequalification Data Sheet (as amended by Amendment No. 6)	ITA 10.1 (e) PDS-3	Amendment to ITA 10.1(e) added the sentence "Form FIN-3.1, Form FIN-3.2 is duly filled shall be self-certified and certified by certified by certified auditors/Chartered Accountants." Given the context and the intended purpose of this sentence, the applicant understands that this sentence should actually read "Form FIN-3.1, Form-3.2 is duly filled shall be self-certified or certified by certified by certified auditors/Chartered Accountants." Please confirm that the understanding is correct.	Form FIN-3.1, Form FIN-3.2 shall be self-certified as well as certified by "Certified Auditor/ Chartered Accountants". PQ conditions prevail.
5	Section II Prequalification Data Sheet (as amended by Amendment No. 6)	ITA 13.2 PDS-3	Amendment to ITA 13.2 added the sentence "if the source of the exchange rate for the Bidder's proposed currency cannot be found in the Reserve Bank of India reference rate (foreign currency), then with the Employer's concurrence, the rate in the web site; www.xe.com may be used." Pursuant to this article, the Applicant seeks the concurrence of the Employer to use the rates available in the website www.xe.com for the following currencies: • CNY to USD • JPY to USD (for years not available in the reserve Bank of India website) • KRW to USD • SGD to USD • TWD to USD	Noted. Concurred. Refer Addendum-16.

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6	Addendum No.6; Section III. Qualification Criteria and Requirements: 4.2(b) Specific Experience – Delivery Record	For the above and other Contracts completed and under implementation, record of more than 300 metro cars (i.e. MRT,LRT, suburban railway or high speed railway). Out of which minimum 200 cars shall be of either stainless steel or aluminum.	We understand that LRT includes Tramways also, Please confirm.	LRT include such transit systems which have separate right of way and run on signalled movement.
7	Addendum No.6; Section III. Qualification Criteria and Requirements: 4.2(b) Specific Experience – Delivery Record	150 cars out of above 300 cars must be operating satisfactorily against more than one contract in at least one country other than the country of manufacture or in India for last five (5) years starting from 1st January 2011.	We request that the clause be please modified as below: 150 cars out of above 300 cars must be operating satisfactorily against more than one contract in at least one country other than the country of manufacture or in India for last five (5) three (3) years starting from 1st January 2011 2013 .	Refer Addendum-16 for change in qualification criteria and requirements.
8	Section III, Clause 4.2 (c), OCR -7 Specific Experience - Propulsion Experience	As prime contractor, management contractor (i) or sub-contractor, To have cumulative experience of minimum ten (10) years in design and manufacturing of propulsion equipment (Traction Converter - Inverter and Traction Induction Motor) and Auxiliary Converter/Inverter And Propulsion equipment and Auxiliary Converter/Inverter shall have been supplied for more than 300 metro (i.e. MRT, LRT, sub- urban railway or high speed railways) cars, which have been in revenue operation for at least five (5) years against minimum five (5) different Contracts in the metros of at least one country other than country of manufacture or in India.	Through our Clarifications Set 2 , Query 5 dated 22nd Dec 2015 & Set 3 Query 3 dated 1st January 2016 we have requested MMRCL to allow the Consortium's Parent or Group company experience to be taken into account as allowed in RS 10 Tender. However the same has been rejected as per Clarifications dated 11th July 16. Allowing established local legal entities (taking the experience of Parent or Group Company)with good delivery record of manufacturing propulsion systems in the past 5 years to manufacture & supply for Mumbai Line 3 shall facilitate localization of critical propulsion components thereby enabling better spare parts supply and maintenance support during the initial 5 years comprehensive maintenance as well as whole life of the trains. This will be greatly beneficial to MMRCL.We again request MMRCL to allow local companies with experience of substantially delivering metro projects in India to qualify for supplying fully indigenous Propulsion System in line with the " Make in India" initiative. BT India has experience of supplying more than 500 cars of state- of-the art IGBT propulsion equipment to Delhi Metro as on date . We hence request MMRCL to at least make suitable modifications to allow BT India to supply & deliver the propulsion equipments locally.	PQ condition prevails. Refer Addendum-16.
9	Addendum No.6; Section III. Qualification Criteria and Requirements: 4.2(c) Specific Experience – Propulsion System	Propulsion equipment and Auxiliary Converter/Inverter shall have been supplied for more than 300 metro (i.e. MRT, LRT, sub- urban railway or high speed railways) cars, which have been in revenue operation for at least five (5) years against minimum five (5) different Contracts in the metros of at least one country other than the country of manufacture or in India.	We request that the clause be please modified as below: Propulsion equipment and Auxiliary Converter/Inverter shall have been supplied for more than 300 metro (i.e. MRT, LRT, sub- urban railway or high speed railways) cars, which have been in revenue operation for at least five (5) three (3) years against minimum five (5) three (3) different Contracts in the metros of at least one country other than the country of manufacture or in India.	PQ condition prevails. Refer Addendum-16.

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10	Section III. Qualification Criteria and Requirements Page QCR-9		<p>To ensure the maintenance work can be smoothly implemented, in the part of "Qualification Criteria and Requirements", it is kindly suggested to add the following as No. 4.2(d):</p> <p>No: 4.2(d) Factor: Specific experience - maintenance service Requirement: A minimum number of two similar rolling stock maintenance service contracts that have been satisfactorily and substantially implemented as a prime contractor (single entity or JV member) . One out of above must be in at least one country other than the country of manufacture or in India for more than 3 years. Single Entity: Must meet requirement All Parties Combined: Must meet requirement Each Member: N/A One Member: N/A Submission requirements: Form EXP - 4.2(d)</p>	PQ conditions prevail.
11	Section III, Qualification Criteria and Requirements Page QCR-9, Notes for applicant	<p><u>Notes for the applicant</u> (iv) For the contracts under which the Applicant participated as JV, only the Applicant share, by value, shall be considered to meet this requirement. (v) Only the actual execution of the Applicant or its sub-contractor shall be countable for the evaluation.</p>	<p>We opine that there is an ambiguity between Sl. No (iv) & (v).</p> <p>Our understanding is that, notwithstanding the actual scope of work performed by the consortium member in a certain contract, such a member can gain the eligibility for the entire scope of work (viz, design, Manufacture, Interface, Testing and Commissioning) of the contract, but limited to he member of cars arrived according to its share by value.</p> <p>Kindly confirm.</p>	<p>There is no ambiguity between foot note Sl. No (iv) & (v). Both footnotes are not applicable for the same requirement. Footnote at Sr. No. (iv) is applicable for the "Specific Experience – Delivery Record and Operational Performance" mentioned at Sr. No. 4.2 (b), whereas footnote at Sr. No. (v) is applicable for the "Specific Experience – Propulsion System" mentioned at Sr. No. 4.2(c).</p> <p>PQ condition Prevail.</p>
12	Section IV, AF-14 (Banking Format)	AF-14 Format to be submitted with Form FIN 3.3 (Liquidate Position)	Kindly accept bank's own format as suggested in our Clarification Set 2 dated 22nd December 2015. This has been accepted in earlier tenders as its difficult for banks to accept the stated format as in AF 14.	AF-14 format shall be used. Any other format is not permitted. PQ condition prevails. Refer Addendum-16.

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13	Section IV, AF-14	Bank Letter	<p>Banks can issue Reference Letter and confirm Applicant's current position of credit line or overdraft, but no bank can commit or guarantee Applicant's future position of credit line or overdraft, since it depends on various factors and uncontrollable by banks. Under these circumstances we would like to request Employer to replace the 4th and 5th paragraph of Bank Letter Format as follows;</p> <p>Replace : <i>"In this connection, we shall provide necessary Working Capital support i.e. Overdraft to the extent of {Rs. Amount i.e. Rs.XXX crores} as per terms applicable for such limits within the consortium. The above Credit facility proposed until completion of Contract to be extended to the bidder shall be subject to due diligence and approvals from our sanctioning authorities."</i></p> <p>With : <i>"This letter shall not be construed as a commitment, guarantee nor warranty, or otherwise to have any legally binding effect to our bank."</i></p> <p>In addition, the definition of the term mentioned in the following sentence of third paragraph is not clear, and Banks cannot figure out the amount. Therefore, we would like Employer to delete this sentence. <i>"The company is enjoying total Working Capital limits i.e. Cash Credit limit of {Rs. Amount i.e. Rs. XXX corres} and the Guarantee / Letters of Credit Limit of {Rs. Amount i.e Rs. XXX corres} from Banking System under the system arrangement.</i></p> <p>Sample of our modified format is as per the attached, which please confirm to allow Applicant to use.</p>	<p>AF-14 format shall be used by the bank.</p> <p>PQ condition prevails. Refer Addendum-16.</p>												
14	Section IV Application Forms (as amended by Amendment No. 6)	Form FIN-3.3 AF-13	<p>Amendment to Form FIN 3.3 added the sentence "if the source of the exchange rate for the Bidder's proposed currency cannot be found in the Reserve Bank of India reference rate (foreign currency), then with the Employer's concurrence, the rate in the web site; www.xe.com may be used."</p> <p>Pursuant to this article, the Applicant seeks the concurrence of the Employer to use the rates available in the website www.xe.com for the following currencies:</p> <ul style="list-style-type: none"> • CNY to USD • JPY to USD (for years not available in the reserve Bank of India website) • KRW to USD • SGD to USD • TWD to USD 	<p>Noted. Concurred.</p> <p>Refer Addendum-16.</p>												
	Section IV. Application Forms,		<p>In the Section IV. Application Forms, it is kindly suggested to add the following as Form EXP - 4.2(d) for the maintenance experience :</p> <p>Form EXP - 4.2(d) Specific experience-maintenance service [The following table shall be filled in for the Applicant and for each member of a JV] Date: [insert day, month, year] Applicant's Legal Name: [insert full name] Applicant's Party Legal Name: [insert full name] IFP No.: MM3-CBS-RS Page [insert page number] of [insert total number] pages [Identify contracts that demonstrate maintenance work pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.2(d). List contracts chronologically, according to their commencement (starting) dates.]</p> <table border="1"> <thead> <tr> <th colspan="4">Specific experience-maintenance service</th> </tr> <tr> <th>Starting Year</th> <th>Ending Year</th> <th>Contract Identification</th> <th>Role of Applicant</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Specific experience-maintenance service				Starting Year	Ending Year	Contract Identification	Role of Applicant					<p>PQ conditions prevail.</p>
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15			[indicate year]	[indicate year]	Contract name: [insert full name] Brief description of the Works performed by the Applicant: [describe Works performed briefly] Amount of contract: [insert amount in currency, mention currency used, exchange rate and USD equivalent*] Name of Employer: [indicate full name] Address: [indicate street/number/town or city/country]	[insert "Prime Contractor (single entity or JV member)" or "Subcontractor" or "Management Contractor"]	
* Refer to ITA 13.2 for date and source of exchange rate.							
16	Section VI. Scope of Works 1. Description of the Works item A.ii	The Comprehensive Maintenance for the "Propulsion System including Train Control" for tentatively 900,000 km, or 5 years, whichever is later i.e. up to the completion of first major periodic overhaul excluding DLP period.	In order to make a better operation, it is kindly requested to amend the clause as follows: The Comprehensive Maintenance for the rolling stock for tentatively 900,000 km, or 5 years, whichever is later i.e. up to the completion of first major periodic overhaul excluding DLP period.				Refer Sr. No. 17, Addendum-16 for revised requirements pertaining to Comprehensive Maintenance Services.
17	Addendum 8	"The deadline for Application submission is: Date: 15th September,2016" Time: 3:00 p.m."	For the adequate assessment of the queries and documents preparation, a 2 months extension for the Applicant Due date is kindly requested, which will be December 18. 2016				Refer Addendum - 15
18	Addendum 5	"The deadline for Application submission is: Date: 28th Jul, 2016 Time: 3:00 p.m."	Referencewe wish to request and seek extension of Application Submission due Date from 28 July to 2016 to 30 September 2016, so that Applicants can prepare appropriate Application Document in compliance with requirements added through Addendum No. 6				Refer Addendum - 15
19	Addendum 5	"The deadline for Application submission is: Date: 28th Jul, 2016 Time: 3:00 p.m."	With reference.....August holidays. Therefore, we request you to extend the PQ submission date by 2 months from the date of PQ submission 28th July, 2016 to 28th September, 2016				Refer Addendum - 15
20	Addendum 5	"The deadline for Application submission is: Date: 28th Jul, 2016 Time: 3:00 p.m."	With reference.....In order to prepare all the documents including notarisation required, we would need some more time and shall request you to kindly extend the bid submission time by one month from the present date of submission				Refer Addendum - 15
21	Deadline for submission of the applications: Addendum No. -5, Sl. No. 1	"The deadline for Application submission is: Date: 28th Jul, 2016 Time: 3:00 p.m."	Addendum no. 6 was received on 11th July 2016 and we need some more time to review/ analyze the documents and decide upon the bid submission strategy. Hence, request to extend the deadline for application submission by at least 04 weeks. Kindly consider.				Refer Addendum - 15

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22	Addendum No. 7	"The deadline for Application submission is: Date: 15th September,2016" Time: 3:00 p.m."	Because of the complexity of the requirement pertaining to documents to be submitted as part of our application for pre-qualification and the summer break in Europe, we would need additional 4 weeks to prepare. We request you to kindly provide an additional 4 weeks for submission.	Refer Addendum - 15
23	Addendum 5	"The deadline for Application submission is: Date: 28th Jul, 2016 Time: 3:00 p.m."	You would appreciate that we received replies to our clarification on 11th July 16 along with Addendum 6. In addition, the Addendum 6 specifies additional requirement of customer certificates of supply records used to satisfy the Eligibility & Qualification criteria. Based on the above, we request you to provide us at least 8 weeks time for RFQ submission from the date of release of Addendum 6. The RFQ submission date may please be revised to mid September 2016.	Refer Addendum - 15
24	Section III, Qualification Criteria & Requirements QCR-5	3.1 Financial Performance	"Regarding the current soundness of Applicant's financial position, bidder understand that the last financial year's soundness of the Applicant's financial position and net worth is required for this tender."	As the minimum requirement, an Applicant's each year net worth for last five years should be positive. PQ Conditions prevail.