

**NATIONAL HIGHWAYS & INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.**

**Subject:** Consultancy Services for Preparation of Detailed Project Report and Providing Pre-Construction activities for Construction of Highway Tunnel including Approaches across Shinkun La, Tanglang La & Lachalung La in the Union Territory of Ladakh.

Pre-Bid Queries Replies-2				
S.N.	Clause	Description	Query	Reply
1.	Clause 1.4 of Lol Page 5  and  Clause 1.8 of SCC Page 188  Amendment No. 1 Sr. No. 11	The consultants shall submit proposals either in sole capacity or in JV and/or in Association. Joint Venture shall not have more than two firms. In addition to this the Applicant may include Associates having experience in new technologies as AEM Survey & Directional Coring (who shall fulfil at least 100% of eligibility requirement under Sr. No. B or C of Minimum Eligibility requirements of Data Sheet). However, the Associate(s) cannot be common for 2 or more bidders. Any entity which has been barred by the Ministry of Road Transport and Highways (MORTH) or its implementing agencies for the works of Expressways, National Highways, ISC and EI Works and the bar subsists as on the date of application, would not	We kindly ask you to consider that in case of association four members will be permitted, i.e. One lead, two general local associates and one associate having experience with either directional coring or AEM. Main endeavour of this is to combine international tunnelling expertise with local surveying, investigation and environmental / LA expertise. Furthermore, this would also allow to introduce a local subsidiary of an international firm for simplifying payment processes.	It is clarified that applicant can submit proposal either in sole capacity or in JV and may include one associate with them (if they wish to). In addition to above, the Applicant may include one Associate having experience in new technologies as AEM Survey& Directional Coring (who shall fulfil at least 100% of eligibility requirement under Sr. No. B or C of Minimum Eligibility requirements of Data Sheet). However, the Associate(s) cannot be common for 2 or more bidders.  (so the combination can be Sole/JV + Associate +Associate with experience in new technologies)



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		be eligible to submit the bid, either individually or as a member of a Joint Venture. The consultant may bid for any number of tunnel package(s); accordingly they must fill Form II, showing for which package they are bidding.		
2.	S.No. 62 of Pre-Bid Replies	For a foreign company, PoA duly notarized in Parent country and apostilled by Authorised agencies is acceptable	Since 16 March 2020 there is a lockdown in Austria like in most parts of the world. As a consequence official duty offices and courts are closed or only work with very limited duty hours and only offer life essential services. Therefore, we request you to allow to submit the POA on company letterhead along with a self-declaration that the apostilled POA will be submitted at a later (e.g at time of award, LoA) stage as soon as possible.	Please refer Amendment 2
3.	Clause 7.2 of SCC	An amount equivalent to 10% of the contract value shall be retained at the end of the contract for accuracy of design and quantities submitted and the same will be released after the completion of civil contract works or after 3 years from completion of	Considering the long period (3 years after project completion) and the availability of a performance security (for three years beyond the completion date) financing cost of the BG and retention money need to be considered. Considering the above and to	As per RFP



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		consultancy services, whichever is earlier. The retention money will however be released by the Client on substitution by Bank Guarantee of the same amount valid up to the period as above.	lower such financing cost, we ask for reduction of the retention money to 5%.	
4.	Clause 6 of Lol Page 16  And Clause 2.1 (b) of SCC	The consultant will furnish within 15 days of the issue of Letter of Acceptance (LOA), an unconditional Bank Guarantee from a Nationalised Bank, IDBI or ICICI/ICICI Bank/Foreign Bank/EXIM Bank / Any Scheduled Commercial Bank approved by RBI having a net worth of not less than 500 Crore as per latest Annual Report of the Bank. In the case of a Foreign Bank (issued by a Branch in India) the net worth in respect of Indian operations shall only be taken into account. In case of Foreign Bank, the BG issued by Foreign Bank should be counter guaranteed by any Nationalised Bank in India. In case of JV, the BG shall be furnished on behalf of the JV or by any	As per S.N. 68 of the Replies to Pre-Bid Queries, a reduction of performance security seems envisaged but has not been included in the amendment I.  Considering the nature of works and the expected project value, we kindly ask for reduction of the performance security to a reasonable level, e.g. 2.5%. In case of a smaller reduction (e.g to 5%) we kindly ask that splitting the BG into design and investigation part is considered.	As per RFP



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		member of the JVs for an amount equivalent to 10 % of the total contract value to be received by him towards Performance Security valid for a period of three years beyond the date of completion of services, or end of civil works contract, whichever earlier.		
5.	Bid Due Date	Deadline of Submission of Bids (online) is 28.04.2020	Lockdown in Austria is extended until 30th April and in India until 3rd March due to the current pandemic situation due to CoVid-19 as is in most countries around the world. Considering this, we request you to kindly extend the bid due date by a minimum of three weeks	Please refer Amendment 2
6.			The MoU's and teaming agreements shall be signed and stamped in physical by the JV partners and the notarization of the documents as per the RFP's requirements which is very unlikely in view imposed lockdown. In view of that, it will be impossible to submit the soft copies of the technical and financial proposal on 28 April 2020 which is present last date of submission of proposal, and	Please refer Amendment 2

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			therefore, we humbly request you to kindly extend the last date of submission to 20 May 2020.	
7.			<p>The most common problem we are facing is the arrangement of Stamp papers and notarization of those with the concerned government authorities as presently these departments are providing only essential services with very limited staff.</p> <p>Under the present scenario, and as per directives received from the Government of India, we request you to treat this disruption as a natural calamity and extend the due date till May 30, 2020 (as per the current notification of GOI).</p>	Please refer Amendment 2
8.	Cl. 1.8.2, Pg. 6	In Case of Joint Venture of firms, the proposal shall be accompanied by a certified copy of legally binding Memorandum of Understanding (MOU) on a stamp paper of Rs.100, signed by all firms to the joint venture confirming the following therein	<p>In the current scenario of ongoing lockdown situation in country, it shall not be possible for firms to get the MOU on stamp paper and notarized and also, get it signed mutually in the presence of authorized signatory of the JV firms.</p> <p>We request you to kindly relax the criteria or extend the bid submission date by at least 1</p>	Please refer Amendment 2.



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			month.	
9.	S.No. 62 of Pre-Bid Replies	For a foreign company, PoA duly notarized in Parent country and apostilled by Authorised agencies is acceptable.	Since, from mid of March lockdown is ongoing in most parts of the world and all the government offices are closed and it is hard to get the <b>Apostile</b> done for most of the firms. Therefore, we request you to kindly allow the International firms to submit the POA on their respective letterhead wherever <b>Apostile</b> is not available with the self-declaration that the <b>Apostiled</b> POA shall be submitted before the issue of LOA, in case the contract is awarded to the firm.	Please refer Amendment 2.
10.	Bid Due Date	Deadline of Submission of Bids (online) is 28.04.2020	We request you to kindly <b>extend</b> the bid due date by <b>atleast 1 month</b> due to the current pandemic situation due to CoVid-19 across the globe.	Please refer Amendment 2
11.		As you might be aware, there are no Indian firms with experience in Horizontal Directional Coring (HDC). We had established contact with two firms abroad, but both of them have refused to be a part of our proposal as a JV or even as an Associate partner	With the drilling and HDC firms not willing to take responsibility for drilling work, the DPR firm is bound to fail in these circumstances. Kindly remove HDC as a scope item, unless NHIDCL is ready to extend (without penalty) the timelines for DPR preparation.	As per RFP



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12.		Even as a sub-consultant for HDC works, they are only ready to provide their HDC equipment and technicians, with drilling being done by a local firm. However, local drilling firms are neither willing to work in this region, nor experienced/ capable of drilling to the depths envisaged by NHIDCL	Also considering the dearth of AEM, HDC and Drilling firms willing to work in this location, please allow AEM, HDC and Drilling firms to associate with more than one DPR Firm for the proposal".	As per clarification provided against Ser No 1 above.
13.		HDC works cannot be completed even within two seasons (i.e., 30 months - if the work is awarded by June 01, 2020). Hence the DPR completion timelines will have to be extended We are unable to locate one drilling rig, in case all three packages under this assignment are awarded to one DPR consultant, how are they going to attempt drilling at multiple locations?	Also considering the existing lockdown situation, it is extremely difficult for us and our International office to put together the documents for this proposal. India is in lockdown (and our Headquarters abroad also went into a lockdown) almost since the day of the Pre-bid meeting, it is not possible to find translators, notaries and apostile agencies to prepare documents for this Proposal. We therefore request extension in submission date till 15 days from lifting of lockdown (i.e., May 18 2020)	Please refer Amendment 2.
14.	Clause No.1.4 of LOI (Page No. 5)	The consultants shall submit proposals either in sole capacity or in JV or in Association. Joint Ventures shall	You will appreciate the fact that AEM Survey / Directional Coring being a highly specialized work is done by a very few specialized	As per RFP



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	and  Point No. 1 of Amendment 1  (Page No. 7)	not have more than two firms.  The consultants shall submit proposals either in sole capacity or in JV and/or in Association. Joint Venture shall not have more than two firms. In addition to this the Applicant may include Associates having experience in new technologies as AEM Survey & Directional Coring (who shall fulfil at least 100% of eligibility requirement under Sr. No. B or C of Minimum Eligibility requirements of Data Sheet). However, the Associate(s) cannot be common for 2 or more bidders. Any entity which has been barred by the Ministry of Road Transport and Highways (MORTH) or its..... which package they are bidding.	agencies/ firms across world may be limited to 2 firms or so. Practically, it is not possible for consultants to have exclusive association with such specialized/firm agencies.  Therefore, in order to ensure healthy competition & competitive price, it is requested that requirement of exclusive association for AEM/ Directional Coring may be removed.	
15.		General Scope of Work	After discussion with specialized agencies/firm providing Vertical drilling services, we understand that conducting directional core	In case the work of directional coring is not completed in coming season for Shinkula tunnel, Draft DPR based on available





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			<p>drilling in this region would be an extremely challenging task as weather is quite unpredictable in this region and so, weather will define working hours/days.</p> <p>Also, Directional core drilling is a very slow process and so, not more than 300-400 m vertical drilling may be done in one season. Given the magnitude of work, minimum 3 working seasons would be required and therefore, it seems this activity will take around 36 Months' or so. On the other side, the DPR work can be completed in 12 months.</p> <p>In line with aforesaid, we understand that these are two separate set of works and so, separate tender notice i.e one for "Vertical Drilling &amp; Directional Coring" and another for DPR services may be invited instead of clubbing these two services in a single tender. Kindly consider.</p>	<p>investigation results must be submitted within the contractual time period and Final DPR after completing the directional coring.</p>
16.	Clause no. 8 of NIT	Submission Date: 28th April 2020	Given the uncertainty due to COVID-19; it is getting difficult to get rates for survey and investigation and so, preparation	Please refer Amendment 2



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			of proposal. Therefore, it is requested that a time extension of 21 days from current date of submission may be provided. Kindly consider.	
17.	Clause 3, Page 30 of 214	Scope of Services- Tunnel	<p>The Consultants have noticed that the major part of the scope of work is the "Directional Coring for Geological/Geotechnical investigation". We believe the project envisages multiple planned drill holes or accurate planned trajectories where Directional Core drilling is the efficient solution since, this method allows deviation of the borehole path and/or multiple branches from a parent hole, saving the cost, effort and uncertainty involved in multiple single holes.</p> <p>We would like to mention that this kind of technology and its expertise is very rare and very few firms across the world possess such knowledge and experience especially at these altitudes as this is mostly used for Oil rigs and deep sea excavations in this region.</p>	As per RFP



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			<p>Also, these investigations are carried out by specialized equipments with advanced performance, high operation efficiency. Generally, such investigations are carried out by domain specialized agencies with and the costs are significant as it involves import of equipment, custom duties, transportation costs, maintenance costs and many such costs.</p> <p>The Consultants are not equipped with such machineries and not oriented to bear the financial implications and capital investments.</p> <p>Therefore, considering the payment schedule give in the RFP and also massive capital cost involved in such type of investigations, it is suggested that the Client may directly undertake such investigations through separate agency/agencies and provide the data and results obtained from investigations to the successful Consultants for carrying out the study. This may be a more evolved way of ensuring quality of the project as a instead of a Consultant suggesting an</p>	



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			agency with no prior experience, it would be better if NHIDCL invites tender for such works separately. Kindly consider and confirm.	
18.	Additional Point	Extension of Time	<p>We would like to submit that for past few months, the deadly disease 'Coronavirus (COVID-19)' has spread across the globe and is on the rise due to which there have been restricted movements of the staff and asked to stay at home by the Government of India till 3 May 2020. Most companies have braced for possible closure of business for weeks or even for months owing to the Coronavirus outbreak.</p> <p>Therefore, considering the gravity of the current country wide situation and ban on interstate travel in the country, the Consultants earnestly request you to kindly accord at least one and half month extension of proposal submission. This will enable the Consultants to undertake the site visit to obtain first-hand information on the assignment, on the local conditions, and will enable the consultants are to have</p>	Please refer Amendment 2



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			<p>a discussion with local State PWDs, BRO, SASE before submitting a comprehensive proposal. This will also allow the Consultants to get familiarize themselves with local and site conditions which can be taken into consideration while preparing the Proposal.</p> <p>Keeping in view the above, we request you to kindly intimate the revised date of submission of Proposal.</p>	

