

MUMBAI PORT AUTHORITY

Civil Engineering Department

No. CE.T.29/2024/

20th June 2024

Sub Tender No.E-29/2024: Appointment of consultant for preparation of DPR and obtaining Environment and CRZ clearance for the Development of Mallet Bunder” – **Reply to pre-bid queries.**

Sl. No.	Clause no.	Brief Description of the provision	Suggestions/ Clarifications by the bidders	Reply by MbPA
1.	Section B – 1.4(i)	The bidder can be registered firm, company established under Company Act or JV with not more than 3 members with an experience of minimum 7 years. (Registration certificate is to be submitted).	Kindly allow a consortium format also to bid on the project as all members satisfying the experience criteria may not be jointly and severally responsible for all parts of the works (for example, CRZ clearance works)	Kindly refer the eligibility criteria stated in modified clause 1.4
2.	Section B – 1.4(ii)	The bidder should be an Architectural firm or a Transaction Advisory firm with an experience of preparation of detailed architectural design, DPR, financial modelling Transaction Advisory Services and PPP Projects. (Experience to be given in prescribed Format).	Kindly review and moderate the requirement to permit firms in consulting business in the sector to participate in the bid. Also, kindly clarify if this is a requirement for all the partners in case a JV is formed.	Kindly refer the eligibility criteria stated in modified clause 1.4
3.	Section B – 1.4(v)(e)	The consultant should be accredited by the Environment dept to carry out the work of CRZ and Environmental and other clearances	Kindly confirm if the qualification requirements indicated could be met jointly by partners, if a JV is proposed to be formed for bidding and executing the work, if successful.	Kindly refer the eligibility criteria stated in modified clause 1.4
4.	Section B – 4.7		The firm has to give presentation on the capability etc. There is a mention of a concept design also in this list. According to the Terms of Reference, this is an activity that is to be performed in 3 months time. Hence, we request to kindly avoid this as part of the bid submission / presentation.	Tender condition prevails

5.	Annexures		Kindly confirm if there is a specific format for Consortium to be submitted or a general format will be acceptable.	Please refer Annexure of Joint Bidding agreement.
6.		Submission Deadline	Kindly provide adequate time of at least 3 weeks after the clarifications / modification are issued on the tender portal.	Please refer revised Tender Schedule published in latest Corrigendum.
7.		S. No. 8 – Bid Submission End Date 10th April, 2024 at 3:00 pm	Bidder request to Mumbai Port Authority to extend the submission date for two weeks from the response date of pre-bid queries by the Mumbai Port Authority.	Please refer revised Tender Schedule published in latest Corrigendum
8.	1.4.1	S. No. 2 PPP Project: Any successful PPP Projects where the agreement is signed	Bidder request to Mumbai Port Authority, to amend the clause as below; PPP Project: Any successful PPP Projects where the agreement is signed or under the process of signing.	Tender conditions prevails
9.	1.5	<u>Team Leader</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning • Experience: Minimum 15 years' experience in the relative field 	Bidder request to Mumbai Port Authority, to amend the clause as below; <u>Team Leader</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning / Urban Design / M. Arch Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	Kindly refer the modified clause 1.5
10.	1.5	<u>Architect and Urban Planner or Real Estate Expert</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning • Experience: 	Bidder request to Mumbai Port Authority, to amend the clause as below; <u>Architect and Urban Planner or Real Estate Expert</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master Degree in Business Administration 	Kindly refer the modified clause 1.5

		Minimum 15 years' experience in the relative field	or Chartered Accountancy or Master degree in Urban Planning / Urban Design / M. Arch Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	
11.	1.5	<u>Financial Expert</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ MBA or / CA/ CFA or equivalent • Experience: Minimum 10 years' experience in the relative field 	Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	Kindly refer the modified clause 1.5
12.	1.5	<u>Urban Designer</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master's in Urban design from reputed Institute with B. Arch or equivalent • Experience: Minimum 10 years' experience in the relative field 	Bidder request to Mumbai Port Authority, to amend the clause as below; <u>Urban Designer</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ Master's in Urban design / Urban Planning from reputed Institute with B. Arch or equivalent Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	Kindly refer the modified clause 1.5
13.	1.5	<u>Civil Engineer</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ B.E. (Civil), M. Tech in Environment or Infrastructure • Experience: Minimum 5 years' experience in the relative field 	Bidder request to Mumbai Port Authority, to amend the clause as below; <u>Civil Engineer</u> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ B.E. (Civil) / M. Tech in Environment or Infrastructure Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	Kindly refer the modified clause 1.5

14.	1.5	<p><u>Legal Expert</u></p> <ul style="list-style-type: none"> • Qualification: <ul style="list-style-type: none"> ○ LLB and LLM • Experience: Minimum 5 years' experience in the relative field 	Bidder request to Mumbai Port Authority, to specify the experience in the relative field.	Kindly refer the modified clause 1.5
15.	4.6.1	<ul style="list-style-type: none"> • Experience of obtaining CRZ and environment clearance <ul style="list-style-type: none"> ○ The bidder should have experience of obtaining CRZ and environment clearance for at least 3 projects: <ul style="list-style-type: none"> ✓ 3 project matching the above criteria (7 marks) Or more than 3 projects matching the above criteria (1 marks each) 	<p>Bidder request to Mumbai Port Authority, to amend the clause as below;</p> <ul style="list-style-type: none"> • Experience of obtaining CRZ and environment clearance <ul style="list-style-type: none"> ○ The bidder should have experience of obtaining or in the process of obtaining CRZ and environment clearance for at least 3 projects: <ul style="list-style-type: none"> ✓ 3 project matching the above criteria (7 marks) Or more than 3 projects matching the above criteria (1 marks each) 	Tender conditions prevail
16.	4.7	<p>The firm has to give presentation to the evaluation committee constituted by MbPA explaining the following,</p> <ul style="list-style-type: none"> ○ Experience of similar project ○ Project understanding ○ Approach and methodology ○ Manpower deployment Concept Design 	<p>As per bidder understanding, approach & methodology and manpower deployment plan will not be the part of tender submission since no marks has been assigned to approach & methodology in technical evaluation criteria and it will only be a part of the presentation.</p> <p>Please confirm bidder understanding?</p>	Approach & methodology and manpower deployment plan is part of presentation
17.			Kindly specify the category of Coastal Regulation Zone (CRZ) clearance required and provide an update on the status of CRZ mapping?	The plot falls under CRZ-II as per approved CZMP map
18.	General	Submission of Tender	For more Competitive bidding. We request you to	Kindly refer the modified clause no 1.4

			allow us to submit the bid through subsidiary company and Technical & Financial experience can be consider of Parent Company/Affiliate company. Kindly accept and confirm.	
19.	General	Government fees and Statutory fees	All government/ Statutory fees is in the Scope Executive Engineer Mumbai Port Authority (MbPA). Kindly Confirm.	All statutory fees which are necessary for processing of statutory clearances as referred in ToR will be borne by MbPA.
20.	General	Forest Clearance, Wildlife Clearance and other NOC	Forest clearance, Wildlife clearance and all other clearance is in the Scope of Mumbai Port Authority (MbPA), Kindly confirm.	Additional clause added in Sr. No 5: Terms of Reference-Stage 6 as under g. Prepare all the documents, drawings, presentations, submissions and submit the proposal, present the proposal to respective committee, follow up with respective agencies and obtain approval/ NoC/ clearances from all statutory bodies necessary for planning and implementation of this project.
21.	1.4. Eligibility Criteria	v. Technical criteria a. The bidder should have prepared DPR for minimum 5000 sq. mts built up area (80% of the project BU area) (Client Certificates)	For More Competitive bid, request to amend the clause as The bidder should have prepared Municipal Solid waste project DPR for minimum 5000 sq. mts built up area (80% of the project BU area) (Work Orders) Kindly confirm.	Tender conditions prevail
22.	1.4. Eligibility Criteria	b. The bidder should have undertaken feasibility / market assessment analysis / PPP Projects structuring for at least 3 projects of minimum Rs. 9.00 crores	For More Competitive bid, request to amend the clause as The bidder should have undertaken any project feasibility study/ market	Tender conditions prevail

		each in last 7 years (Client Certificates)	assessment analysis / PPP Projects structuring for at least 3 projects in last 7 years (Work Orders)																																		
23.	1.4. Eligibility Criteria	d. The bidder should have designed a waterfront area of minimum 1.5 ha. (Client Certificate or approval documents) Waterfront Project along the seafront/ creek/ river/ or lake of minimum 1.5 ha. Developed for recreation, tourism, commercial, etc.	For More Competitive bid, request to amend the clause as The bidder should have designed a waterfront area/SWM Project/Infrastructure project/any project of minimum 1.5 ha. (Work Orders)	Tender conditions prevail																																	
24.	Time schedule 5.1. Payment Schedule	Stage 4 - Detailed project report T+5 months And Stage 6 - Clearance from MCZMA and MOEFCC T+10 months	As per scope of work, the DPR is Approval of SFC hence request to amend the Time schedule as Stage 4 DPR Approval from SFC T+5 Month and CRZ and Environment Clearance work start after DPR Approval, hence CRZ and Environment Clearance requires minimum 10 months after DPR Approval.	Tender condition prevails																																	
25.	5.1. Payment Schedule	<table border="1"> <thead> <tr> <th>Sr. No</th> <th>Stage</th> <th>Payment</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Inception report</td> <td>10%</td> </tr> <tr> <td>2</td> <td>Conceptual design</td> <td>20%</td> </tr> <tr> <td>3</td> <td>Detailed project design</td> <td>20%</td> </tr> <tr> <td>4</td> <td>Detailed project report</td> <td></td> </tr> <tr> <td></td> <td>i. Submission and approval of DPR</td> <td>10%</td> </tr> </tbody> </table>	Sr. No	Stage	Payment	1	Inception report	10%	2	Conceptual design	20%	3	Detailed project design	20%	4	Detailed project report			i. Submission and approval of DPR	10%	As per Huge scope of work request to amend the Payment schedule as <table border="1"> <thead> <tr> <th>Sr</th> <th>Stage</th> <th>Payment</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Inception report</td> <td>20%</td> </tr> <tr> <td>2</td> <td>Conceptual design</td> <td>25%</td> </tr> <tr> <td>3</td> <td>Detailed Project Design</td> <td>25%</td> </tr> <tr> <td>4</td> <td>Detailed</td> <td></td> </tr> </tbody> </table>	Sr	Stage	Payment	1	Inception report	20%	2	Conceptual design	25%	3	Detailed Project Design	25%	4	Detailed		Tender conditions prevail
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26.	Section B –1.4(ii)	The bidder should be an Architectural firm or a Transaction Advisory firm with an experience of preparation of detailed architectural design, DPR, financial modelling Transaction Advisory Services and PPP Projects. (Experience to be given in prescribed Format).	Kindly review and moderate the requirement to permit firms in consulting business in the sector to participate in the bid. Also, kindly clarify if this is a requirement for all the partners in case a JV is formed.	Kindly see the modified clause no 1.4									
27.	Annexures		Kindly confirm if there is a specific format for Consortium to be submitted or a general format will be acceptable.	Please refer Annexure of Joint Bidding agreement.									
28.	Note b.(ii)	Annual Accounts for positive network	Seems like spelling error. It should be "Annual Accounts for positive network"	Note b(ii) to be read as "Annual Accounts for positive Network"									
29.			What is the purpose of this experience? Since this project is proposed to be implemented on PPP mode, it would be the	Tender conditions prevail. The project design is required for obtaining statutory permissions									

	1.4.1 (iii)	Waterfront Project: Waterfront Project along the seafront/ creek/ river/ or lake of minimum 1.5 ha. Developed for recreation, tourism, commercial, etc.	developer who has to have experience of development of waterfront. The designs prepared by MPT or by the consultants would serve only as a reference and the Developer shall develop the project using their own designs. Hence, we request you to kindly remove this clause.	
30.	1.5	Key Personnel	While the scope of work requires the consultants to undertake EIA as well as to get CRZ clearance, the CVs of the Environmental Expert and CRZ Expert are not being evaluated. We request you to kindly include these 2 positions.	Tender condition prevails
31.	1.1	MSME Exemption	While this clause talks about EMD exemption, the Bid Data Sheet on page 1-6 does not clearly mention this. We understand that registered MSMEs shall be exempt from payment of EMD also. Kindly confirm.	Kindly refer modified clause 1.10
32.	4.6.1	Experience in similar Projects Part A- DPR Preparation	In PPP Projects, generally feasibility studies are prepared and a Project information Memorandum is shared with the prospective bidders. Also, Generally, the projects on EPC mode or Item rate contracts need DPR because the contractor has to adhere to the designs prepared in the DPR. From the RFP, it seems that the requirement is only for Feasibility report. So, we are presuming that a Feasibility report may be prepared; which will estimate the cost on a block cost estimate basis; and that the Detailed Bills of Quantity and Schedule of Rate to arrive at exact costing may not be	<ol style="list-style-type: none"> 1. Preparation of DPR is part of ToR. 2. condition for supporting documents modified in clause 4.6.1- A, B, C, D. Consultant can submit certificate from client for satisfactory completion of work

			<p>required.</p> <p>Kindly confirm.</p> <p>In almost all the categories, the sharing of final report of other projects may not be possible due to confidentiality clause in the present agreements with respective clients. MPT would also appreciate that when the consultants bid for projects at other Authorities, the Deliverables prepared as part of this assignment cannot be shared with other clients. Hence, this condition may be removed from 4.6.1- A, B, C, D. Client certificates and work orders should suffice for evaluation.</p>	
33.	4.6.2	Key Personnel scoring	<p>Kindly add the scores for Environmental Impact Assessment Expert 1 and CRZ Expert- as requested earlier.</p>	Tender conditions prevails
34.	General	-	<p>We understand that No surveys such as topographical survey, geotechnical surveys, bathymetry survey etc are required to be undertaken by the consultants. The baseline environmental assessment for EIA shall also be undertaken by MPT separately. Kindly confirm.</p>	Baseline environment assessment study and other survey for EIA to be undertaken by consultant. In case it is established by MbPA that a particular survey is necessary then the cost will be borne by MbPA.
35.	1.4.1. Eligible Assignments	<p>For the purposes of determining Conditions of Eligibility and for evaluating the Proposals under this RFP, consultancy assignments in respect of consultancy services for the following projects shall be deemed as eligible assignments (the "Eligible Assignments").</p> <p>i. Detailed Project Report (DPR): Techno Economic Feasibility Report/ Detailed Project Report (DPR) ii. PPP Project: Any successful PPP Projects where the</p>	<p>We presume PPP Project of any infrastructure projects will be considered.</p>	Tender conditions prevails

		agreement is signed.		
36.		The bidder should have undertaken feasibility / market assessment analysis / PPP Projects structuring for at least 3 projects of minimum Rs. 9.00 crores each in last 7 years	We request you to consider experience in last 10 years and of at least 1 project of minimum 30 Crs. will be considered.	Tender condition prevails
37.		Bid Process Selection on QCBS with 70% for Technical and 30% for Financial <ul style="list-style-type: none"> • 3 project matching the above criteria having project cost >9 crore (7 marks) or Greater than 3 no. projects matching the above criteria having project cost > 9 crore (1 marks each project) 	We request you to consider selection on QCBS with 80% for Technical and 20% for financial to get the good competitive bidding. Hence according to above request you to consider as below: <ul style="list-style-type: none"> • 1 project matching the above criteria having project cost >30 crore (10 marks) or • 2 project matching the above criteria having project cost >20 crore (10 marks) • 3 project matching the above criteria having project cost >10 crore (10 marks) 	Tender condition prevails
38.		Team Leader Real Estate Expert cum PPP Expert or Architect and Urban Planner Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning	We request you to consider master's in architecture degree also for this position.	Tender condition prevails
39.		Team Leader The Team leader proposed must be a permanent full time employee of the firm	After covid, due to commercial costcutting reasoning very few key personnel are hired on a full-time basis. Many key personnel remain available as associates. We have many associates which are more than 15 years and passed out from reputed architect Institute like J J college of Architecture.	Tender condition prevails

			So kindly delete permanent full-time employee of the firm for this position.	
40.		The consultant should be accredited by the Environment dept to carry out the work of CRZ and Environmental and other clearances	<p>It is a general practice of the company that main consultant always appoint as specialist consultant for enviro and CRZ clearance consultant.</p> <p>In many projects the same procedure has been followed by other clients.</p> <p>Hence, we request you to allow us to submit the association letter of such agency in the submission and consider the same.</p>	Tender condition prevails
41.		Such replacement will attract deduction in lump-sum quoted at the rate of Rs.1,00,000/- per replacement	As the cost of the project is small, we request you to reduce the replacement penalty cost upto Rs. 20,000/- only per replacement.	Tender condition prevails
42.		Scope of work : Obtain the clearance from MCZMA. prepare documents, plans and obtain CRZ clearance from Environment Department, GoM (MCZMA) on behalf of MbPA.	<p>CRZ Mapping and clearance– All statutory fees, fees towards application for CRZ clearance, Application fee for ToR, NOC and guarantee deposit for public hearing etc. shall be borne by Client.</p> <p>Kindly clarify.</p>	All statutory fees required for seeking NoC/ permissions as per ToR will be borne by MbPA.

Details of modification in RFP

Sr. No.	Clause No.	Clause as per published RFP	Modified Clause
1.	Eligibility Criteria 1.4	<p>1 Eligibility Criteria (Pre-qualification criteria):</p> <p>Bidder</p> <p>i. The bidder can be registered firm, company established under Company Act or JV with not more than 3 members with an experience of minimum 7 years. (Registration certificate is to be submitted).</p> <p>ii. The bidder should be an Architectural firm or a Transaction Advisory firm with an experience of preparation of detailed architectural design, DPR, financial modelling Transaction Advisory Services and PPP Projects. (Experience to be given in prescribed Format).</p> <p>iii. The bidder should have office in Mumbai.</p> <p>iv. The consultant shall have proven track record in consultancy and must satisfy the minimum eligibility criteria as stated</p>	<p>1.4 Eligibility Criteria (Pre-qualification criteria):</p> <p>Bidder</p> <p>i. The bidder can be registered firm, company established under Company Act/JV/consortium with not more than 3 members with an experience of minimum 7 years. (Registration certificate is to be submitted). In case of JV/ consortium an MoU or agreement need to be submitted defining the role and responsibilities of each member.</p> <p>ii. The bidder or lead member should be an Architectural firm with an experience of preparation of detailed architectural design or a Transaction Advisory firm with an experience of , DPR, financial modelling Transaction Advisory Services and PPP Projects. (Experience to be given in prescribed Format).</p> <p>iii. The bidder or lead member should have office in Mumbai Metropolitan Region. The bidder may submit a declaration to establish and provide the address of Mumbai Metropolitan Region office within one month from award of work.</p> <p>iv. The consultant shall have proven track record in consultancy and must satisfy the minimum eligibility criteria as stated below for being eligible for further evaluation and selection process.</p> <p>Technical criteria</p> <p>a. The bidder/lead member should have prepared DPR for minimum 5000 sq. mts built up area (80% of the project BU area) (Client Certificates) ; and</p> <p>b. The bidder/lead member should have designed a waterfront area of minimum 1.5 ha. (Client Certificate or approval documents) and</p> <p>c. The bidder/JV partner should have undertaken feasibility / market assessment analysis / PPP Projects structuring for at least 3 projects of minimum Rs. 9.00 crores each in last 7 years (Client Certificates) ; and</p> <p>d. The bidder/JV partner should have experience of obtaining CRZ and environment</p>

		<p>below for being eligible for further evaluation and selection process.</p> <p>v. Technical criteria</p> <p>a. The bidder should have prepared DPR for minimum 5000 sq. mts built up area (80% of the project BU area) (Client Certificates)</p> <p>b. The bidder should have undertaken feasibility / market assessment analysis / PPP Projects structuring for at least 3 projects of minimum Rs. 9.00 crores each in last 7 years (Client Certificates)</p> <p>c. The bidder should have experience of obtaining CRZ and environment clearance for at least 3 projects (Client Certificates).</p> <p>d. The bidder should have designed a waterfront area of minimum 1.5 ha. (Client Certificate or approval documents)</p> <p>e. The consultant should be accredited by the Environment dept to carry out the work of CRZ and Environmental and other clearances</p> <p>vi. Financial Criteria:</p>	<p>clearance for at least 3 projects (Client Certificates) ; and</p> <p>e. The bidder/JV partner should be accredited by the Environment dept to carry out the work of CRZ and Environmental and other clearances</p> <p>Financial Criteria:</p> <p>a. The individual bidder or lead member should have positive net worth (Annual Accounts).</p> <p>b. The individual bidder or JV should have annual average turnover of Rs. 3.5 crores for any 3 years in last 7 years (Certificate signed by the Statutory Auditor). In case of JV, lead member should have an annual average turnover of atleast Rs. 1.75 crores for any 3 years in last 7 years and other members should have atleast Rs. 87.5 lakhs for any 3 years in last 7 years.</p> <p>1.4.3 In case the Bidder is a Joint Venture, it shall comply with the following additional requirements: however Foreign Bidders are not considered eligible as JV member:</p> <p>(a) Number of members in a Joint Venture shall not exceed 3 (Three);</p> <p>(b) subject to the provisions of clause (a) above, the Bid should contain the information required for each Member of the Joint Venture;</p> <p>(c) Members of the Joint Venture shall nominate one member as the lead member (the —Lead Member). Lead Member shall meet at least 50% requirement of Financial Capacity, required as per Clause 1.4. The nomination(s) shall be supported by a Power of Attorney, as per the format at Appendix-IV, signed by all the other Members of the Joint Venture.</p> <p>d) the Bid should include a brief description of the roles and responsibilities of individual members, particularly with reference to financial, technical and defect liability obligations;</p>
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		<p>a. The bidder should have positive net worth (Annual Accounts).</p> <p>b. The individual bidder or the lead member in case of JV should have average turnover of Rs. 3.5 crores for any 3 years in last 7 years (Certificate signed by the Statutory Auditor).</p>	<p>e) An individual Bidder cannot at the same time be member of a Joint Venture applying for this Bid. Further, a member of a particular Bidder Joint Venture cannot be member of any other Bidder Joint Venture applying for this bid;</p> <p>f) Members of the Joint Venture shall have entered into a binding Joint Bidding Agreement, substantially in the form specified at Appendix V (the —Jt. Bidding Agreement), for the purpose of making the Application and submitting a Bid in the event of being pre-qualified. The Jt. Bidding Agreement, to be submitted along with the Application, shall, inter alia:</p> <p>i. convey the commitment(s) of the Lead Member in accordance with this RFP, in case the contract to undertake the Project is awarded to the Joint Venture; and clearly outline the proposed roles & responsibilities, if any, of each member;</p> <p>ii. commit the approximate share of work to be undertaken by each member;</p> <p>include a statement to the effect that all members of the Joint Venture shall be liable jointly and severally for all obligations of the Contractor in relation to the Project until the completion of the work is achieved in accordance with the contract; and</p> <p>(g) Except as provided under this RFP, there shall not be any amendment to the Jt. Bidding Agreement.</p> <p>(h) The joint venture will be allowed only for the purpose of fulfilling the conditions as per clause 1.4</p>
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			<p>1.4.4 Notwithstanding anything to the contrary contained herein, in the event that the Bid Due Date falls within three months of the closing of the latest financial year of a Bidder, it shall ignore such financial year for the purposes of its Bid and furnish all its information and certification with reference to the 7 (seven) years or 1 (one) year, as the case may be, preceding its latest financial year. For the avoidance of doubt, financial year shall, for the purposes of a Bid hereunder, mean the accounting year in India i.e. 1st April of calendar year to March 31st of next calendar year.</p> <p>1.4.5 Any entity which has been barred by the Central Government, any State Government, a statutory authority or a public sector undertaking, as the case may be, from participating in any project and the bar subsists as on the date of the Application, would not be eligible to submit a Bid either by individually or as member of a Joint Venture.</p> <p>1.4.6 The Bidder including individual or any of its Joint Venture Member should, in the last 2 (two) years, have neither failed to perform for the works of Central Government, any State Government, a statutory authority or a public sector undertaking as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Bidder including individual or any of its Joint Venture Member, as the case may be, nor has been expelled or terminated by Central Government, any State Government, a statutory authority or a public sector undertaking for breach by such Bidder including individual or any of its Joint Venture Member.</p> <p>1.4.6.1 The Bidder including individual or any of its Joint Venture Member may provide details of all their on-going projects along with updated stage of litigation, if so, against the Employer / Governments.</p>
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			<p>1.4.6.2 The Bidder including individual or any of its Joint Venture Member may also provide details of updated on-going process of blacklisting if so, under any contract with Employer / Government.</p> <p>1.4.6.3 The Employer reserves the right to reject an otherwise eligible bidder on the basis of the information provided under clause 1.4.10. The decision of the Employer in this case shall be final.</p> <p>1.4.6.4 Eligibility and qualification requirements of Bidder</p> <p>For determining the eligibility of Bidder the following shall apply:</p> <p>a) The Bidder may be a single entity or a group of entities (the “Joint Venture”), coming together to implement the Project. However, no Bidder applying individually or as a member of a Joint Venture, as the case may be, can be member of another Bidder. The term Bidder used herein would apply to both a single entity and a Joint Venture.</p> <p>b) Bidder may be a partnership / Limited Liability Company/Proprietorship firms or legal entity under Indian Companies Act, or any combination of them with a formal intent to enter into a Joint Venture agreement or under an existing agreement to form a Joint Venture. A Joint Venture shall be eligible for consideration subject to the conditions set out in Clause 1.4.8 above.</p> <p>c) A Bidder shall not have a conflict of interest (the “Conflict of Interest”) that affects the Bidding Process. Any Bidder found to have a Conflict of Interest shall be disqualified and liable for forfeiture of the BID Security or Performance Security as the case may be. A Bidder shall be deemed to have a Conflict of Interest affecting the Bidding Process, if:</p>
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			<p>d) the Bidder, its Joint Venture Member (or any constituent thereof) and any other Bidders,, its Member or any Member of its Joint Venture thereof (or any constituent thereof) have common controlling shareholders or other ownership interest; provided that this disqualification shall not apply in cases where the direct or indirect shareholding of a Bidder, or its Joint Venture Member thereof (or any shareholder thereof having a shareholding of more than 5% (five percent) of the paid up and subscribed share capital of such Bidder, or its Joint Venture Member, as the case may be) in the other Bidder its Joint Venture Member is less than 5% (five percent) of the subscribed and paid up equity share capital thereof; provided further that this disqualification shall not apply to any ownership by a bank, insurance company, pension fund or a public financial institution referred to in section 4A of the Companies Act 1956. For the purposes of this Clause 2.2.1(c), indirect shareholding held through one or more intermediate persons shall be computed as follows: (aa) where any intermediary is controlled by a person through management control or otherwise, the entire shareholding held by such controlled intermediary in any other person (the —Subject Person) shall be taken into account for computing the shareholding of such controlling person in the Subject Person; and (bb) subject always to sub-clause (aa) above, where a person does not exercise control over an intermediary, which has shareholding in the Subject Person, the computation of indirect shareholding of such person in the Subject Person shall be undertaken on a proportionate basis; provided, however, that no such shareholding shall be reckoned under this sub-clause (bb) if the shareholding of such person in the intermediary is less than 26% of the subscribed and paid up equity shareholding of such intermediary; or</p>
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			<p>e) a constituent of such Bidder is also a constituent of another Bidder; or</p> <p>f) such Bidder, or any of its Joint Venture Member thereof receives or has received any direct or indirect subsidy, grant, concessional loan or subordinated debt from any other Bidder, or any of its Joint Venture Member or has provided any such subsidy, grant, concessional loan or subordinated debt to any other Bidder its Member or any of its Joint Venture Member thereof; or</p> <p>g) such Bidder has the same legal representative for purposes of this Application as any other Bidder; or</p> <p>h) such Bidder or any of its Joint Venture Member thereof has a relationship with another Bidder or any of its Joint Venture Member thereof, directly or through common third party/parties, that puts either or both of them in a position to have access to each other's information about, or to influence the Application of either or each other; or</p> <p>i) Such Bidder or any of its Joint Venture Member thereof has participated as a consultant to the Employer in the preparation of any documents, design or technical specifications of the Project.</p> <p>j) A Bidder shall be liable for disqualification and forfeiture of BID Security, if any legal, financial or technical adviser of the Employer in relation to the Project is engaged by the Bidder in any manner for matters related to or incidental to such Project during the Bidding Process or subsequent to the (i) issue of the LA or (ii) execution of the Agreement.</p> <p>In the event any such adviser is engaged by the selected Bidder or Contractor, as the case may be, after issue of the LA or execution of the Agreement for matters related or incidental to the project, then notwithstanding anything to the contrary contained herein or in the LA or the Agreement and without Prejudice to any other right or remedy or the Employer, including the forfeiture and appropriation of the BID Security</p>
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			<p>or Performance Security, as the case may be, which the Employer may have there under or otherwise, the LA or the Agreement, as the case may be, shall be liable to be terminated without the Employer being liable in any manner whatsoever to the Selected Bidder or Contractor for the same. For the avoidance or doubt, this disqualification shall not apply where such adviser was engaged by the Bidder, its Member or Associate in the past but its assignment expired or was terminated 6 (six) months prior to the date of issue of this RFP. Nor will this disqualification apply where such adviser is engaged after a period of 3 (three) years from the date of commercial operation of the Project.</p>
2.	<p>Key Personnel 1.5 (1)</p>	<p>Minimum Qualifications: Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning</p> <p>Experience: Minimum 15 years' experience in the relative field</p>	<p>Minimum Qualifications: Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning</p> <p>Experience: Minimum 15 years' experience in Water front development or PPP projects of port infrastructure</p>
3.	<p>Key Personnel 1.5 (2)</p>	<p>Minimum Qualifications: Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning</p>	<p>Master Degree in Business Administration or Chartered Accountancy or Master degree in Urban Planning</p> <p>Experience: Minimum 15 years' experience in Water front development or PPP projects of port infrastructure</p>

		Experience: Minimum 15 years' experience in the relative field	
4.	Key Personnel 1.5 (3)	Finance Expert Experience: Minimum 10 years' experience in the relative field	Finance Expert Experience: Minimum 10 years' experience in PPP projects
5.	Key Personnel 1.5(4)	Urban designer Experience: Minimum 10 years' experience in the relative field	Urban designer Experience: Minimum 10 years' experience in waterfront development projects and port infrastructure
6.	Key Personnel 1.5(5)	Civil Engineer Experience: Minimum 5 years' experience in the relative field	Civil Engineer Experience: Minimum 5 years' experience in the Port infrastructure project
7.	Key Personnel 1.5(6)	Legal Expert: Experience: Minimum 5 years' experience in the relative field	Legal Expert Experience: Minimum 5 years' experience in Real estate development.
8.	1.10	MSME Exemption Tenderers who are registered with following organizations under the public procurement policy with effect from 01.04.2019 are eligible for availing benefits of exemption of cost of tender fee and EMD. They are required to submit documentary proof ie scanned copy of original certificate of such registration issued by following organizations	MSME Exemption Tenderers who are registered with following organizations under the public procurement policy with effect from 01.04.2019 are eligible for availing benefits of exemption of cost of tender fee and EMD. They are required to submit documentary proof ie scanned copy of original certificate of such registration issued by following organizations along with their offer for claiming the exemption. i. District Industries centers (DICs) ii. Khadi & Village Industries commission (KVIC) iii. Khadi & Village Industries Board (KVIB) iv. Coir Board v. National Small Industries Corporation (NSIC), Govt. of India enterprises under

		<p>along with their offer for claiming the exemption.</p> <ul style="list-style-type: none"> i. District Industries centers (DICs) ii. Khadi & Village Industries commission (KVIC) iii. Khadi & Village Industries Board (KVIB) iv. Coir Board v. National Small Industries Corporation (NSIC), Govt. of India enterprises under “Single Point Registration Scheme” of Ministry of MSME vi. Directorate of handicrafts and handloom vii. Any other body specified by Ministry of Micro Small & Medium Enterprises (MoMSME) viii. Udyam Registration Certificate (URC) <p>Under the public procurement policy with effect from 18.9.2015, are eligible for availing benefits of exemption of cost of tender fees & EMD. They are required to submit documentary proof of such registration along with the offer, for claiming the exemptions else their offer will not be considered valid.</p>	<p>“Single Point Registration Scheme” of Ministry of MSME</p> <ul style="list-style-type: none"> vi. Directorate of handicrafts and handloom vii. Any other body specified by Ministry of Micro Small & Medium Enterprises (MoMSME) viii. Udyam Registration Certificate (URC) <p>Under the public procurement policy with effect from 18.9.2015, are eligible for availing benefits of exemption of cost of tender fees & EMD. They are required to submit documentary proof of such registration along with the offer, for claiming the exemptions else their offer will not be considered valid.</p> <p>Exemptions under this clause will not be applicable to JV/consortium.</p>
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9.	Performance Security 3.1.12	The Performance Security (Security Deposit) for due performance of the contract shall be 10% of Contract Price which will be calculated at the time of award of contract to successful bidder. The Performance Guarantee is payable in the form of Crossed Accounts Payee Banker's Cheque or Demand Draft or Banker's Pay Order issued from any Nationalized or Scheduled Banks having office in Greater Mumbai limit. The same shall be drawn in favour of " The Board of Mumbai Port Authority " and payable at Mumbai.	The Performance Security (Security Deposit) for due performance of the contract shall be 5% of Contract Price which will be calculated at the time of award of contract to successful bidder. The Performance Guarantee is payable in the form of Crossed Accounts Payee Banker's Cheque or Demand Draft or Banker's Pay Order issued from any Nationalized or Scheduled Banks having office in Greater Mumbai limit. The same shall be drawn in favour of " The Board of Mumbai Port Authority " and payable at Mumbai.
10.	Retention Money 3.1.12	Retention Money equivalent to Ten percent (10%) of Contract Price and rounded off to the next higher thousand in Rupees deducted at the rate of Ten percent (10%) and rounded off to the next higher thousand Rupees of the gross value of work certified in each bill, until an amount of Ten percent (10%) of Contract Price and rounded off to the next higher thousand in Rupees is reached. Retention Money will be released to the contractor without interest, after the duly performs and completes all obligations under the contract.	Deleted
11.	Terms of Reference	Obtaining clearances	Stage 6- (g) Prepare all the documents, drawings, presentations, submissions and submit the proposal, present the proposal to respective committee, follow up with

	<p>Stage 6 Of Clause 5 (Additional clause)</p>		<p>respective agencies and obtain approval/ NoC/ clearances from all concerned statutory bodies necessary for planning and implementation of this project</p>																														
<p>12.</p>	<p>QCBS evaluation</p>	<p>4. EVALUATION METHODOLOGY OF BID</p> <p>4.1. Tender will be evaluated on QCBS system with 70% weightage for Technical score (TS) & 30% weightage for Financial score (FS).</p> <p>4.2. Technical Score (TS): The Technical Proposal will be evaluated on the basis of Applicant’s experience of the experience of Key Personnel and Presentation as per the marking system provided in the tender. Each responsive proposal will be attributed a technical score as specified below.</p> <table border="1" data-bbox="570 1251 873 1772"> <thead> <tr> <th>Parameter</th> <th>Score (%)</th> </tr> </thead> <tbody> <tr> <td>Maximum Technical</td> <td></td> </tr> <tr> <td>(A) Experience of the firm.</td> <td>60</td> </tr> <tr> <td>(B) Key personnel</td> <td>20</td> </tr> <tr> <td>(C) Presentation</td> <td>20</td> </tr> <tr> <td>Total Technical Score (%)</td> <td>100</td> </tr> </tbody> </table> <p>4.3. Financial Score (FS): Financial</p>	Parameter	Score (%)	Maximum Technical		(A) Experience of the firm.	60	(B) Key personnel	20	(C) Presentation	20	Total Technical Score (%)	100	<p>4. EVALUATION METHODOLOGY OF BID</p> <p>4.1. Tender will be evaluated on QCBS system with 70% weightage for Technical score (TS) & 30% weightage for Financial score (FS).</p> <p>4.2. Technical Score (TS): The Technical Proposal will be evaluated on the basis of Applicant’s experience of the experience of Key Personnel and Presentation as per the marking system provided in the tender. Each responsive proposal will be attributed a technical score as specified below.</p> <table border="1" data-bbox="902 884 1482 1129"> <thead> <tr> <th>Parameter</th> <th>Maximum</th> <th>Score (%)</th> </tr> </thead> <tbody> <tr> <td>Technical</td> <td></td> <td></td> </tr> <tr> <td>(A) Experience of the firm.</td> <td></td> <td>60</td> </tr> <tr> <td>(B) Key personnel</td> <td></td> <td>20</td> </tr> <tr> <td>(C) Presentation</td> <td></td> <td>20</td> </tr> <tr> <td>Total Technical Score (%)</td> <td></td> <td>100</td> </tr> </tbody> </table> <p>4.3. The selection of the bidder shall be on the basis of Quality Cost-Based selection (QCBS) where 70% for Technical Score, 30% for Financial Score.</p> <p>Evaluated Bid Score (B) will be calculated for each responsive Bid using the following formula,</p> $B = (F_{low} / F) \times 0.3 + (T / T_{high}) \times 0.7$ <p>where</p> <ul style="list-style-type: none"> • F = Evaluated Bid Price • F_{low} = the lowest of all Evaluated Bid Prices among responsive Bids • T = the total Technical Score awarded to the Bid • T_{high} = the Technical Score achieved by the Bid that was scored best among all responsive Bids <p>4.4. The qualified Bidder who secures highest Bid</p>	Parameter	Maximum	Score (%)	Technical			(A) Experience of the firm.		60	(B) Key personnel		20	(C) Presentation		20	Total Technical Score (%)		100
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		<p>Proposals of the Bidders securing 70 or more marks will be opened and evaluated.</p> <p>The selection of the bidder shall be on the basis of Quality Cost-Based selection (QCBS) where 70% for Technical Score, 30% for Financial Score.</p> <p>After opening of Financial bids of pre-qualified bidders, the lowest Financial bid (FM) will be given a financial score (FS) of 100 points. The financial scores of other proposals will be computed as follows:</p> <p>FS = 100 x FM/F (Where F = Amount of Financial bid)</p> <p>Thereafter, all pre-qualified bidders will finally be ranked according to their Combined Score (S) by combining Technical (TS) and Financial (FS) scores as follows:</p> <p>S = TS x 0.7 + FS x 0.3</p> <p>Where 'S' is the combined score and weightages assigned to Technical Proposal and Financial bid shall be 0.70 and 0.30 respectively.</p> <p>4.4. The qualified Bidder who secures highest combined</p>	<p>score (B) would be declared as the Selected Bidder. In the event two or more bids have the same score in final ranking, the bid with highest technical score will be H-1.</p>
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		score would be declared as the Selected Bidder. In the event two or more bids have the same score in final ranking, the bid with highest technical score will be H-1.	
13.	4.6.1 – Experience in Similar Project-Supporting	Supporting	condition for supporting documents modified in clause 4.6.1- A, B, C, D. Consultant can submit certificate from client for satisfactory completion of work

