

Ref No: MCA-M/CF/WRA/CS/01

**Procurement of Consultant Services
for Developing Detailed Design for Conveyance System (Water
Transmission Pipeline and Related Infrastructure) and Modification
Works at CHPP #3 & #4, Environmental and Social Impact
Assessment (ESIA), Detailed Environmental Impact Assessment
(DEIA), Resettlement Action Plan (RAP) and RAP Implementation
Assistance for Wastewater Recycling Activity**

**ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1 (Questions 1-13)
(Date of Issuance: March 15, 2021)**

Question 1:	Given that AECOM the Firm that provides Consulting Services for the Preparation of Detailed Designs/ESIA/RAP for Bulk Water Supply Expansion has worked on the umbrella program associated with this RFP in the past; and therefore, has access to information that other firms would not have access to, can you tell us whether or not that firm is eligible to bid on this assignment?
Answer 1:	<p>The Eligibility of any Consultant that submits a Proposal for the subject procurement shall be determined in accordance with the Eligibility Criteria and requirements of the Clause 5 of the Section I – Instruction to Consultants.</p> <p>This applies to all Consultants that may submit a Proposal, including any consultants that have previously worked with MCA-Mongolia.</p>
Question 2:	Are Technical and Financial Proposals going to be submitted at once without any EOI /Expression of Interest/ stage?
Answer 2:	<p>Yes. This is a Quality and Cost Based Selection (QCBS) Procurement without Request for Expression of Interest (REOI). Item 4 of “The Letter of Invitation Requesting Proposals” states: <i>“The MCA Entity now invites proposals from legally constituted consulting firms to provide the consultant services referenced above (“Proposals”)....”</i></p> <p>The request for Proposals (RFP) provides clear instructions on the submission process in both Section I - Instruction to Consultant (ITC) 17 and Section II - Proposal Data Sheet (ITC) 17.</p>
Question 3:	As written in the Page 3, Section 6, there are total 9 tasks to be performed within the framework of this project; and Task 8 and Task 9 are unpriced Options. Are the prices of Task 8 and Task 9 going to be defined within the total budget specified in the RFP?

Answer 3:	<p>Yes, the total amount of Unpriced Options for Tasks 8 and 9 shall be included in the Forms FIN 1, FIN 2 and FIN 3 for Evaluation Purpose Only and will be excluded from the final contract amount, however, the unit labor rates will be part of the contract.</p> <p>RFP Section II - Proposal Data Sheet (ITC) 12,4 (c) states: <i>“The estimated budget for the assignment (Tasks 1 through 9) is USD 4.5 million.</i></p> <p><i>The amount listed above is an indicative estimate and was derived with a labor mix of International and Mongolian staff. Consultant shall submit a Financial Proposal that corresponds to its Technical Proposal”.</i></p>
Question 4:	<p>As specified in the Financial Situation table, Page 55, evidence to the Consultant’s financial capacity to mobilize and sustain the services must be submitted and the Consultant must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means.</p> <p>Is there any minimum financial resources requirement to be qualified? (e.g.: minimum sales/year requirement.</p>
Answer 4:	<p>While there is no predefined minimum financial requirement, the period of performance and the estimated budget for the assignment are defined in the RFP. RFP Section III - Qualification and Evaluation Criteria sets out the Qualification Criteria.</p> <p>This includes, but is not limited to Factor 3.2 Financial Criteria, which states: <i>“.....the Consultant shall provide evidence showing that it has the sufficient financial capacity needed for this Contract, as required in Form TECH-2A. Each Associate must provide the information required in TECH-2A.”</i></p> <p>Specifically-Factor 3.7.3.1 Historical Financial Performance, requires: <i>“Submission of evidence to the Consultant’s financial capacity to mobilize and sustain the Services”</i>; and 3.7.2 Financial Situation, requires the Consultant to <i>“demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means.”</i></p> <p><i>In the case of a Joint Venture</i> Sub-Factors 3.7.3. and 3.7.2 Financial Situation, which requires that each JV Member and all Members combined to meet the requirement.</p>
Question 5:	<p>If there is a minimum financial resources requirement, can the financial resources of all members of Joint Venture as combined be counted?</p>
Answer 5:	<p>Refer to the response to Question 4.</p>

Question 6:	Can all Key Professional Personnel be employees of the Sub-Consultant?
Answer 6:	The Sub-Consultant has no Contractual interaction with the MCA-Entity and the Consultant shall take full Contractual responsibility for the Key Personnel. How this shall be achieved would need to be addressed in all the appropriate Tech Forms in the Consultants Technical Proposal.
Question 7:	Can Key Professional Personnel and Engineers be all Contract Employees? Or is there a percentage ratio between number of Full Time Employees and Contract employees?
Answer 7:	RFP Section III - Qualification and Evaluation Criteria sets out the Qualification Criteria sets out the Key Professional Personnel Qualifications for the Assignment. While there is no ratio between of Full Time Employees and Contractors, the Consultant shall take full Contractual responsibility for all Key Personnel. How this shall be achieved would need to be addressed in all the appropriate Tech Forms in the Consultants Technical Proposal.
Question 8:	As written in the Page 54, Page 47, there is a term “Prime Consultant”. Does this term stand for the member of Joint Venture?
Answer 8:	<p>Page 47 refers to the “Organizational Capability and Experience of the Consultant” - whether that be a Single Entity or a Joint Venture – and means that the Consultant must have been the Contracting entity in its experience and not a Sub-Consultant.</p> <p>Page 54 refers to Sub-Factors 3.7.2.1 Pending Litigation; and the Sub-Consultant must meet this requirement, even if they were a Sub-Consultant to a prime, or member of past or existing Joint Venture, or other association.</p>
Question 9:	As specified in the ITC 16.1, page 45, proposals must remain valid for one hundred twenty (120) days after the deadline for the submission of Proposals specified in PDS ITC 18.1. Are there any additional days to be added?
Answer 9:	MCA-Mongolia does not anticipate award of this Contract beyond the one hundred twenty (120) day period. If, however, award of Contract has not been made in this period, MCA-Mongolia shall request extensions to the Proposal Validity date from all Consultants still qualified for Contract award at the time of the request.
Question 10:	<p>As specified in the Page 56, Joint Venture /all members combined/ can meet the requirements of Organization Capability and Technical Experience.</p> <p>Is there any requirement that any member of joint venture should at least meet the certain percentage of the requirements of Organization Capability and Technical Experience?</p>

Answer 10:	No. The Qualification and Evaluation Criteria in RFP Section III are clear as to which requirements must be met by All Joint Venture Members combined; and there is no specific percentage split.
Question 11:	Should Key Professional Personnel be International or National?
Answer 11:	<p>While RFP Section II - Proposal Data Sheet (ITC) 12,4 (c) states: <i>“The estimated budget for the assignment (Tasks 1 through 9) is USD 4.5 million.</i></p> <p><i>The amount listed above is an indicative estimate and was derived with a labor mix of International and Mongolian staff...”</i> there is no specific requirement for them to be either international or local. All proposed Key Professional Personnel shall meet the requirements for the Assignment Key Professional Personnel Qualifications for the Assignment.</p>
Question 12:	Can Joint Venture be a combination of International and Local companies?
Answer 12:	Yes. Please note that all Joint Venture Members meet the requirements set forth in RFP Section III - Qualification and Evaluation Criteria.
Question 13:	As written in the Form TECH-4, Page 64, there is a section named “Approximate value of the contract (in current US\$)”. Is it okay to write value in technical proposal form?
Answer 13:	<p>Yes. The Form TECH-4 (Experience of the Consultant) shall include the Approximate value of the previous contracts of the consultant to demonstrate that the Consultant has a proven track record of successful experience in executing projects similar in substance, complexity, value, duration, and volume of services sought in this procurement.</p> <p>Please note that According to the ITC 12.6 of the Section I of the RFP: <i>The Technical Proposal shall not include any financial information other than the required information in Form TECH-2A. A Technical Proposal containing financial information will constitute grounds for declaring the Proposal non-responsive.</i></p>