

Response to the queries for Selection of Bus Operator for Supply, Operation and Maintenance of Buses for Managing Public Transport across the Cluster-II, III, IV & V Routes under LAccMI Scheme on Gross Cost Contract (GCC) Model

RFP No. 1679 Date: 11/09/2023

No.1743/OSRTC/IM(TR)-11/2023(Pt.I)

Date:30/09/2023

Sl.No	RFP Reference	Content of RFP	Clarification Sought	Response
1.	Volume-III Clause No 24.3 Page no.- 111	Provide adequate land for Bus Depot as per the request of Bus Operator (District Head Quarter: 4 to 5 Acre and for Block Level: 1 to 2 Acre)	Civil infrastructure be provided by OSRTC'	As per RFP
2.	Volume-I Clause No 7 Page no.- 13	The fuelling arrangement and infrastructure will be the operators' responsibility. However, OSRTC will only support and facilitate statutory clearances and NOC required for obtaining the License.	Fuelling arrangement be provided by OSRTC.	As per RFP
3.	Volume-I Clause No 7 Page no.- 14	Payment Proportion for Excess Kms shall be 0.65 for new buses.	Payment for excess Kilometers be given @ 0.80 instead of 0.65	As per RFP
4.	Volume-I Clause No 7 Page no.- 14	Payment Proportion for Unutilised Kms shall be 0.35 for new buses.	Payment of less Kilometers be given @ 0.50 instead of 0.35	As per RFP
5.	Volume-I Clause No 14.2 Page no.- 21	The Bidder shall furnish as part of its Bid, Earnest Money Deposit (EMD) amount to the sum of INR 25,000/- per Bus (Rupees Twenty-Five thousand per bus) in shape of Banker's cheque/ Demand draft/ Bank Guarantee to be made from any Nationalized or Scheduled Commercial Bank in favour of Accounts Officer OSRTC, Bhubaneswar.	EMD be considered as 15000 per bus instead of 25000 per bus.	As per RFP

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6.	Volume-I Clause No 15 Page no.- 22	OSRTC shall issue a letter of award (LOA) to the selected Bidder within 15 days from the opening of the financial proposals. Within 15 days of such issuance, the selected firm/agency is required to submit a Performance Security in the form of Bank Guarantee from Scheduled Commercial Bank for an amount equivalent to 3% of the Total Contract Value in favour of OSRTC and enter into the contract agreement with OSRTC.	Performance security of 3% is too high. It may be considered as 1%of Annual Turn Over	Refer Corrigendum
7.	Volume-I Clause No 16 Page no.- 22	Further, the Authority, at its sole discretion, during the course of the agreement, may ask the Operator to provide additional buses equivalent to 25% of the total quantity of buses required under the Agreement.	Authority asking 25% more buses may not be mandatory. It may be taken as 5% Only.	As per RFP
8.	-	-	Details of penalties which can be imposed, should be given in black and white.	Refer Addendum
9.	Volume-III Clause No 28.1 Page no.- 116	In the event that any damages or need for repairs or complete replacement to the Contracted Buses and repair of Bus Depot or any other asset provided by the Authority arises during the Agreement Period on account of Vandalism, the Operator shall be required to make good the damages and repair the Contracted Buses to the original conditions at the cost of Operator.	If buses are damaged on account of Vandalism, the operator shall repair/replace the damaged bus/ buses, but the cost of repair/replacement should be made good to the operator by the Authority	As per RFP
10.	Volume-I Eligibility Criteria-3 Page no- 20	The Consortium Bidder should be a company registered as a Company/LLP under Companies Act, 1956/2013.	Need clarity on 'Company consortium' - Is proprietorship allowed? Or Can proprietorship & Company clubbed together to form consortium?	Refer Corrigendum

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11.	Volume-I Eligibility Criteria-4 & 6 Page no- 20	Annual Turnover Relevant Experience	Need clarity if both can be clubbed	As per RFP
12.	Volume-II Other Eligibility 18.3 Page no- 30	If any company/partnership/ proprietary firm is affected by and has been affected by any of the following events, conditions or circumstances in the 3 (three) financial years immediately preceding the Proposal Due Date.	Are proprietorship allowed? Or Can proprietorship & Company clubbed together to form consortium?	The Consortium Bidder is formed through the collaboration of a proprietorship and a registered company, operating in accordance with the relevant provisions of the Companies Act
13.	-	Separate for all 4 Cluster 2; 3; 4; 5	Request clarity How to upload for the specific package when we are uploading the bid for the specific package?	For each package, there is a sub-category where you can upload documents separately, along with their respective Bid processing fees and EMD. If you face any difficulties during the document upload process, please do not hesitate to reach out to the following contacts for assistance. Phone No. 011-49606060, 9355030604,9355030613 Mail id: - odishaenivida@gmail.com

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14.	Volume-II Page no- 49	On-board pole mounted ticketing machines	Need clarity as it is not part of Operator's responsibility. Operator does not collect the ticketing amount.	As per RFP
15.	Volume-I Page no- 7	Last date for Proposal e-submission : 05/10/2023 (03:00 PM)	Request to extend the last date of the submission of the bid to 15 days instead of 10days which would be decent time to submit the requested documents	As per RFP
16.	Volume-I Clause no- 6.1 (IV) Page no- 13	Bus Delivery Schedule Delivery of 50 % of tendered vehicle - M + 80 Days Completion of delivery of all (100%) tendered vehicle- M + 120 Days	Delivery of 50 % of tendered vehicle :- M + 90 Days Completion of delivery of all (100%) tendered vehicle :- M + 150 Days	Refer Corrigendum
17.	Volume-I Clause no- 24 (i & iv) Page no- 35	Proposals, in its complete form in all respects as specified in the RFP, must be submitted in electronic mode through e-Nivida Portal https://enivida.odisha.gov.in by 05-10-2023, 04:00 PM.	please confirm as to whether physical submission is required.	(As per RFP) Proposals must be submitted in electronic mode through e-Nivida Portal https://enivida.odisha.gov.in by 05-10-2023, 04:00 PM.
18.	Volume-I Clause no- 4.2. (v)	The Operator shall develop Depot Infrastructure for Bus operation and maintenance. OSRTC shall provide adequate land for Maintenance, Washing area, Office and store, upstream electricity	Depo infrastructure should be in scope of authority. As operator is not in expert of development of civil infrastructure.	As per RFP

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	Page no-11	and water provision. The Operator shall construct necessary infrastructure at its own cost.		
19.	Volume-I Clause no-4.2. (x) Page no-11	The Operator shall be liable to pay RTO registration charges, fitness and pollution Certificate charges, insurance charges and any other applicable charges/ permits/ licenses/ approvals at the time of Bus registration and thereafter shall bear all charges for remaining years of Agreement.	As fare collection will be done by the authority, passenger tax should be borne by authority. Please incorporate this in table.	The authority assumes the responsibility for covering the passenger tax.
20.	Volume-I Clause no-4.2. (xi) Page no-11	The Operator shall be liable to bear all taxes as may be levied under Applicable Law in relation to the Bus Services, save and except those taxes which are the responsibility of the Authority as per the terms of Operator Agreement and Applicable Law.	Please clarify which taxes will be borne by authority.	All the taxes clarify in the said RFP, Annexure – PA5: List of Authority Clearances and Operator Clearances page no-135
21.	Volume-I Clause no-6.1. (iv) Page no-13	Bus Delivery Schedule: Release of Letter of Award (LoA) - M Prototype Bus - M + 40 Days Delivery of 50 % of tendered vehicle - M + 80 Days Completion of delivery of all (100%) tendered vehicle -- M + 120 Days	As this tender is of high number of buses requirements, times limit should be revised as under: Prototype - M + 30 days 40% of allotted vehicles - M + 60 Days 80% of allotted vehicles - M + 130 days 100% of allotted vehicles - M + 150 days	Refer Corrigendum
22.	Volume-I	The Authority, within a period of 5 (five) working days of the receipt of invoice, shall undertake preliminary verification of Invoice and shall		As per RFP

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	Clause no-6.1. (iv) Page no-14	ordinarily make part payment of 80% of the total invoiced amount for each payment cycle of 10 working days.	In case there is delay in making payment as per given timelines there should be an interest provision for delay in making payment.	
23.	Volume-I Clause no-11.iii Page no-15	If termination occurs due to authority event of default of force majeure, the Authority shall give 3-month notice period to the Bus Operator to settle all dues and remove all assets as per the Contract or will pay 3 Months Kilometre Charges (average of last 4 invoice amounts) from the data of termination to the operator.	Since operator will invest heavily in project, in the event of termination by authority, amount equivalent to outstanding loan as on date must be paid to operator by authority.	As per RFP
24.	Volume-I & II Clause no-6.i , 15 i & 30.1 Page no-15	Within 15 (fifteen) days from the issuance of the LoA, the Selected Bidder shall accept the LoA and deposit the Performance Security. Performance Security: OSRTC shall issue a letter of award (LOA) to the selected Bidder within 15 days from the opening of the financial proposals. Within 15 days of such issuance, the selected firm/agency is required to submit a Performance Security in the form of Bank Guarantee from Scheduled Commercial Bank for an amount equivalent to 3% of the Total Contract Value in favour of OSRTC	Time limit for submission of Performance Guarantee should be extended to at least 60 days from date of acceptance of LOA. Also amount of Performance Security should be 3% of the Total Contract Value per annum.	As per RFP
25.	Volume- II Clause no-21.2 Page no-34	The Bidder shall upload its Financial Proposals in the format set out at Annexure XII. The format must be completed as instructed in the RFP. Bidders are recommended to use PDF files for uploading the documents and file size must not cross 5MB. The Financial Proposal sheet will be in Excel format and to be placed in a separate packet.	There is contradiction in time for submission of bid mentioned. Please clarify what is the actual time for submission of bids. Also please confirm that there will not be any physical submission of any document for bidding.	The submission of the Financial Proposal is exclusively through online. The physical submission of the Technical proposal and its accompanying documents is

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				necessary to facilitate a seamless evaluation process.
26.	Volume- II Clause no- 12.8 Page no- 20	One (1) or more Manufacture Authorization Forms (MAFs) can be submitted by bidder who is participating individually other than OEM.	This condition should be removed.	As per RFP
27.	Volume- III Clause no- 30.2 Page no- 43	Performance Security: OSRTC shall issue a letter of award (LOA) to the selected Bidder within 15 days from the opening of the financial proposals. Within 15 days of such issuance, the selected firm/agency is required to submit a Performance Security in the form of Bank Guarantee from Scheduled Commercial Bank for an amount equivalent to 3% of the Total Contract Value in favour of OSRTC and enter into the contract agreement with OSRTC. The Performance Security shall be valid throughout the entire Contract period. The Bank guarantee for 2 years and then renewal for the same till Contract period and 60 days thereof that would be taken for satisfactory performance and fulfilment in all respects of the contract.	Time limit for submission of Performance Guarantee should be extended to at least 60 days from date of acceptance of LOA. Also amount of Performance Security should be 3% of the Total Contract Value per annum.	As per RFP
28.	Volume- II Page no- 49	The architecture defines the overall interconnectivity of the different sub-system inside the vehicle, communication within the sub systems and integration with the ITMS/backend solution for the transmission of the real time vehicle information. It shall consist of the following subsystems: • Passenger information system (PIS) • Automatic vehicle location system (AVL) • Security camera network system (SCN)	On-board pole mounted ticketing machines are practically of not much use, same should be removed from requirements.	As per RFP

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		<ul style="list-style-type: none"> • Vehicle health monitoring and diagnostics (VHMD) • On-board pole mounted ticketing machines 		
29.	Volume- III Clause no- 13.1 Page no- 90	13.1 If the Operator fails to deliver the Contracted Buses as per the delivery schedule specified in the Clause 10.1 above and if the Operators is not able to cure such default (delay in buses) within any additional time permitted by the Authority, the Authority shall, without prejudice to other remedies under the Agreement, levy/deduct pre-estimated liquidated damages of Rs.2,000/- (Rupees Two Thousand only) or part thereof, per bus per day of delay for additional 30 days from the expiry of the respective Milestone for delivery.	This penalty should be reduced to Rs. 1000 per bus per day after expiry of additional 30 days after milestone for delivery.	As per RFP
30.	Volume- III Clause no- 15.2 Page no- 91	In the event the Operator is not able to start operations of particular Lot of Contracted Buses within 195 days from the date of Execution of the Agreement as per abovementioned clauses for reasons not attributable to the Authority or to a Force Majeure Event, and which in the opinion of the Authority can be attributable to the Operator, the Operator shall pay liquidated damages of Rs.500 / per bus per day for additional 30 days after completion abovementioned timeline.	Considering request for increase in the delivery schedule, this time limit should also be increased accordingly.	As per RFP
31.	Volume- III Clause no- 17.1 Page no- 91	The Bus Operator may develop Depot(s) at Block/District Level or anywhere within the Cluster-II/ III/ IV/ V to meet the service level parameters. OSRTC will provide suitable land on Block/ District headquarters on lease basis without any rental.	Land should be provided along with compound wall, water and electricity connection.	As per RFP
32.	Volume- III	The Authority shall compute and provide to the Operator, for every Payment Period, from when the first of the Contracted Buses	Many times it has been observed that there is difference between Kilometers as per actual	Refer Corrigendum

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	Clause no-22.3 Page no-95	commences service, the total number of Kilometers that the Contracted Buses have travelled for the aforesaid period. Such calculations shall be made using Global Positioning System (GPS) and in case of absence of GPS, manually with the supervision of the Authority staff. The Operator shall be paid based on the Bus Kilometers logged and verified in this manner according to the Kilometre Charge fixed.	operation and GPS calculation. In such cases a provision should be there to do the reconciliation and consider the actual Kilometers over GPS Kilometers.	
33.	Volume- III Clause no-22.4 Page no-96	b) Base Year Wholesale Price Index for all commodities: x for Year 2023. Source: Office of the Economic Adviser to the Government of India, Ministry of Commerce and Industry, Website: http://www.eaindustry.nic.in . c) Minimum Wages for relevant Category Manpower Deployed of Rs. X (unskilled), Rs. X (Semi-skilled) and Rs. X (Highly Skilled) as per notification 2500 dated xxx for time period of Source: Office of Labour Commissioner, Govt of Odisha, Website: http://labour.odisha.gov.in .	We request authority to kindly state/specify these values clearly for better understanding.	The pricing has been adjusted in accordance with the Government of India regulations. To ascertain the actual price, please refer to the website mentioned within the RFP.
34.	Volume- III Clause no-22.5 Page no-98	The Toll Tax needs to be paid by the Operator. However, it shall be reimbursed by OSRTC for each payment period and shall be along with the payment of invoiced amount.	We request to authority to keep this in authority's scope.	As per RFP
35.	-	-	We request the authority to keep manufacturer responsible in some way for delivery of fully built-up buses in timeline decided by the authority because ultimately it will be manufacturer who will deliver the bus to operator, operator does not have control over	As per RFP

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			delivery of bus. IF any penalty for delay is there manufacturer should bear it.	
36.	-	-	What facilities will be provided at sub depots in districts?	Minimum maintenance facilities
37.	-	-	Authority should provide approval to successful bidder to create a Special Purpose Vehicle (SPV) in the form of a new company for this project. The SPV will enhance project efficiency, mitigate risks, provide transparency, improve access to funding, and ensure accountability. xxxx	As per RFP

**-Sd-
General Manager(A),
OSRTC, Bhubaneswar**