

Response to Bidders Queries Received for Road Package (Reference No: Revised/Roads/Kashmir/02)

S.No.	Reference	Query Received	Response
1	Completion Period:	Only 3 to 4 months period is available for execution of bituminous works in the Valley due to low temperature during Major portion of the year. In view of such Climatic conditions, the completion period of "15 Months" may please be modified to "15 working months".	No Change, the Bid Provision shall prevail.
2	General Construction Experience:	During the Year 2005-2010 two major Infrastructure packages i.e. Railway Project through IRCON International Limited and Road Projects under JKERA were implemented and executed in the valley. In order to ensure the participation of Local Contractors the "last five years" as mentioned vide Clause 2.3.2 (Annual Construction Turnover), 2.4.1 (General Construction Experience), and 2.4.2(a) (Specific Construction Experience), of the tender document may please be modified to " Last five years or 2005-2010 years"	Last Five Years may now be read as Last Seven Years (Fy 2013-14 to 2019-2020). Refer Corrigendum 03
3	As per the bidding documents under clause 2.3.2 (Annual Construction Turnover) and Clause 2.4.2 (a) (Specific Construction Experience)	" – the requirement for the bidder during last five (%) years in Civil Engineering Construction work is very high almost double if we compare it with other tendering agencies like State PW(R&B) Department, PMGSY, ERA,BRO, NHAI, MoRT&H etc. Keeping in view the usual turmoil situation in the state of J&K and the process of billing and subsequent release of payments to the contractors by the departments in the fund deficient State is quite slow directly affecting to maintain a good Annual Turnover of the Contractor. Hence Demonstrating of annual Construction turnover of such a magnitude for these tenders by Majority of local contractors is not possible thus limiting their participation. It is therefore requested to your goodself to kindly give some relaxation /rebate under such clauses to maximize the participation of the local contractors.	The financial and Technical Eligibility as laid down in the bid document shall prevail and no relaxation on the account shall be granted.
4	Multiple Packages have been merged	In each package invited by your department, it has been observed that multiple packages have been merged to Single Contract	No Change.

	to Single Contract.	<p>resulting in non competence of Local Contractors.</p> <p>Here in Jammu and Kashmir among all top ranked contractors, who are technically and financially sound are not able to participate besides having sufficient equipments and manpower in hand. The tenders shall have been invited for single roads instead of merging multiple roads.</p> <p>SO the packages may be kindly split/ fragmented and the tenders shall be invited individually for all roads in order to enable local participations.</p>	
5	<p>Clause 2.4.2 (A) Instructions to Bidders regarding “Specific Experience”</p>	<p>“Never Follow laws blindly Law does not created humans, Humans created laws”- (Grain Nelson) “Try to be Law Changer than law Follower”- (Stifen Horn)</p> <p>The Specific Experience criteria seem to be very different and higher than other working/contraction Departments. Usually the similar Experience is 25% for all high magnitude Contracts of MoRTH, NHAI, NHIDCL, BRO, CPWD and PWD. No doubt the World Bank funded tenders are having totally different conditions that all other departments and the Circular in this regard is also in our knowledge. The Employer (ERA/JTFRP)/Executing Agency is also bound unto the guidelines and instructions framed by World Bank but the guidelines and rules are framed for the welfare/betterment of Nation, society and all associates of the concerned not to make it complicated or against any community.</p> <p>If Specific Experience will not be relaxed and will not be fixed like other Works Departments who have build all highways network and other Infrastructure of our country, then how come it is possible for a contractor/construction Company to increase its credentility and to bag higher contracts than he executed in the past as the specific Experience Criteria fixed by your department seems 100% of the invited Contract Value.</p> <p>Moreover, higher value of “Specific Experience” is nothing to do with the quality and timely execution of the project. It is seeked to check that a person/company who is financially and technically sound is</p>	<p>The objective of qualification criteria is to have sub projects executed by most competent agencies having the requisite financial and technical capacity. The bid provision shall prevail.</p>

		<p>having idea of similar construction, idea of material used, idea of equipment used and other aspects.</p> <p>So it is requested to make it convenient for all local contractors by fixing Specific Experience @ 25% of the Contract Value as like all other Construction Departments are fixing it.</p> <p>And Please clarify, if this type of supremacy laws will be implemented in all working departments, then how a Construction Company can Increase its credentials and how can a company bag higher Contracts. This may also be clarified that high magnitude Contracts of Highways, ROB's, RUB's and Tunnels have been successfully completed by the Departments who are entertaining similar experience of 25% only, then why what is more special with World Bank Project, when the difference is only in terms of Funding source not by specification and working procedure.</p>	
6	Financial Turnover, Credit Lines and Working Capital.	The same shall be in accordance with all working Departments who are also working for the development of poor country.	Refer Response to Query No 5.
7	General	<p>It has been noticed that the tenders invited by your good self have been formulated by merging two or more roads in a single tender. The location of these works in the same tender is different altogether, one being in one district and others in different districts. Bifurcating a single road package wouldn't have been a genuine demand but bifurcation of different roads falling in different districts seems to be a genuine concern for the contractors fraternity of Kashmir.</p> <p>The financial turnover of the local contractors is not that much in order to meet the requirements in the said contracts and in order to provide employment in the region. It is requested to bifurcate the tenders.</p> <p>It is once again requested to bifurcate the said contracts so that these works will be completed well within the available time frame, when executed by different contractors at the same time. This will also result in healthy competition and maximum</p>	Not accepted, the Bid Provision shall prevail.

		participation which in turn is beneficial to the Govt. Exchequer.	
8	2.3 Financial Situation and Performance Clause No. 2.3.2 Annual Construction Turnover	It is submitted that the required turnover be demanded from last 7 financial Years instead of 5 financial years as required in Bid Document.	Accepted, may refer Corrigendum 03.
9	General	It is also requested the completion period of the work may be enhanced to three years, as it is not possible to complete the work in a given period of time.	Not accepted, the Bid Provision shall prevail.
10	General	Further it is also requested that the Concrete road may also be considered as similar type of work for the above subject.	Since the Roads are of Flexible Pavement type, hence the change asked for is not accepted.
11	Section III- Evaluation and Qualification Criteria, Clause 2.3 Financial Situation and Performance, Sub Clause 2.3.2 Annual Construction Turnover.	Please Clarify whether the Bidder should have achieved required turnover individually in 2 Years during the Last 5 years or the Bidder should have achieved required turnover cumulatively from 2 years during Last 5 years. If we have achieved such turnover in any one year from last 5 years do we fulfill the criteria.	The Bidder should have achieved the specified Annual Financial Turnover in any two years in the Last Seven Years satisfying the criteria for each Year separately . If any bidder has achieved the Specified Annual Financial turn over only in any one year from the Last Seven Years, the bidder does not fulfill the criteria. (Besides, Last Five Years as mentioned in the bid document may now be read as Last Seven Years, Refer Corrigendum No 03)
12	Section III – Evaluation and Qualification Criteria, Clause 2.4 Experience, sub clause 2.4.2(a): Specific Construction Experience.	Please Clarify whether in case of Joint Venture, one member (Lead Member) should meet 100% requirement or he should meet 50% of requirement.	Any one of the JV members must meet requirement. Refer Corrigendum No. 03.
13	Section III – Evaluation and Qualification Criteria, Clause 2.4 Experience, sub clause	Further, in case joint venture of 2 members is formed. In that event, one member should meet 50% and the other member 25% of the requirement as per clause 2.3.2 page 43 needs clarification, as in aggregate only 75% of the requirement shall meet the	Refer Response to Query No 12.

	2.4.2(a): Specific Construction Experience.	qualification criteria.	
14	Experience	Civil works involving Construction, Upgradation of Roads Preferably Flexible Roads shall be considered as similar nature of work with regard to specific construction experience refer clause 2.4.2(a) P45. Kindly clarify, whether the construction of civil works like building construction/ sewerage work with partial road construction shall be considered as Sp. Const. Experience.	No, the construction of civil works like building construction/ sewerage work with partial road construction shall not be considered as Specific Construction Experience.
15	Form FIN- 3.1(a)	Evidence of access to or availability of cash flow (working capital), the extend of overdraft/credit facility amount or percentage has not been reflected in the bidding document.	Refer to Clause 2.3.1 (a) Financial Capabilities which states as <i>“The Bidder shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as INR 15 Crores for the subject contract(s) net of the Bidders other commitments”</i>
16	Date Extension	You are requested to extend the Last date for submission.	The Last Date for submission of bids has been extended upto 11-12-2019 1500 hours. Refer Date Corrigendum No 2.