



**Ref No: MCA-M/CF/WSSA/CS/02**  
**Quality and Cost Based Selection (QCBS)**

**Procurement of Consulting Services for Developing  
Industrial Wastewater Treatment Guidelines**

**ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1 (Questions 1-19)**  
June 9, 2022

<b>Question 1:</b>	Does the Mongolian subcontractor submit their own information such as financial statements, company registration certificate, workforce, experience, etc. - or does the main contractor only need to submit the required docs and information?
<b>Answer 1:</b>	<p>The following applies to Sub-Consultants, irrespective of the country of origin.</p> <p>If a Sub-Consultant is to be used by a Consultant, then the Sub-Consultant will be required to meet the applicable requirements of the Qualification Table 3.7 of <b>Error! Use the Home tab to apply Heading 2Sections to the text that you want to appear here.</b>). The required documentation must be included in the proposal submitted by the Bidder (Consultant).</p> <p>The Sub-consultants must meet the qualification requirements of:</p> <ul style="list-style-type: none"> <li>• <b>Factor 3.7.1 Eligibility</b></li> </ul> <p>Form TECH-1 should include as attachments all required information (Including Letter(s) of Incorporation (or other documents indicating legal status)) to support eligibility of the consultant and its sub-consultants in accordance with Section III of the RFP.</p> <ul style="list-style-type: none"> <li>• <b>Factor 3.7.2 Historical Contract Non-Performance</b></li> </ul> <p>by itself or as a Sub-Consultant to a prime, or member of past or existing Joint Venture, or other association (not mandatory if in the past was as a member of a Joint Venture or other association with less than 20% role in the contract);</p> <p>Form TECH-2B should be completed by the consultant, any JV or Association Partner and sub-consultant.</p>

	<ul style="list-style-type: none"> <li>At least one specialized requirement of <b>Sub-Factor 3.7.4.2 General &amp; Specific Experience</b></li> </ul> <p>The Form TECH-4 shall be completed for the specialized sub-consultants employed by the consultant.</p> <p>Consultants are not required to submit financial statements of Sub-Consultants as sub-consultants are not required to meet the qualification requirements of <b>Factor 3.7.3 Financial Situation</b>. Sub-Consultant are also not required to meet the qualification requirements of <b>Sub-Factor 3.7.4.1 Organization Capability and Technical Experience</b></p>
<b>Question 2:</b>	Will you share the recording of this webinar with the attendees and will the presentation material (PPT file) be provided to the consultants who preparing this bidding?
<b>Answer 2:</b>	All registered Consultants will receive the Minutes of the Pre-Proposal Conference, with presentations presented by MCA-Mongolia during the Pre-Proposal Conference; together with all clarification questions received from participants to date, with the responses by MCA-Mongolia. The same information will be posted on the website of MCA-Mongolia. The recording will not be provided.
<b>Question 3:</b>	Can we have a one (1) week extension to submit Consultant questions?
<b>Answer 3:</b>	No. The Specific Procurement Notice (SPN) and RFP were issued on May 2nd, 2022, with the deadline for Consultant to request Clarifications set 2 pm of June 10th, 2022. This is deemed to be sufficient time.
<b>Question 4:</b>	What is the minimum financial capacity of the participants?
<b>Answer 4:</b>	<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. This includes but is not limited to Factor 3.7.3. Financial Situation.</p> <p>Specifically- Sub-Factor 3.7.3.1 Historical Financial Performance, requires: "Submission of evidence to the Consultant's financial capacity to mobilize and sustain the Services"; and Sub-Factor 3.7.3.2 Financial Recourses, requires the Consultant to "demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means."</p> <p>In the case of a Joint Venture Sub-Factors 3.7.3.1 and 3.7.3.2 require that each JV Member and all Members combined to meet the requirement.</p>
<b>Question 5:</b>	Can you please precise the point 3 in the Form TECH-2A: an evidence of financing dedicated for the implementation of the consulting services as attested by an authorized representative of the Consultant.

<b>Answer 5:</b>	Form TECH-2A provides an option for the Consultant to provide evidence that they have secured financing sufficient to cover their cost of performing these consulting services. In addition to the evidence of such financing, the Consultant would be required, if choosing this method for complying with Form TECH-2A, to also provide an attestation by an authorized representative of the Consultant that this financing is dedicated expressly for the purpose of implementing these consulting services.
<b>Question 6:</b>	My team consists of 20 consultants, or 5 consultants like that. How many consultants might be a reasonable number?
<b>Answer 6:</b>	<p>There are three (3) Key Personnel that will be evaluated against the requirements and evaluation criteria indicated of the RFP. The consultants are required to submit their CVs in the format of Form TECH-11. Curriculum Vitae (CV) for Proposed Key Professional Personnel: Project Manager, Lead Environmental Engineer and Lead Wastewater Engineer.</p> <p>In addition, Consultants are required to include in their Technical Proposals Form TECH-8. - Team Composition and Task Assignments; and Form TECH-9.- Staffing Schedule (Key Professional Personnel and Support Staff)</p> <p>The consultant is expected to propose Levels Of Effort (LOE) from a team of personnel based on the TOR.</p>
<b>Question 7:</b>	Shall the consultant provide/indicate additional personnel, besides the three (3) KP?
<b>Answer 7:</b>	Please refer to the response to Question 6.
<b>Question 8:</b>	Is the Project Manager required to be resident Engineer?
<b>Answer 8:</b>	<p>As set forth in Clause 10.3 of Section VII - Special Conditions of Contract (SCC) – of the RFP “A <i>resident project manager shall be required for the duration of this Contract.</i>” This means that the Project Manager is required to be onsite in Mongolia for the duration of this Contract.</p> <p>Full requirement for Project Manager can be found in Section V, X.3 Qualifications of Key Personnel, page 110, of the RFP.</p>
<b>Question 9:</b>	Are you expecting the consultants be on-site during the project period?
<b>Answer 9:</b>	Please refer to the response to Question 8.
<b>Question 10:</b>	How long should be the work plan?
<b>Answer 10:</b>	The Work Plan must be provided within 21 days from the contract signing and cover the whole project duration. There is no page limit on the work plan and it must cover all requirements as described in the RFP.
<b>Question 11:</b>	What are the 12 areas or branches of industries in Mongolia, which RFP describes?

<b>Answer 11:</b>	The 12 areas or branches of industries can be found under Task 2 of Section V - Terms of Reference – page 99 of the RFP.
<b>Question 12:</b>	Can we get water quality data for 12 industries?
<b>Answer 12:</b>	Water quality data will be provided to the selected Consultant after contract signing. Please also refer to the response to Question 13.
<b>Question 13:</b>	Can we get water effluent data such as chemical and physical analysis data? and related current law and policy for effluent standards?
<b>Answer 13:</b>	<p>As stated in Task-1 of the RFP, USUG's testing results of key pollutants and quarterly discharge monitoring data of polluting factories, facilities, and commercial organizations that have been identified in Annex 3 of the IPP will be provided to the selected Consultant. If additional monitoring data would be available during the implementation of this Contract, MCA-Mongolia will provide it to the selected Consultant.</p> <p>Relevant laws and policy documents can be downloaded at <a href="http://www.legalinfo.mn">www.legalinfo.mn</a> and the effluent standards can be downloaded at <a href="http://www.estandard.gov.mn">www.estandard.gov.mn</a></p>
<b>Question 14:</b>	Can we obtain more detailed information of the capacity, flows, load, level of treatment of the CWWTP where industrial flows will be directed?
<b>Answer 14:</b>	Please refer to the response to Question 13.
<b>Question 15:</b>	Can we really trust their water quality data?
<b>Answer 15:</b>	Water quality samples are collected and tested by USUG following international standards. The Consultant shall work with the data available and provide guidance if improvements in data quality are required.
<b>Question 16:</b>	Perhaps, Lab analysis and onsite measurements may be needed unless reliable data would be available/provided by the industries?
<b>Answer 16:</b>	Consultant will not be required to conduct lab analysis and onsite measurements. As described in Task 1 Section V (page 97 to 99) of the RFP, the Consultant may recommend additional sampling required for USUG to conduct in order to allow the Consultant to complete the other tasks.
<b>Question 17:</b>	In case of additional analysis from factories to be performed it is understood that this would be excluded from the consultancy service. Please confirm.
<b>Answer 17:</b>	Please refer to the response to Question 16.
<b>Question 18:</b>	In relation to the referenced project and as per Proposal Datasheet – ITC.8.1 of the Request for Proposal, we (company name redacted for confidentially purposes) are currently Sub-consultant to for (Contract name redacted for confidentially purposes). Would you based on this please clarify and confirm we are allowed to submit a proposal for this referenced tender? We look forward to hearing back from you. The principles, rules, and procedures set out in the MCC Program Procurement Guidelines (PPG) govern the conduct and

	administration by MCA-Mongolia of the procurement of goods, works, consulting, and non-consulting services that need to be acquired in order to implement the Projects funded by MCC.
<b>Answer 18:</b>	<p>As you correctly state, the principles, rules, and procedures set out in the MCC Program Procurement Guidelines (PPG) govern the conduct and administration by MCA-Mongolia of the procurement of goods, works, consulting, and non-consulting services that need to be acquired in order to implement the Projects funded by MCC.</p> <p>P1.A.1.9 (b) states (MCA-Mongolia has bolded the relevant portion): <i>“As stated in A.1.6.(b), a firm or individual that has been engaged to provide consulting services for the preparation or implementation of a Project (including the firm’s personnel, subcontractors, and affiliates), shall be disqualified from subsequently providing goods, works, or non-consulting services resulting from or directly related to the firm’s consulting services for such preparation or implementation. This provision does not apply to the various firms (consultants, contractors, or suppliers), which together, are performing the contractor’s obligations under a turnkey or design and build contract. See paragraph P1.A.2.5 for discussion of the use of turnkey or design and build contracts.”</i></p> <p>Furthermore, Section I of the RFP “Instructions to Consultants” states in ITC 5.7 “Conflict of Interest” that (MCA-Mongolia has bolded the relevant portion):</p> <p><i>“A Consultant shall not have a conflict of interest. Consultants.....may be considered to have a conflict of interest and disqualified or terminated if they.....have a relationship, directly or through common third parties, that puts them in a position to have access to information about or influence over the Proposal of another Consultant, or influence.”</i></p>
<b>Question 19:</b>	<p>We would like to express our interest in bidding for the “Consulting Service for Developing Industrial Wastewater Treatment Guidelines”. We offer (company name redacted for confidentially purposes) a significant range of expertise in industrial wastewater treatment regulation, planning, design or wastewater pollution control program. We believe that we could provide a strong support to Mongolia in this field of expertise,</p> <p>We would like to raise to your attention that we are already committed under an MCA-Mongolia project supporting with a sub-contract agreement to provide design for (Contract name redacted for confidentially purposes), We do not consider that such an assignment would Put us in a conflict of interest; however, we kindly request your confirmation before working on the proposal</p>
<b>Answer 19:</b>	Please refer to the response to Question 18.