

ADDENDUM TO BID DOCUMENTS

ADDENDUM No. 1

Project Name:	Melamchi Water Supply Project (Subproject 1)
Loan No.:	ADB Loan 1820-NEP (SF)
Contract No. and Title:	MDS/DT/02 – Headworks and Diversion Tunnel Construction

To: All Prospective Bidders

This Addendum No. 1 dated 8 January 2013, is issued to modify the previously issued bid documents and is hereby made part of the bid documents. Please attach this addendum to the original documents in your possession.

Except as expressly amended by this Addendum, all other terms and conditions of the Bidding Documents issued on 1 December 2012, remain unchanged.

Bidders shall acknowledge receipt of this Addendum.

This Addendum can also be downloaded from: <http://www.melamchiwater.org>

(A) Modifications in the Issued Bid Documents

PART I BIDDING PROCEDURES

Section 4 – Bidding Forms

Bill of Quantities

1. Changes to the Item Nos. of the BoQ are as shown below:

Item No. Existing	Item No. Changed	Description	Unit	Remarks
3.3.3.1	3.3.1.1	Blinding, C 15	m ³	Change is made in Item No.
3.3.3.2	3.3.1.2	Plum concrete, C 20	m ³	
3.3.3.3	3.3.1.3	Structural concrete C 35A	m ³	
3.3.3.4	3.3.1.4	C 60 fibre reinforced concrete	m ³	
3.3.3.5	3.3.1.5	Settling basin hopper 2 nd stage concrete, C 15	m ³	
3.3.3.6	3.3.1.6	Settling basin 3 rd stage concrete, C 25	m ³	

2. Changes to the descriptions of items of the BoQ are as shown below:

Item No.	Existing Description	Changed with Description	Unit	Remarks
3.2.3.3, 3.2.3.5, 5.2.3.3, 6.2.3.3, 6.2.3.9	Water leakage measurements	Water loss measurements	nr	Change is made in description of works
4.3.1.1	Excavation of tunnel, Cross section = 12.7 m ² , to spoil heap.	Excavation of tunnel, Cross section = 12.7 ~ 16.0 m ² , to spoil heap	m	
5.2.1.1, 6.2.1.1, 7.2.1.1	Excavation of tunnel, A = 12.7 m ² , to spoil heap.	Excavation of tunnel, A = 12.7 ~ 16.0 m ² , to spoil heap	m	

3. Changes to the unit measurements of items of the BoQ are as shown below:

Item No.	Description	Existing Unit	Changed with Unit	Remarks
6.3.1.3	Canal type B, fully inclusive of excavation, geotextile filter layer and stone lining	nr	m	Change is made in units
6.3.1.4	Canal type C, fully inclusive of excavation, geotextile filter layer and stone lining	nr	m	

4. Changes to the Header of Bill No. 11 are as shown below:

Item No.	Existing Description	Change with	Remarks
Bill No. 11: Header (right)	Bill 5 – Gyalthum Adit	Bill 11 – Rectification of Rock Support Works and Construction of Niches	Change is made in Header of the Section 11

PART II REQUIREMENTS

Section 6 – Employer's Requirements:

Drawings

- Change the issued Drawing No. CON 6-11-001 with Drawing No. A399-22T01 (General Layout – Spoil Tip Area, Sundarijal) attached herewith.
- Add new Drawing No. MDS 2-21-050 (Sewerage and Bio Filter Ditch) attached herewith to the previously issued drawings.

Specification

Electrical Works – Annex E1 Page 1 of 6

- Change the approximate distance from Headworks to Housing (Ambathan) from 1.9 km to 2.1 km

PART III CONDITIONS OF CONTRACT AND CONTRACT FORMS

Section 8: Particular Conditions of Contract

(1) PART A – CONTRACT DATA

- Change the existing Condition & Data as shown in the following Data:

Existing			Change with		
Condition	Ref.GCC	Data	Condition	Ref.GCC	Data
Provisional Sums for Contingency allowance	13.5 (b) (ii)	15% of the Accepted Contract Amount	Provisional Sums	13.5 (b) (ii)	15%

(1) PART B – SPECIFIC PROVISIONS

9. Add the following:

Sub- Clause 13.5 – Provisional Sums

At the end of the Sub- Clause add the following new paragraph:

A Provisional Sum for Contingency Allowance shall be provided as 15% of the Accepted Contract Amount for the payments of Adjustments for Changes in Legislation, Adjustments for Changes in Cost, Costs for Dispute Board Members, Variations, Claims and excess Daywork Costs.

(B) Questions/Clarification from prospective Bidders and the Employer's Response

Q1: Question/clarification request

The last date for submission of bid is given 21st January 2012, the time for preparation of bid documents along with price, is very short. It is requested to extend the time for submission of the bids by at least one month.

Employer's Response

The last date for submission of bid is 21 January 2012 and remains unchanged.

Q2: Question/clarification request

As per Section 3, the qualification criteria requires installation of at least 50MT hydraulic steelworks similar to items described in Section 6 (Employer's Requirements) – Can a bidder make a MOU with any party having such type of experience for supply, fabrication, erection and testing or JV is compulsory?

Employer's Response

Bidders in the first instance must comply with the Qualification criteria as a minimum. A MOU or subcontract agreement with a party meeting the eligibility, construction experience, financial situation together with proposed manpower and equipment for executing hydraulic steelworks, may be proposed once award of contract has been made.

Q3: Question/clarification request

As per Sub-Clause 4.20 of the GCC – the Employer supplies the available equipment to execute the work on recoverable basis- is there any equipment available?

Employer's Response

Engineer's Site Inspection Report, December 2012 has been provided to the Bidders. The Report lists the equipment of the previous contractor on sites and their status which the Bidders may have seen during the site visit or can visit the sites to assess their conditions themselves.

The Bidders willing to use the equipment of the previous contractor are required to include in their bid the list of the previous contractor's equipment they want to use for Contract MDS/DT/02, and has to quote unit rates/prices against each piece of equipment he proposes to use for the works as described in Section 1.4.5 of Preamble to Bill of Quantities, and offer discount calculated from the quoted unit rates/prices in BoQ Bill No. 11 item 11.5.3. The contractor shall be responsible for the operation and repair & maintenance of all such equipment.

Q4: Question/clarification request

Will camps/sheds already constructed at sites including the Melamchi Site Office Camp be given to the new contractor or will they be retained by the Client/Consultant? If given to the contractor, what will be the responsibility of the contractor with regard to their maintenance etc. and to what extent? OR will the site be handed over to the contractor after dismantling the camps & sheds?

Is land for infrastructure development like camp, workshop, store, labor huts provided by the Employer or is it in the contractor's scope?

Employer's Response

There are camps constructed at sites by the previous contractor for the Employer's/ Engineer's staff and camps for contractor's temporary use. These camps are for the Employer's sole use of the Employer's/Engineer's staff. The contractors will, however, be provided accommodation at the Employer's Melamchi Site Office Camp as stated in the Bid Document.

As stated in Section 2.02.02 of the Specification, the contractor is responsible for arranging land for his temporary works and workshop, store, labor camp, site office, etc at the sites. The Contractor may, however, use the previous contractor's temporary camps and installations at Sundarikal, Sindhu and Ambathan sites which are built on MWSDB/Government land.

The contractor shall be fully responsible for repair & maintenance of the previous contractor's camps and installations used by him. The Employer will not dismantle the camps/sheds erected by the previous contractor. The Contractor shall dismantle the camps/sheds of the previous contractor and store the materials as directed by the Engineer at his own cost if the Contractor desires to construct new camps/sheds in place of the existing ones.

It should be noted that the camp facilities at the Gyalthum site are located upon private land and the contractor is wholly responsible for dealings with the landowner for continued use of the land.

Q5: Question/clarification request

In Sub-Clause 14.1 of the GCC- it is mentioned that construction equipment including essential spare parts thereof, imported by the contractor for the sole purpose of executing the Contract shall be exempt from the payment of import duties and taxes- is this Sub-Clause applicable only on spare parts or on all equipment also?

Employer's Response

Non-consumable items of the Master List of Equipment approved by the Ministry of Finance can be imported under bank guarantee facility as described in Sub-Clause 14.1 of the Particular Conditions of Contract. Consumable items of the Mater List of Equipment and other equipment imported by the Contractor for the contract works shall, however, be subject to full customs duty in place at the time.

Q6: Question/clarification request

As per PART A - CONTRACT DATA of the PCC relating to Sub-Clause 2.1 of the GCC- the time for access to the site is given only one week, it is too short. It is requested to extend the time up to two months.

Employer's Response

Time for Access to the Site except for the De-aeration shafts remains 1 week after the Commencement Date.

Q7: Question/clarification request

The currency of payment is not defined. Is it the choice of the bidder?

Employer's Response

Bidders are referred to *Schedule of Payment Currencies* in Section 4 – Bidding Forms of the Bid Document.

Q8: Question/clarification request

If Bidders are to participate in a Joint Venture, can one party purchase the tender document in the party's name only or in name of the JV?

Employer's Response

If parties of one or more entity have agreed to participate as a Joint Venture (JV), it is necessary only for one member of the party to purchase the Bid Document in the name of the JV after submitting the JV agreement or a Letter of Intent to execute a Joint Venture Agreement signed by all partners.

Similarly, parties purchasing the Bid Documents may also subsequently form a JV prior to bid submission and can submit the bids in the name of the JV together with the JV agreement or a Letter of Intent to execute the JV Agreement.

Q9: Question/clarification request

According to Section 3 (Evaluation and Qualification Criteria), the Bidders are required to have the experience of construction of at least 15km of tunnels in the last 10 years.

Is tunneling by Tunnel Boring Machine considered as meeting the qualification criteria?

Employer's Response

The similarity of contracts of similar size and nature will be based on the Bidder's experience of tunnel construction with drill & blast methods using drilling jumbos. Tunnels excavated with TBMs will not be considered as meeting the qualification criteria.

Q10: Question/clarification request

What will be the conditions for payment, if any work is required to be carried out in already constructed/carried out work?

Employer's Response

Works to be carried out in the already constructed work/excavated tunnels are included in the BoQ, and will be paid accordingly.

Q11: Question/clarification request

Who will be responsible for the maintenance of service road, the Client OR the Contractor? If it is the contractor, then what will be the terms and conditions of payment, whether it will be included in the contract OR it will be treated as extra items?

Employer's Response

Bidders are referred to Section 1.3.2 of the Preamble to Bill of Quantities and Sections 1.01.04 and 2.04.03 of the Specification.

Q12: Question/clarification request

What is the condition of the equipment available? Whether it will be given to the Contractor and if yes, what will be the terms & conditions for that?

Employer's Response

Bidders are referred to Section 1.4.5 of the Preamble to Bill of Quantities and the list of equipment provided to them during the Pre-bid Meeting along with the Engineer's Site Inspection Report.

Q13: Question/clarification request

What will be the provision for the aggregate? Whether the contractor will be required to purchase the aggregate from outside OR the contractor will be necessitated to install its own crusher plant and where will be the source of raw material, if the crusher plant is installed by the Contractor?

Employer's Response

The Contractor is expected to purchase the aggregates from the existing sources and crusher plants in the vicinity of the project under his own responsibility.

Q14: Question/clarification request

Will the explosive bunker be provided by the Client OR the contractor will be required to construct it?

Employer's Response

Bidders are referred to Section 1.4.4 of the Preamble to Bill of Quantities and Section 2.03.01 of the Specification.

Q15: Question/clarification request

Will cost of transportation and storage of explosives be the responsibility of the Client OR the Contractor?

Employer's Response

Bidders are referred to Section 1.4.4 of the Preamble to Bill of Quantities.

Q16: Question/clarification request

The maintenance of main and site explosive bunkers including the cost to be incurred on the maintenance of Army personnel will be whose responsibility, the Client OR the Contractor?

Employer's Response

Bidders are referred to Section 1.4.4 of the Preamble to Bill of Quantities.

Q17: Question/clarification request

What are the conditions of Price escalation?

Employer's Response

Bidders are referred to Sub-Clause 13.8 of the General Conditions of Contract.

Q18: Question/clarification request

What will be the terms of payments whether on Running Meter basis OR Item Rates?

Employer's Response

Payments will be made according to the units specified in the Bill of Quantities.

Q19: Question/clarification request

What will be the conditions of payment for work carried out under unforeseen conditions?

Employer's Response

Payment for work carried out under unforeseen conditions, e.g. permanent support, spiling dowels, shotcrete ribs, grouting, etc. will be according to the actual quantities executed by the Contractor. The values given in the BoQ are only estimated quantities.

Q20: Question/clarification request

What is the number of Army/Security personnel deployed at various locations at present and whether their number will increase or decrease?

Employer's Response

Generally 18 nos. of Army personnel are deployed at each site by the Nepal Army for security of the explosives. Depending upon the requirements, the Nepal Army may increase or decrease the number of security personnel.

Q21: Question/ clarification request

What will be the terms and conditions for the payment of lump sum items, whether it will be paid in installments during construction or one time after completion.

Employer's Response

Depending upon the conditions stated in the contract and nature of work, payment of lump sum items may be made fully one time after completion or in installments, pro-rated on the percentage of work done.

Q22: Question/clarification request

Is it required to submit the original bidding documents with the final bid?

Employer's Response

Bidders are referred to Section 1 – ITB21.1.

Q23: Question/clarification request

Interest free initial mobilization advance up to 20% will be released to Contractor in installment. Please provide the breakup of the installments or is the bidder free to set the installments? What will be the percentage of 1st installment?

Employer's Response

Bidders are referred PART A CONTRACT DATA and to Sub-Clause 14.2 of the GCC and the PCC.

Q24: Question/clarification request

Excavation of such long face (3730m) in 36 month contract period is very difficult. The task gets further challenging with the small size of tunnel. We request you to revise the time of completion and reconsider the size of tunnel.

Employer's Response

Time for Completion, 36 months, remains unchanged. The limits for the cross-sectional area of the Diversion Tunnel, namely 12.7~16.0m², as described in Section 1.01.03.4 of the Specification apply.

Q25: Question/clarification request

During the site visit, it was observed that the project access roads are in very bad condition. In such case additional time is required to repair/construct the roads. You are requested to consider the same in total contract period.

Employer's Response

The Employer will improve the access roads condition before the mobilization of the new contractor. Time for Completion, 36 months, however remains unchanged.

Q26: Question/clarification request

Explosives have to be transported and stored under the supervision of Army. Contractor will have agreement with Army for this service.

Payment to the Army will be on what basis? - on per shipment basis or on time period and manpower deployed basis? What was the mode in case of previous contract? What are prevailing rates?

Employer's Response

Payment to the Army is based on time period & manpower deployed. Generally 21 nos. of army personnel are deployed by the Nepal Army for escorting the explosives, and allowance is around NPR 14,000 per day. In addition, food has to be provided to the security personnel free of charge.

However, the number of security personnel will increase as the quantities of the explosives & the transporting vehicles increase. Consequently, there will be increase in the daily allowance and the food expenses. The contractor shall separately bear the cost for transportation including the loading and unloading of the explosives. Security personnel are to be engaged for the loading and unloading.

Q27: Question/clarification request

PCC Sub-Clause 17.8 states that employer's risk shall not include acts of disruption by individuals or groups acting for financial gain or attempting to disrupt the activities of Contractor. How/Who will judge that any disruption was for financial gain? This is an ambiguous clause. It is observed that in projects of such magnitude there is disturbance from locals or other groups. The security against protests should be in the scope of Employer as it is impossible for private contractor to control such political activities. We request you to kindly delete this clause or delete the following part" acts of disruption by individuals or groups acting for financial gain or attempting to disrupt the activities of the Contractor".

Employer's Response

The risk of disturbance by the local community as described in Sub-Clause 17.8 of the Particular Conditions of Contract has been shared between the Employer and the Contractor. The risk is allocated to the Contractor for the 1st seven (7) days of the disturbance and thereafter to the Employer.

Since Sub-Clause 4.1 of the Particular Conditions of Contract requires the contractor to maintain minimum 1 month stock of all essential construction materials on site at any time, local disturbances of a short duration are not deemed to impact the progress of the works on site.

Q28: Question/clarification request

Contractor shall have the right to submit a proper schedule time plan with methodology using minimum 3-4 drill jumbos within the stipulated time period as against minimum requirement of 6-7 jumbos in the Bid Document.

Employer's Response

Bidders shall comply with the *Equipment Requirements* in Section 6 (Employer's Requirements) of the Bid Document and the stipulated Time for Completion - 36 months.

Q29: Question/clarification request

Detailed list of equipments along with their complete technical specifications from previous contractor should be provided.

Employer's Response

List of equipment on site with their status/condition based on visual observation is provided in the *Engineer's Site Inspection Report* provided to the Bidders. As the previous contractor did not provide detailed technical specifications, they are not available with the Employer/Engineer.

Q30: Question/clarification request

Rate/Cost of equipments from previous contractor should be provided in order to consider them in Costing.

Employer's Response

The cost of each piece of equipment on site still remains to be estimated by the Bidders. The Bidders are requested to assess, if required, the cost of the equipment on site themselves.

Q31: Question/clarification request

If during construction the actual geological conditions differ from the ones mentioned in the tender, then, will the contractor be eligible for additional payment as per actual work done?

Employer's Response

In the case that lengths of Rock Classes IV and V exceed the quantity in the BoQ, Time for Completion shall be extended as described in Sub-Clause 4.12 of the PCC, and the contractor will be eligible for additional payment due to such time extension.

Q32: Question/clarification request

Whether the shape of cross-section of tunnel could be changed into another shape, such as horseshoe-shape (U-shape) or circular shape?

Employer's Response

Bidders are referred to Section 1.01.03.4 of the Specification. Modification and optimization of tunnel cross-sectional area and shape is possible within the range 12.7 ~16.0 m². However, shapes deviating too much from the designed shape e.g. circular shape are unacceptable as it is not only impractical for the use of drilling jumbos in small sized tunnels but will also require changing the design of the permanent rock support by the Engineer which will entail extra cost and time.

Q33: Question/clarification request

What is the commencement date? Contract signing? 7 days after contract signing? Or will the Employer send letter of Commencement after contract signing?

Employer's Response

Bidders are referred to Sub-Clause 8.1 of the General Conditions of Contract.

Q34: Question/clarification request

For price adjustment, what materials may be price adjusted, labor, cement and equipment, any others? What a published source of index is recommended?

Employer's Response

Bidders are referred to Sub-Clause 13.8 of the GCC and Tables of Adjustment Data in Section 4-Bidding Forms of the Bid Document for adjustment to the amounts payable to the Contractor due to rises or falls in the cost of labour, Goods and other inputs to the Works, and to the table in PART A - CONTRACT DATA of the PCC for the Source of Indices.

Q35: Question/clarification request

What is the price for the site stored explosives available from the previous contract? Whether the blasting permit applied by former contractor is still valid?

Employer's Response

The contractor shall quote the unit rate, and amount as discount should be entered in Bill No. 11 of the BoQ for the site stored explosives available from the previous contract.

The licence for the import of explosives of the previous contractor will not be valid for the new contractor.

Q36: Question/clarification request

Should the bidder's quotation include VAT? And What's the other taxes will be applied for this project except VAT?

Employer's Response

Bidders are referred to Sub-Clause 1.13 of the General Conditions of Contract.

Bidders quotations shall not include the VAT, and shall explicitly state that the unit rates/prices for each item of the BoQ are exclusive of the VAT.

Besides VAT, the Contractor shall be responsible to pay tax in the Employer's country on profits made by him in respect of the Contract. The Contractor's staff and labor will also be liable to pay personal income taxes in the Employer's country in respect of such of their salaries and wages as are chargeable under the laws and regulations in force at the time.

Q37: Question/clarification request

Can we use the site laboratory existing? Are all the licenses obtained already?

Employer's Response

The contractor may use the existing site laboratories. However, Bidders should note that the previous contractor has already moved most of the facilities of the site laboratories to the Main Laboratory at Bahunepati. Site laboratories require the approval of the Engineer.

Q38: Question/clarification request

As to the installation of GPS monuments and verification of GPS points, are they already installed by former contractor?

Employer's Response

GPS Benchmarks but no monuments have been established by the Employer near the portals of tunnels and adits at Sundarijal, Sindhu, Gyalthum and Ambathan. The contractor shall augment GPS points/ monuments as required in order to ensure full survey coverage of all areas of the project site.

Q39: Question/clarification request

Rectification of already bored adits and water tunnel: should the bidder offer for the rectification? On what basis if without construction document?

Employer's Response

Rectification works and their estimated quantities for already excavated tunnel are included in Bill No. 11, Part 11.1, of the BoQ. The final quantities will be determined during work execution. The contractor is entitled for payment according to actual quantities placed.

Q40: Question/clarification request

As per the Employer's requirement, the bidder has to prepare 6 drill jumbos for the project. As to the experiences, drill jumbo is not the best solution in such a small working area. 12.7 meter square is not enough to accommodate both the drilling jumbo and mucking machine. Compare to (manually-driving) pneumatic drill, drill jumbo does not have advantages in keeping tunneling speed. Can the Bidder use pneumatic drill instead of drill jumbo?

Employer's Response

Bidders shall provide and use 6 nos. of drilling jumbos for excavation of water diversion tunnel between Ambathan and Sundarijal. Pneumatic drills instead of drill jumbo are not permissible in this section. Provision of niches shall be made by the Contractor for the passage of drill jumbo and mucking machine.

Q41: Question/clarification request

Regarding BOQ item 1.2.2, what service range will be covered and what is the standard during operation of clinic, dispensary and sickbay?

Employer's Response

Bidders are referred to Sections 2.05.06 and 2.04.09 of the Specification.

Q42: Question/clarification request

In the Contract, whether the distribution transformer is included for each power output point or not, and whether the medium voltage power transmission line is included or not?

Employer's Response

All what is needed for power transfer between headworks, diversion tunnel, Ambathan adit and permanent housing, including necessary transformers, cabling, etc are included in the contract.

Q43: Question/clarification request

Please specify the illumination scope or the quantity of lamps needed for outdoor illumination.

Employer's Response

For outdoor (and indoor as well) illumination please refer "17.02.10 Lighting and single phase sockets"

quote:

Outdoor: streets, areas and yards

Illumination level at one meter from ground shall be at least 75 lux (continuously at center line of a street and on all working areas).

..

Indoor: office, workshop, generator house and similar
Illumination level at one meter from ground shall be at least 150 lux.
unquote

Q44: Question/clarification request

Please clarify the capacity of diesel power sets.

Employer's Response

Please refer "17.02.08 Diesel Generation Units" as guidelines for fixed and a mobile units.

Naturally selection of consumption units by the Tenderer spells the final sizes. Please note that the "plant" includes also Ambathan adit and the Permanent housing as indicated in the "Electrical Works Annex E1".

Q45: Question/clarification request

Please specify the detailed earthing requirements, such as the earthing resistance value, the local soil resistivity etc.

Employer's Response

The ground is practically rock and distances are short so, beside connecting earth potential to the network (maybe by drilling) a wired earthing potential is strongly recommended to be brought along/in cabling to all consumption points.

Q46: Question/clarification request

Whether the cost of high voltage cable and transformer are included in BOQ-Bill 9.1.12 or not, and what is the quantity of the transformer and length of cables?

Employer's Response

Concerning BOQ-Bill 9.1.12, please refer note in parenthesis: "complete with cabling and transformers" This is regardless what the Tenderer selects (High- or Medium voltage) for transfer between Headworks and Ambathan/Permanent housing

Concerning quantities of transformers and lengths of various cabling please refer the "Electrical Works Annex E1" (especially page 1/6) for your detailed design.

END OF ADDENDUM NO. 1