

Clarification to the Queries of Pre-Bid Meeting held on 09.05.2018 at 11:00 hrs. at BSRDCL HQ. for Bidding of Improvement/Upgradation and Strengthening of SH-58 (BSHP-III/1/SH-58), SH-84 (BSHP-III/2/SH-84 & BSHP-III/3/SH-84), SH-85, SH-82 (BSHP-III/5/SH-82, BSHP-III/6/SH-82 & BSHP-III/7/SH-82) and SH-102 (BSHP-III/8/SH-102 & BSHP-III/9/SH-102) from ADB financing under BSHP-III

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Sr. No	Reference	Package	Clause Description	Query	Reply
1	Volume IV	BSHP-III/1/SH-58	Highway Drawings	1. Plan & Profile, GAD of structures and other drawings provided in Volume IV are not in readable format. Please provide the drawings in readable format.	Hard Copy of Bid document is readable.
2	Section 8 - Particular Conditions of Contract Clause 4.2	BSHP-III/1/SH-58	Performance Security The performance security will be in the form of an unconditional bank guarantee in the amount of 10% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms).	2. We request you to modify the clause as, The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms).	Request is considered and the content of Clause 4.2 under PCC, Sectin-8 is replaced with "The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms). If the institution issuing the security is located outside India, it shall have a correspondent financial institution located in India to make it enforceable. The Performance Security shall be denominated in the currency/ies stated in the bid of the successful bidder."
3	Section 8 - Particular Conditions of Contract Clause 14.2	BSHP-III/1/SH-58	Total Advance Payment 10 (Ten)%, Percentage of the Accepted Contract Amount payable in the currencies and proportions in which the Accepted Contract Amount is payable	3. We request you, in addition to Mobilization advance please provide interest free Plant & Machinery Advance of 5% of Accepted Contract Amount.	No change. As per Bid document
4	Volume II BOQ Item No. 6.08, 7.08, 9.04	BSHP-III/1/SH-58	Providing & Fixing in position thermomechanically treated (TMT) Fe 500 grade HYSD reinforcement bars in foundations, substructures, superstructures etc. complete as per drawings and Technical Specifications Section 1600	4. Are the quantities provided in BOQ includes the laps, chairs etc. quantities or We have to consider it in rate? Kindly clarify.	Quantities provided in BOQ as per clause 1608 of Specifications for Road and Bridge Works (5th Revision) of MORT&H, New Delhi.

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Sr. No	Reference	Package	Clause Description	Query	Reply
5	Volume II BOQ Item No. 10.14	BSHP-III/1/SH-58	Enhancement measures and construction as per type design for well upto required depths and availability of potable water including testing of water as per EMP and direction of Engineer and Technical Specification.	5. Kindly provide drawings & the details of enhancement measures to be taken.	Bidders are advised to visit the site to make the assesment of diameter and depth of the wells falling in the alignment. All such wells shall be relocated as per direction of Engineer-incharge. Depth of well shall also be governed by the properties of soil and available ground water level.
6	Volume II BOQ Item No. 10.15	BSHP-III/1/SH-58	Relocation / Enhancement of the Shrines / temples as per EMP and direction of Engineer	6. Kindly provide detail dimensions & drawings of Shrines / temples.	Bidders are advised to visit the site to make the assesment of the type of the structure, shape etc of the shrines/Temples for relocation and enhancement which are falling in the alignment needs to be relocated/enhanced.
7	General	BSHP-III/1/SH-58	Locations of Structures	7. Please provide locations i.e. Chainages of ROB, Flyover VUP, PUP if any.	Presently there is no provision of ROB,VUP and PUP in SH-58
8	General	BSHP-III/1/SH-58	Detail Project Report	8. We request you to provide Detail Project Report and Geotechnical report	Detail Project Report (DPR) along with Geotechnical report is not included as a part of Bid Document (Sub Clause 4.11 of PCC Section 8 may be referred).
9	Section 8 - Particular Conditions of Contract Clause 14.3(c)	BSHP-III/1/SH-58	Retention Money	9. There should be a clause for refund of Retention Money in tranches upon furnishing a Bank Guarantee.	As per GCC & PCC Clause 14.3 (c) of the bid document.
10	General	BSHP-III/1/SH-58	Royalty	10. We request you, Royalty should be withheld only after 3 months of certification of our bills.	It shall governed by Mining Department, Govt. of Bihar rules/Instruction.
11	General	BSHP-III/1/SH-58	Source & Make of Material	11. Source and Make of material should not be binding on contractor. Contractor should have option to procure the material from any source as per specifications.	Source and Make of material shall conform to the technical specification as provided in volume III of the bid document.
12		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		1. Requested for 2% performance security and 8% Retention money instead of 6%	Regarding performance security : The content of Clause 4.2 under PCC, Section-8 is replaced with "The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms). If the institution issuing the security is located outside India, it shall have a correspondent financial institution located in India to make it enforceable. The Performance Security shall be denominated in the currency/ies stated in the bid of the successful bidder."

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Sr. No	Reference	Package	Clause Description	Query	Reply
13		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		2. What is the provision of Variation of rate of the Items when its Exceeds quantities provided in BOQ for the same.	The content under Clause 12.3(a) (i) is replaced with "New rate or price shall be applicable for the quantity of work exceeding beyond 125% of the BOQ quantity."
14		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		1. Please confirm if the land has been fully acquired by the Principal Employer	Marginal Land Acquisition is required which are under process. Road section shall be handed over as per annexure-1, part-A (Particular Conditions of Contract), Section-8 of Bid document.
15		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		2. In case of JV how much % of qualification is required for 2nd JV Partner.	As per the Bid document
16		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85		3. Escalation clause in case of bitumen steel & cement	As per Sub Clause 13.8 of PCC of the Bid document.
17		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		1. Request to permit submission of Performance Security is 2.5% / 5% of Contract value as taking by other departments.	Regarding performance security : The content of Clause 4.2 under PCC, Section-8 is replaced with "The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms). If the institution issuing the security is located outside India, it shall have a correspondent financial institution located in India to make it enforceable. The Performance Security shall be denominated in the currency/ies stated in the bid of the successful bidder."

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18		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		2. Request to consider release of Mobilization Advance in single instalment to expedites mobilisation of men and machinery to project site and for completion of works with in scheduled completion period	As per the Bid document
19		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		3. Request to provide recent Hon'ble High Court order copy on seigniorage charges.	Appropriate Authority may be requested.
20		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		4. Request to provide DPR copy for our internal reference.	As per Subclause 4.11 of PCC (DPR is not included as part of the contract) of the bid document
21		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		5. Request to consider undertaking by Contractor stating that "Submission of Royalty Challans verification/Certification letter of Mining department to BSRDCL within period of 3 months and till that period not to withhold materials Royalty charges from Running Account Bills." This request has put by all contractors, who were attended the Pre bid meeting for better project cash flows and to avoid dubie investment.	It shall be governed by Mining Deptt, Govt. of Bihar rules/instructios.



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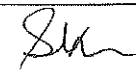
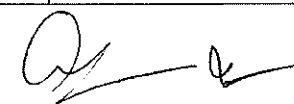

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22		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		6. Request to clarify the present status of Forest Clearances, Environmental Clearances and Land Acquisition Status.	1. Forest Clearance Status Permission for Forest Clearance is under process. 2. Land Acquisition Status Land acquisition is under process. 3. Environmental Clearance Environmental Clearance is not required
23		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		7. Request to provide list of approved mining quarries permitted by Bihar State Government.	As per sub clause 24 of PCC, Section-8 of Bid document.
24	Clause no. 4.4 of ITB	BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		8. A firm shall not be eligible to participate in any procurement activities under an ADB-financed, administered, or supported project while under temporary suspension or debarment by ADB pursuant to its Anticorruption Policy (see ITB 3), whether such debarment was directly imposed by ADB or enforced by ADB pursuant to the Agreement for Mutual Enforcement of Debarment Decisions. A bid from a temporary suspended or debarred firm will be rejected. clarify.	ITB clause 4.4 of Section 1 shall be applicable.
25	Section 2 : Bid Data Sheet : ITB 19.1	BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		9. A Bid security shall be required, not a Bid Security declaration. The amount and currency of the bid security shall be INR 38.53 Million or an equivalent amount in a freely convertible currency. The Exchange rate to be used in conversion of the Bid Security amount in a freely convertible currency shall be the selling Exchange Rate published by the Reserve bank of India on the date 28 days prior to the date for the deadline for Bid submission (excluding the date of submission). Clarify Bid Security amount will be 1% or 0.5% of the Contract value.	As per ITB clause 19.1, Bid Data sheet, Section 2 of Bid document.

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26		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		10. We request you to allot quarries owned by the government specifically to each package.	As per sub clause 24 of PCC Section-8 of Bid document.
27		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		11. What is the current land acquisition status of the Project Highway?	Land Acquisition wherever required is under process.
28		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		12. What is the status of environmental clearance for the concerned project?	Environmental clearance is not required.
29		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		13. Please provide Copy of Feasibility Report and Geotechnical Investigation Reports.	Feasibility Report and Geotechnical Investigation Reports is not included as a part of bid document as per Sub clause 4.11 of PCC, section 8.

   
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30		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		1. Balance sheet for the financial year 2017-18 is acceptable if we are submitting Audited balance Sheet.	Balance sheet up to Financial Year 2016-17 as per bid document shall only be considered.
31		BSHP-III/2/SH-84 BSHP-III/3/SH-84		1. Presently the Bypass road is encroachment free or not.	Land Acquisition for bypasses is under process.
32		BSHP-III/2/SH-84 BSHP-III/3/SH-84		2. Percentage of credentials as same nature of works.	As per section 3 of Bid document
33		BSHP-III/2/SH-84 BSHP-III/3/SH-84		3. Whether BOQ items is including of GST or Excluding of GST.	As per Sub Clause 21.2 of PCC of the bid document.
34		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		Reduce the qualifying criteria amount Shown of Minimum Average Annual Construction turn-over under column 5, financial resources shown under column 6 and construction experience as mentioned in IFB to 40%	Qualifying criteria as per the Bid document
35		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		1. Section 8/Contract Data indicates the Performance Security to be 10% of the contract price which is the highest among all national clients and a huge deterrent financially for local state players. Request you to kindly reconsider/revise the Performance Security to 5% or Lower of the contract Price. This would help all the players in the utilizing their maximum funds in the execution of their contracts.	Regarding performance security : The content of Clause 4.2 under PCC, Section-8 is replaced with "The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms). If the institution issuing the security is located outside India, it shall have a correspondent financial institution located in India to make it enforceable. The Performance Security shall be denominated in the currency/ies stated in the bid of the successful bidder."

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36		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		2. Financial Turnover eligibility criteria of Average Annual Construction Turnover in Four digit million figures as indicated leaves most of the state players ineligible to participate in these tenders. Ours being a growing state has negligible national level players who have these kind of Average Annual Turnover and hence request you to downsize this requirement as per state agencies.	As per the Bid document
37		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		3. Similarly the Eligibility for Construction Experience/Similar nature of works executed in last 5 years is very steep despite it giving us three options, in view of limited project size of state in the past few years. Request you to kindly reconsider/revise it to an appropriate level considering the size of projects tendered in Bihar in the past 5 years. (preferably maximum of 40%)	As per the Bid document
38		BSHP-III/1/SH-58 BSHP-III/2/SH-84 BSHP-III/3/SH-84 BSHP-III/4/SH-85 BSHP-III/5/SH-82 BSHP-III/6/SH-82 BSHP-III/7/SH-82 BSHP-III/8/SH-102 BSHP-III/9/SH-102		4. As regards to the taxes applicable on Interim Payment Certificates, there is some confusion regarding provision for Goods & Service Tax (GST). As it is a new tax and the tax rate is high, request you to kindly clarify if GST deductible from Contractor's running bills shall be refundable and if yes, to what extent and the frequency of such reimbursements.	As per Sub Clause 21.2 of PCC of Bid document.
39		BSHP-III/7/SH-82		1. There do not have any mention about Estimate cost of the project. Kindly inform what is the estimate cost of the above project, as well as the other 8 packages.	Bidder has to quote the rate for each item of work.
40		BSHP-III/7/SH-82		2. As per clause no. ITB 19.1, you asked an amount of INR 22.91 Million as bid security. But what we assumed that its approximately 2% of estimate cost. If it is so then we request you to kindly reduce the amt. upto 1% of estimated cost, which is normally applied in other civil tenders also.	As per Data Sheet, Section 2 of the Bid document.
41		BSHP-III/7/SH-82		3. As per clause no. ITB 20.2, The bidder shall submit an acceptable authorization within 14 days.....kindly clarify this.	As per ITB 20.2, Section-1 and Data sheet (ITB 20.2), Section-2 of the Bid Document.

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42		BSHP-III/7/SH-82		4. As per clause no. ITB 25.5, The letter of technical bid shall be initialled by three representatives of the Employer attending bid opening Kindly clarify this point in details.	At the time of opening of Technical bid, all technical bids shall be opened in presence of 3 representative of Employer.
43		BSHP-III/7/SH-82		5. As per clause no. ITB 25.10, The letter of price bid and bill of quantities shall be initialled by three representatives of the Employer attending bid opening Kindly clarify this point also in details.	Financial bid shall be opened in presence of 3 representative of Employer.
44		BSHP-III/7/SH-82		6. As per Clause no. 2.2.1 of section-3, all pending litigation and arbitration, if any, shall be treated as resolved against the bidder and so shall in total not represent more than fifty (50) percent of the bidder's net worth calculated as the difference between total assets and total liabilities..... kindly clarify in details.	As per clause 2.2 of Evaluation and Qualification Criteria, Section-3.
45		BSHP-III/7/SH-82		7. As per clause no 2.4.2., Construction Experience in key Activities we just want to know if we have several projects in last 5 years can we take all the projects together for achieve this quantity during last 5 years. For example if we have two projects of earth work in last 5 years one is from f.y. 12-13 to 13-14 and another one is from f.y. 14-15 to 15-16 and to achieve the quantity which you want in your tender, we have take to aqty of these two projects of different years, is it acceptable?-kindly clarify.	Requirement criteria under clause 2.4.2 section-3 clearly says, total quantity executed during the period of 5 years as stipulated in 2.4.1 needs to be complied.
46		BSHP-III/7/SH-82		8. Form FIN-1 : Historical Financial Performance is it require to certify by statutory auditor/any CA or simply last 3 years audited balance sheet can solve the purpose?	Yes, it must be audited by a certified accountant (Chartered Accountant) (Refer Fin-1, Section-4)
47		BSHP-III/7/SH-82		9. Kindly clarify the requirement of 'schedule of Payment Currencies' as mentioned in Section 4- Bidding Forms.	INR for home country contractor. However incase of foreign contractor, foreign currency shall be converted to INR as mentioned in the relevent Bidding Forms under Section-4.
48		BSHP-III/7/SH-82		10. Under Section 6 - 'Employer's Requirements', there do not have mentioned any quantity. Kindly clarify the same.	As per Bid document.

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49		BSHP-III/7/SH-82		11. under Section 6 - 'Equipment Requirements', all the equipments we have to provide as own only or leased or to be procure can also be solve the purpose.	Form EQU for Equipment, Section 4 may be reffered " Details of rental/lease/manufacture agreements to the project specific needs to be submitted with the technical bid.
50		BSHP-III/7/SH-82		12. Is there any maintenance period or defect liability period, kindly clarify in details.	As per Clause 1.1.3.7 of Part-A (Contract Data) of Particular Conditions of Contract , Section-8.
51		BSHP-III/7/SH-82		13. As per clause no. 4.2 of PART-A-Contract Data, of Section 8, particular Conditions of Contract you asked 10% BG as performance security and again as per clause no. 14.3 (c) of the same you will deduct 5% from our running bills. In this context we want to request you to kindly reduce the BG portion and least upto 5%. So that in total it will come 10% (5% BG+5% retention) of the total contract value.	Regarding performance security : The content of Clause 4.2 under PCC, Section-8 is replaced with "The performance security will be in the form of an unconditional bank guarantee in the amount of 5% of the contract price issued by a reputable bank located outside India, or a reputable local bank including scheduled or nationalized banks, in the format included in Section 9 (Contract Forms). If the institution issuing the security is located outside India, it shall have a correspondent financial institution located in India to make it enforceable. The Performance Security shall be denominated in the currency/ies stated in the bid of the successful bidder."
52		BSHP-III/1/SH-58 BSHP-III/8/SH-102		Interested to know that whether OPRMC work will be used in similar nature of work for the tender of package no.-BSHP-III/1/SH-58 or BSHP-III/8/SH-102 invited by you.	OPRMC work i.e. a maintenance contract work shall not be treated as similar nature of work.

