

Clarifications No. 1 Dated 14-12-2022 to Bidders Queries

RFP No. 428 Dated 29-11-2022.

Request for Proposal for Empanelment of Design Engineering Consultant for Hydro Projects

(This Pre-bid Clarifications shall form part of the Bid Document and shall supersede the corresponding stipulations of the Bid Document, wherever these are at variance.)

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
1	Sec – II, Cl. 1.2.3	1.2.3 Period of Empanelment: The Qualified bidders shall be empaneled for a period of 1 (one) year which may be extended as per necessity and subject to satisfactory performance of the Consultants.	Is this empanelment will be extended after the initial period of 1 (one) year or fresh process will be initialized.	The Qualified bidders shall be empaneled for a period of 1 (one) year which may be extended as per necessity, subject to satisfactory performance of the Consultants or fresh tender for Empanelment of Design Engineering Consultant may also be initiated as per requirement.
2	Sec – II, Cl. 4.4.1.2	Table- 2: Evaluation Criteria for Experience of consulting firms (Maximum 20 marks)	We request you to kindly update the max. marks sum up to 10 marks per each criteria.	Bid Stipulations shall prevail.
3	Sec – II, Cl. 4.4.1.2	1. Completion of Detailed Project Report of hydro Electric Project within the last fifteen years	We would like to state that, for the assignments outside India, Detailed Project Report / similar assignments named as "Pre-Feasibility Report (PFR) or Feasibility Study Report (FSR). These scope covers the detailed surveys, investigations, hydrological and power potential studies as well as DPR level designs etc. Therefore, we request you to kindly include the term "equivalent" and the modified clause is as below: "Completion of Detailed Project Report or equivalent of hydro	Agreed. Relevant Clause modified as: Completion of Detailed Project Report or equivalent of Hydro Electric Project/Pump Storage Project within the last fifteen years. The modified Clause is enclosed herewith at Annexure-I.

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification						
4	Sec – II, Cl. 4.4.1.2	2 Construction stage design of one Hydroelectric project/ Pump Storage Project/Water Resource Project within the last fifteen years - Maximum 10 marks a) ≥ 400 MW - 4.0 for one project b) ≥100 MW and less than 400 MW - 2.5 for one project c) ≥50 MW and less than 100 MW - 2.0 for one project	Electric Project / Pump Storage Project within the last fifteen years" For Construction stage design, allocation of the marks shall be evaluated based on the design of project components instead of the project installed capacity. Therefore, we suggest the following suitable criteria for your review and incorporation: <table><tr><th>Criteria</th><th>Maximum Marks</th></tr><tr><td>Construction stage design of following components within the last fifteen years</td><td>Maximum 10 marks</td></tr><tr><td>Experience of construction stage design of one Hydroelectric project/ Water Resource Project which is completed or substantially completed having either of concrete gravity dam height equal to or greater than 30 m (from riverbed level) with orifice type (low level) spillway or</td><td>4.0 for one project</td></tr></table>	Criteria	Maximum Marks	Construction stage design of following components within the last fifteen years	Maximum 10 marks	Experience of construction stage design of one Hydroelectric project/ Water Resource Project which is completed or substantially completed having either of concrete gravity dam height equal to or greater than 30 m (from riverbed level) with orifice type (low level) spillway or	4.0 for one project	Bid stipulation shall prevail.
Criteria	Maximum Marks									
Construction stage design of following components within the last fifteen years	Maximum 10 marks									
Experience of construction stage design of one Hydroelectric project/ Water Resource Project which is completed or substantially completed having either of concrete gravity dam height equal to or greater than 30 m (from riverbed level) with orifice type (low level) spillway or	4.0 for one project									

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
			Concrete Faced Rock fill dam (CFRD) of height equal to or greater than 30 m. Experience of construction stage design of one hydroelectric project which is completed or substantially completed having water conveying tunnel of length equal to or greater than 5km. Experience of construction stage design of one hydroelectric project, which is completed or substantially completed having underground powerhouse with minimum width of 16m. 3.0 for one project 2.0 for one project Kindly accept.	
5	Data Sheet -5	2 Construction stage design of one Hydroelectric project/ Pump Storage Project/Water Resource Project within the last fifteen years a) ≥ 400 MW - 4.0 for one project	In line with our suggestion above, we request you to kindly remove the requirement stated in the sl.no. 2 and update the data sheet-5.	Bid stipulation shall prevail.

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
		b) ≥ 100 MW and less than 400 MW - 2.5 for one project c) ≥ 50 MW and less than 100 MW - 2.0 for one project 3 - Construction stage design of following components within the last fifteen years a) Experience of completion of Detailed Project Report of one hydroelectric project of at least 50 MW installed capacity		
6	Data Sheet -5		We presume that there is an error i.e., "Construction stage Design" instead of "Detailed Project Report". Please confirm. Based on our understanding, we have updated the clause as below: "Experience of completion of 'Construction stage Design' of one hydroelectric project of at least 50 MW installed capacity"	Modified Data Sheet is enclosed herewith in Annexure-II
7	Data Sheet -8 and 13	DATA SHEET 8: Information regarding failure and reasons thereof that occurred in performing services in the projects where the firm was/ is engaged DATA SHEET 13: Details of existing commitments and on-going assignment.	These data sheets generally applicable during the bid / proposal stage. For data sheet -13, the Client to assess the "Available Bid Capacity" of the bidder. At this stage of empanelment process which has no significance. Therefore, this data sheet may be deleted.	Bid stipulation shall prevail
8	Clause 4.4.1.5 No. (a), Page 27	To submit their method statement and all other data in the form and order indicated	We Understand this Method Statement, specific to Assignment is required to be submitted at RfP Stage by Empanelled bidders. Kindly Confirm	All the required information are to be furnished as per the Section-II: Instruction to the bidders and Section-IV: Tender Forms and Data Sheet of the bid document in RFP stage.
9	Clause 5, Page 31	Force Majeure	Request to add 'Pandemic' in the list of Force Majeure events	Bid stipulation shall prevail,

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
10	Clause 12, Page 35	Indemnity	Request to confirm that the first paragraph "Firm shall agree to indemnify and keep NEEPCO indemnified at all times from and against all actions, claims, demands, proceedings, liabilities or judgements Collectively "Claim") and any and all losses, damages, in or in relation to the Contract Agreement" refers to "Third Party Liabilities"	Damages/losses under this clause includes Third Party Liabilities.
11	Clause 13, Page 35	Professional Liability	As per prevailing industry practice, request to confirm the PI insurance cover should be equal to 100% of the contract value	Confirmed. PI insurance cover shall be equal to 100 % of the contract value.
12		Parent Holding Company Agreement	In s.no. 5 of parent/holding company agreement format, it is mentioned that the contract shall remain in force till the expiry of Defects Liability Period, request to mention the duration of Defects Liability Period	The duration of defect liability period shall be specified in the TOR of the particular service in RFQ stage.
13	Clause 6.1 & 18, Page 32 & 36	Termination	As per best industry practice, request to add ' Termination by the Consultant ' as mentioned below: "The Consultant may suspend or terminate the Contract if payments are thirty (30) days or more overdue, or the Client or other project participants have delayed or neglected to fulfil their obligations thus preventing the proper execution of the Services by the Consultant and such default has not been corrected within thirty (30) days of the written notice to the Client, or the Client has requested	Bid stipulation shall prevail

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
			to deviate from applicable laws and regulations, professional standards as described in section 8 hereof or the working ethics of the Consultant."	
14	Form F, Page44	Parent / Holding Company Agreement	We understand this Agreement needs to be signed by Parent / Holding Company upon being successful with Employer (NEEPCO). Kindly Confirm	Confirmed. Stipulated at Clause 6 of Section-I : RFP Notice
15	Page 5, Clause 6: Bids by Merged/ Acquired/Sub subsidiary Companies	If the company/ Entity is the subsidiary company of foreign company and applies for the qualification on the unconditional technical and financial strength of the parent/ holding company, the same shall not be considered.	The parent company technical and financial credentials are allowed to use, therefore the highlighted statement is seems incorrect. Request you to kindly confirm	The 2 nd para of clause 6, Section - I of the Bid doc. stands deleted. Please refer to Clause 6, f of Section-I, RFP Notice.
16	Page 24 Clause No. 2 Notes: 2. The Key Experts may be in the following field.	The key experts may be in the following fields: i. Dam Design Expert. ii. Hydraulic structure (Tunnel/ Powerhouse/ Other Structures) Design Expert. iii. Geologist & Geotechnical Expert iv. Hydraulics Design engineer v. Hydrology Expert vi. Structural Design Expert vii. Hydro Mechanical Expert viii. Electromechanical Expert Only experts on the regular pay rolls of the applicant in India or on contract for a period of two years or more shall be considered.	The parent company technical and financial credentials are allowed to use, therefore, request you to kindly consider the Key experts of Parent Company also. Further it is also requested to consider Freelancers for the Key expert.	Not agreeable

Sl. No	Ref. Clause	Provision of Bid document	Queries	Clarification
		Expert on pay roll of Parent Company or on Contract with Parent shall not be considered.		
17.	Clause No. 4.4.(b), A. Evaluation of qualification of key Experts; Notes, bullet points, page No. 25 of RFP	Only Experts on regular pay rolls of the applicant in India or on contract for a period of two years or more shall be considered. Experts on pay roll of Parent Company or on contract with Parent Company shall not be considered. Any expert engaged on short term contract of two years or less shall not be considered. However, an expert working with applicant for more than two years on consecutive contracts of one year each will also be considered. In this case, copy of consecutive contracts for past at least two years, copy of existing contract or an undertaking from KMP or POA holder undertaking that contract will be extended for another at least one year shall be submitted with the proposal.	Since in a company, there is no hold of employees whether they join or leave, we request the department to kindly remove the said conditions to allow maximum and healthy participation of quality bidders and Experts.	Relevant Clauses have been modified as follows: Only experts on the regular pay rolls of the applicant in India or on employment for a period of 1 (one) year or more shall be considered. In this regard, both the expert and the bidder shall give undertaking that he/she shall continue in the assignment for at least 1 (one) year from the date of bid submission. Experts on pay roll of Parent Company or on contract with Parent Company shall not be considered. The modified Clause is enclosed herewith at Annexure-I.
18.	Clause No. 5.2.(i), Page No. 4 of RFP	Technical Qualifying Requirement	We request the department to kindly consider Detailed Design o Balance of Works under Hydro Electric Projects as the qualified assignment	Not agreeable

1. **Clause 5.2 (i) a of Notice for Request for Proposal, Section-I of the Bid document has been modified as given hereunder:**

Experience of completion of Detailed Project Report or equivalent of one hydroelectric project/pump storage project of at least 50 MW installed capacity.

2. **Clause 6 of Notice for Request for Proposal, Section-I of the Bid document has been modified as follows:**

The second para starting with "If the Company/Entity isnot be considered" stands deleted.

3. **Clause 1.2.4, B2, I of Instruction to Bidders, Section-II of the Bid document has been modified as follows:**

"Preparation of PFR and DPR or equivalent of the Hydro projects"

4. **Clause 1.2.4, B3, I of Instruction to Bidders, Section-II of the Bid document has been modified with addition of the following scope:**

c) Details of Balance of Plants for both Electrical & Mechanical Parts.

5. **Clause 4.4.1.2 c) v) b) of Instruction to Bidders, Section-II of the Bid document has been modified as given hereunder:**

(b) **Sub-Criteria for Evaluation of bid for Empanelment as Design Engineering Consultant for Hydro Projects.**

A. Evaluation of qualification of key experts

Table- 1: Evaluation Criteria for Key Experts (Maximum 80 marks)

Level	Criteria	Marks
Key Experts		
1	Post Graduate in Engineering (Civil/Mechanical/Electrical), with Experience $\geq$ 20 years in detailed design and engineering of Hydro Power projects including experience of 07 years in related field. (All the 8 experts can be considered in this level)	10
2	Post Graduate in Engineering (Civil/Mechanical/Electrical), with Experience $\geq$ 20 years in detailed design and engineering of Hydro Power projects including experience of 05 years in related field. (max. 6 experts can be considered upto this level including levels 3)	8
3	Graduate, Experience $\geq$ 20 years in detailed design and engineering of Hydro Power projects including experience of 05 years in related field. (max. 4 experts can be considered in this level)	6

Notes:

1. In case of Levels 1, 2 & 3, if experience in related field is less than 20 years but more than 12 years, the marks shall be awarded on pro-rata basis for the number of

completed years in related field.

Ex. if a post graduate expert has experience of 14 years in detailed design and engineering of Hydro Power projects including 7 years' experience in related field, he will be awarded $(10 \times 14 \times 7 / 7 \times 20) = 7.0$ marks.

2. The key experts may be in the following fields:

- i. Dam Design Expert.
- ii. Hydraulic structure (Tunnel/Power House/Other Structures) Design Expert.
- iii. Geologist & Geotechnical Expert
- iv. Hydraulics Design engineer
- v. Hydrology Expert
- vi. Structural Design Expert
- vii. Hydro Mechanical Expert
- viii. Electro Mechanical Expert

- Only experts on the regular pay rolls of the applicant in India or on employment for a period of 1 (one) year or more shall be considered. In this regard, both the expert and the bidder shall give undertaking that he/she shall continue in the assignment for at least 1 (one) year from the date of bid submission. Experts on pay roll of Parent Company or on contract with Parent Company shall not be considered. A sample format of the undertaking has been enclosed at Annexure- III for reference please.
- If an expert is working in India and has been associated with foreign assignment, the same shall be considered.
- The applicants shall submit details of experts available with them against the specialization/fields indicated above. An expert proposed under one level in a particular field shall not be considered for evaluation against any other level in same field. However, **Dam Design Expert, Hydraulic structure (Tunnel/Power House/Other Structures) Design Expert Geotechnical Expert, Hydrology Expert, Hydraulics Design engineer and Electro Mechanical are mandatorily required.** Any proposal without these six shall be summarily rejected.
- Credentials of each of the proposed experts shall be evaluated based on the evaluation criteria given above in Table-1. The Table lists the maximum marks that will be awarded on meeting the prescribed qualifications and the maximum numbers of experts that will be considered for each of the three levels of qualifications.

B. Experience of consulting firm and firm's capacity

The Applicants shall submit details with regard to the firm's experience during the last fifteen (15) years and its capacity.

These details shall be evaluated based on the criteria provided in Table 2 given below.

Table- 2: Evaluation Criteria for Experience of consulting firms (Maximum 20 marks)

Sl. No	Criteria	Maximum Marks
1	Completion of Detailed Project Report or equivalent of Hydro Electric Project/Pump Storage Project within the last fifteen years	Maximum 10 marks
a)	≥ 400 MW	4.0 for one project

b)	≥100 MW and less than 400 MW	2.5 for one project
c)	≥50 MW and less than 100 MW	2.0 for one project
2	Construction stage design of Hydro Electric Project/ Pump Storage Project/Water Resource Project within the last fifteen years	Maximum 10 marks
a)	≥ 400 MW	4.0 for one project
b)	≥100 MW and less than 400 MW	2.5 for one project
c)	≥50 MW and less than 100 MW	2.0 for one project

Notes:

- (i) The cut-off date for evaluating the experience criteria shall be the last date of submission of proposals.
- (ii) The Applicant shall, solely be liable to the information furnished thereof and should furnish supporting proofs if requested by the Employer.
- (iii) With regard to 'A', self-attested qualification certificates and CV of expert duly certified by its power of attorney holder jointly with Key Managerial Personnel (KMP) of the company i.e. CEO/Managing Director/Company Secretary /Director /CFO/any of the partner in case of partnership firm/any other officer entrusted with substantial powers of the management of the affairs of the Applicant / firm, declaring the data to be true and correct.
- (iv) With regard to 'B', completion and work experience shall be evidenced by the Client's certificate clearly indicating scope of work/services with client reference. Any certificates issued other than said Client shall not be considered for evaluation.
- (v) The specific experience of applicants in rehabilitation / upgrading /maintenance works/ review of detailed design shall not be considered for evaluation.
- (vi) The applicant must submit curricula vitae (CV) of key experts clearly mentioning nationality, qualifications, general experiences and specific experiences. The experience acquired only after Bachelor's degree (or equivalent to Bachelor's degree) in related field of the professionals shall only be counted for evaluation. These details shall be accompanied by a Certificate, to the effect that the information provided in the CVs is true and the experts shall continue in the assignment for a period of at least 1 (one) year issued by the CEO/Chief Executive of the Applicant.
- (vii) If the references are other than in English languages, then the Applicant shall submit its attested English translated copies from the authorized translators.
- (viii) If the company/Entity is the subsidiary company of foreign company and applies for the qualification on the unconditional technical and financial strength of the parent/ holding company, the same shall not be considered.
- (ix) In case of an Applicant/firm, formed after merger and/ or acquisition of other companies/firms, past experience and other antecedents of the merged/ acquired companies/firms will be considered for qualification of such Company/firm provided such Company/firm continues to own the requisite assets and resources of the merged/ acquired companies/firms relevant to the claimed experience
- (x) For conversion of foreign currency to INR for the purpose of Turnover, TT Selling Rate of Exchange at the close of business of the State Bank of India applicable for similar transactions prevailing as on 28th day before the last date of submission of proposals shall be considered.
- (xi) In case of "B", completed, substantially completed or ongoing works shall be considered. Following definitions of substantially completed and ongoing shall apply:
 - a. "Substantially completed project" means the project satisfying any one of the followings conditions
 - (i). that is substantiated by the Client's certificate as not less than 80% completed,



or

- (ii). that is substantiated by the Client's certificate as they are in partial operation with minimum one unit in operation.
- b. In case of ongoing works, the completed work shall be considered for the purpose of qualifying criteria.

The minimum required score for qualification in Bid Evaluation is 70 out of 100. In addition to securing overall qualifying marks, the bidder shall require to secure at least 50% marks in against each sub-heads.

6. Data Sheet no.5 of Tender Forms and Data Sheet , Section-IV of the Bid document

The data sheet no. 5 has been modified and enclosed hereunder in Annexure-II



DATA SHEET 5 - Information about Applicant's Experience and Capacity*(refer clause 4.4 of ITB along with notes)*

Sl. No	Criteria	No. claimed by Applicant (0/1/2)	Name of Project(s)*	Page no. of bid where supporting documents are attached
1	Completion of Detailed Project Report or equivalent of hydro Electric Project/Pump Storage Project within the last fifteen years			
a)	≥ 400 MW			
b)	≥100 MW and less than 400 MW			
c)	≥50 MW and less than 100 MW			
2	Construction stage design of Hydroelectric project/ Pump Storage Project/Water Resource Project within the last fifteen years			
a)	≥ 400 MW			
b)	≥100 MW and less than 400 MW			
c)	≥50 MW and less than 100 MW			
3	Construction stage design of following components within the last fifteen years			
a)	Experience of completion of Construction Stage Design of one hydroelectric project of at least 50 MW installed capacity.			
b)	Experience of construction stage design of one Hydroelectric project/ Water Resource Project which is completed or substantially completed having either of concrete gravity dam having height equal to or greater than 30 m (from river bed level) with			

Sl. No	Criteria	No. claimed by Applicant (0/1/2)	Name of Project(s)*	Page no. of bid where supporting documents are attached
	orifice type (low level) spillway or Concrete Faced Rock fill dam (CFRD) of height equal to or greater than 30 m.			
c)	Experience of construction stage design of one hydroelectric project which is completed or substantially completed having water conveying tunnel of length equal to or greater than 5km.			
d)	Experience of construction stage design of one hydroelectric project, which is completed or substantially completed having underground powerhouse cavern with minimum width of 16m.			

Date

Signatory)

(Signature)
 (Name of Signatory, duly authorised to sign the bid on behalf of the Bidder (In block letters))
 (Designation / Title of
 (Seal of the Bidder)

- *Applicants must specify the name of the Project(s) in this form and provide other details of the assignment in Data Sheet 3, of ITB

PA

UNDERTAKING

To,
The Executive Director,
Contracts & Procurement,
North Eastern Electric Power Corporation Ltd.,
Brookland Compound, Lower New Colony,
Shillong-793003
Meghalaya, India.

This is to certify that Mr. who is an expert in is engaged as a consultant with our company and shall be available for a period of at least 1 (one) year from the date of signing this undertaking, unless the consultant is separated due to reasons of natural separation like death, illness etc.

The CV of Mr. is enclosed herewith.

Place:

Date:

Signatory)

(Authorised

