

Inland Waterways Authority Of India Jal Marg Vikas Project

RFP No: IN-IWAI – 336119 -CW-RFB

Amendment –2. Dated 13.06.2023

CPPP Tender ID : 2023_JMVP_ 751033_1

Assignment title :- Fairway Maintenance on Quantity Based Dredging of Majhaua- Ghazipur (115 km) on National Waterway – 1

File Reference : IWAI -WB-NW1- 14/ 1 / 2023

Subsequent to the pre-bid meeting of Majhaua- Ghazipur (115 km) stretch, following clarifications & amendments are incorporated and will form an integral part of the Bid Document.

Sl.	Bid document ref	Existing Text	To be Read as
1	IFB clause-10	Topic: Pre-bid Meeting	The replies of Pre-bid held on 10.05.2023 are uploaded along with this Amendment at Appendix-A
2	IFB clause-08	On-line Bid Submission on or before 15.06.2023	On-line Bid Submission on or before 27.06.2023
3	Section-III Evaluation & QR	Section-III - Evaluation & Qualification Criteria & Qualification Sl.no 2.0 to 2.4 :	Section-III. Evaluation Qualification, Criteria & Qualification Sl.no 2-0 to 2.4 has been modified as Annexure-A
4	Section- II - BDS ITB 11.2 (j)	The Bidder shall submit the following additional documents in its Bid..... i. Contractor Registration certificate along with [a] ;[b];[c];[d];[e]	[d];[e] has been deleted. The Bidder shall submit the following additional documents in its Bid..... i. Contractor Registration certificate ... along with [a] ;[b];[c];
5	Section- II - BDS ITB 11.3(d)	The Bidder shall submit the following additional documents in its Bid: that must be submitted with the bid- Financial Part. Scanned copy of Bill of Quantities (duly filled in)	The Bidder shall submit the following documents in its Bid: On-line – Financial Part in .xls Scanned copy of letter of Bid - financial part
6	Section- II - BDS ITB 19.8	Bid Security shall be in the name of all JV Partners.	The Bid Security of a JV shall be in the name of the JV that submits the bid or in the name of lead member if the same is not constituted.
7	Section- IV – Letter of Bid – Financial Part	Letter of Bid – Financial Part	Modified refer- Annexure-B
8	All other terms & Conditions of the Tender documents remains Un-altered		

OFFICER INVITING BIDS :-

Vice – Chairman Project Director (JMVP) ;

Inland Waterways Authority of India. : A – 13, Sector – 1, Noida – 201301,

Uttar Pradesh – INDIA - Telephone No. : (91) 0120-2424544 Email. : vc.iwai@nic.in

Annexure -A

2. Qualification		
2.0 Nature of Bidder	Bidder to indicate whether they are presenting a Single Entity bid Or Joint Venture Bid Or Intend to Sub Contract on Later date	In the event of Subcontracting, the details of the Sub-contractor likely to be deployed be identified in the proposal (max 25% work) Details & Profile of Sub-contracting firms to be submitted
<ul style="list-style-type: none"> • Format provided in Section-IV. 		

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements

2.1 Eligibility

2.1.1	Nationality	Nationality in accordance with ITB Sub-Clause 4.3.	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Forms ELI –1.1 and ELI-1.2
2.1.2	Conflict of Interest	No conflicts of interest in accordance with ITB Sub-Clause 4.2.	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.3	Bank eligibility	Not having been declared ineligible by the Bank, as described in ITB Sub-Clause 4.4.& 4.7.	Must meet requirement	Existing JV must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.4	Government Owned Entity	Bidder to meet conditions of ITB Sub-Clause 4.5. The entity should not be a dependent agency of the borrower or sub-borrower or Employer.	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2
2.1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of prohibition in the Borrower's country laws or official regulations against commercial relations with the Bidder's country, or by an act of compliance with UN Security Council resolution, both in accordance with ITB 4.7 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
2.2 Historical Contract Non-Performance							
2.2.1	History of Non-Performing Contracts	Non-performance of a contract ¹ did not occur as contractor since 1 January 2016	Must meet requirement	Must meet the requirement	Must meet requirement or as member to past or existing JV	N / A	Form CON - 2
2.2.2	Suspension due to withdrawal of the Bid within Bid validity	Not under suspension based on execution of a Bid Securing Declaration pursuant to ITB 4.6 or withdrawal of the Bid pursuant ITB 19.9.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Letter of Bid
2.2.3	Pending Litigation	Bidder's financial position and prospective long term profitability sound according to criteria established in 2.3.1 below and assuming that all pending litigation will be resolved against the Bidder	<i>Must meet requirement</i>	<i>Must meet requirement by itself or as member to past or existing JV</i>	Must meet requirement by itself or as member to past or existing JV	N/A	Form CON - 2
2.2.4	Litigation History	No consistent history of court/arbitral award decisions against the Bidder ² since 1st January 2016	Must meet requirement	Must meet requirement		N/A	Form CON - 2
2.2.5	Declaration: Environmental, Social, Health, and Safety (ESHS) past performance	Declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social, (including sexual exploitation and abuse (SEA) and gender based violence (GBV)), or health or safety requirements or safeguard in the past five years ³ (ending 2021-22)	Must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration.	N/A	Each must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration.	N/A	Form CON-3 ESHS Performance Declaration

¹ Non-performance, as decided by the Employer, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

² The Bidder shall provide accurate information on the letter of Bid about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years.

A consistent history of court/arbitral awards against the Bidder or any member of a joint venture may result in disqualifying the Bidder.

³ The Employer may use this information to seek further information or clarifications in carrying out its due diligence.

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
2.3 Financial Situation and Performance							
2.3.1	Financial Capabilities	(a) 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 10.61 Crores Ten Crore & Sixty one Lac only (about 6 six months cash flow at peak dredging / construction period) for the subject contract(s) net of the Bidders other commitments	Must meet requirement	Must meet 100% requirement	Each member Must meet at least 15% of the requirement as a minimum such that all partners combined meet 100% of the requirement	Must meet at least 50% of the requirement as a minimum	Form FIN – 3.1,
		(b) The Bidder shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.	Must meet requirement	must meet requirement.	N / A	must meet requirement	Form FIN – 3.1,
		(c) The audited balance sheets or, if not required by the laws of the Bidder's country, other financial statements acceptable to the Employer, for the last 5 years (ending FY 2021-22) shall be submitted and must demonstrate the current soundness of the Bidder's financial position and indicate its prospective long-term profitability.	Must meet requirement	Must meet 100% of the requirement	must meet requirement	N/A	Form FIN – 3.1,
2.3.2	Annual Average Turnover	Minimum average annual turnover of INR 23.8912 Crs (Twenty three Crores eighty nine Lacs & twelve thousand) , calculated as total certified payments received for contracts in progress and/or completed within the last five financial years, divided by five years. ending 31 st march 2021-22	Must meet requirement	Must meet 100% requirement	Must meet at least 15% of the requirement as a minimum such that all partners combined meet 100% of the requirement.	Must meet at least (50%) as a minimum	Form FIN - 3.2

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
2.4 Experience							
2.4.1	General Dredging Experience	<p>Experience under construction contracts for similar works such as those pertaining to</p> <p>General Dredging Experience in Ports / River / Lakes/ Canals/ Water Bodies / River Management of Vessel, Manning of Vessel or Vessel related Marine Works or Wet excavation in Dams</p> <p>a.River Dredging and management of dredging materials.</p> <p>b.Dredged material used in reclamation of port / harbour will also be considered.</p> <p>in the role of contractor, JV / consortium member, sub-contractor, or management contractor during at least the last seven [7] years ending last day of month prior to the bid submission deadline (FY 2021-22)</p>	Must meet requirement	Must meet requirement	Must meet at requirement	N/A	Form EXP – 4.1
2.4.2 (a)	Specific Dredging Experience	<p>Bidder should have successfully completed as a prime contractor, JV member⁴, management contractor or sub-contractor, minimum</p> <p>a) Three similar works each costing not less than INR10,61,83,376.00 or Dredged Quantity of 2,93,600.00 cum</p> <p style="text-align: center;">OR</p> <p>b) Two similar works each costing not less than INR 13,27,29,220.00 or Dredged Quantity of 3,67,000.00 cum</p> <p style="text-align: center;">OR</p> <p>c) One similar work costing not less than INR 21,23,66,752.00 Or Dredged Quantity of 5,87,200.00 cum</p> <p>For the purpose of completed works, The value of the completed contract for similar works should not be less than 80% of the contract value.</p> <p>A certificate for on going works from the employer stating the Value⁵ of the work & 80 % completion has been achieved shall be considered as</p>	Must meet requirement	Must meet requirement	Must meet balance requirement in such a way that all partners combined together shall meet 100% of requirement.	Must meet requirement for one contract of 50%	Form EXP 4.2(a). The contractor should have borne responsibility for execution of works to the extent he claims experience. A contractor should not claim experience for the works he has never executed.

⁴ For contracts under which the Bidder participated as a joint venture member or sub-contractor, only the Bidderr's share, by value, shall be considered to meet this requirement

⁵ At FY 2021-22 price level. Cost of completed works of previous years shall be given weightage @5% per year based on rupees value to bring them to the price level of the financial year in which bids are received.

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
		completed and certificate of employer in this regard stating percentage of completion shall be submitted.					
2.4.2 (b)	The value of the similar work where 80% of contract value is paid will be considered for evaluation purposes as Complete. <i>In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated</i>						
2.4.2 (c)	Specific Experience in managing ES aspects	For the contracts in 2.4.2 (a) above and/or any other contracts [substantially completed and under implementation] as prime contractor, joint venture member, or Subcontractor between 1st January [insert year] and Application submission deadline, experience in managing ES risks and impacts in the following aspects: [Based on the ES assessment,]	Desirable	Desirable	Desirable	Desirable	Form EXP – 4.2 (c)
2.4.2 d	<p><i>Bidders who meet the minimum qualification criteria will be qualified only if their available bid capacity for construction work is equal to or more than the total bid value of the work. The available bid capacity will be calculated as :- Assessed Available bid capacity⁶ = (A*N*1.5-B)</i></p> <p><i>Where,</i></p> <p><i>A = Maximum value of civil engineering works executed in any one year during the last five years (updated to the price level of the financial year 31 March 2022 (end of Gol's Financial Year) at the rate of 5% per year), taking into account the completed as well as works in progress).</i></p> <p><i>N = Number of years prescribed for completion of the works for which bids are invited (period up to 6 months to be taken as half-year and more than 6 months as one year).</i></p> <p><i>B = Value, at the current price level, of existing commitments on on-going works to be completed during the period of completion of the works for which bids are invited.</i></p> <p><i>Note: the statements in Section IV showing the value of existing commitments of on-going works as well as the stipulated period of completion remaining for each of the works listed should be countersigned by the Engineer in charge, not below the rank of an Executive Engineer or equivalent.</i></p>						
2.4.3 Quality Requirements							
2.4.3 a	ISO 9001-2008/2015 quality Management system requirement	Valid - Quality Management Certificate issued by the International Organization for Standardization	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid ISO 9001 Certification. Form
2.4.3 b	OHSAS 18001 - Occupational Health and Safety Assessment Series or Equivalent	Valid - Relevant OHSAS certificate and Experience in occupational health and safety management	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid OHSAS certificate. Or Equivalent
2.4.3 c	ISO 14001: 2004 / 2015 Environmental Management systems	Valid - Relevant Environmental management certificate and experience with environmental management systems.	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid ISO 14001:2004/2015 certificate.

⁶ During technical evaluation, the available bid capacity will be calculated and compared with the estimated cost. After opening of the Financial bids (Part – II) and during the financial evaluation, the bid capacity will be further validated with discovered price.

Annexure -B

Letter of Bid – Financial Part

To,	Date
	NCB No.....
	Invitation for Bid No.....

Subject :- Fairway Maintenance on Quantity Based Dredging Of Digha-Majhaua stretch (95km) of National Waterway – 1

We, the undersigned, hereby submit the second part of our Bid, the Bid Price and Bill of Quantities. This accompanies the Letter of Technical Part, In submitting our Bid, we make the following additional declarations

- (a) Our bid shall be valid for a period of _____ ***[insert validity period as specified in ITB 18.1.]*** days from the date fixed for the bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (b) The total price of our Bid, excluding any discounts offered in item (c) below is:
- In case of only one lot, total price of the Bid ***[insert the total price of the bid in words and figures];***
 -In case of multiple lots, total price of each lot ***[insert the total price of each lot in words and figures];***
 -In case of multiple lots, total price of all lots (sum of all lots) ***[insert the total price of all lots in words and figures];***
- (c) The discounts offered and the methodology for their application are:
- (i) The discounts offered are: ***[Specify in detail each discount offered.]***
- (ii) The exact method of calculations to determine the net price after application of discounts is shown below: ***[Specify in detail the method that shall be used to apply the discounts];***

We have paid, or will pay the following commissions, gratuities, or fees with respect to the bidding process or execution of the Contract:⁷*[insert complete name of each Recipient, its full address, the reason for which each commission or gratuity was paid and the amount of each such commission or gratuity]*

Name of Recipient	Address	Reason	Amount

(If none has been paid or is to be paid, indicate "none.")

Name _____ In the capacity of _____

Signed _____

Duly authorized⁸ to sign the bid for and on behalf of⁹ _____

Dated on _____ day of _____, _____

*: In the case of the Bid submitted by joint venture specify the name of the Joint Venture as Bidder

*: Person signing the Bid shall have the power of attorney given by the Bidder to be attached with the Bid Schedules.

⁷If none has been paid or is to be paid, indicate "none".

⁸ Person signing the Bid shall have the power of attorney given by the Bidder to be attached with the Bid

⁹ In the case of the Bid submitted by joint venture specify the name of the Joint Venture as Bidder

Name of the Work: Fairway Maintenance on Quantity Based Dredging of Majhaua-Ghazipur stretch (115 km) on National Waterway – 1				PRE-bid held on date : 10.05.2023	
Contract Package No: IN-IWAI – 366102 -CW-RFB					
Sr. No.	Section No. Clause, Sub Clause No and Page No.	Page no	Tender Clause	Pre- Bid Query	IWAI Response
1	Section- II - BDS ITB 11.2 (j)	33	The Bidder shall submit the following additional documents in its Bid..... i. Contractor Registration certificate along with [a] ;[b];[c];[d];[e]		[d];[e] has been deleted. May be read as The Bidder shall submit the following additional documents in its Bid..... i. Contractor Registration certificate along with [a] ;[b];[c]
2	Section- II - BDS ITB 11.3 (d)	35	The Bidder shall submit the following additional documents in its Bid: that must be submitted with the bid- Financial Part. Scanned copy of Bill of Quantities (duly filled in)		The Bidder shall submit the following documents in its Bid: On-line – Financial Part in .xls Scanned copy of letter of Bid - financial part
3	Section- II - BDS ITB 19.8	36	Bid Security shall be in the name of all JV Partners.		The Bid Security of a JV shall be in the name of the JV that submits the bid or in the name of lead member if the same is not constituted
4	Section-III, Evaluation Qualification Criteria	45	Qualification Sl. No 2.0 to 2.4		Section-III, Evaluation Qualification Criteria & Qualification Sl. No 2.0 to 2.4 has been modified as Annexure-A.
5	Evaluation & Qualification Criteria: 2.3.1	53	Financial Capabilities: The audited balance sheets or, if not required by the laws of the Bidders country, other financial statements acceptable to the Employer, for the last 5 years(ending FY 2020-21)	we presume that a bidder has to furnish Audited Balance Sheets for the last 05 (five) Financial Years (ending FY 2021-22) Please Confirm	Tender Condition Prevails
6	Evaluation & Qualification Criteria: 2.5	59	A bidder must provide the details of the manpower such as: Contract Manager, Surveyor & Crew at the time of Bid Submission. Also, a bidder is desired to provide at the time of bid submission details of certain specialized personnel such as: Dredger Master, Social Expert, Environment Expert & Health & Safety Expert.	Is there any minimum requirement of personnel in terms of numbers for this project which a bidder have to declare during bidding stage or shall a bidder declare the number of personnel under various categories on their own discretion?	Bidder to provide the details of the manpower at the time of Bid Submission for Contract Manager ; Surveyour & Crew as per clause 2.5
7	Evaluation & Qualification Criteria: 2.6	60	Tug Boats & Accommodation Boats	Please confirm us the Minimum Number of the said machineries which are desirable at the time of bidding.	Tug Boat shall be as per requirement of the site. Accommodation Boats suitable for the Bidder's on-site personnel
8	Section-IV Bidding Forms	62	Under Taking towards ITC- Input Tax Credit in GST (as per Clause 67.14 of PCC)	The referred clause ie GCC 67.14 is not mentioned in PCC. We request you to disclose the aforementioned clause.	Referred Clause is Deleted. Under Taking towards ITC- Input Tax Credit in GST (as per Clause 67.14 of PCC) ... Not Applicable
9	Section- IV – Letter of Bid – Financial Part	107	Letter of Bid – Financial Part column no 2. of Table-1 Quantity in Lakh cum	we presume that the quantity is 25,63,230.00 bears unit as "CUM" instead of Lakh CUM" . Please confirm.	Modified refer - Annexure-B
10	Bidding Forms	108	Schedule of Adjustment of Data	Is it mandatory for Indian Bidders to furnish this format? If yes, then we request your good self to guide	Appendix to Financial Part " Table-A Local Currency" - Deleted Refer clause GCC 45.1& 45.1(h) Price Adjustment.
11	Part-I, Scope of Work sl.no3.	118 No additional payment will be made for deployment of the dredger in excess of average 8 hours daily operation.....	Is there any restriction from Government's end concerning working round the clock i.e, 24 hours a day? Please Confirm	Tender Condition Prevails

12	Work Requirements 3. Scope of Work	119	The detail for dredging from Majhaua-Ghazipur stretch (115 km) stretch with approximate Annual dredging quantity of 25,63,230.00 Cum. The contract period is for a duration of 36 months including the moonsoon period.	we presume that the quantity 25.63 lakh cum Shall be dredged during the total contract period of 03 Years, instead of annually which may be a typographical error from your end,? Please Confirm	The detail for dredging from Majhaua-Ghazipur stretch (115 km) stretch with approximate dredging quantity of 25,63,230.00 Cum to be dredged out in a period of 36 months including the moonsoon period.
13	Particular Conditions of Contract ; GCC 2.2	181 & 216	Priority of Documents	the priority of Document is mentioned in point no 2.3 of GCC , instead of the Gcc2.2 which has been refered in PCC.we seek your kind clarification on it from your end,	May be read as 2.3
14	Particular Conditions of Contract ; GCC 27.1	225	Intended Completion Date: the intended completion date is three years from the date of commencement of Services (Quantity Based Dredging)	Being a Quantity based Dredging Project, are the bidders allowed to accomplish the said project earlier than the assigned period of Completion say for e.g instead of 3 (three) years if the entire quantity is dredged within a period of 1.5 years and the site is handed over to the Government, will the bidder be allowed to take away their manpower & machineries after handing over the project? Please Confirm	Contract is for dredging approx 25,63,230.00 cum in 36 months, Successful Bidder shall maintain their equipments during the entire period of contract.
15	General			We request you to provide the Bore Log Data / Soil Investigation Report in order to aid us in doing proper Cost Analysis of the said Project.	The type of material to be dredged is given in Section-VII clause-17.
16	General			During the time of our site visit we have observed the presence of 02 (Two) Nos. Floating Steel Temporary bridges at 'Semra' and 'Loharpur' areas. In this context, we seek your kind assurance regarding all types help from your end towards dismantling and shifting of the aforementioned bridges in order to aid a prospective contractor for smooth progress of work. Please Confirm	The pantoon operation are being carried out by the State Government. IWAI shall be co-ordinate / facilitate opening of pontoon bridges for crossing of Vessels / Dredgers etc on receipt of written request from the contractor.