

Dated 18-10-2016

Clarifications to Bid Doc NPL/Alt Coal/2016-17/0019-R0 Dated 10-10-2016

General:

1. Clause 4.1 documents to be submitted in cover “c” point no. ix to be read as **“For Pre-qualified bidder, only documents mentioned in clause no. (i) & (vii) are required.”**
2. **Clause no. 10.4 : LD for delayed dispatch of rakes to be read as** rakes which are delayed beyond the last day of the specified week’s schedule will attract LD which will be levied at **0.2%** of value of the nominal value of the coal in that rake (i.e. 4000 MT per rake multiplied by quoted base GCV landed price for the firm price period in which the rake was scheduled to be despatched)) subject to a ceiling of **2%** of the nominal rake value.

Sl.no	Provision	Clause No.	Prospective Bidder’s Query/Comment/Suggestion	NPL Clarification/ Revision to Bid Document
1.	EMD	3.1	<i>Bidder requested to consider lowering of EMD value.</i>	<i>Bid provisions will prevail</i>
		Annex.-VI	<i>Validity of EMD.</i>	<i>Typological error suitably corrected. Please refer to the revised bid document.</i>
2.	CPG	3.2	<i>Bidder requested consideration of waiver to submit any CPG for parties who have been supplied in past.</i>	<i>Bid provisions will prevail</i>
			<i>Bidder has requested to consider return of EMD DD on submission of equivalent amount CPBG.</i>	<i>Suitably amended</i>

3.	Basis of bidding & tax variation / freight variation and introduction of new tax	5.7.1	<i>Bidder requested for allowing revision to prices based on changes on statutory duties, customs duty, Railway freight etc.</i>	<i>Bid provisions will prevail</i>
			<i>Bidder has requested to allow quoting on fix FOR NPL basis without any mention of loading Railway siding</i>	<i>Bidders to indicate the Railway siding from which rakes would be loaded. However, bidders can load from any other Railway siding with prior consent of NPL, which will not be unreasonably withheld. No change in price will be permitted on account of change in loading Railway siding.</i>
			<i>Bidder has requested to consider CIF bidding with option of hedging forex and clean credit</i>	<i>Bid provision will prevail.</i>
4.	Taxation , commercial & statutory requirement	5.7.2	<i>Clarification to exemption from Punjab advance tax.</i>	<i>Bid provision will prevail.</i>
		5.7.6	<i>Bidder seeking confirmation regarding the issuance of Form-36 in Punjab. .</i>	<i>Bid provision will prevail.</i>

5.	Delivery point	7	<i>Bidder request for the delivery point of coal shall be up to designated location i.e. wagon tippler only any change in delivery point as per the direction of engineer in-charge of CHP/Fuel Sourcing and associated cost is to be borne by NPL. .</i>	<i>Bid provision will prevail.</i>
6.	Referee sample testing	8.11	<i>Bidder has requested for testing of referee sample to be done outside lab.</i>	<i>Bid provisions will prevail</i>
		8.2	<i>Bidder requested for allowing 10 days time frame for submission of loading point analysis report in as against 5 days time frame as in Bid document</i>	<i>Bid provisions will prevail</i>
		8.3 & 8.4	<i>Bidder requested for right to claim referee sample testing in case the difference between loading point sample analysis and NPL receipt end sample analysis exceeds interlab tolerance</i>	<i>Bid provisions will prevail</i>
7.	Coal Specification & payment	7.1	<i>Bidder requested to relax the base parameter of Sulfur(ADB) .</i>	<i>Bid provisions will prevail</i>
		10.1 & 10.10	<i>Bidder seeking clarification regarding the penalty & heavy penalty range for TM% (ARB)</i>	<i>Suitably amended.</i>

8.	Source of coal	Annexure XI	<i>Bidder requested to waive the requirement of back up documents besides COO to establish source of coal to NPL's satisfaction</i>	<i>Bid provisions will prevail</i>
9.	Schedule of supply and quantity	3.3	<i>Bidder has requested to increase the time frame for dispatch of 1st rake dispatch from PO/LOI date</i>	<i>Bid provision will prevail.</i>
		3.3	<i>Bidder requested to remove the week wise uniform schedule of dispatch.</i>	<i>Bid provision will prevail.</i>
		3.3, Note-3 & 10.4	<i>In case of Railways restriction, bidder requested to extend the schedule for all the days of restriction irrespective of threshold for minimum number of days of restriction.</i>	<i>Bid provision will prevail.</i>
		3.3	<i>Qty.- Bidder requested to remove the terms of supplied qty. to be increased to match energy content.</i>	<i>Bid provision will prevail.</i>
		3.3, Note-1	<i>Bidder requested not to amend the dispatch schedule after completion of Bid process.</i>	<i>Bid provision will prevail.</i>
		3.3, Note-3	<i>In case of re-start of supply after stopping of 15 days, bidder requested to include 35-40 day for advance intimation for stopping the supply and the cost associated to be borne by NPL.</i>	<i>Bid provision will prevail.</i>
10.	Validity period of Tender		<i>Bidder requested for float tender with short time validity and precise qty.</i>	<p>For first window of dispatches i.e (scheduled dispatches till 31st Dec 2016):</p> <p>The price bid to remain valid for acceptance/ ordering till 21st Dec'2016. The prices to remain valid for scheduled dispatches till 31st Dec'2016 including spill over if any.</p> <p>For second window of dispatches i.e((scheduled dispatches from 1st Jan'2017 to</p>

				31st March'2017): The price bid to remain valid for acceptance / ordering till 28th Feb'2017 . The prices to remain valid for scheduled dispatches till 31st March'2017 or spill over if any.
11.	Definition of LOT	1	<i>Bidder requested for lowering the LOT quantity.</i>	<i>Bid provision will prevail.</i>
12.	Validity of various documents.	3.7	<i>Bidder requested to amend the validity of EMD & CBG as under:</i> <ol style="list-style-type: none"> 1. <i>EMD to be valid for 90 day beyond bid submission date as against longer period till 28th Feb'2017.</i> 2. <i>CPG to be valid 60 days beyond completion of contractual period as against 90 days as per bid document.</i> 	<i>Bid provision will prevail.</i>
13.	Quantity Determination	9.2	<i>Bidder requested to provide valid calibration certificate, request for re-calibration, any delay occurring due to non-furnishing valid calibration to NPL's account .</i>	<i>Bid provision will prevail.</i>
		9.3 to 9.6	<i>Bidder requested to consider RR weight incase non-availability of weight for any rake considering of 5 rakes is very small sample.</i>	<i>Bid provision will prevail.</i>
14.	Penalties and adjustments on account of quality deviation.	10.	<i>Consideration of weighted average of quality parameter for adjustments.</i>	<i>Bid provision will prevail.</i>
			<i>Bidder requested to keep any one of the penalties in place of penalty on both TM% and GCV ARB</i>	<i>Bid provision will prevail.</i>
			<i>Bidder requested for consideration of linear adjustment of price within GCV band 6300 GAR to 5900 GAR.</i>	<i>Bid provision will prevail.</i>

			<i>Penalty on excess fines/oversized coal in the rake .</i>	<i>Bid provision will prevail.</i>
			<i>Relaxation in LD, weekly dispatch schedule.</i>	<i>Bid provision will prevail.</i>
			<i>Penalty on Sulphur, relaxation up to 0.9% and the acceptance condition. Involvement of diff. third party agencies to carry out sampling and analysis at loading end.</i>	<i>Bid provision will prevail</i>
			<i>Clarification on Penalty on Ash%.</i>	<i>Bid provision Suitably amended.</i>
			<i>Penalty on VM%.</i>	<i>Bid provision will prevail</i>
		<i>10.11 & 10.13</i>	<i>Bidder has requested to modify the application of penalty on Oversize coal & stone/shall and foreign material.</i>	<i>Bid provision will prevail</i>
		<i>10.14</i>	<i>Recovery of demurrage due to Budge Wagon.</i>	<i>Bid provision will prevail</i>
15.	Billing & Payment	11	<i>Payment will be made within 30 days of receipt of invoices along with all supporting documents.</i>	<i>Bid provision will prevail</i>
			<i>Supporting documents to be submitted along with invoices.</i>	<i>Copies will suffice, suitably amended.</i>
			<i>Bill Discounting.</i>	<i>Bid provision will prevail</i>

16.	General Terms	5.7.5	<i>Bidder requested changes to Transfer of ownership and statutory compliance term.</i>	<i>Bid provision will prevail</i>
		12.2	<i>Bidder requested changes to Sub Contract term.</i>	<i>Bid provision will prevail</i>
		12.4	<i>Bidder requested changes to Force Majeure term .</i>	<i>Bid provision will prevail</i>
		12.7	<i>Bidder requested changes to Deduction from Contract Fee term .</i>	<i>Bid provision will prevail</i>
		12.9	<i>Bidder requested changes to Events of Default term .</i>	<i>Bid provision will prevail</i>
		12.11	<i>Bidder requested changes to Termination of contract term .</i>	<i>Bid provision will prevail</i>
		12.13	<i>Bidder requested changes to Execution term .</i>	<i>Bid provision will prevail</i>
17	Bid submission date	5.5	<i>Bidder requested to consider extension of bid submission last date by another one week .</i>	<i>Bid provision will prevail</i>