



**ORANGE & GREEN LINE PROJECT
RESPONSES TO QUERIES 3 RAISED SUBSEQUENT TO THE
RESPONSES TO THE BIDDERS QUERIES**

SINDH INFRASTRUCTURE DEVELOPMENT COMPANY LIMITED (SIDCL)

GOVERNMENT OF PAKISTAN



**RESPONSES TO BIDDERS QUERIES 3
IN RELATION TO THE**

HIRING OF BUS OPERATOR

FOR

**OPERATIONS AND MAINTENANCE OF BUSES FOR THE BUS RAPID
TRANSIT SYSTEM OF THE ORANGE AND GREEN LINES**

ISSUED ON: February 23, 2021



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NO. SIDCL/COO/OPS/2020/8634
DATED 23RD FEB, 2021

SUBJECT: HIRING OF BUS OPERATOR FOR OPERATIONS AND MAINTENANCE OF BUSES FOR THE BUS RAPID TRANSIT SYSTEM OF THE ORANGE AND GREEN LINES TS-440676E, ADVERTISED ON 7TH NOVEMBER 2020.

THE PRE-BID MEETING FOR THE SUBJECT PROJECT WAS HELD ON 21ST JAN 2021 AT 2:30 PM IN THE COMMITTEE ROOM OF SIDCL, KARACHI.

THE QUESTIONS/QUIRIES WERE RECORDED / OBTAINED IN WRITING, AND RESPONDED-TO WITH APPROVAL OF THE PROCUREMENT COMMITTEE OF THE BOD.

THIS DOCUMENT IS ISSUED IN CONTINUATION OF RESPONSE DOCUMENT-1 & 2 AND BE READ IN CONJUNCTION WITH THE ADDENDA-1 AVAILABLE ON AUTHORITY'S WEBSITE.

ISSUED WITH APPROVAL OF THE COMPETENT AUTHORITY,
SINDH INFRASTRUCTURE DEVELOPMENT COMPANY LIMITED



IMPORTANT NOTICE / DISCLAIMER

This ‘**RESPONSE TO BIDDERS’ QUERIES DOCUMENT 3**’ (this **Response Document 3**) is further to the RESPONSE TO BIDDERS’ QUERIES 2 dated February 19, 2021 (the **Response Document 2**), RESPONSE TO BIDDERS’ QUERIES DOCUMENT dated February 04, 2021 (the **Response Document 1**), ‘REQUEST FOR PROPOSAL’ (consisting of the Volume I – Request For Proposal (the **RFP**) and Volume II – Operations and Maintenance Agreement (“**Draft O&M Agreement**”) issued in January 2021 (the **RFP Documents**) and the various queries received from the prospective bidders in respect of the bidding process relating to the Hiring of Bus Operator for the Operations and Maintenance of Buses for the Bus Rapid Transit System of the Orange and Green Lines (the **Project**). This Response Document 3 is being circulated by the Sindh Infrastructure Development Company Limited (the **Employer**), solely for use by the recipients in preparing and submitting their Bids for participation in the competitive bidding process in relation to the Project. Upon signing the Draft O&M Agreement will be the final and binding document and any responses set out in the Response Document 1, Response Document 2 and in this Response document 3 will not have any effect or be sued for interpretation.

Unless expressly specified otherwise, all capitalized terms used herein shall bear the meaning ascribed thereto in the RFP Documents.

This Response Document 3 is not an agreement; its sole purpose is to provide interested parties with information that may be useful to them in making their offers (bids/proposals) pursuant to the RFP Documents. The RFP Documents, the Response Document 1, Response Document 2 and this Response Document 3 includes statements, which reflect various assumptions and assessments arrived at by the Employer in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Bidder may require. This Response Document 3 may not be appropriate for all persons, and it is not possible for the Employer, its employees or advisors to consider the investment objectives, financial situation and particular needs of each party, that relies on, reads or uses this Response Document 3.

Neither the Employer nor its employees, personnel, agents, consultants, advisors and contractors etc., make any representation (express or implied) as to the accuracy or completeness of the information contained herein, or in any other document made available to any person in connection with the tender process for the Project and the same shall have no liability for the Response Document 1, Response Document 2 and this Response Document 3 or for any other written or oral communication transmitted to the recipient in the course of the recipient’s evaluation of the Project. Neither these entities nor their employees, personnel, agents, consultants, advisors and contractors etc., will be liable in any manner whatsoever to reimburse or compensate the recipient for any costs, fees, damages or expenses incurred by the recipient in evaluating or acting upon the Response Document 1, Response Document 2 and this Response Document 3 or otherwise in connection with the Project.



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The assumptions, assessments, statements and information contained in the RFP Documents, may not be complete, accurate, adequate or correct for the purposes of Bidders. The Employer or any of its advisors has no liability for any statements, opinions or information provided in the RFP Documents. Each Bidder should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in the RFP Documents. The Bidders are required to undertake their independent assessment and to seek independent professional advice on any or all aspects of the RFP Documents. No decision should be based solely on the basis of the information provided by the RFP Documents, the Response Document 1, Response Document 2 and this Response Document 3.

The Employer expressly disavows any obligation or duty (whether in contract, tort or otherwise) to any Bidder. No Bidder is entitled to rely on the Employer's involvement in the preparation of this Response Document 3 or in the solicitation process as a basis for preparing the Bid or developing the Project.



RESPONSES TO PROSPECTIVE BIDDERS' QUERIES

SR. NO.	SECTION NUMBER	SECTION	QUERY	SIDCL'S RESPONSE
1.	ITB 13.1	The Bidder shall furnish, as part of the Financial Proposal in its Bid, a Bid Security equivalent to: (2.5% x Minimum Assured Bus Kilometers Green Line x 12 x Kilometer Charge Green Line x 80) + (2.5% x Minimum Assured Bus Kilometers Orange Line x 12 x Kilometer Charge Orange Line x 20) (the "Bid Security").	<p>Please confirm if our below understanding is correct based on hypothetical rate of 400 per km for Green line and 450 per km for Orange Line:</p> <p>$(2.5\% \times 3500 \times 12 \times 400 \times 80) + (2.5\% \times 3500 \times 12 \times 450 \times 20) = 33,600,000 + 9,450,000 = 43,050,000$ (Value of Bid Bond).</p>	<p>Yes, the understanding is correct.</p> <ul style="list-style-type: none"> - Minimum Assured Bus Kilometres Green Line = 4,583.3 km - Minimum Assured Bus Kilometres Orange Line = 3,000 km
2.	Qualification Criteria	Experience in Operations & Maintenance of Buses / Public Transport vehicles with a Fleet of minimum 50 buses.	<p>Please clarify if operations and maintenance of buses would include the intercity buses as well or not. In our understanding and recommendation, they should be included in the criteria as Intercity buses are used by general public managed on schedule and operated on established Roads.</p> <p>Therefore, the Intercity buses should be included in this criterion to allow for maximum participation of bidders otherwise only very limited bidders will remain causing higher rates per km and not giving fair chance to other operators</p>	<p>Not Agreed.</p> <p>Please refer to Section 2.1 of Technical Evaluation Criteria under the RFP, it states that "<i>Number of years of bus operations experience (Bus Operations /Public Transport Vehicle including but not limited to Urban and Intercity)</i>" The Bidder having relevant experience of Intercity buses can score a maximum of 10 marks.</p> <p>Furthermore, a Bidder with experience in operation and maintenance of public transport vehicles/buses with a</p>



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			that carry more than 100,000 passengers on intercity routes.	minimum fleet of 50 buses can score 10 marks pursuant to Section 2.2.
3.	Qualification Criteria	Experience in Operations & Maintenance of buses on BRT/Mass Transit Network and/or Allied / Ancillary Services operations such as Feeder Services to BRT Network with 50 or more buses per network.	This criteria is only for few urban transport business operators which are limited to only 3 in Pakistan. We request to allow intercity bus operators in this as well as a lot more buses are run on intercity operations than in intra city operations.	Not Agreed. The current procurement is International bidding, and bidders other than Pakistan can also apply.
4.	Qualification Criteria	Detailed Break up of Work Plan & Methodology including Fleet Maintenance & Depot related to Green & Orange Lines BRTS Operations Plan	Please clarify exactly what is required such as: 1. Organizational Chart of operations team 2. Organizational Chart of Workshop team Please explain the exact requirements in this	Work Plan & Methodology should include the methodology with respect to the execution of the O&M Services in relation to the operation of the buses for the Projects including as set out in Annexure D (<i>Scope of O&M Services</i>) of the RFP. It should also include, <i>inter alia</i> : 1. Organizational Chart of Operations team 2. Organizational Chart of Workshop team



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5.	Least to Own Agreement.	<p>1.1. lease payment equivalent to [[insert amount stated in the Bid] x [Minimum Assured Bus Kilometres (for each month)]] payable on a monthly basis by the Operator to the Employer.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: 8px;">Particulars (Refer to Schedule F of the O&G M Agreement)</th> <th style="font-size: 8px;">Units</th> <th style="font-size: 8px;">Green Line</th> <th style="font-size: 8px;">Orange Line</th> </tr> </thead> <tbody> <tr> <td colspan="4">Variable Payments</td> </tr> <tr> <td>Per Kilometre Fuel (PKF)</td> <td>(a)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Routine Maintenance (PKRM)</td> <td>(b)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Periodic Maintenance (PKPM)</td> <td>(c)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Tyres (PKT)</td> <td>(d)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Lubricants (PKL)</td> <td>(e)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Total Per Kilometre Variable Charge</td> <td>(1) = (a) + (b) + (c) + (d) + (e)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td colspan="4">Fixed Payments</td> </tr> <tr> <td>Per Kilometre Insurance (PKI)</td> <td>(f)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Administrative expenses (PKAe)</td> <td>(g)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Per Kilometre Management fee (PKMF)</td> <td>(g)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Total Per Kilometre Fixed Charge</td> <td>(2) = (e) + (f) + (g)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Lease Payments</td> <td>(3)</td> <td>PKR/km</td> <td></td> </tr> <tr> <td>Total Per kilometre charge</td> <td>(4) = (1) + (2) + (3)</td> <td>PKR</td> <td></td> </tr> </tbody> </table>	Particulars (Refer to Schedule F of the O&G M Agreement)	Units	Green Line	Orange Line	Variable Payments				Per Kilometre Fuel (PKF)	(a)	PKR/km		Per Kilometre Routine Maintenance (PKRM)	(b)	PKR/km		Per Kilometre Periodic Maintenance (PKPM)	(c)	PKR/km		Per Kilometre Tyres (PKT)	(d)	PKR/km		Per Kilometre Lubricants (PKL)	(e)	PKR/km		Total Per Kilometre Variable Charge	(1) = (a) + (b) + (c) + (d) + (e)	PKR/km		Fixed Payments				Per Kilometre Insurance (PKI)	(f)	PKR/km		Per Kilometre Administrative expenses (PKAe)	(g)	PKR/km		Per Kilometre Management fee (PKMF)	(g)	PKR/km		Total Per Kilometre Fixed Charge	(2) = (e) + (f) + (g)	PKR/km		Lease Payments	(3)	PKR/km		Total Per kilometre charge	(4) = (1) + (2) + (3)	PKR		<p>Please Confirm What is meant by "Amount stated in Bid".</p> <p>Usually lease payment is fixed per month which will deducted from monthly invoice payment. So please clarify this point that what should be inserted in this formula except minimum assured Bus Kilometers.</p> <p>In F2 form, details of Financial proposal, Lease amount (3) is subtracted from total amount (1+2). So which amount / rate will be consider for Bid winner either (1+2-3) or amount (1+2). Numbers 1,2,3 are used for same as in picture attached.</p>	<p>Label (3) i.e., Lease Payment quoted by the Bidder in Bidding Form F2 will be inserted in the formula as “<i>Amount stated in Bid</i>”. Please note that this will be a fixed amount as it is being multiplied by Minimum Assured Bus Kilometres.</p> <p>The Bidder that offers the lowest Kilometre Charge (i.e., 1+2-3), shall be declared as the Successful Bidder.</p>
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7.	ITB 25.1	<p>The Bidder that offers the most advantageous (lowest) bid, as follows, shall be declared the Successful Bidder:</p> <p style="text-align: center;">Kilometre Charge _{Green Line} X Minimum Assured Bus Kilometres</p>	<p>What is the value of the Minimum Assured Bus Kilometres _{Green Line}? First years Minimum Assured Bus Kilometres _{Green Line} are different from year 2 onwards.</p>	<p>Please use second year's Minimum Assured Bus Kilometres for Green Line.</p>																																																								



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		Green Line + Kilometre Charge Orange Line x Minimum Assured Bus Kilometres Orange Line		
8.	Form F-3 (Bid Security)		<p>We have shared this with financial institutions and they are proposing following change in the Form F3 (mentioned below in red font).</p> <p><i>The above premised, we (the Guarantor) hereby undertake irrevocably and unconditionally on demand to pay to Sindh Infrastructure Development Company Limited (the Employer), without any notice, reference or recourse to the Bidder or to any other entity or without any recourse or reference to any document, agreement, instrument or deed, any sum or sums (or any part thereof) equivalent in aggregate up to but not exceeding a maximum amount of:</i></p> <p style="text-align: center;">[●] [●]/- ([●][●]) <i>(the Guaranteed Amount)</i></p> <p><i>at within five (5) working days of receipt of the Employer's first written demand</i></p>	<p>Not Agreed.</p> <p>Bid Security shall be submitted in the form attached as Bidding Form F3. Any omission, reservation, deviation or condition included in the Form F3 to the contrary may cause the Bid to be declared non-responsive at discretion of the Employer.</p>



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9.	ITB 13 Bid Security	<p><u>“The Bid Security shall be an irrevocable, bank guarantee in the form attached as Bidding Form F3, having a Minimum Credit Rating at all times, acceptable to the Employer”</u></p>	<p>We seek your clarity as to whether any other Financial Instrument such as CDR (Call Deposit), DD (Demand Draft) or PO (Pay Order) will be acceptable?</p> <p>We understand that PPRA Rules allow such instruments as Bid Security and there are several precedents whereby a properly drawn CDR/DD/PO in favor of procuring body were allowed.</p> <p>The fundamental principle of a Bid Security is that the instrument should be Irrevocable and issued by a Bank with appropriate reputation and in case of CDR/DD/PO, these instruments fulfill these basic criteria rather are more secure than a Bank Guarantee (which is a non-cash instrument) as the funds are deposited physically against issuance of these.</p> <p>We are requesting the clarity may be issued and the Bid Security may please be allowed in form of a CDR/DD/PO having the required validity.</p>	<p>In respect of the current procurement process, the Bid Security is required to be an irrevocable bank guarantee in the form attached as Bidding Form F3 to the RFP and where the Bid Security is issued by a foreign bank outside Pakistan, such Bid Security shall be counter-guaranteed / confirmed by a bank in Pakistan acceptable to the Employer.</p>
10.			<p>please advise in form F of bid security "bank Guarantee" what does Bid Reference Number stands for?</p>	<p>Bid reference No. TS440676E</p>



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11.		Bid Submission date	Request for extension in bid submission by 10 working days – M/s Waraich Enterprises, Sadiqabad	SIDCL has already given almost 30 days of extension from the original date of bid submission. No further extension shall be granted.