

## List of Queries and Responses

Sl.No.	Clause	Query nos.	Queries	Response
1	1.1.1	1, 2, 151-152	<ul style="list-style-type: none"> <li>◆ Please provide the breakup of the total cost of the project (elevated option &amp; underground option) as indicated in the RFQ document for better understanding the value of various elements / systems / sub-systems involved in the project.</li> <li>◆ Does the indicative Project Cost of Rs.3894 Crs (as of June 2007) for Elevated option and Rs.4313 Crs (as of June 2007) for Underground option include all applicable taxes and duties.</li> <li>◆ Kindly clarify as to what heads are included in the project cost as part of the concession? Does the scope of the Concession include all components of the Project?</li> <li>◆ Is BIAL contributing to the Project Cost?</li> </ul>	<ul style="list-style-type: none"> <li>◆ The break up of the total cost of the project will be provided in the RFP document.</li> <li>◆ The indicative project cost includes all applicable taxes and duties, as on June 2007.</li> <li>• This will be addressed at the RFP stage.</li> <li>• This will be addressed at the RFP stage.</li> </ul>
2	1.1.3	3	As per the RFQ document, the concession period will be for 30 years including construction period. Is there any scope for extending the concession period after completion of the stipulated concession period? Will KSIIDC make provisions for this in the concession agreement?	This will be addressed at the RFP stage.
3	1.2.1	4-6, 128-134	<ul style="list-style-type: none"> <li>◆ Request to revise the short listing criteria to pass / fail criteria for pre-qualifying the Applicants for the second stage of bidding process and allow everybody who scores minimum Threshold Technical Capability of Rs.6000 Crs.</li> <li>◆ To qualify at least 7/10 applicants, in the greater interest of competition.</li> </ul>	This clause is as per the standard / model RFQ document of Govt. of India and no modification is proposed.

4	1.2.2	7	Please confirm that the demand draft of Rs.1,00,000/- has to be paid to KSIIDC at the time of submission of Application for Qualification.	Yes. The amount of Rs.1,00,000/- is to be paid in the form of DD along with the Application for Qualification.
5	1.2.9	8-9	<ul style="list-style-type: none"> <li>◆ Whether the user fee to be charged to the users shall be determined by the Authority. Please specify the fare revision mechanism to be adopted for the Project during the concession period of 30 years.</li> <li>◆ Who determines the charges? Is it the concessionaire alone or is concessionaire required to follow any prescribed guidelines for arriving at the user fee?</li> <li>◆ Specify the alternative revenue sources for the Project.</li> </ul>	<ul style="list-style-type: none"> <li>◆ These aspects will be addressed at the RFP stage.</li> <li>◆ Alternate revenue sources are (a) Property Development at Stations/Depots and (b) Advertisement revenue.</li> </ul>
6	1.3	10-17, 136, 143	<p>To extend the Application Due Date by 4/6 weeks due to :</p> <ul style="list-style-type: none"> <li>◆ August is holiday season in most parts of the world</li> <li>◆ This is a big project and sufficient time is necessary to complete due diligence and for the large amount of documentation required.</li> <li>◆ The activity of formation of Consortium and preparing the PQ document will take considerable time.</li> <li>◆ The preparation of SOQ requires considerable amount of time for finalization of foreign JV partner, Auditor certificates etc.</li> <li>◆ The applicants are only getting 15 days after the responses from the Authority on the queries raised by the prospective applicants. These responses are expected to be decisive to form a proper Consortium and to accordingly prepare the PQ document for submission</li> <li>◆ In the case of companies having operations in many locations &amp; countries; the process of preparing the certificate as required by the Authority will be very long and will take 3 to 4 months.</li> </ul>	The Application due-date has been extended. Please refer to the amendments to the RFQ document hosted on the web site.

			<ul style="list-style-type: none"> <li>◆ It takes time to identify, select and tie up with different consortium members particularly with the foreign members satisfying the eligibility / qualification criteria and making them to agree for equity participation.</li> </ul>	
7	2.2.1	19	It is suggested that the consortiums bidding for the project shall have at least one Indian Company as a consortium member and the Indian Company in the consortium shall have a majority stake.	This clause is as per the standard / model RFQ document of Govt. of India and no modification is proposed.
		138	Request the Authority to accept certificates signed jointly by the Managing Director and CFO of the company. This practice has been adopted in many such PPP projects.	No modifications are proposed.
		139	In case of foreign members some time it is not possible to get certification from statutory auditors. Under such circumstances it is requested that certification either by the Company Secretary or Chief Finance Officer of the entity should also be considered.	No modifications are proposed.
8	2.2.1(c)(i)	18	<ul style="list-style-type: none"> <li>◆ The clause includes all associates irrespective of using their technical and financial experience for the purpose of qualification. In the case of very large groups with several group companies, most of which working independently, it is not possible to check for all the group companies. Also in absence of knowing the details about the prospective applicants, the eligibility of all applicants can be in doubt.</li> </ul> <p>It is suggested that the clause be limited to only those associates whose experience is used for this qualification so that the internal check can be carried out in conformity.</p>	This clause is as per the standard / model RFQ document of Govt. of India and no modification is proposed.
			<ul style="list-style-type: none"> <li>◆ Limits of Share Holding should be raised to 15% and 10% respectively instead of 5% and 1% as unless a Director is nominated on BoD, the conflict of interest</li> </ul>	This clause is as per the standard / model RFQ document of Govt. of India and no modification is proposed.

			<p>for the purpose of bidding does not takes place.</p> <p>The clause may be made applicable at RFP stage instead of making it as eligibility criteria.</p>	
		21-22, 149	<ul style="list-style-type: none"> <li>◆ The direct investments made by PE Funds/Mutual Funds/any other funds/ Financial Institutions/FII Investments do not interfere in the operations / strategies of the company and are mostly parking the money in the company in the form of equity for financial gains. They may therefore be excluded from the scope of Conflict of Interest clause on the same line as "Banks, Insurance Companies, Pension Funds, or Public Financial Institutions" that have already been excluded in the existing guidelines. It is suggested that "(or any share holder thereof having more than five percent...., as the case may be)" be removed from the clause.</li> <li>◆ The clause does not exclude FIIs and Mutual Funds over which no public company has any control and the share can vary from time to time. Since such investments are only for the purpose of profit for large number of investors managed by FIIs/Mutual Fund companies, this cannot lead to Conflict of interest between any Applicants.</li> <li>◆ It is suggested that the exclusion to include all institutional share holdings (as listed on NSE website) FII and Mutual Funds.</li> <li>◆ Can Private Equity funds participate in a bidding consortium as a financial member? If so, what are the financial criteria that would apply for the purposes of pre-qualification for such financial members?</li> </ul>	<p>This clause is as per the standard / model RFQ document of Govt. of India and no modification is proposed</p>

9	2.2.1(d)	20	<p>Please provide names of legal, financial and technical advisers or consultants to the Authority. Also provide name of consultant who will be assisting the Authority in bid evaluation.</p>	<p>Delhi Metro Rail Corporation Limited has been appointed as Interim Consultants, including for Transaction Advice.</p> <p>Infrastructure Development Corporation (Karnataka) Limited, Bangalore has been appointed as Project Development Advisors.</p> <p>MMB Legal, Bangalore is being appointed as Legal Consultant.</p>
10	2.2.2	23, 24-36	<p><b>Technical Capacity:</b> Request to consider the experience of the applicants during last 10 years.</p> <ul style="list-style-type: none"> <li>◆ For such Large Infrastructure Projects, 5 years is too short period to evaluate technical capacity.</li> <li>◆ This requirement is quite restrictive as major infrastructure projects generally take 5 to 10 years for completion and thereafter revenue generation starts.</li> <li>◆ The Threshold technical capability be reduced to Rs.2000 Crs. (approx. 50% of the present day Project cost) from Rs.6000 Crs.</li> <li>◆ And that one fourth of the Threshold Technical capability (i.e., Rs.500 Crs) be from the Eligible projects in Category 1 and / or Category 3 instead of the proposed one half, as followed by other Planning Commission documents.</li> </ul> <p><b>Financial Capacity :</b></p> <ul style="list-style-type: none"> <li>◆ The minimum equity contribution from technical member (party bringing the technical experience) shall be reduced to 5% or it can be left to the bidder to have them as technical adviser or through management contract similar to "O&amp;M" experience clause (Cl.2.2.3).</li> <li>◆ As per clause 2.2.2, in case of consortium, the combined technical capability and financial capacity of those members of the consortium who have at least</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>No modifications are proposed.</p>

			<p>26% of the equity share in the consortium should satisfy the eligibility criteria. Whereas as per clause no. 2.2.6 (a), the credentials of 4 members are required to be submitted. Both of the said provisions are contradictory in nature as there cannot be 4 members of the consortium with minimum 26% equity each.</p> <p>Accordingly it is proposed that the credentials of a member holding minimum 10% equity in the proposed consortium should be considered</p> <ul style="list-style-type: none"> <li>◆ Please clarify whether the Average turnover for the last 5 years or the aggregate turnover for the last 5 years will be considered</li> <li>◆ Suggested that the average turnover in last 3 financial years should be Rs. 1,000 Cr. considering size of the Project.</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>No modifications are proposed.</p>
11	2.2.3	37-41	<ul style="list-style-type: none"> <li>◆ According to the reference clause, O&amp;M experience only of Category 1 project is eligible. However, it is usual that government organization or government owned company is operating the railway system. In some case, a company is operating the railway system as an operating contractor by a contract with a government organization. Although these companies have sufficient experience in O&amp;M of railway system, it looks very unlikely that they will be qualified under O&amp;M experience of Category 1 project. It is desirable for the Applicant to apply the O&amp;M experience of Category 3 projects as well. Please clarify.</li> <li>◆ If there is no member in the consortium with O&amp;M experience then after winning the contract, agreement has to be signed with a party having required O&amp;M experience. At RFQ and RFP stage there is NO requirement to</li> </ul>	<p>No modifications are proposed.</p> <p>Yes. An undertaking to enter in to O&amp;M agreement as required in Clause 2.2.3 has to be submitted along with the Application for Qualification.</p>

			<p>enter into such agreement.</p> <ul style="list-style-type: none"> <li>◆ The applicant can submit an undertaking statement to enter into an O&amp;M agreement with an entity having equivalent experience when submitting the Application. Please clarify that the condition is applicable to both the Consortium and the single Applicant.</li> <li>◆ The applicant must have at least 26% (twenty six percent) equity participation in a project company/ SPV who has experience of five years or more in O&amp;M with an aggregate capital cost equal to the estimated project cost. Nevertheless, the Estimated Project Cost definition stipulates that the costs will be revised in the bidding documents of the project.</li> <li>◆ Also, please confirm that the Applicant can have its equity participation through the experience of one or more of its Associate.</li> <li>◆ It is understood that each of the Consortium Members whose Technical and Financial capacity is used for the purpose of qualifying the Consortium must own at least 26% of the equity of the Concessionaire during the Construction Period. Please confirm that Consortium can "own" the shares of the Concessionaire through an Associate for tax accounting and/or other purposes.</li> </ul>	<p>Yes. This condition is applicable to both, Consortium and Single Applicant.</p> <p>For the purpose of this clause, Project Cost of Rs 5767 Crs indicated in Clause 1.1.1 will be considered.</p> <p>Not envisaged in the RFQ document</p> <p>Not envisaged in the RFQ document</p>
12	2.2.4 (i)	42-44	<ul style="list-style-type: none"> <li>(i) To allow the Authorised Representative of the company to certify the same instead of statutory auditors.</li> <li>(ii) The term "accrued liabilities" could be interpreted differently. To avoid this few examples of accrued liabilities may be furnished for better understanding.</li> <li>(iii) Definition of "Net Worth", "reserves", "revaluation reserves", "miscellaneous expenditures not written</li> </ul>	<p>No modifications are proposed.</p> <p>Definition in the RFQ document as per the Clause 2.2.4 (ii) and Appendix I Annex III.</p> <p>Definition in the RFQ document as per the Clause 2.2.4 (ii) and Appendix I Annex III.</p>

			off" and "accrued liabilities" would require clarification as may vary in different accounting jurisdiction. Request to refer to Net worth as defined under the International Financial Reporting Standards (IFRS).	
13	2.2.6	45-52	<ul style="list-style-type: none"> <li>◆ Please specify the definition of the Appointed Date.</li>   <li>◆ Joint &amp; several responsibilities of the consortium members toward the project should be kept upto the formation of SPV Company and beyond that it will in any case the responsibility of the SPV Company and not upto the occurrence of the appointed date / Financial Close. Otherwise, the purpose of incorporation of an SPV, which is a limited liability company, for signing of concession agreement and developing the project will be lost.</li> <li>◆ Please confirm what happens if the SPV does not reach Financial Closure?</li> <li>◆ How much would be the Performance bond and when is it required to be submitted?</li> <li>◆ Please confirm if the liability of the SPV under the Concession Agreement will be limited and what is the proposed limit (the bid bond, the performance bond, damages, etc.)?</li> <li>◆ What kind of lock-in is envisaged for the members in the Consortium? i.e.technical, financial and lead etc.</li> <li>◆ Will the Authority subscribe a specific format for JBA to all the bidders to be consistent?</li> </ul>	<p>Definition of Appointed Date is same as Date of Financial Close.</p> <p>No modifications are proposed.</p> <p>Will be addressed at the RFP Stage.</p> <p>Will be addressed at the RFP Stage.</p> <p>Will be addressed at the RFP Stage.</p> <p>Will be addressed at the RFP stage</p> <p>No. Please refer to Clause 2.2.6(g).</p>
14	2.2.9	53-55	<ul style="list-style-type: none"> <li>◆ In the current scenario of global capital flows and risk diversification by companies, funds, etc, cross holding between the applicants or their associate is not very uncommon. In order to avoid a situation where the bidders are getting disqualified in spite of</li> </ul>	<p>The definition of Associate is amply clear in Clause 2.2.9 of the RFQ document (which is as per the guidelines of Government of India) and hence no modifications are proposed.</p>

			<p>not having any sort of real relationship with each other, it is requested that the Associate definition should be limited to only to the first level with respect to the bidder / member of the Consortium.</p> <p>◆ Can an affiliate under the control (as defined under clause 2.2.9) of an Associate is also considered an Associate.</p>	
15	2.2.10 (iv)	56	In case of the Consortium, the members having equity share of 26% in the said consortium are to satisfy the eligibility requirement (ref last para of clause 2.2.2). In this context, the contents of clause 2.2.10 (iv) is not clear. Please elaborate on this requirement.	Needs no further clarification. Pl refer to clause 2.2
16	3.2.1	17, 28, 58-66, 69-92, 95, 99	<p>The specified eligibility / qualifying criteria is very stringent &amp; restrictive particularly the requirement of high speed railway projects. The conditions (i) 50% on viaduct and (ii) 160 kmph design speed should be removed, as there will be very few such projects worldwide qualifying these conditions. Also, for most of these projects the developer is a government body who would not be a partner for the Bangalore HSRL bid. It appears that only Taiwan High Speed rail project will qualify as completed in last 5 years. However, no entity has equity of 26% or more (as per 3.2.3 b) in this project for qualifying in category. Also the definition of Railway project as per RFQ would restrict some of the best component suppliers having cutting edge technologies from competing for the HSRL project. This might limit competition to such an extent that this project will not receive the benefits that comes out of competition biddings for PPP projects.</p> <p>Hence suggested to consider (Definition of Railway Sector):</p> <ul style="list-style-type: none"> <li>○ Railways / MRT system (Heavy Rail) would mean a rail based urban Transport system with passenger carrying capacity of 20,000 passenger / hour / direction or a minimum network of 8 km</li> <li>○ The Railway PPP projects irrespective of the speed</li> </ul>	Please refer to the amendments to the RFQ document hosted on the web site.

			<p>criteria be considered as eligible for Technical experience.</p> <ul style="list-style-type: none"> <li>○ Category 1 and 3 may include any Rail/Metro Projects.</li> <li>○ The Railway sector shall mean Railways, MRTS, high speed railway and other rail related projects including tracks, tunnels, stations, depot, viaduct, rolling stock, signaling and overhead electrification/ equipment and any associated real estate development of a Rail/Metro authority and for Non Fare Revenue generation; the restriction of speed and 50% on viaduct be removed.</li> <li>○ Guided Urban Transport System would be deemed to include construction of way structure (elevated / at grade / underground), stations, trackwork, electrification, signaling, supply of rolling stock, automatic fare collection and all other related items of work.</li> <li>○ Definition of Category 1 project to be revised as – Project experience on Eligible Projects in Railways/MRTS sector that qualify under Clause 3.2.3.</li> <li>○ To replace design speed of 160 kmph or more with operating speed of 120 / 130 kmph or more</li> <li>○ Definition of Category 3 project under Clause 3.2.1 to be revised as – Construction and /or supply of rolling stock or other major sub-systems of Guided Urban Transport System that qualify under Clause 3.2.4.</li> <li>○ Tunnel work like viaduct work may also be clearly indicated in the definition of Railways as the project may involve underground work along with the Viaduct work. Engineering viaducts are not difficult to source in this country and leading contractors can definitely execute them.</li> </ul>	
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			<ul style="list-style-type: none"> <li>○ The supply, installation and commissioning of Rolling stock can be outsourced.</li> <li>○ Suggested to modify as Railways sector means the <u>Rail-based</u> systems including Metro and <u>commuter</u> Rail with at least <u>15% of elevated alignment</u> (fifteen percent) and / <u>or</u> design speed of up to 160 km/h</li> <li>○ To include all rail projects with design speed of 160 kmph or more. The clause of making it mandatory of rail projects with at least 50% on viaduct will reduce drastically the eligible projects in category I and 3.</li> <li>◆ Please clarify: <ul style="list-style-type: none"> <li>○ Shall the condition '50% on viaduct' be applicable in each and every project or an aggregated experience?</li> <li>○ Whether Criteria for eligibility i.e. design speed of 160 kmph is applicable to all railway projects such as all kind of Rolling stock, Signaling &amp; Infrastructure projects or limited to only Metro Rail or the overall system design speed?</li> <li>○ For eligible Projects under Railway Sector, whether both conditions "50% on viaduct" and "design speed of 160 Kmph" should be met.</li> <li>○ Since the definition of Railway Sector includes "Railways" in general, please clarify the meaning of "including metro Rail with atleast 50% (Fifty %) on viaduct and design speed of 160 kmph or more"</li> <li>○ Real estate development awarded by a Rail/ Metro authority for the Non fare revenue generation shall be included in the definition of Railway Sector as it is an integral part of a metro project and no metro project in the world is viable without it.</li> <li>○ Meaning of the words "atleast 50% on viaduct". Is</li> </ul> </li> </ul>	<p>No. Real estate development for non-fare revenue generation shall not be included in the definition of Railway sector.</p>
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			<p>it a physical or financial parameter?</p> <ul style="list-style-type: none"> <li>○ Whether the supply of Rolling Stocks for high speed rail projects is considered as eligible projects in category 1 and 3.</li> <li>○ Whether the viaduct scope desired to be as at least 50% can be considered either meeting the linear length of the Metro Rail Project Contract, or the value of Metro Rail Project Contract.</li> <li>○ Is the requirement of viaduct length is applicable only in case of Metro Rails; and not in general with other Rail Projects or Rail Corridor Projects or Rail Terminal Station Building Projects.</li> <li>○ To revise the capital cost of the eligible project to Rs.450 crores as the Projects of the size of Rs.600 crore and more are limited in the transportation sector.</li> </ul> <p>◆ Clarifications on Core Sector</p> <ul style="list-style-type: none"> <li>○ Incidentally all other railway or metro projects are neither covered in any category as the Core Sector also does not include railway / metro sector (though bridges and tunnels included).</li> <li>○ Rail Projects not being considered in Category 1 or 3, would be taken into consideration for Category 2 or 4. If it meets the rest of eligibility criteria.</li> <li>○ If railways projects can not meet the criteria of design speed 160 km/h, can the projects be considered as Category 2 or Category 4?</li> <li>○ Please also include Railway / Metro Projects (Other than High Speed and Metro Projects) and Steel Plants in the list of core infrastructure projects as in case of Petroleum &amp; Natural Gas and Industrial Parks</li> <li>○ To consider minerals and metals, cement, bulk material handling, fertilizers and chemical sectors also under Core Sectors.</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>No modifications are proposed.</p>
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17	3.2.1 & 3.2.4	67-68	<ul style="list-style-type: none"> <li>◆ Will the eligible projects in Category 1 and 3 include Rolling Stock contracts as well, if it includes Testing and Commissioning also.</li> <li>◆ Please clarify whether payment received/made under construction contracts for <b>non</b> BOOT/BOLT/BOO/BOT will also be considered for assessment of eligibility?</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>Please refer Clause 3.2.4, which is self explanatory.</p>
18	3.2.3	93	<ul style="list-style-type: none"> <li>◆ For the project to be eligible under category 1 &amp; 2, capital cost of the project should be more than Rs. 600 crores. In India during last 5 years not much of the projects of value more than Rs. 600 crores are implemented on BOOT / BOT / BOO / BOLT with providing non- discriminatory access to users of its service. Also the entity claiming experience of an eligible project in these categories should have held a minimum of 26% equity during the period for which the experience is being claimed. This requirement is very stringent as generally 26% equity in a SPV is held each by Lead Member and by the Client and the balance 48% is held by the other consortium members (sometimes 3 to 4). Also during the operation stage, the initial equity of 26% in respect of an entity generally gets diluted progressively. In view of the above it is requested to relax the <ul style="list-style-type: none"> <li>a) Capital cost requirement of the project from Rs. 600 crores to Rs. 300 crores.</li> <li>b) Requirement of equity during implementation stage to 10% to 15%</li> </ul> </li> <li>◆ Requirement of equity during operation stage (for collection and apportionment of the payment received ) to 5% to 10% which is generally the equity level of an entity during operation stage</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p>

19	3.2.3 (a)	94	<p>To consider following specific additions to the clause in Italic &amp; duly underlined:</p> <p>It should have been executed <i>or in the process of being executed</i>, on BOT, BOLT, BOO, BOOT or other similar basis for providing its output or services to a public sector entity or for providing non-discriminatory access to users in pursuance of its charter, concession or contract, as the case may be;</p>	No modifications are proposed.
20	3.2.3 (b)	96-97	<ul style="list-style-type: none"> <li>◆ For Railway Equipments manufacturer the participation in PPP projects with equity of 26% is not favorable to the business objectives and puts them under great financial difficulty to participate in such big projects. Therefore, it is requested that the authority to review the equity participation for railway equipment manufacturers to 5%.</li> <li>◆ To consider following specific additions to the clause in Italic &amp; duly underlined: (b) The entity claiming experience should have held, in the company owning the Eligible Project, a minimum of <u>25%</u> equity during the initial period when the SPV was established.</li> </ul>	<p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>No modifications are proposed.</p>
21	3.2.3 (c)	100-102, 109	<ul style="list-style-type: none"> <li>◆ The threshold Capital cost specified for eligibility of a Project is very restricting since large contracts are a recent phenomena in India. Stipulating very high values of eligibility of projects will restrict competition. Relaxation in the threshold capital cost of the project i.e. Rs.300/200 Crs.</li> <li>◆ Can this be based on Capital Cost of project because experience score is anyway considering actual payments / receivable during last 5 years for Category 3 &amp; 4.</li> </ul>	Please refer to the amendments to the RFQ document hosted on the web site.

22	3.2.3 (d)	103-108, 115	<p>◆ <b>Request to consider revenue from Power &amp; Telecommunication Projects:</b></p> <ul style="list-style-type: none"> <li>○ Both Power &amp; Telecommunications are infrastructure projects and are similar to MRTS projects as they follow the same business model. All the three kind of projects involve huge capital investments for settling up of infrastructure for providing a service to the public and the same is recovered through revenue generated thereafter. The provisions of the bid documents allow revenue from industrial ports, airports, industrial parks, pipelines, irrigation, water supply, airfields, sewerage and real estate development to be included for the Experience Score through these projects are vastly different from MRTS project. Telecommunication and power are more related to MRTS compared to any of the above businesses. For qualification for the Mumbai Line 2 project, there was no restriction on revenue generated from Telecommunication and Electricity for calculating the Experience Score.</li> <li>○ So that it allows inclusion of revenue from telecommunication &amp; electricity for the purpose of calculation of experience score.</li> <li>○ The entity claiming the experience shall, during the past 5 (five) financial years preceding the Application Due Date, have (i) paid or <i>partially paid</i> for the development of the project (excluding the cost of land) and/or (ii) collected and appropriated the revenues from users availing of non-discriminatory access or to use of fixed project assets, such as revenues from highways, airports, ports and railway infrastructure, but shall not include revenues from sale or provision of goods or services such as electricity, gas,</li> </ul>	<p>No modifications are proposed.</p> <p>Please refer to the amendments to the RFQ document hosted on the web site.</p>
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			<p>telecommunications or freight revenues and other incomes of the company owning the Project.</p> <ul style="list-style-type: none"> <li>◆ Please clarify: <ul style="list-style-type: none"> <li>○ Can the passenger fare revenues collected from eligible Railway Sector projects be considered while estimating the Experience scores?</li> <li>○ Passenger revenue(fare box) and freight revenue from eligible railway projects will be considered for technical capability evaluation</li> <li>○ Whether the revenue collected and appropriated out of the sale of Petrol, HSD and other similar petroleum products will be considered in Category 2. (as the revenue from sale of Gas does not qualify to be considered as per the said clause)</li> <li>○ As the end use / output / services of the Captive Projects (developed on BOO basis) are for providing the services to users with nondiscriminatory access, we understand that the said projects will also qualify for eligible projects under category 2.</li> <li>○ Also in a single identifiable Project which has capital cost more than the threshold value, all individual packages irrespective of their value shall be considered.</li> </ul> </li> </ul>	<p>Yes.</p> <p>Yes. Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>No.</p> <p>Yes. As long as the projects satisfy the requirements stipulated in Clause 3.2.3.</p> <p>Please see Clause 3.2.</p>
23	3.2.4	98, 110-117	<p>(1) Payments / Receipts – Reg.</p> <ul style="list-style-type: none"> <li>◆ Such of those experience in construction works under Category 3 and 4, be made eligible provided that the threshold based on the sum total of value of all contract package(s) awarded and under execution/executed in a single identifiable Project (for example Delhi Metro Project) is more than Rs.200 Crores.</li> <li>◆ This requirement is quite restrictive as not much of the projects executed in India during the last 5 years are of value more than Rs. 600 crores. Hence;</li> </ul>	<p>No modifications are proposed.</p> <p>Please refer to the amendments to the RFQ document hosted on the web site.</p>

			<p>requested to reduce payments / receipts Rs.600 crores to Rs.300 /200 crores.</p> <ul style="list-style-type: none"> <li>◆ The prescribed limit should be linked to the value of the contract but not to payments /receipts. Hence, we suggest that this clause to be modified as `payments/receipts against contracts of less than Rs. 300 Cr. shall not be reckoned as payments/receipts for Eligible projects.</li> <li>◆ What is the meant by "paid for execution"? We understand that if any BOT SPV has paid for construction works and company 'A' was a member of BOT SPV (part of concession company) then company 'A' can claim the value of money 'paid for execution' during last 5 years (in terms of their percentage in the BOT SPV). Kindly clarify whether our understanding is correct</li> </ul> <p>(2) Definition of EPC / Turnkey Contracts.</p> <ul style="list-style-type: none"> <li>◆ Supply of major system of rail projects like supply of Rolling Stock or Signalling system would be considered as EPC and its scores would be considered.</li> <li>◆ In the definition of EPC/turnkey contracts, design, engineering, supply and testing &amp; commissioning of Rolling Stock, Signaling, Telecommunication, electrification, track work either individually / separately or in any combination be considered as eligible projects under category 3.</li> <li>◆ While considering the experience in construction (category 3 and 4), any payments made / received from the project of size more than the threshold capital cost of the project (like in the case of Category 1 and 2 projects) shall be included.</li> <li>◆ As is the case in the Projects in Category 1 and 2 (Clause 3.2.3 (b)), in case of projects (in Category 3 and 4) undertaken as a joint venture, a member</li> </ul>	<p>No modifications are proposed.</p> <p>Clause 3.2.4 is clear.</p> <p>Please refer to the amendments to the RFQ document hosted on the web site.</p> <p>Yes.</p> <p>There is no reference to 26% equity requirement in clause 3.2.4.</p>
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			having not less than 26% share in the JV be allowed to take the full experience from the project rather than only its portion of work.		
24	3.2.5	118-119	<ul style="list-style-type: none"> <li>◆ In case the applicant company and or their associates has both developmental &amp; construction experience, the applicant may be allowed to take both the experience.</li> <li>◆ In case the applicant company and or their associates has both developmental &amp; construction experience, the applicant may be allowed to take both the experience as the skill sets required for the two activities are distinct and different.</li> <li>◆ Also assuming that if there are two different applicants, one who has developed the project and another one who has constructed the same project this experience gets counted for each of them.</li> </ul>	<p>Not agreed. Clause 3.2.5 is clear.</p> <p>Not agreed. Clause 3.2.5 is clear.</p> <p>Yes.</p>	
25	3.2.6	120-122	The following experience factors be considered.	No modifications are proposed.	
					Factor
			Category 1		1.5
			Category 2		1.25
			Category 3		1.25
Category 4	1				
26	3.4.3	123	Request you to remove the Turnover criteria as Networth reflects the financial position of the Company.	No modifications are proposed.	
27	3.5.1	124-127	<ul style="list-style-type: none"> <li>◆ Apart from having the criteria of equity shareholding of at least 26% for any member in the consortium to have its score counted, it should also be stipulated that the members of the consortium, with regard to the minimum technical and financial threshold capacity, shall bring minimum threshold experience on pro-rata basis of their equity contribution in the consortium.</li> </ul>	No modifications are proposed.	

				<p>For e.g if the minimum threshold technical capacity is 2000 and the Financial Capacity in terms of net worth is 1000 crs, then any member having X% equity shareholding in the consortium shall on its own possess Technical score of X % of the Threshold Technical &amp; Financial experience. For example, if one member is holding 50%, they have to have technical score of 1000 and have a Net worth of Rs.500 Cr.</p> <ul style="list-style-type: none"> <li>◆ To review this condition and consider minimum 5% equity share instead of 25% share.</li> </ul>	No modifications are proposed.
28	12.4 of Project Brief & Appendix IV	135, 141-142, 146, 156	141-145, 154,	<ul style="list-style-type: none"> <li>◆ Please clarify whether the government will acquire the land required for the project and will hand it over to the Private Developer.</li> <li>◆ Presume that the land will be acquired by KSIIDC and handed over to the concessionaire. Please confirm.</li> <li>◆ Kindly clarify, who shall be responsible for the acquisition of the private land required for the project?</li> <li>◆ Kindly provide the approximate quantum of property development rights that would be given as a part of the Concession? Approximately how much area of land will be given for commercial development in each station?</li> <li>◆ Is the land cost of Private land included in the Estimated cost of the project.</li> <li>◆ It is understood that about 43 hectares of private land needs to be acquired for the project. Please indicate the status of the private land acquisition and when the said land is likely to be acquired</li> <li>◆ We understand that the Land required for the project shall be made available free of all encumbrances. Please confirm.</li> </ul>	<p>Yes.</p> <p>Yes.</p> <p>KSIIDC through KIADB</p> <p>Please refer Para 12.4 and 16.1 of Project Brief at Appendix VI of the RFQ document.</p> <p>Yes.</p> <p>Will be addressed at the RFP stage.</p> <p>Yes.</p>

29	Gen.	137	To allow minor changes in the language of the certificates as found from experience that certain language / terminology may differ from country to country. Certain examples are : (i) "Project Cost" to be replaced by "Project sales at completion" (ii) "Date of commencement of Project / contract" to be replaced by "Date of Contract in Force" (iii) "Date of completion/ commissioning" to be replaced by "Last delivery date, based on last estimates" etc.	No modifications are proposed.
30	Appendix II, 3 <sup>rd</sup> point	140	Authority may note that there are bilateral agreements which allow POA to be certified with a conformant apostille if the country of issue has signed the Hague Legislation Convention of 1961. Document provided from countries, which are not signatories to the 1961 convention may be required to be legalized by a Consular Officer of the country from which the document is issued. We request such provisions may be considered in the RFQ document.	No modifications are proposed.
31	Gen.	144,150, 158	<ul style="list-style-type: none"> <li>◆ For better assessment of the project it is requested that the project DPR be made available to the applicants before submitting the RFQ.</li> <li>◆ Can we have a copy of DPR to assess the financial return and development components.</li> </ul>	This will be considered at the RFP stage.
32	Gen.	147	Does the project qualify for Tax Exemptions from State Govt. and Union Govt.	Tax exemptions prevailing, if any, at the relevant time under the specific schemes of Government of India and Government of Karnataka will be applicable.
33	Gen.	148	Whether there is any master plan governing the project? If yes, please make it available to the Applicants for better understanding the project	Comprehensive Traffic & Transportation Plan (CTTP) for Bangalore has been prepared and is available on <a href="http://www.kuidfc.com">www.kuidfc.com</a> . – Resources – Traffic Management – CTTP.

34	Gen.	153	Can it be clarified now whether the interchange at the BIAL Airport will be elevated / at grade / underground? In the event it is underground, will be the pre-qualification criteria be modified for experience on underground construction?	Will be provided at RFP Stage. Pre-qualification criteria will not be modified on account of this.
35	Gen.	155	Is there a possibility that the stations on HSRT will be integrated with the stations on the Bangalore Metro, specially the City Airport terminal?	Integration of HSRL with Metro at Minsk Square Station is proposed.
36	Gen.	157	Kindly clarify; what project clearances / approvals will the Concessionaire be responsible for?	Will be provided at the RFP stage.
37	Gen	159-160	<ul style="list-style-type: none"> <li>◆ In the scoring system, the payments / receipts for eligible projects executed in India be multiplied by the inflation index, say WPI. In addition to it, the projects developed / constructed in India should also be given an additional weightage of at least 33%.</li> <li>◆ In the scoring system, the payments / receipts for eligible projects executed in India should be multiplied by the inflation index, say WPI. In addition to it, the projects developed / constructed in India should also be given an additional weightage of at least 33% in view of the PPP of Indian Currency with respect to other major currencies</li> </ul>	No modifications are proposed.