

Pre-bid Query 1			
M/s Craphts Consultants (I) Pvt. Ltd.			dated 14-02-2023
S.No	Queries	Clarifications Required from Client	UPSHA,s reply
1	Ref. page 15,section 2.2 sub section D reg. Conditions of Eligibility for key Personnel.	It is requested to kindly consider the following: Graduate in Civil Engineering with 15 days certification course in Road safety Audit from Government Institution/Graduate In Civil Engineering with MBA in Project Leadership and Management.	No change in required. Conditions of eligibility will be As per RFQ cum RFP
2	Ref. page 28, section 2.20 regarding Bid Security: The Applicant shall furnish as part if it Proposal, a bid security of Rs. 2,00,000.00 (Rs. Two Lacs) in the from of a Demand Draft issued by one of the nationalized/Scheduled Bank in India in favour of the Chief Executive Officer, Uttar Pradesh State Highways Authority payable at Lucknow.	It is requested to kindly accept the Bid Security in the from of Bank Guarantee kindly provide the format of BG for the same.	No change in required. Conditions of eligibility will be As per RFQ cum RFP
3	Ref. page 14 section 2.2.2 sub-section B regarding financial capacity: The Applicant shall have received a minimum income of Rs. 12.53 crore per annum from professional fees during each of the 3 (three) financial years preceding the Proposal Due Date.	It is requested to kindly reduce the requirement of financial eligibility to 2 cr. keeping in view the financial hardship of MSME's.	No change in required. Conditions of eligibility will be As per RFQ cum RFP

Pre-bid Query 2				
M/s Translink Infrastructure Consultants (P) Ltd.				dated 20-02-2023
Sl. No.	RFP Reference (Sec No., clause, Pg No.)	Content of RFP	Clarification Sought	UPSHA Reply
1	Page no. 14 and 36	2.2 Financial Capacity 3.1.4 Eligible Assignments	The eligibility criteria set in the RFP is on very higher side and this limit the participation of bidders. We request the authority to kindly relax the eligibility criteria in terms of definition of eligible assignment and minimum turnover.	For selection of technical consultant we have adopted model RFP issued by Planning Commission Govt. of India Second edition 2014 and no relaxation in eligibility criteria is required.

2.	Page no 35	The scoring criteria to be used for evaluation	The marking system adopted by the authority is on Proportionate basis and hence self-evaluation is not possible. We request authority to kindly adopt the marking process as followed by MoRTH/NHAI tenders this will help in self-evaluating the proposal	For selection of technical consultant we have adopted model RFP issued by Planning Commission Govt. of India Second edition 2014 and no relaxation in eligibility criteria is proposed.
3.	Instruction to Applicants, page 26	It may participate in the Selection Process either individually (the "Sole Firm:") or as lead member of a consortium of firma (the "lead member:") in response to this invitation.	it is understood that submission in JV is allowed and eligibility requirement is to be satisfied jointly.	As per PPP Guideline for Selection of Consultant, Consultant may associate with each other to form a Consortium to complement their respective areas of expertise, or for other reasons of The Consortium may take a form a joint venture. In case of Joint venture all member of joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment.
4.		Award of Contact	Authority has published total 21 packages, we request to kindly limit the maximum no. of packages to be awarded to one Consultant/bidder/firm to 02 package only, even if submitted teams.	As Per RFQ cum RFP

Pre-bid Query 3

M/s Sheladia Associates Inc

dated 20-02-2023

S.No.	Reference of RFP Document	Description (RFP)	Query of Consultant	UPSHA,s reply
1	Clause 2.1 "Scope of Proposal" of Instructions to Bidders of Request for Proposal (RFP) Sub-Clause 2.1.1	Sub-Clause 2.1.1: Detailed description of the objectives, scope of service, Deliverable and other requirements relating to this Consultancy are specified in this RFP. In case an applicant firm possesses the requisite experience and capabilities required for undertaking the Consultancy, It may participate in the Selection Process either individually (the "Sole Firm") or as lead member of a consortium of firms (the "Lead Member") in response to this invitation The team applicant (the "Applicant") means the Sole Firm or the Lead Member, as	Please clarify: (i) The maximum number of Firm allowed in the Consortium and what is the minimum share of Firm allowed in the Consortium, (ii) Does the Applicant need to provide any JV Agreement/Memorandum of Understanding (MOU) for the purpose? If yes, Please provide the format of JV Agreement/MOU, (iii) The eligibility Criteria of each firm in Consortium/Joint Venture, (iv) Whether the number of Eligible Assignments of	As per PPP Guideline for Selection of Consultant, Consultant may associate with each other to form a Consortium to complement their respective areas of expertise, or for other reasons. The Consortium may take a form joint venture. In case for of Joint venture all member of joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment.

		Firm or the Lead Member, as the case may be. The manner in which the Proposal is required to be submitted, evaluated and accepted is explained in this RFP.	of Eligible Assignments of each firm in the Consortium shall be considered in Evaluation of Technical Scores & Financial Scores?	assignment.
2	Clause 2.2 "Condition of Eligibility of Applicants of Instructions to Bidders of Request for Proposal (RFP) Sub-Clause 2.2.5 & APPENDIX-1 Form-2 Particulars of the Applicant of RFP SI. No. 1.6.	<p>Sub-Clause 2.2.5: 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 Proposal, would not be eligible to submit a Proposal either be itself or through its Associate.</p> <p>&</p> <p>(iv) Has the Applicant or any member of the consortium been blacklisted be any Government department/Public Sector Undertaking in the last five years? Yes/No</p> <p>Note: If answer to any questions at (ii) to (v) is yes, the Applicant is not eligible for this consultancy assignment.</p>	<p>As per Appendix Form-2 & Note in Clause 1.6 any firm blacklisted in last 5 years is not eligible for the assignment whereas as per Sub-Clause 2.2.5, any firm barred as on date of Proposal is not eligible to submit the proposal.</p> <p>Please clarify on this.</p> <p>Tender Inviting Authorities like NHAI, MoRTH, UPEIDA are considering proposals of Firm who are not barred as on date of Proposal.</p> <p>Hence, please consider provisions of Sub-Clause 2.2.5 in Clause 1.6 (iv) of Form-2, Appendix-1.</p>	As Per RFQ cum RFP
3	Clause 2.2 "Condition of Eligibility of Applicants of Instructions to Bidders of Request for Proposal (RFP) Sub-Clause 2.2.6 and APPENDIX-1 Form-1 Technical Proposal of RFP SI. No. 1.6. & APPENDIX-1	<p>Sub-Clause 2.2.5: An Applicant or its Associate should have, during the last three years, neither failed to perform on any agreement, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Applicant or its Associate, nor have had any agreement terminated for breach by such Applicant or its Associate, and in</p> <p>Clause 6: I/We certify that in the last three years, we or any of our Associates have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or arbitration award against the Applicant, nor been expelled from any project or</p>	<p>As per Appendix Form-2 & Note in Clause 1.6 any firm penalized in last 3 years is not eligible for the assignment whereas as per Sub-Clause 2.2.6 of RFP and Clause-6 of Form-I of RFP, any firm penalized in last 3 years is not eligible to submit the proposal.</p> <p>Please clarify on this.</p> <p>Tender Inviting Authorities like NHAI, MoRTH, UPEIDA are considering proposals of Firm who are not penalized in last 3 years or as on date of Proposal.</p> <p>Hence, please consider provisions of Sub-Clause</p>	As Per RFQ cum RFP

	Form-2 Particulars of the Applicant of RFP SI. No. 1.6.	contract by any public authority for breach on our part. & (ii) Has the Applicant or any of th Members in case of a consortium been penalized by any organization for poor quality of work or breach of contract in the last five years? Yes/No Note: If answer to any questions at (ii) to (v) is yes, the Applicant is not eligible for this consultancy assignment.	2.2.6 in Clause 6 of Form-I of RFP in Clause 1.6 (ii) of Form-2, Appendix-1.	
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Pre-bid Query 4

**M/s AECOM India Pvt. Ltd.
dated 22-02-2023**

Sl. No.	Page no.	Section	Clause	Query	UPSHA,s reply
1				There are 21 packages for which RFP has been published for selection of Technical Consultant for Feasibility Study. You are requested to clarify whether a bidder can participate in more than one package or not. If yes, then please clarify whether the same team can be used for any number of packages.	Clause 2.4 of Instructions to Applicants is self explanatory.
2.	20, 66	1 introduction Schedule 1, Terms of Reference	1.1.2 and 1.1.3, 3.18 of TOR	As per Sections 1.1.2 and 1.1.3 of Introduction, it has been mentioned that Authority has decided to carry to the process for selection of Technical, Financial and Legal Consultant. It is also mentioned that Technical Consultant shall provide Technical Requirements and Specifications, Financial Consultant shall provide revenue model and legal consultant shall reviewed the Concession Agreement. Also the title of the RFP is Selection of Technical Consultant for Feasibility Study. Therefore, based upon above, our understanding is that as part of percent study on Technical Activities shall be carried out and for financial analysis and preparation of	The Authority is seeking the comfort of a single consultancy firm to handle all aspects of project preparation and award including financial analysis and preparation of consultant agreement.

				Concession Agreement, separate consultants shall be appointed. If so, then it is requested to exclude ' <u>Selection 3.18 Financial Analysis and Bid Process</u> ' from the Terms of Reference.	
3.	79	Section 8 - Consultancy	8.1 (e) - Financial Analyst	Similar to the above, there is position proposed for Financial Analyst. Therefore, it is requested that in case there is a scope of financial analysis as part of the study then the position of Financial Expert may be replaced with Social Expert.	As per RFQ cum RFP
4.	77	Section 6 - Time and Payment Schedule	Section 6.2 and 6.5	As per the Delivery Schedule Table mentioned in Section 6.2, the Final Payment of 10% is due as KD-7 Selection of Independent Engineer whereas in Section 6.5, it is mentioned that "Final Payment to be made to the Consultant upon execution of the Concession Agreement". Kindly clarify.	Execution of Concession Agreement and Selection of Independent Engineer are simultaneous activities. In case Concession Agreement does not get executed class 6.5 would be effective.
5	79	Section 7 - Meetings		As per this Section it is mentioned that " <u>The expenses towards attending such meetings during the period of Consultancy, including travel costs and per diem, shall be reimbursed in accordance with the Financial Proposal contained in Form-2 of Appendix-II of the RFP. The days required to be spent at the office of the Authority shall be computed at the rate of 8 (eight) man hours a day in case of an outstation Consultant. For a Consultant having its office within or near the city where the Authority's office is situated, the time spent during meetings at the Authority's office shall be calculated as per actual. No travel time shall be payable except in case of an expatriate consultant who will be entitled to claim actual travel time, subject to a maximum of 10 (ten) man hours for a return journey.</u> " However, as per Payment schedule mentioned in section 6.2, the	Financial proposal in form 2 item H is self explanatory.

				payments shall be made as lump sum amount based respective Deliverable. Kindly clarify this anomaly.	
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Pre-bid Query 5		
M/s Creative Engineering Services		dated 22-02-2023
Sl. No.	Query	UPSHA Reply
1	Can the Consultancy firms participate in Joint Venture (JV)/Consortium or Association?	As per PPP Guideline for Selection of Consultant, Consultant may associate with each other to form A Consortium to complement their respective areas of expertise, or for other reasons. The Consortium may take a form of joint venture. In case of Joint venture all member of joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment.
2.	What is the eligibility criteria for the JV member, Consortium Member and associate member firm.	As per PPP Guideline for Selection of Consultant, Consultant may associate with each other to form A Consortium to complement their respective areas of expertise, or for other reasons. The Consortium may take a form of joint venture. In case of Joint venture all member of joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment.

Pre-bid Query 6		
M/s Engineering Consultancy Services		dated 22-02-2023
Sl. No.	Query	UPSHA Reply
1	Estimated Capital Cost of each project has been outlined in the RFP.	Estimated cost of the project (Indicative cost of the Project) has been arrived @ Rs. 20 Crore Per Km. Therefore according to length of the project estimated cost is different for each package.
2.	Financial Capacity of the participating consultants have been defined as a percentage of the Estimated Capital Cost (Clause no. 2.2.2 (B) at page 27 of RFP)	as per standard bidding documents for selection of technical consultant issued by Planning commission Govt. of India the financial capacity of the bidders has been assessed @ 1% minimum as given in the foot note of original document of GOI.
3	This is a new practice which has been incorporated in the RFP. Usually, only for AE/IE projects this practice is followed by all agencies.	For selection of technical consultant we have adopted model RFP issued by Planning Commission Govt. of India Second edition 2014 and no relaxation in eligibility criteria is proposed.
4	Major agencies like NHAI, MoRTH, State PWD,s and other agencies restricts the financial capacity of the participating consultant maximum at INR5 crores only for Design projects. (enclosing relevant pages from one of such tenders of these	For selection of technical consultant we have adopted model RFP issued by Planning Commission Govt. of India Second edition 2014 and no relaxation in eligibility criteria is proposed.

agencies for your ready reference).


Pre-bid Query 7

M/s Infinite Civil Solution Pvt. Ltd.


dated 23-02-2023

Sl. No.	Clause / Pg. No. of RFP	As per RFP	Query	UPSHA Reply
1	3.1.3 Pg. No. 35	The scoring criteria to be used for evaluation	We request you to please provide us the detailed evaluation criteria Key Personnel, so that we may proposed highest scorer key personnel for competitive bidding.	As per RFQ cum RFP
2.	2.1. of A. General Pg. No. 13	In case an applicant firm possesses the requisite experience and capabilities required for undertaking the Consultancy it may participate in the Selection Process either individually (the "Sole firm") or as lead Member of a consortium of firms (the "Lead Member") in response to this invitation.	Joint venture or consortium mentioned as consultant but Joint Venture eligibility Criteria is not given, how we can calculate the eligibility criteria for JV partner. Pls clarify us the eligibility criteria.	As per PPP Guideline for Selection of Consultant, Consultant may associate with each other to form A Consortium to complement their respective areas of expertise, or for other reasons. The Consortium may take a form a joint venture. In case of Joint venture all member of joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment.
3.	3.1.4 (i) Page no. 36	[Four - laning of a national or state highway] having an estimated capital cost (excluding land) of at least [Rs. 642 (Six Hundred Forty Two) crore] in case of a project in India. With reference to the RFP issued by UPSHA for DPR of SH for various district in UP	According to RFP only four laning of NH of SH project are eligible but enlighten the project requirement for which RFP has been issued we would like to request please consider the Two/Four laning project for better competitive bidding.	As per RFQ cum RFP

4.	3.1.4 (ii) Pg. no. 36	Any project involving construction and having an estimated capital cost (excluding land) of at least [Rs. 1604 (One Thousand Six Hundred Four) crore] in case of a project in India.	Please clarify, whether we have to produce an undertaking regarding excluding land as because we have experience certificate but here is no bifurcation.	As per RFQ cum RFP
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(Vimal Kumar)
General Manager (Technical)


(Manish Kumar)
Member (Technical)


(Ashok Kumar Singh)
Member (Finance)