

Response to Pre-Bid Queries

Sub : Supply of 2250 MT 60E1 (UIC 60), 880 Grade Rails as per IRS-T-12-2009 (Latest with all A&C slips), for Bengaluru Suburban Railway Project (BSRP):

Ref: TENDER NO. KRIDE/BSRP/880/Rail/2024

Sl. No.	Tender Clause Reference	Description of Clause	Clarification / Amendment proposed by Prospective bidder.	KRIDE response
1	Section III. Evaluation and Qualification Criteria 4.Experience	<p>““Similar experience”</p> <p>(i) Supply of a minimum quantity of 22500 MT of rails (UIC 60 as per IRS – T12-2009) during last seven years ending upto 31.12.2023, out of which minimum 11250 MT should have been supplied to countries outside the country of production from the proposed Rail manufacturing facility or to India</p> <p>(ii) At least 2250 MT of such supplies should be of UIC 60 or similar rail profile section similar to present tender.</p> <p>(i) 880 grade Rail manufacturing facilities must be certified by RDSO or internationally accredited agency.</p> <p>(iv)The supplier should have a proven track record of having supplied 60E1 880 grade Rails or R260 Rails with satisfactory performance of minimum 3 years in service in regular revenue operation on ballasted / ballast less on any Metro / Railways for e length of at least 3 Track KM.</p>	<p>Kindly amend it to:</p> <p>(i) Supply of a minimum quantity of 22500 MT of rails (UIC 60 as per IRS – T12- 2009) during last seven years ending upto 31.12.2023, out of which minimum 11250 MT should have been supplied to countries outside the country of production from the proposed Rail manufacturing facility or to India</p> <p>(ii) At least 2250 MT of such supplies should be of UIC 60 or similar rail profile section similar to present tender</p> <p>(iii) (iv)The supplier should have a proven track record of having supplied 60E1 880 grade Rails or R260 Rails with satisfactory performance of minimum 3 years in service in regular revenue operation on ballasted / ballast less on any Metro / Railways for e length of at least 3 Track KM.</p> <p>Rationales behind the above:</p> <ol style="list-style-type: none"> The Rail 60E1 Gr880 Rails widely being used in Indian Railways, DFCC, Metro depots etc. Railway Board has formulated a comprehensive policy for approval of Rail manufacturing plant vide Policy No. CT/Policy/01 (Revised March 2023)Clause NoAnnex-A(i) which states “Rails of a New rail plant shall be laid in identified long stretches having maximum permissible speed of 110KMPH or more to facilitate close monitoring of its performance for 25 GMT or one year, whichever is earlier. (Annex-1) 	Please refer S.no 1 of Corrigendum-01

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			<p>Since the above tender is for Rails required for IR project and hence the requirement of supply performance to country outside the country of production and 3 year proven performance may be amended in line with Railway Board/RDSO policy.</p>	
2.	<p>Section-II Bidding Data Sheet (BDS) ITB 14.7 (a) (iii); (b)(ii)and (c)(v) ITB 21.4.1 (Additional Para)</p>	<p>The Total Bid Price is inclusive of all Taxes, Duties, Levies, Royalties (if not provided specifically) also except GST and custom duties</p>	<p>Kindly amend it to: The total price bid inclusive of all taxes, duties, levies, royalties (if not provided specifically) including GST and Custom duties <u>Rationales behind the above:</u></p> <ol style="list-style-type: none"> 1. The bid evaluation criteria is not level playing <ol style="list-style-type: none"> a. In case of importer, the custom duty which is also a cost incurred by tenderer is not included in bid evaluation. b. In order to make it equitable for both domestic and international suppliers, total landed cost of Rail at project site should be considered for bid evaluation criteria. 2. Further, As per MoHUA office letter no-K-14011/2/2020-MRTS and Manual for procurements of Goods (Ministry of Finance) Annex-2, following point is reproduced below, which promotes fair evaluation of the bids "In case both Indian and foreign bidders have quoted in the tender, the comparison of offer would be done on the basis of FOR/FOT destination including all applicable taxes and duties (on the principle of total outgo from procuring entity's pockets). In case there are no domestic bidders, a comparison of offers can be made on the basis of CIF/landed costs since the rest of costs would be the same for all bidders". 3. Also, the GCC of Railway Board vide Clause 56(Annex-3). Following point is reproduced below, which promotes fair evaluation of the bids. Quoted rates should be inclusive of all types of taxes, duties and levies 	<p>Tender Conditions Prevail.</p>

Sl. No.	Tender Clause Reference	Description of Clause	Clarification / Amendment proposed by Prospective bidder.	KRIDE response
			imposed by Central/State Govt. and local bodies such as IGST/ CGST/ SGST/ UTGST, Compensation Cess, Labour Cess, Custom Duty, royalties, and other levies.	
3.	Section-II Bidding Data Sheet (BDS) ITB 17.2	Margin of preference not applicable.	Kindly include the DMISP Policy No-P- 40521/2/2017-PP(BE-II) for Public Procurement (Preference to Make in India). Annex-4 This is mandatory for all Government procurement and was also included in Pune Metro HH Rail supply tender which was funded by EIB.	Tender Conditions Prevail
4.	SECTION-1: INVITATION FOR TENDERS (IFT)	Building and other construction workers welfare: The Bidder shall subscribe 1% of gross amount of each bill payable to him in respect of contract to the building and other construction workers welfare cess as per GO No: LD 300 LET 2006, Bengaluru, dated: 18-01- 2007 (as and when emended). The amount of subscription will be recovered out of payable amount to him in each bill. This component is deemed to have been included in the quoted rate.	Please delete this clause. The building cess is not applicable to JSPL	Please refer S.I no 2 of Corrigendum-01

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5.	Section IX: Particular Conditions of Contracts (PCC) GCC 17.1	The standard payment terms subject to recoveries, if any, under the Liquidated Damages Clause in General Conditions of Contract will be under: For Goods Manufactured within the Purchaser's Country: 1)100% payment on receiving of materials at Bengaluru site in good condition and after obtaining Acceptance Certificate from the Purchaser.	<p>Kindly amend it to:</p> <p>100% of total contract/ order value may be released in advance against submission of Bank Guarantee (BG) in the Performa annexed as Annexure-VIII, for 115% of the order value (duly paid for the requisite amount of Stamp duty as applicable) and against Proforma Invoice for the ordered quantity.</p> <p><u>Rationale behind the above amendment request:</u></p> <p>In order to provide a level playing field, and realise the best competitive price and commercial, even Indian Railway PSUs like IRCON, IPRCL, GRIDE etc are offering advance payment against Advance Bank Guarantee of 110-115% of order value. (Tender copies/necessary document attached as Annex-5)</p>	Tender Conditions Prevail
6.	Section Initiation for Tenders S.N. 6, Cost of the tender documents	INR. 25,000/- (Inclusive of 18% GST) Non-Refundable	Understand we have to pay INR 50,000 (inclusive of GST) as a non-refundable tender fee, we checked the tender documents but could not find the bank account of employer for us to make online payment. Appreciate if you can share the same.	For payment of tender fee, Please refer Clause ITB 19.1(e) of BDS and KRIDE website tender section.