

PMC for 400 MLD SWRO Desalination Plant at Perur, Chennai

Consortium Partners

SMEC International Pty. Ltd. (ACN-065440619/FCRN-F01483)

NJS Engineers India Pvt Ltd, India (CIN - U74210PN2007PTC129798)

Tata Consulting Engineers Limited, India (CIN- U74210MH1999PLC123010)

SMEC (India) Pvt. Ltd. (CIN: U93000DL1997PTC088574)



Ref: SMEC/ CMWSSB / 5061185/139

To,

The Superintending Engineer (Desalination)

6th floor, Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road, Chintadripet,
Chennai 600 002, Tamil Nadu, India



Date: 14th August 2020

Sub: Consultancy for "Design, Preparation of Bid Documents & Evaluation of Bids for the Proposed Construction of 400 MLD Capacity Seawater Reverse Osmosis Desalination Plant at Perur along East Coast Road, South of Chennai, Tamil Nadu and Construction Management & Supervision for the Proposed Desalination Plant and its Product Water Conveyance Pipeline from the Plant and up to Porur and all allied works."

Submission of Responses to JICA 2nd Comments and Revised Pre-Qualification document (RFQ) for CP1 on DBO basis – Reg.

- Ref:**
1. Email from your office regarding JICA 2nd comments, dated 13.08.2020
 2. Our Letter Ref: SMEC/ CMWSSB / 5061185/124, dated 03.08.2020
 3. Your discussion and email dated 01/08/2020 on CP1 RfQ Revision
 4. MS Teams Meeting with officials of CMWSSB, JICA & PMC team members, dated 03.07.2020
 5. Our email regarding updated submission of reply to JICA query & rev. RFQ dated 30.06.2020
 6. Our submission of reply to JICA comments and revised RFQ vide letter No. SMEC/CMWSSB/5061185/087 dated 24.06.2020

Dear Sir,

We understand that there had been a meeting between JICA and CMWSSB on 31st July 2020. Based on that meeting, specific issues have been agreed between the two, the Borrower (GOI /CMWSSB) and JICA. We wish to bring to your kind attention that criteria set in 3.4 & 4.2(a) of Section-III of EQC, some changes have been agreed between you and JICA, which we believe are slightly deviating from the MOD. We understand these changes have been agreed upon and been made in the interest of the project by CMWSSB as owner of the Project.

However, in continuation of an email received from your office, dated 13.08.2020, we have attached the following documents along with this letter.

1. Revised RfQ duly incorporating the requested changes
2. Response to JICA 2nd comments dated 13th August 2020

We are thanking you for assuring our services at all times.

Yours truly,

For Consortium of SMEC International Pty Ltd-TCE Ltd.-NJS Engineers India Pvt. Ltd.-SMEC (India) Pvt. Ltd.


S. Srinivasa Rao
Project Coordinator



Encl: As above

PMC Chennai Office Address:

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Ref.	JICA observations dated 13/08/2020	PMC Reply
Part 3, Row 8, Additional notes for the applicant	<p>CMWSSB's compliance mentioned "All the documents originating from outside the Republic of India should be affixed as 'Apostil' sticker on each and every page of their Foreign Document(s) such as work experience certificate(s), financial detail(s), Power of Attorney(s), etc." Since it would give extra burden to foreign bidders so it should be deleted as per the suggestion from JICA HQ. Considering the current situation of Covid-19, getting the documents physically apostilled for each and every page may be difficult. As such, "It is recommended to delete the additional requirement on legalization, notarization and "Apostil" for submitting documents, in accordance with the Standard Documents. The additionally inserted notes at the end of Tables of QC-Notes for the Applicant should be deleted in entirety unless such requirements are required under the relevant laws and regulations. Such an additional requirement will impose an excessive burden on the Applicants and may hinder their interest from participation for the Contract." Accordingly, CMWSSB may like to consider seeking self-certification of the documents or any other similar procedure, which does not hinder/obstruct participation of the international bidders.</p>	<p>The requirement of apostil as suggested by JICA may be relaxed due to the ongoing pandemic situation.</p> <p>The corresponding Note may be modified as:</p> <p>"All the document originating outside the Republic of India such as work experience certificate(s), financial detail(s) etc. shall be self-attested by the authorised signatory of the Applicant."</p>
Clause 3.4 Financial Performance (Insolvency)	<p>As informed already to CMWSSB, Clause 3.4 Financial Performance (Insolvency) under the Eligibility and Qualification Criteria of the PQ document is not in accordance with the eligibility criteria agreed between JICA and CMWSSB during the project appraisal MOD. It should be mentioned as "The applicant should not be currently in the process of Financial Restructuring under Corporate Debt Restructuring Act."</p>	<p>Clause No. 3.4 may be amended as:</p> <p>"The applicant should not be currently under any Insolvency Bankruptcy Code (IBC) resolution process at National Company Law Tribunal (NCLT) and / or the applicant should not be currently under any Insolvency Proceedings in any Country.</p> <p>And</p> <p>Should not be currently in the process of financial restructuring under Corporate Debt Restructuring (CDR) Act in India or in any other Country."</p>