

REPLY TO CLARIFICATION RAISED BY THE BIDDERS

Name of the tender: Engagement of Consultant for the work of augmentation of firefighting facilities at Berth No. 8 of MPA - Reply to pre-proposal queries

Tender No.: CME / PD / III / 2022

SR. NO.	CLAUSE NO.	PAGE NO.	TENDER CONDITION	BIDDER QUERIES	CLARIFICATIONS
1.	2. 3 (m)	17	<p>Shall obtain necessary approvals on behalf of MPA from various statutory authorities that may be required for commissioning of firefighting system at Oil Berth no.8 of MPA for handling of POL products, Oil, Gas &amp; Chemicals as detailed below; <b>but not limited to:</b></p> <ul style="list-style-type: none"> <li>• Chief Controller of Explosives, Nagpur, Petroleum and Explosives Safety Organization (PESO)</li> <li>• Oil Industry Safety Directorate (OISD)</li> <li>• Goa State Pollution Control Board, Panaji.</li> <li>• Clearance from Ministry of Environment and Forest, New Delhi</li> <li>• Any other approval for Port expansion from time to time</li> </ul>	<p>We request MPA to change the condition. The necessary approvals listed in mentioned clause shall be obtained by contractor, as all the drawings and plans will be prepared by contractor.</p> <p>However consultant will assist the contractor for same scope.</p>	<p>The clause is amended as below:- Project shall be implemented on Design, Supply and Commissioning basis and Contractor shall obtain necessary approvals on behalf of MPA from various statutory authorities that may be required for commissioning of firefighting system at Oil Berth no.8 of MPA for handling of POL products, Oil, Gas &amp; Chemicals as detailed below; <b>but not limited to:</b></p> <ul style="list-style-type: none"> <li>• Chief Controller of Explosives, Nagpur, Petroleum and Explosives Safety Organization (PESO)</li> <li>• Oil Industry Safety Directorate (OISD)</li> <li>• Goa State Pollution Control Board, Panaji.</li> <li>• Any other approval for Port expansion from time to time</li> </ul> <p>However, the Consultant shall provide all the technical assistance and guidance to the Contractor, if required, for obtaining the above approvals by contractor from statutory authorities on behalf of MPA, as per the drawings and plans prepared by contractor and approved by Consultant.</p> <p><b>Consultant to note that Final/Last payment due shall be made upon completion of all services and after handing over the PESO Certificate for Berth no. 8 to MPA.</b></p>
2.	2. 3 (m)	17	Clearance from Ministry of Environment and Forest, New Delhi	Whether to carry out Environmental impact assessment (EIA). Who will carry out the same?	Existing Berth No.8, for handling all liquid cargo was constructed in the year 1976 and the firefighting installation was in place. The entire facility was created prior to 1980. Environment Clearance is not required for upgradation of existing firefighting system. However this is subject to change in Environment Laws.

3.	2.7 sr. no. 10	19	Supervision by the Consultant in coordination with Third Party Agency appointed by MPA, the following works of the firefighting system at Berth no.8 of MPA carried out by the Contractor	Kindly provide duration (Man month basis) for deployment of Key personnel at site before floating contractor tender and for supervision of contractor work after awarding contract to contractor.	<ul style="list-style-type: none"> <li>The duration (Man month basis) for deployment of Key personnel cannot be indicated as of now since preparation of estimate, DPR, etc. is in the scope of the Consultant. Hence Consultant is required to do his own assessment in respect of duration (Man month basis) for deployment of Key personnel.</li> <li>As per the clause no. 2.10, each Key Personnel shall visit Port at least 15 times during the currency of the Consultancy Contract. However, 15 visits for each key personnel indicated above are only for indicative purpose and the Key personnel may be required to visit Port, if required, more number of times for the successful completion of the Project at their own cost as and when required.</li> <li>The Consultant shall coordinate, as and when required, with all parties like TPI, contractor, external agencies if any etc. involved in the work to ensure smooth, timely and satisfactory execution of the contract work of the project.</li> </ul>
4.	2.7	19	Supervision by the Consultant in coordination with Third Party Agency appointed by MPA, the following works of the firefighting system at Berth no.8 of MPA carried out by the Contractor	Kindly consider additional charges/fee to consultant, in case of delay in project due to unforeseen circumstances on man month basis.	Tender condition prevails.
5.	2.7	18	Duration	Kindly mention the total duration for the completion of the project.	As stated under clause no. 2.7, Note (b) page 20, the consultant is expected to complete the entire work as per Deliverables given above, within 130 days, excluding the deliverable indicated at item 10, which shall be as per the scope of work specified in the final tender document accepted by MPA failing which Liquidated Damages as per clause no. 4.29 shall be levied.
6.	2.8	20	Time and Payment schedule.	Kindly mention tentative total project cost.	The tentative total project cost cannot be indicated as of now since preparation of estimate, DPR, etc. is in the scope of the Consultant. Hence Consultant is required to do his own assessment in respect of total project cost.

7.	3.5.2 (D)	26	<b>Conditions of Eligibility for Key Personnel:</b> Each of the Key Personnel must fulfil the Condition of Eligibility specified below:				Where it is stated the requirement of Marine Expert with a Graduate in Civil Engineering - Kindly give us consideration for engineer with a degree other than civil Engineering.	The clause is amended as:- <b>Conditions of Eligibility for Key Personnel:</b> Each of the Key Personnel must fulfil the Condition of Eligibility specified below:			
			<b>Key Personnel</b>	<b>Educational Qualification</b>	<b>Length of professional Experience</b>	<b>Experience on Eligible Assignments</b>		<b>Key Personnel</b>	<b>Educational Qualification</b>	<b>Length of professional Experience</b>	<b>Experience on Eligible Assignments</b>
			Team Leader	Post Graduate/Graduate in Mechanical Engineering. Higher qualifications and specialization in Structural Engineering is desirable.	10 years	He should have lead and coordinated the Consultancy work as Team Leader or in similar capacity, the multidisciplinary teams for similar works for two or more Eligible Assignments.		Team Leader	Post Graduate/Graduate in Mechanical Engineering. Higher qualifications and specialization in Structural Engineering is desirable.	10 years	He should have lead and coordinated the Consultancy work as Team Leader or in similar capacity, the multidisciplinary teams for similar works for two or more Eligible Assignments.
			Firefighting Equipment Expert	Post Graduate/Graduate/ Diploma in Mechanical Engineering/ Electrical Engineer	10 years	He should have experience in similar assignment and worked as an expert for one or more Eligible Assignments.		Firefighting Equipment Expert	Post Graduate/Graduate/ Diploma in Mechanical Engineering/Electrical Engineer	10 years	He should have experience in similar assignment and worked as an expert for one or more Eligible Assignments.
			Marine Construction Expert	Post Graduate/ Graduate in Civil engineering with experience in Marine/ Port constructions	10 years	He should have knowledge of civil structure construction in Marine Environment. He should have worked as an expert for one or more Eligible Assignments.		Marine Construction Expert	<b>Post Graduate/ Graduate in Civil/ Mechanical/ Electrical/ Electronic Engineering with experience in Marine/Port constructions</b>	10 years	He should have knowledge of civil structure construction in Marine Environment. He should have worked as an expert for one or more Eligible Assignments.

8.	3.6.3. Note (i)	29	For evaluation of key personnel, only those who have been with the Applicant for a minimum period of <b>3 years</b> as on the date one month prior of opening the technical cover shall be considered	Kindly consider long term stable professional association with the applicant.	Tender condition prevails.
9.	4.24 (ii)	46	The MPA expects all the Key Personnel to be available during implementation of the Agreement. The MPA will not consider substitution of Key Personnel except for reasons of any incapacity or due to health. Such substitution shall ordinarily be limited to one Key Personnel subject to equally or better qualified and experienced personnel being provided to the satisfaction of the MPA. As a condition to such substitution, a sum equal to 20% (twenty percent) of the remuneration specified for the original Key Personnel, towards this RFP shall be deducted from the payments due to the Consultant". In the case of a second substitution hereunder, such deduction shall be 50% (fifty percent) of the remuneration specified for the original Key Personnel, towards this RFP. Any further substitution may lead to disqualification of the Applicant or termination of the Agreement.	Substitution of Key Personnel- <b>Kindly remove this clause as it is not acceptable to us.</b>	Tender condition prevails.

**AMENDMENT TO CLAUSES**

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**e-TENDER No.: CME / PD / III / 2022**

SR. NO.	CLAUSE NO.	PAGE NO.	TENDER CONDITION	AMENDMENT				
1.	RFP Information	3	<ul style="list-style-type: none"> <li>• Obtaining and handing over of the PESO Certificate to MPA after:               <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Obtaining of PESO Certificate through Contractor and handover the same to MPA after:</b> <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul> </li> </ul>				
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3.	2.7 sr. no. 11	20	<p><b>DELIVERABLES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">           Obtaining and handing over of the PESO Certificate to MPA after:           <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul> </td> <td style="width: 50%; padding: 5px;">           Within 15 (fifteen) working days from the date of successful, testing and commissioning of the Project for firefighting system at Berth no.8 of MPA carried out by the Contractor.         </td> </tr> </table>	Obtaining and handing over of the PESO Certificate to MPA after: <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul>	Within 15 (fifteen) working days from the date of successful, testing and commissioning of the Project for firefighting system at Berth no.8 of MPA carried out by the Contractor.	<p><b>DELIVERABLES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <ul style="list-style-type: none"> <li>• <b>Obtaining of PESO Certificate through Contractor and handover the same to MPA after:</b> <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul> </li> </ul> </td> <td style="width: 50%; padding: 5px;">           Within 15 (fifteen) working days from the date of successful, testing and commissioning of the Project for firefighting system at Berth no.8 of MPA carried out by the Contractor.         </td> </tr> </table>	<ul style="list-style-type: none"> <li>• <b>Obtaining of PESO Certificate through Contractor and handover the same to MPA after:</b> <ul style="list-style-type: none"> <li>i) Vetting of As-built drawings submitted by the contractor</li> <li>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</li> <li>iii) Submission of the approved drawings to PESO for their approval.</li> </ul> </li> </ul>	Within 15 (fifteen) working days from the date of successful, testing and commissioning of the Project for firefighting system at Berth no.8 of MPA carried out by the Contractor.
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4.	2.8 Sr. no. 3 (c)		<p><b>TIME AND PAYMENT SCHEDULE</b></p> <p><b>STAGE 3</b></p> <p>On obtaining and handing over of the PESO Certificate to MPA after:</p> <p>i) Vetting of As-built drawings submitted by the contractor.</p> <p>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</p> <p>iii) Submission of the approved drawings to PESO for their approval.</p>	<p><b>TIME AND PAYMENT SCHEDULE</b></p> <p><b>STAGE 3</b></p> <p><b>On obtaining the PESO Certificate through Contractor and handover the same to MPA after:</b></p> <p>i) Vetting of As-built drawings submitted by the contractor.</p> <p>ii) Getting final approval for the drawings from the Third Party Inspection Agency appointed by the Port and</p> <p>iii) Submission of the approved drawings to PESO for their approval.</p>
5.	2.10 (Note)	22	<p>Note:</p> <p>a) Each Key Personnel shall visit Port at least 15 times during the currency of the Consultancy Contract and carry out his work from his own office. However, 15 visits for each key personnel indicated above are only for indicative purpose and the Key personnel may be required to visit Port, if required, more number of times for the successful completion of the Project at their own cost as and when required.</p>	<p>Note:</p> <p>a) Each Key Personnel shall visit Port at least 15 times during the currency of the Consultancy Contract. However, 15 visits for each key personnel indicated above are only for indicative purpose and the Key personnel may be required to visit Port, if required, more number of times for the successful completion of the Project at their own cost as and when required.</p>
6.	4.34	28	<p><b>INSURANCE</b></p> <p>All the staff/workers to be deployed by the Consultant for the subject work shall be insured against injury/accidents/death, by the Consultant at his own cost as per prevailing labour laws. The Consultant shall indemnify MPA against all losses and claims in case of death or injury caused to any person by him during the execution of work.</p>	<p><b>INSURANCE</b></p> <p>a) All the staff/workers to be deployed by the Consultant for the subject work shall be insured against injury/accidents/death, by the Consultant at his own cost as per prevailing labour laws. The Consultant shall indemnify MPA against all losses and claims in case of death or injury caused to any person and property including third party liability by him during the execution of work.</p> <p>b) The Consultant shall submit to the Employer;</p> <ul style="list-style-type: none"> <li>• Evidence that the insurances described above have been effected and</li> <li>• Copies of policies for the insurances described in the clauses have been submitted.</li> <li>• When each premium is paid, the Consultant shall submit evidence of payment to the Employer.</li> </ul>