

MUMBAI METRO RAIL CORPORATION LIMITED

Mumbai Metro Line-3 Project

IFB No: MM3-CBS-DEQ-9-03

Design, Manufacture, Supply, Installation, Tesing & Commissioning and Comprehensive Maintenance Service of Rail-cum-Road Diesel Shunter

Response to Bidders' Queries (SET-2)

Sr. No.	Part No. & Section No.	Clause No.	Page No.	Bid Document Clause Description	Bidder's Query /Clarification	MMRC Response
1	Part 1, Section II-BDS Part 1, Section IV-A- Bidding Forms	ITB 22.2 ITB 22.2, Section II	5 of 6 20 of 26	The written confirmation of authorization to sign on behalf of the Bidder shall consist of the Power of Attorney and the document shall be notarized. In case of a foreign company, the document shall be Apostille or Authenticated by Indian Embassy/Consulate in that country, and shall be attached to the Bid.	Suggestion: In case of a foreign company, the document shall be Apostille or Authenticated by Indian Embassy/Consulate in that country or notarized and shall be attached to the Bid. Reason: This helps to ease the process and is in accordance with guidelines followed by rail ministry and other government entities viz other Metro corporation in India. Please allow for notarized documents as due to year end annual holidays Apostille or Authenticated by Indian Embassy/Consulate will take much longer time compared to bid submission dates.	Bidding Documents Conditions prevail.
2	Part 1-Bidding Procedure, Section –II	Bid Data Sheet, ITB 24.1		Addendum no. 2 Replace The deadline for Bid submission is: Date: 20th December 2022, Time: 15:00 hrs. With The deadline for Bid submission is: Date: 10th January 2023, Time: 15:00 hrs.	We would like to inform you that we need some more time to prepare the bid as various documents needs to be apostille and certified from Auditor also we need some time to prepare the bid security. Since entire Europe will be closed from this weekend due to long Christmas Holidays and will be opened on 09th January 2023 and hence we request you to kindly extend the Bid submission date by another 45 days from the current bid submission date, i.e, 20.12.2022.	Please refer to Addendum No 3 Sr No 01 & Sr No. 2.
3	Part 1-Bidding Procedure, Section –II	Bid Data Sheet, ITB 27.1		Addendum no. 2 Replace The deadline for Bid submission is: Date: 20th December 2022, Time: 15:15 hrs. With The deadline for Bid submission is: Date: 10th January 2023, Time: 15:15 hrs.	We would like to inform you that we need some more time to prepare the bid as various documents needs to be apostille and certified from Auditor also we need some time to prepare the bid security. Since entire Europe was closed due to long Christmas Holidays and will be opened on 09th January 2023 and hence we request you to kindly extend the Bid submission date by another 30 days from the current bid submission date, i.e, 10.01.2023.	

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4	Part 1, Section III-EQC	2.3.1	7 of 11	<p>Financial Situation: The audited balance sheets or, if not required by the laws of the Bidder's country, other financial statements, including Profit & Loss statement acceptable to the Employer, for the last 5 years ending 31st March 2022 for the countries here the financial year ending on 31st March, or for the last 5 years ending 31st December 2021 for the countries where the financial year ending on 31st December shall be submitted. As the minimum requirement, and Bidder's net worth calculated as the difference between total assets and total liabilities shall be positive for the last financial year during the above period.</p>	<p>In our country, financial statement, balance sheet including Profit & Loss statement of the subsidiaries are consolidated with the parent/ ultimate holding company and the consolidated financial statements are audited which implies that there is no requirement under law to get the financial statement, balance sheet including Profit & Loss statement of the subsidiaries audited separately.</p> <p>Suggestion: The audited balance sheets or, if not required by the laws of the Bidder's country audited balance sheet of the ultimate holding/ parent company showing that the bidder is 100% owned subsidiary of the ultimate holding/ parent company and other financial statements, including Profit & Loss statement acceptable to the Employer, for the last 5 years ending 31st March 2022 for the countries where the financial year ending on 31st March, or for the last 5 years ending 31st December 2021 for the countries where the financial year ending on 31st December shall be submitted. As the minimum requirement, an Bidder's net worth calculated as the difference between total assets and total liabilities shall be positive for the last financial year during the above period.</p> <p>Please note: Parent company financials doesn't indicate contributions of subsidiary companies as per prevalent laws. The parent company indicate contributions as per business segments i.e., equipment, services etc.</p>	Bidding Documents Conditions prevail.
5	Part 1, Section IV-B - Pricing Document	1.2.7		<p>Concessional benefits for Project Import MML3 Metro Project is eligible for availing concessional duty benefits as per Customs Tariff Act for Project Imports and Bidders shall refer to Project Import Regulation 1986 (PIR), Section 5, read along with Customs Manual Chapter 5, Para 3, 4 & 5. After award of Contract, at the request of the Contractor, MMRC shall issue sponsoring/ recommendation letter to the Contractor for getting themselves registered for availing Project Import Benefit. However, the responsibility to avail the concessional benefits under Project Import or otherwise as extended in accordance with the law of the land shall solely rest with the contractor and all logistics and other arrangement in connection with the import of material shall remain with the Contractor as per the Bid conditions. The Contractor shall be the importer of all items to be imported for this project.</p>	<p>Shuttlewagon Inc. doesn't have a PE establishment in India at present and hence no IEC (Import Export Code). As the tender terms are DDP basis so Shuttlewagon shall require an authorization from Mumbai Metro to use their IEC to import the shunter in India. Please confirm that MMRCL will provide their IEC to Shuttlewagon inc. in the event of award of the contract.</p>	Bidding Documents Conditions prevail.
6	Part 2, Section VI-B- Technical Specification	Clause No. 2.2 Operational Requirements of Shunter: (f)	2 of 7	<p>Addendum No.1 Replace The Shunter shall be capable of starting from the base of Ramp of the tunnel and cross over the Ramp along with empty 8-car train in maximum 2 minutes</p> <p>With The Shunter shall be capable of starting from the base of Ramp of the tunnel and cross over the Ramp along with empty 8-car train in less than 8 minutes.</p>	<p>With our globally proven model it will take the Shunter and trailing cars 12.7 minutes to transverse the ramp. In our opinion this requirement is required for a rescue that could take 90+ minute and therefore the additional 5 minutes will have little impact. So, we request acceptance of additional five minutes and replace the clause</p> <p>with The Shunter shall be capable of starting from the base of Ramp of the tunnel and cross over the Ramp along with empty 8-car train in less than 13 minutes.</p>	Bidding Documents Conditions prevail.

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7	Part 2, Section VI-B	2.7 (a)	2 of 7	<p>Addendum no. 1 Replace The Diesel engine shall have a capacity to meet the haulage requirements as given in Clause 3.3 with an additional safety margin. The engine capacity shall be at least 450 HP. The engine power shall be transmitted to both the driving axles through gear drive.</p> <p>With The Diesel engine shall have a capacity to meet the haulage requirements as given in Clause 3.3 with an additional safety margin. The engine capacity shall be at least 420 HP. The Contractor shall prove the adequacy of Engine capacity during design stage. The engine power shall be transmitted to both the driving axles through gear drive.</p>	<p>Our global proven model can meet all the operational requirement with a 300HP fuel efficient, light weight engine. Our participation shall allow more competition among proven technologies. We request acceptance and replace the clause</p> <p>with The engine capacity shall be at least 300 HP. The Contractor shall prove the adequacy of Engine capacity during design stage. The engine power shall be transmitted to both the driving axles through gear drive.</p>	Bidding Documents Conditions prevail.
8	Part 2, Section VI-B	2.7(c)	11 of 19	The engine shall be designed to operate in tunnel, without affecting the health and safety of staff working in the vicinity. It shall be complaint to Indian smoke emission standards BS VI (India)/ Euro VI (Europe)/ Tier III (US). HSD oil compliant to BS VI shall be available for use in the Diesel Engine.	<p>Kindly Note that in the specification it is not in line as Euro VI (Europe) standard is with AD-Blue and Tier III US standard is without AD-Blue. Both are contradicting to each other.</p> <p>We suggest to be in line and Change Euro VI (Europe) standard to Tier IIIA European standard which is without AD-Blue.</p>	
9	Part 2, Section VI-B	2.7(c)	11 of 19	The engine shall be designed to operate in tunnel, without affecting the health and safety of staff working in the vicinity. It shall be complaint to Indian smoke emission standards BS VI (India)/ Euro VI (Europe)/ Tier III (US). HSD oil compliant to BS VI shall be available for use in the Diesel Engine.	<p>Kindly Note that in the specification it is not in line as Euro VI (Europe) standard is with AD-Blue and Tier III US standard is without AD-Blue. Both are contradicting to each other.</p> <p>We suggest to be in line and Change Euro VI (Europe) standard to Euro IIIA European standard which is equivalent to Tier III US standard.</p>	Please refer to Addendum No 3 Sr No 03.
10	Part 2, Section VI-B	2.10(e)	14 of 19	The Contractor shall provide 230 V AC sockets for charging of hand portables.	Please specify the Power because we have to see if a standard converter is enough or it may be required an additional Gen-Set on board.	The power consumption is 90 W maximum.

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11	Part 3 section IX contract forms	Clause no. 3.1(ii) – Terms of Payment-Schedule 1	6 of 22	<p>Seventy-five percent (75%) of the total or pro rata DDP (Delivery at MMRCL Site) amount, upon delivery to the site within forty-five (45) days after receipt of invoice and on submission of the following documents:</p> <p>a) Signed/ Certified commercial invoice of shipped items showing the description, quantity, and price of items shipped in duplicate.</p> <p>b) Non-negotiable shipping documents / proof of dispatch (Bill of Lading/ Airway Bill).</p> <p>c) Inspection Certificate issued by Employer's Representative after Factory Acceptance Test.</p> <p>d) Insurance documents of shipped items.</p> <p>e) Works Test Certificate.</p> <p>f) Crate-wise packing list along with weight of each item in the list.</p> <p>g) Certificate of country of origin issued by the appropriate authority.</p> <p>h) Certified copy of Certificate of receipt of full supplies at Depot site.</p> <p>i) Submission of all documents due till delivery of the Equipment</p>	<p>We request you that the payment shall me made on basis of LC (Letter of Credit) as because of below points</p> <p>a) Our OEM is not agreeing to participate in the tender without the LC payment mode.</p> <p>b) This tender is global bidding hence payment through LC is must required. Various other Metros such as MPMRCL had floated a global bid where the payment mode was on basis of LC (Extract of tender document attached).</p>	<p>Please refer to Addendum No 3 Sr No 04.</p>

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