

**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 / 5061185/228

Date: 27<sup>th</sup> November 2020

To,  
**The Superintending Engineer (Desalination)**  
6<sup>th</sup> floor, Chennai Metropolitan Water Supply and Sewerage Board,  
No.1, Pumping Station Road,  
Chintadripet, Chennai 600 002,  
Tamil Nadu, India



**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 2<sup>nd</sup> reply to pre-bid queries and Addendum-1 of Application for Prequalification for CP1 – Reg.**

**Ref:**

1. Our Letter Ref: SMEC/ CMWSSB / 5061185/221, dated 19.11.2020
2. Email received from CMWSSB, dated 18.11.2020
3. Prebid queries for CP1 furnished from CMWSSB to JICA on 05.11.2020
4. Our Letter Ref: SMEC/ CMWSSB / 5061185/201, dated 04.11.2020
5. MS Teams meeting held with CMWSSB officials and PMC team on 04.11.2020
6. Discussion with CMWSSB officials on 31.10.2020, 02.11.2020 & 03.11.2020
7. Pre-bid meeting for Application of PQ for CP1 held at CMWSSB and Webex, dated 29.10.2020
8. Our Letter Ref: SMEC/ CMWSSB / 5061185/182, dated 12.10.2020
9. Your Letter no. Lr.no.CMWSSB/SE(Desal)/400 MLD Plant / PMC/2020, dated 13.01.2020
10. Our Contract Agreement with CMWSSB, dated 09.01.2020

Dear Sir,

With reference to above and in continuation of email received from your office vide our letter cited in reference no.2 dated 18.11.2020 and continuation of submission of reply to pre-bid queries vide our letter cited in reference no.1 dated 19.11.2020 for the subject project, please find enclosed the "2<sup>nd</sup> reply to pre-bid queries and Addendum-1 of Application of Prequalification (RFQ) for CP1" for your perusal.

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:**

13th Floor, Purva Primus, No 236, Okhiyampettai, Old Mahabalipuram  
Road, Thoraipakkam, Chennai, Tamil Nadu 600097

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NAME OF THE PROJECT: PROJECT FOR CONSTRUCTION OF CHENNAI SEAWATER DESALINATION PLANT (I)

NAME OF THE CONTRACT: PROCUREMENT OF DESIGN/ENGINEERING, CONSTRUCTION, COMMISSIONING OF 400 MLD SEAWATER REVERSE OSMOSIS (SWRO) DESALINATION PLANT AT PERUR, CHENNAI WITH 20 YEARS OF OPERATION AND MAINTENANCE (DBO BASIS).

TENDER NO: CMWSSB/CNT/WSS/ICB/JICA/DESAL/CP01/018/2020-2021

JICA LOAN AGREEMENT NO.: ID-P267

**REPLY TO PRE-BID QUERIES**

Sl. No	Date	Requested by	Reference	Reference Clause Description	Description of Queries	Clarification by PMC
1.	28/10/2020	Adani Infra (India) Limited	Invitation for Prequalification / Clause No. 10	The Applications for Prequalification in Original + 2 Copies duly signed by authorised signatory must be submitted in hard copy format on or before IST 15:00 hours on 01.12.2020 and the Applications for Prequalification will be opened in the presence of Applicants' representatives who choose to attend on 01.12.2020 at IST 15:30 hours at the following office.	<b>We request to remove the requirement of Hard Copy submission and accept online submission of RFQ.</b>  Due to prevailing Covid-19 situation, domestic travel is not properly functional and would remain uncertain. Last moment ticket cancellation also being taken place. People are also avoiding travel to avoid exposure to the virus. Therefore, we request you to accept online submission of RfQ in place of hard copy submission.	Either online Submission or Hard Copy submission will be accepted. However, the modalities of online submission will be intimated subsequently.
2.	29/10/2020	Fisia Italimpianti	Section II: Prequalification Data Sheet ITA 13.1, 15.1 & 17.1	The Applications for Prequalification in Original + 2 Copies duly signed by authorised signatory must be submitted in hard copy format on or before IST 15:00 hours on 01.12.2020 and the Applications for Prequalification will be opened in the presence of Applicants' representatives who choose to attend on 01.12.2020 at IST 15:30 hours at the following office.	We are not located in India. We request you to allow for online submission of Bids. Submission of hard copies is a tedious process during this Covid period, and we may not be able to travel on time to India, which has a Covid outbreak and has complex and ever-changing quarantine requirements. Kindly share us the link for online submission of bids.	Please refer to reply at Sl. No. 1
3.	29/10/2020	Fisia Italimpianti	Section II: Prequalification Data Sheet ITA 13.1	The Application for Prequalification must be submitted in Hard Copy format comprising of = One Original + Two Copies, clearly marking the Original and Copies.	The Covid outbreak has made it difficult to travel. We request you for online submission of the pre-qualification.	Please refer to reply at Sl. No. 1
4.	29/10/2020	ABENGOA, India	Section III: Qualification Criteria,	(I) Qualification of the Applicant but not that of the Applicant's Affiliate  It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV or as subcontractors to be employed for the key activities listed in this Section), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria.	We request you to allow the subsidiary to use parent or holding credentials or vice-versa. Most of the International companies execute projects through subsidiaries or <b>by forming SPV's</b> in the local country.	Please refer Sl No. 1 of Addendum-1
5.	29/10/2020	Suez India Pvt. Ltd	Section III: Qualification Criteria Requirement	(I) Qualification of the Applicant but not that of the Applicant's Affiliate  It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV or as subcontractors to be employed for the key activities listed in this Section), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria.	In order to execute the overseas project, a company opens the project office/entity in the county where the project is located through which the project is executed. Hence for all practical purposes, the reference & experience of the project belong to the parent company. In view of this. We request that the Parent company should be allowed to claim the experience of its project entity/subsidiary since such project/subsidiaries are created for the sole purpose to execute the project only.	Please refer Sl No. 1 of Addendum-1
6.	29/10/2020	Vishvaraj Environment Private Ltd	Section III: Qualification Criteria Requirement	(I) Qualification of the Applicant but not that of the Applicant's Affiliate  It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV or as subcontractors to be employed for the key activities listed in this Section), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria.	We understand that Firm can claim the similar experience of its Project SPV Company in which the Firm has minimum 50% stakes.  We would like to highlight that for any project executed under PPP mode, a Special Purpose Vehicle (SPV) is to be formed for execution of that project. Such SPV is exclusively formed for that project only and do not have any mandate for participation in other project. Such Project experience is in the name of SPV company though the Firm has involvement in the project. Please confirm.	Please refer Sl No. 1 of Addendum-1



No:

Date: /11/2020

**ADDENDUM-1**

**Name of the Project:** Project for Construction of Chennai Seawater Desalination Plant (I)

**Name of the Contract:** Procurement of Design/Engineering, Construction, Commissioning, including 20 Years of Operation and Maintenance of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai (DBO Basis).

**Tender No.:** CMWSSB/CNT/WSS/ICB/JICA/DESAL/CP01/018/2020-2021

**JICA Loan Agreement No.:** ID-P267

Sl. No.	Ref. Clause	Original Clause Description	Amended Clause
1	Section III: Qualification Criteria Requirement Clause (I): Qualification of the Applicant but not that of the Applicant's Affiliate	It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV or as subcontractors to be employed for the key activities listed in this Section), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria.	<p>The Clause may be read as “<b>(I) Qualification of the Applicant but not that of the Applicant's Affiliate:</b> It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria. However, the legal entity can claim the experience of their subsidiary/SPV only under the following circumstances:</p> <p>a) If a project was awarded to any of the constituent company of the Applicant and later on that company incorporates a wholly-owned subsidiary (executing entity) for the execution of said project, then the experience of that executing entity can be claimed by the parent company based on the documentary evidence supporting the above, if all other general conditions are fulfilled for qualification, such as but not limited to, insolvency, blacklisted by JICA/World Bank etc.</p> <p>b) In SPVs formed for a specific PPP project, involving a constituent of the Applicant, the relevant experience of such SPV can be claimed by the participating entity. However, the lead partner (The majority shareholder) shall be given 100% experience credit while other partners in SPV shall be given experience in the proportion to their percent share in SPV relative to the share of lead partner. However, if the SPV applies on its own as an Applicant then the members of SPV cannot participate in the Bid individually or through other bidders.</p>

