

Kannur International Airport, Kerala, India

EPC I

Detailed Designing,Engineering,Procurement and Construction of Earth Work and Pavements for Runway, Basic Strips, Turning Pads, Taxiways, Apron, Access Roads, Drainage System, Related Retaining Structures, Formation Platforms for Landside Facilities and Design, Supply, Installation,Testing and Commissioning of Airfield Ground Lighting System, Visual Aids for Navigation and Bird Hazard Reduction System.

KIAL RESPONSE TO PRE-QUALIFICATION QUERIES

QUERY No.	DESCRIPTION OF QUERY	RESPONSE FROM KIAL
1	<p>We submit that airfield pavement work is similar to rigid pavement for any road/highway project using mechanized pavers,high thickness layers and suitable high strength concrete and reinforcements.We presume that such works could be considered as qualifying work for airfield Pavement requirement.accordingly,we suggest that Clause may be modified as below “The applicant should also have satisfactorily completed earth work, airfield pavement <b>/Rigid pavement for roads and Highways</b> and airfield lighting system (CAT-I) including AGL system during the last five years ending 31 December 2012. However for airfield lighting system, the experience of the subcontractors who may be engaged will also be considered. Details in this regard is to be included in the proposal by the</p>	<p>Clause no.2.2 (b)(1)&amp;(2) remains unchanged, except the following words in line 2&amp;3 of Clause 2.2(b)(1)- <b>“more specifically in clause 1.2.1”</b> are deleted and work done during the last five years(mentioned in line 6 of clause 2.2.(b)(1)and line 2 of clause 2.2.(b)(2) ) may be read as <b>work done during the last 10 years.</b> <b>Experience in Airport work alone will be considered as qualifying experience.</b></p>

	Applicant.”	
2	<p>We suggest that the operating profit could be guiding criteria for this Clause, We suggest this Clause be revised as under</p> <p><b>The applicant firm shall be a profit (operating) making firm and shall not have incurred losses during the last three financial years prior to submitting the RFQ. OR</b></p> <p><b>The applicant firm shall be a profit (net) making firm and shall not have incurred losses during the last three financial years out of last five financial years prior to submitting the RFQ.</b></p>	<p>Clause no.2.2( C ) is amended as follows:</p> <p>The applicant firm should have made profit (net) in any 3 financial years out of the last 5 financial years prior to submitting the RFQ.</p>
3	<p>Appendix-II Power of Attorney for signing application-<b>We request you to allow us to use General POA to sign RFQ application.</b></p>	<p>The General POA should have specific powers to submit the bid document, negotiate with the Authority and enter into Agreement on behalf of the bidder company / consortium /JV company, comparable with the revised Appendix-II.</p>
4	<p>We request your concurrence to incorporate the following in the Power of Attorney (POA) format in line with our company’s corporate guidelines.</p> <p>As per our Corporate guidelines, the following line is required to be added after the words as our true and lawful attorney in line no. 8 of Power of Attorney format given in Appendix-II of page 45 of RFQ :</p>	<p>Following line to be added after the words “as our true and lawful attorney(herein referred to as the “Attorney”) to do in our name and on our behalf, in line no. 8 of Power of attorney format given in appendix-II of page 45 of RFQ: <b>“so long as he is in the employment of the company</b></p>

	<b>“So long as he is in the employment of the Company”.</b>	<b>and cessation of employment is duly notified to the Authority in writing and Power of Attorney is revoked”.</b>
5	As per RFQ, bidder to submit POA with affixation of common seal is mandatory as per Power of Attorney format given in Appendix-II, (refer notes of page 46 of RFQ). As per our company board resolution and Articles of Association (enclosed for reference) that there is no such requirement mandated either in our board resolution or in the Articles of the Company. Hence request you to delete the common seal requirement on the POA.	Affixation of Common Seal is Mandatory.
6	To encourage competitive bidding it is requested to issue a corrigendum duly deleting the EPC term under work experience	EPC term used under work experience as mentioned in Clause no.2.2 (b)(1)&(2) remains unchanged.
7	It is requested that permission may please be accorded to consider Highway road work as similar nature of work and issue corrigendum accordingly.	Refer response to query No.1.
8	With reference to you RFQ, prequalification requirement lays disproportion emphasis on earth work quantities, whereas scope of work is much more than just earth work. Since this makes earth work as limiting factor in prequalification requirement, please	Refer Clause no.2.2 (b) (1) & (2), there is no mention of quantum of earthwork in eligibility criteria. Scope of work is clearly mentioned in Clause 1.2.

	consider giving proportionate weight age for other scope of work as well, including design and execution of operational buildings, airfield pavements, access roads, drainage, and airfield ground lighting.	
9	This Sub-Clause is defining the term Conflict of Interest related to "Associate". When common shareholding is evaluated by Authority in order to ascertain the Conflict of Interest, it is more appropriate to consider the "Experience of Associate" as Applicants Experience. So, we request the Authority to consider the Associates / Promoter Holding Company Experience as Applicant's Experience in evaluation	The experience of the Associate will not be considered for qualification. Reference to Associate is only in the context of conflict of interest as per Clause no.1.2.3 ( c)-(i).
10	Being the EPC Project of Large Magnitude, it is more relevant to consider the experience during last 10 Years. Since the present values of qualifying projects are quite high and occurrence within last five years would be very stringent criteria for many Applicants. We request you to consider last Ten Years Experience.	Refer response to query no.1.
11	Being the EPC project, it is more appropriate to assess the Liquidity & Credit Facility of the company in order to meet the Working Capital Requirements of the Project; whereas Profitability is related to the term based Investment Perspective, more likely in BOT / PPP Projects. Hence we request the Authority to delete this Sub-Clause related with Profitability	Refer response to query no.2.

12	Kindly clarify that construction contracts done under NHAI and other nodal agencies will qualify as EPC contracts, because till recent times the construction contracts were not EPC's and did not involve scope of design in them	Refer response to in query No.1.
13	Please clarify that past experience works done in joint venture/consortium will also be considered if the shareholding during project completion period is more than 26% by participating party.	The experience of the applicant in an earlier consortium can be considered to the extent of its shareholding as certified by the client and as shown in the JV/consortium agreement defining the scope of work and responsibilities. Alternatively extent of its contribution in actual work as certified by the client can be considered.
14	Please amend Clause 2.2(b)(2) as The applicant should also have satisfactorily completed earth work, airfield pavement and airfield lighting system (CAT-I) including AGL system during the last Seven years ending 31 December 2012.	Refer response to no.1.
15	With respect to the RFQ for Kannur International Airport, we would like to have the clarification on Annex VI: Format for Financial Capabilities where a Certificate from Statutory Auditor is required. We will be quoting in the name of our parent company "IsoluxIngenieria S.A" and the statutory auditors for the same is Price Waterhouse coopers. Since obtaining a certificate from Price	No change in Clause no 2.2(e), regarding Certificate(s) from Statutory auditors to be produced will be made except in the case of last completed Financial year where time is still allowed for statutory auditors report as per the laws of the concerned country. However this is subject to the

	Waterhouse Coopers can take longer, can we get a certificate from our Chartered accountant of Isoluxcorsan India. Please clarify.	condition that the applicant shall produce their Chartered Accountant(s) certificates and further give an undertaking to the effect that Statutory Audit report will be submitted before/along with the bids at RFP stage.
16	we request you to include in qualification criteria of work experience National Highways and 8 lane access controlled road projects.	Refer response to in query No.1.
17	We want know that Foreign Company can participate in alone? OR Foreign Company can participate only in LEAD partner with Indian Contractor?	Refer Clause 1.2.3(B).Foreign company can participate alone or in partnership with Indian company/companies.
18	1.We understand that the earth work done in hilly terrain which requires extensive earth work involving cutting and filling and is part of a any project being similar in nature shall be considered as work experience under Clause 2.2 (b) (1). Please clarify.  2.We understand that the required experienced score of Rs. 525 Cr can entirely be met from completed work as per Clause 1.2.1. Please clarify  3.We request the authority to consider the payment received during last 5 financial years for projects in progress.	Refer response to query No.1.  Refer response to query No.1.  Refer response to query no.1.Only completed projects will be considered.

	<p>4. It is not feasible to arrange the certificates form as per format given in the RFQ, in such short notice. Therefore we request the authority to accept the statutory auditor as well.</p>	<p>Experience certificate from client is to be submitted covering all the details stipulated in RFQ format. However the format itself can be different.</p>
19	<p>Please clarify what detail regarding sub-contractor having experience in airfield lighting system is to be submitted along with application.</p> <p>We understand that an undertaking in letter head of applicant stating the engagement of such sub-contractor in case of award of project should be submitted in RFQ stage. Kindly clarify.</p>	<p>The applicant shall submit, at RFQ stage, details of the sub-contractor and experience certificate from the client showing details of works undertaken by him.</p>
20	<p>With reference to Clause 2.2(b), work Experience(1), please define similar work</p>	<p>Similar nature means similar nature of work executed in Airport projects only.</p>
21	<p>Whether experience of Road and Highways will be considered</p>	<p>No, Refer response to query No.1.</p>
22	<p>With reference to Clause 2.2(b), please confirm whether airfield pavement would consist of runway construction or other ancillary works.</p>	<p>Refer Clause 2.2(b)(2), Runway construction is not mentioned specifically, however experience in airfield pavement is mandatory.</p>
23	<p>With reference to Clause 2.2(b), work experience(2), request you to allow us to give an undertaking for airfield lighting system. Subcontractor experience may be provided at the time of bidding.</p>	<p>Refer response to query No. 19.</p>
24	<p>As per clause 2.2 b (2) Pre-qualifying</p>	<p>No, it shall be as per Clause</p>

	criteria-Can this condition met by sub-contractor	no.2.2(b)(1) & (2) as amended.
25	<p>1.Is this an International Bidding(ie are foreign companies allowed for this tender)?</p> <p>2.An Indian subsidiary can bid this tender while using parent company credentials?</p> <p>3.Works started before the cutoff date but completed after the cutoff date are eligible under the technical eligibility criteria (cutoff date for this tender is 15<sup>th</sup> Feb 2008)?OR only the works started as well as completed after the cutoff date are eligible?</p> <p>4.What documents are required from the subcontractors for airfield lighting system (CAT-I) as the tender stage</p> <p>5. Does a similar work count any other extensive earthwork except an airport construction project?</p> <p>6. Earthwork volumes and percentage of rock(Blasting?)</p> <p>7. Transport distance to acquire the raw material and landfill location?</p> <p>8. Materials and Detailed geology report?</p>	<p>Yes, Foreign companies are allowed.</p> <p>Experience of only applicant firm(s) shall be considered.</p> <p>Yes, works started before cutoff date but completed after cutoff date will be considered.</p> <p>Refer response to query no.19.</p> <p>Refer response to query no.1.</p> <p>Indicative quantity of earthwork and other details shall be furnished in RFP.</p> <p>-do-</p> <p>-do-</p>

26	<p>1. The authority categorically absolves itself on the adequacy or correctness of the information supplied vide the RFQ document and advises the Applicant to ascertain the same on its own. In order to corroborate the extent of desired information and data will the Authority provide, to prequalified bidders, its DPR and authorization for obtaining desired information from any and all Government departments for obtaining and cross checking all information on this project?</p> <p>2.As stated in the RFQ document, In case a bidder is rejected without assigning any reasons then will the fee of Rs. 50,000/- be refunded?</p> <p>3. What is expected of the bidders just in case any archaeological findings of interest and importance are discovered from the site and it has implications on the site plan?</p> <p><b>4.</b> The work is bound to require exceptionally heavy earth moving machinery and equipment. What is the status of access roads to site and if not available then who is responsible for its making / maintenance during the project period and thereafter?</p> <p>5. Status of acquisition of balance land /</p>	<p>DPR and relevant authorization letter shall be issued to successful bidder.</p> <p>No, it will not be refunded.</p> <p>The RFP document will cover this.</p> <p>Public roads are available for movement of equipment up to site boundary. Provision of further access within the site is part of the scope of work. EPC contractor will be responsible for maintenance of roads in project area.</p> <p>Refer Clause 1.1.3 and 1.1.10.</p>
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	<p>statutory clearances and expected time frame of completion?</p> <p>6. Does the term earth work include rock blasting / semi loose rock work etc. Who owns the excavated rock debris? Can they be utilized as aggregate, free of cost, in the concreting job if so passed in required tests?</p> <p>7. With the extensive earth filling desired, who provides the borrow area and what is the expected lead and royalty status?</p> <p>8. Since the Detailed design is by the selected Applicant, will the Authority provide a BASIC Engineering Package as the starting document?</p> <p>9. Any special Tax concessions applicable to this project?</p>	<p>In respect of environment clearance, EIA and public hearing have been completed and final report submitted to Ministry of Environment and Forest. The final clearance is expected by March 2013.</p> <p>This will be clarified in RFP.</p> <p>These details will be provided in RFP.</p> <p>These details will be provided in RFP.</p> <p>Tax concessions, if any, will be intimated in due course.</p>
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	<p><b>10.</b> Who is responsible for utilities and drain Waste Water treatment for the project?</p> <p><b>11.</b> If the consortium partner is a 100% subsidiary, can the financial criteria of RFQ through Promoter Company be made applicable?</p> <p><b>12.</b> In the clause 2.2 (b) the applicant should have completed in his name work of the similar nature in EPC mode. We request the Authority to consider as applicable and qualified for this project, the relevant experience of the lead bidder having completed similar nature of work other than Airport project.</p> <p><b>13.</b> If the earth work is done by the applicant through a consortium route with joint execution responsibilities with other consortium members and the total executed work by the consortium is meeting qualifying criterion then will it be considered as the work experience of the applicant?</p>	<p>This will be clarified in RFP.</p> <p>Finance criteria of only the consortium partner ie, only the applicant(s) will be considered.</p> <p>Refer response to query No.1.</p> <p>The experience of the applicant in an earlier consortium can be considered to the extent of its share holding as certified by the client and as shown in the JV/consortium agreement defining the scope of work and responsibilities. Alternatively extent of its contribution in actual work as certified by the</p>
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	<p>14. What is the value wise breakup of pavement experience. Can the same experience be from some other project or from the same project wherefrom the qualifying criterion of earthwork is derived?</p> <p><b>15.</b>As per the latest corrigendum 1 of January 23.....If the lead applicant fulfills 75% of the desired criterion on work experience, Annual turnover liquidity and net worth then it is understood that the other two partners can make up ONLY the financial criteria shortfall of 25% together but other two members are still required to individually fulfill the 40% of minimum qualifying criterion in respect of Annual turnover, liquidity and net worth as laid down in clause 2.2.....NEEDS EXPLICIT CONFIRMATION WITH EXAMPLES as provided for other financial figures.</p> <p>16. We request that the work experience for lead Applicant be relaxed to consider for last 7 years (as the previous RFQ also</p>	<p>client can be considered.</p> <p>We have not specified break up of pavement experience. The experience shall be from completed work as defined in Clause 2.2(b)(1)&amp;(2) amended.</p> <p>Eligibility criteria here will remain unchanged.</p> <p>Refer response to query no.1.</p>
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	allows for 7 years) and the lead Applicant may only be desired to have earthwork experience and stipulation for also having Airport Pavement concreting experience of similar nature along with be relaxed and considered deriving from other participating partner.	
27	Foreign company-Power of attorney executed outside India-applicable law and charter documents does not require a foreign company to have a common law.	Power of Attorney executed outside India as per applicable law in the country concerned will be accepted after it is adjudicated in India before the revenue authority by paying the necessary stamp duties.