



# BIHAR STATE ROAD DEVELOPMENT CORPORATION LIMITED

(A Govt. of Bihar Undertaking)

Regd. Office: RCD Central Mechanical Workshop Campus, Near Patna Airport, Sheikhpura, Patna-800014

Tel: 0612-2226711, Fax: 0612-2226723, [email-bsrdcltd@gmail.com](mailto:email-bsrdcltd@gmail.com), [www.bsrdcl.bih.nic.in](http://www.bsrdcl.bih.nic.in)

## PRE-BID CLARIFICATION

Request for Qualification (RFQ) document for Operation of Maintenance of SH-70, SH-71 (Package- 1) on OMT Basis in the State of Bihar- reg. Pre-Bid Meeting held on 20.08.2013 at 03:00 p.m. at BSRDCL

Sl. No.	Bidders Queries	BSRDCL Response
1	<p><b>Clause No. as per RFQ</b> <i>Clause no. 2.2.3 (O&amp;M Experience)</i> <b><u>Comment/Clarifications required</u></b> With reference for Qualification(RFQ) Para 2.2.3 "Instruction to applicants", you have desired 5 years or more experience in operation and maintenance (O&amp;M) of category 1 projects specified in clause 3.2.1, which have an aggregate capital cost equal to the estimated project cost. It is requested that this condition may not be made mandatory for qualification &amp; can be kept as desirable.</p>	Refer Addendum-1.
2	<p><b>Clause No. as per RFQ</b> <i>Clause No. 2.2.3 (O&amp;M Experience)</i> <b><u>Comment/Clarifications required</u></b> If any Company will qualify against 'Category-3' then is there any requirement to fulfil the criteria of 'O&amp;M' experience also as per clause no. 2.2.3 of your RFQ?</p>	Refer Addendum-1.
3	<p><b>Clause No. as per RFQ</b> <i>Clause no. 2.2.3 (O&amp;M Experience)</i> <b><u>Comment/Clarifications required</u></b> If we make any consortium then the above mentioned 'O&amp;M' experience is require for both the partners or lead partner only.</p>	Refer Addendum-1.
4	<p><b><u>Comment/Clarifications required</u></b> EXPERIENCE: While experience in construction of road should be mandatory experience of building and other activities should also be considered as total criteria.</p>	Refer Clause 3.2.1 (ii)
5	<p><b><u>Comment/Clarifications required</u></b> NET WORTH: Total net worth value should be made equal to one year maintenance expenditure of a particular road.</p>	As per Clause 2.2.2 (B).



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6	<p><b>Clause No. as per RFQ</b> <i>Clause 2.2.2(A)</i></p> <p><b>Technical Capacity:</b> For demonstrating technical capacity and experience (the “<b>Technical Capacity</b>”), the Applicant shall, over the past 5 (five) financial years preceding the Application Due Date, have:</p> <p>(i). paid for, or received payments for, construction of Eligible Project(s); and/or</p> <p>(ii). paid for development of Eligible Project(s) in Category 1 and/or Category 2 specified in Clause 3.2.1; and/ or</p> <p>(iii). collected and appropriated revenues from Eligible Project(s) in Category 1 and/or Category 2 specified in Clause 3.2.1, such that the sum total of the above is more than Rs. 172.21 crores (Rupees One hundred seventy two crores and twenty one lakhs only)(the “<b>Threshold Technical Capacity</b>”)</p> <p>Provided that at least one fourth of the Threshold Technical Capacity shall be from the Eligible Projects in Category 1 and/ or Category 3 specified in Clause 3.2.1</p> <p><b><u>Comment/Clarifications required</u></b></p> <p>As this Project includes IT enabled services such as deployment of IT equipment, etc., we request the dept. to allow the bidders with System Integration / e-Governance Project experience on PPP / BOOT / BOMT / BOT/ BOOR model and bidders with O&amp;M Projects experience receiving Govt. payments to bid for this Qualification Stage satisfying this Technical Capacity criterion.</p> <p>Hence, we request the dept. to amend the category 1 and / or Category 2 and include System Integration / e-Governance Projects also in it.</p> <p>Kindly clarify and confirm the same.</p>	<p>(i) As per RFQ.</p> <p>(ii) As per RFQ.</p> <p>(iii) Refer Addendum-1.</p>



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7	<p><b>Clause No. as per RFQ</b> <i>Clause 2.2.2(B)</i></p> <p><b>Financial Capacity:</b> The Applicant shall have a minimum Net Worth (the “<b>Financial Capacity</b>”) of Rs. 21.53 crores (Rupees Twenty one crores and fifty three only) at the close of the preceding financial year.</p> <p>In case of a Consortium, the combined technical capability and net worth of those Members, who have and shall continue to have an equity share of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than:</p> <p>(i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and</p> <p>(ii) 5% (five per cent) of the Total Project Cost specified in the Concession Agreement<sup>1</sup>.</p> <p><sup>1</sup> BSRDCL may, in its discretion, impose further obligations in the Concession Agreement, but such obligation would provide sufficient mobility for partial disinvestment of equity without compromising the interests of the Project.</p> <p><b><u>Comment/Clarifications required</u></b></p> <p>We request the dept. to allow the combined Net worth of the Consortium members to meet this criterion.</p>	<p>As per clause 2.2.2: “In case of a Consortium, the <b>combined</b> technical capability and <b>combined</b> net worth of those Members, who have and shall continue to have an equity share of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and (ii) 5% (five per cent) of the Total Project Cost specified in the Concession Agreement.”</p>



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Sl. No.	Bidders Queries	BSRDCL Response
8	<p><b>Clause No. as per RFQ</b> <i>Clause 2.2.3</i> <b>O&amp;M Experience:</b> The Applicant shall, in the case of a Consortium, include a Member who shall subscribe and continue to hold at least 26% (Twenty Six Percent) of the subscribed and paid up equity of the SPV for a period of 5 (five) years from the date of commercial operation of the Project, and has either by itself or through its Associate, experience of 5 (five) years or more in operation and maintenance (O&amp;M) of Category 1 projects specified in Clause 3.2.1, which have an aggregate capital cost equal to the Estimated Project Cost. In case the Applicant is not a Consortium, it shall be eligible only if it has equivalent experience of its own or through its Associates.</p> <p><b><u>Comment/Clarifications required</u></b> As this project Scope of Work includes Toll Collection, Surveillance System and deployment of other IT equipment also, we request the dept. to allow the bidder who has experience of System Integration / e-Governance Projects in PPP / BOOT / BOMT model as one of the Consortium Partners. Kindly clarify and confirm the same.</p>	Refer Addendum-1.
9	<p><b>Clause No. as per RFQ</b> <i>Clause 3.2.3</i> For a project to qualify as an Eligible Project under Categories 1 and 2:</p> <p>a) It should have been undertaken as a PPP project on BOT, BOLT, BOO, BOOT, OMT or other similar basis for providing its output or services to a public sector entity or for providing non-discriminatory access to users in pursuance of its charter, concession or contract, as the case may be. For the avoidance of doubt, a project which constitutes a natural monopoly such as an airport or port should normally be included in this category even if it is not based on a long-term agreement with a public entity;</p> <p><b><u>Comment/Clarifications required</u></b> We have executed long term performance based maintenance contracts (APRSP) in 4 districts of A.P. Nearly, 539.61 Kms, 7 Roads are being maintained under these 3 packages. The Project period for all these 3 packages is from Jan 2009 to Mar 2014 worth Rs. 100 Cr. which is under O&amp;M basis and funded partially by the World Bank. Hence, we request to accept the O&amp;M project, Construction Projects like laying of roads, construction of bridges, ROB projects also for this criterion.</p>	O&M project of highway sector will be counted in Category-1 if it is in PPP mode otherwise it would be counted in Category-3.



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Sl. No.	Bidders Queries	BSRDCL Response
10	<p>As PPP Projects on BOT, BOLT, BOO, BOOT, OMT or other similar basis are accepted to qualify as an Eligible Project, we presume that Project executed under System Integration / e-Governance is also accepted to meet this criterion.</p> <p>Kindly confirm the same.</p>	As per RFQ.
11	Please clarify about period of Concession Agreement	9 Years
12	<p><b>Clause No. as per RFQ</b></p> <p>Clause No. 1.2.1</p> <p><b><u>Comment/Clarifications required</u></b></p> <p>As per clause no. 1.2.1, BSRDCL expects to announce 6 (six) pre-qualified applicants, please clarify what would be bidding criteria for selecting such number of applicant and on what basis if there are more than 6 (six) applicants and all meet the qualification criteria as mentioned in the respective RFQ's?</p>	Refer Clause 2.2.2, 2.2.3, 3.1 and Section 3. The bidders would be first evaluated on criteria's mentioned in 2.2.2 and 2.2.3 and bidders who meet this criteria would be ranked and subsequently shortlisted according to the method described in Section-3 of the RFQ.
13	<p><b><u>Comment/Clarifications required</u></b></p> <p>In case of a single entity, the applicant should have 5 years or more O&amp;M Experience on its own as per clause no. 2.2.3 of RFQ. In this regard we request you to provide relaxation up to 2 years.</p>	Refer Addendum-1.
14	<p><b><u>Comment/Clarifications required</u></b></p> <p>Please clarify whether all stretches are complete in respect to construction of roads and is the toll being charged to the toll road users?</p>	All stretches are complete in respect to construction of roads and currently no toll is being charged.
15	<p><b><u>Comment/Clarifications required</u></b></p> <p>Please clarify whether the contract will be awarded for toll collection as well as maintenance of roads or will there be any O &amp; M support from your end?</p>	<ol style="list-style-type: none"><li>1. Clause 1.1.3 gives broad scope of work.</li><li>2. Clause 1.2.8 provides provision of O &amp; M support which is referred as "the grant" in Clause 1.2.8.</li><li>3. Clause 1.2.9 entitles concessionaire to collect user fee (toll).</li></ol> <p>Further details would be provided in RFP document.</p>



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16	<p><b><u>Comment/Clarifications required</u></b></p> <p>In order to conduct a smooth survey, we need to know the existing and proposed toll plaza locations on all the State highways and also request to provide a complete chainage for all four projects.</p>	Would be provided at RFP stage. At this stage sufficient time and cooperation would be given to carry out smooth surveys.
17	<p><b><u>Comment/Clarifications required</u></b></p> <p>Please give extension for submission of RFQ for at least 2 weeks.</p>	Refer Corrigendum-2.

- Rest of the terms and conditions remains same as mentioned in the RFQ Document.

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## Addendum-1

Request for Qualification (RFQ) document for Operation of Maintenance of SH-70, SH-71 (Package- 1) on OMT Basis in the State of Bihar is being issued with following amendments:-

Package- 1 : Gaya-Fatehpur-Rajauli Section of SH-70 & Jehanabad-Rajgir-Parwatipur Section of SH-71.		
<b>AMENDMENT - 1</b>		
<b>2.2.2 (A) Technical Capacity: (iii) (Page No. 9-10)</b>	.....such that the sum total of the above is more than Rs.172.21 crores(Rupees One hundred seventy two crores and twenty one lakhs only)(the "Threshold Technical Capacity")	.....such that the sum total of the above is more than the indicative cost (the "Threshold Technical Capacity")
<b>AMENDMENT - 2</b>		
<b>2.2.3 O&amp;M Experience: (Page No.10)</b>	The Applicant shall, in the case of a Consortium, include a Member who shall subscribe and continue to hold at least 26% (Twenty Six Percent) of the subscribed and paid up equity of the SPV for a period of 5 (five) years from the date of commercial operation of the Project, and has either by itself or through its Associate, experience of 5 (five) years or more in operation and maintenance (O&M) of Category 1 projects specified in Clause 3.2.1, which have an aggregate capital cost equal to the Estimated Project Cost. In case the Applicant is not a Consortium, it shall be eligible only if it has equivalent experience of its own or through its Associates.	O&M Experience: The Applicant shall engage an experienced O&M contractor or hire qualified and trained personnel for operation and maintenance of the project in conformity with the provisions of the concession agreement. <b>(Experience Certificate need to be enclosed with the bid)</b>

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## CORRIGENDUM-2

### **Request for Qualification (RFQ) documents for Operation & Maintenance of SH-70, SH-71(Package-1) in the State of Bihar on OMT Basis**

1. The **application due date** for submission for “Request for Qualification (RFQ) for Operation & Maintenance of Package-1 (SH 70 & 71)” has been **extended to 20th September 2013, upto 03.00 PM**. The application would be opened on same day at 03.30 PM. The announcement of shortlisted bidders would be by 07<sup>th</sup> October, 2013.
2. The last date of receiving queries on Addendum and any other clarification is 04<sup>th</sup> September, 2013 and same would be answered latest by 11<sup>th</sup> September, 2013.

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