

PRE-BID CLARIFICATIONS: –e-TENDER No. DC/S(18)/2020/3

Sr. no	Reference No in the tender	Page No.	Tender Conditions	Bidders Queries	Clarifications
1.	Tender Cost	Page No. 4	Tender Cost - Rs. 5900/-	1. As per Para 10 of Public Procurement Policy dated 26.03.2012 it is mandatory to provide exemption to Small Scale units registered under NSIC. Please refer the above policy and provide necessary exemption to NSIC registered units.	Not applicable at MPT.
2.	Minimum Eligibility Criteria (i)	Page No. 5	Auditors report in original certified by CA or statutory auditors, for the years 2016-17, 2017-18 and 2018-19 including relevant P/L, a/c and balance sheet.	Unaudited financials for last 3 years duly certified by notary or Chartered Account may be submitted in compliance with this para.	Unaudited Reports only in case of non-company with turnover of less than rupees one crore duly certified by CA or Notary in original.
3.	Minimum Eligibility Criteria	Page No. 10	Relaxation of the Average Annual Financial Turnover to SSI/MSME registered with NSIC to INR ₹. 27,92,990/- subject to meeting of quality and technical specifications.	We have observed that no such relaxation was granted by the MPT in e-TENDER No. DC/S(18)/2020/1 , however same exemptions have been provided in one other previous tender. Kindly clarify the reason behind this uncertainty.	Tender conditions prevails.
4.	1.9. MPT'S RIGHT TO ANNUL THE BIDDING PROCESS	Page No. 13	<p>a. Notwithstanding anything contained in this tender document, MPT reserves the right to annul the bidding process at any time without any liability or any obligation for such annulment, without assigning any reason.</p> <p>b. MPT reserves the right to invite revised Techno-commercial bids with or</p>	We have observed that no such conditions was included in any of previous tenders floated by MPT. Therefore, request to delete these clauses.	Tender conditions prevails

			without amendment of the tender document at any stage, without liability or any obligation for such invitation and without assigning any reason. Drawings, literature and detailed descriptions of the tug offered, other certificate needed for port operation, work procedure, schedules and periodic maintenance records should be submitted. Name of the tug to be disclosed.		
5	1.11. AUTHORITY IN SIGNING TENDER DOCUMENTS	Page No. 13-14	(i) For Proprietary firm:- Shop & establishment License, Sales Tax License, Income Tax PAN No./ Copy of Returns, Identification of the Proprietor.	Any one of these documents may be submitted. Kindly clarify.	Agreed. However, tenderer may submit relevant applicable documents.
6	Para 1.11	Page No. 14	A Tenderer shall, in the last 3 (three) years ending on the day preceding to the day of issue of the tender, have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Tenderer, nor has been expelled from any project or contract by any public entity nor have had any contract terminated by any public entity for breach by such Tenderer.	An undertaking in this regard is already been suggested as per the terms of this tender. Therefore, this para may be deleted.	Tender conditions prevails
7	1.22 MPT'S RIGHT TO ACCEPT OR REJECT A BID	Page NO. 19	MPT reserves the right to accept a Bid other than the lowest and to accept or reject any Bid in whole or part, to annul the bidding process or to reject all Bids with or without notice or reasons. Such decisions by MPT shall bear no liability whatsoever consequent upon such decisions.	We have observed that no such condition has ever been laid down by MPT in its previous tenders. Please appreciate that tenderers are planning and putting huge efforts both manual and financial to prepare, submit and qualify for this bid and such a right to reject the bid is not justified. Therefore, you are requested to delete such conditions.	Tender conditions prevails

8	Outline Specifications Bollard Pull	Page No. 21	Steady/sustained Bollard pull should be between 45 Tons at 100% MCR. (With valid bollard pull certificate to be enclosed along with the bid submission)	How old bollard pull certificate may be submitted by the bidder?	Since the tender is for short period, Port will not insist for any Bollard Pull test during operational period of six months, hence the bidder should submit the latest bollard pull certificate of less than 2 years old during the service, along with bid document. Tug shall not be due for dry docking during the entire contract period.
9	3.25 MPT's LIEN	Page No. 34	MPT shall have a lien on over all or any money that may become due and payable to the Contractor under this Contract or any other Contract or from any amount lying with them or under their control and in respect of any debt or sum that may become due and payable by the MPT to the Contractor either alone or jointly with another or other and either under this Contract or under any other Contracts or transaction of any nature whatsoever between MPT and the Contractor.	We have observed that no such condition has ever been laid down by MPT in its previous tenders. MPT's lien over all the money due to the contractor for any of the vessel or contract will create unnecessary hardship for the contractor and is against the principle of privity of contract. Therefore, you are requested to delete these clauses.	Tender conditions prevails
10	3.42. FACILITIES PROVIDED BY PORT	Page No. 41	c) Water supply shall be arranged the contractor by their own for execution of work. Accommodation, if required, shall be provided in the Port quarters to the contractor/his employees, on chargeable basis as per prevailing Scale of Rates subject to availability.	We have observed that no such conditions have been laid down by MPT in any of its previous tenders. c) Supply of water is under the scope of Port and therefore this clause may be amended or deleted.	Fresh water will be supplied by the Port ON CHARGEABLE BASIS.
11	SPECIAL CONDITIONS OF CONTRACT (SCC)	Page No. 43	4.4 The successful Tenderer shall provide any items, which have not been specifically mentioned in the specification, but which are found necessary for completion, efficient installation and operation of works shall be deemed to be included in the contract without incurring any additional expenditure to the Port.	We have observed that no such conditions were laid down by MPT in any of its previous tenders. All the items as may be required by the port for its operations shall be informed in advance. List of items required on board to be provided upfront vide replying to these	Tender conditions prevails

				prebid queries for better planning and arrangement by the contractor.	
12	Applicability of Para 6 of Public Procurement Policy notified on 26.03.2012		Para 6: Price Quotation in Tenders: In tender, participating Micro and Small Enterprises quoting price within price band of L1+15% shall also be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a Micro and Small Enterprise and such Micro and Small enterprise shall be allowed to supply upto 20% of total tendered value.	Government of India has notified public procurement policy on 26.03.2012. Kindly confirm whether preference as provided under para 6 will be available to micro and small enterprises participating in this tender.	Tender conditions prevails
13	Price Evaluation Fuel Consumption	Page No. 45	This shall be duly supported by the engine manufacturer's data (shop trial) authenticating their fuel consumption at 100% MCR for both main engines and auxiliary /DG engines.	Owners' declaration may be submitted as an alternative to shop trial report.	Owners declaration may be submitted based on the actual fuel consumption of previous contract for a period of six months.
14	Notarization of various documents			Due to COVID-19 restrictions it is difficult to get the documents attested/notarized from a notary public and therefore, you are requested to allow us to submit documents viz Power of Attorney without notarization. Notarized copy may be submitted post lifting of lockdown restriction. Please clarify.	Documents to be Self –attested except in case of unaudited financial statement as per Sr. No. 2
15	NSIC Certificate			The NSIC Certificate expire during the lockdown and it cannot be renewed due to COVID 19 restriction further, Even NSIC doesn't have any facility to renew online Therefore you are requested to grant us exemption as available to NSIC entities, the renewed certificate will be submitted within 30 days after lifting of lockdown restriction.(Please Clarify)	Central Govt. orders will be applicable.

Note: Due date and time for submission of bids remains unchanged.