

CB No: MCA-M/CF/DWA/W-02

Pre-qualification for the Construction of Groundwater Well-pump House and Conveyance (CP 3)

**ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1
(Questions 1-12)
September 14, 2020**

Question 1:	According to the notice this is call is for a Contractor, not for a Supplier. Could you please confirm if a Supplier also need to be qualified or not?
Answer 1:	<p>This Pre-qualification document and its subsequent bidding document issued to qualified firms are for procurement of large works. The General Conditions of Contract to be used with the bidding documents are the FIDIC Conditions of Contract for Construction, First Edition, 1999, prepared and copyrighted by the “FIDIC” and licensed to MCC (Red Book). As such the Contractor shall be responsible for purchasing, supplying and installing all materials.</p> <p>As such Millennium Challenge Account - Mongolia shall not be conducting separate procurements for materials. Material suppliers are encouraged to research Contractors that may be submitting applications if they wish to have their products included in the Contactor’s submission.</p>
Question 2:	Would it be possible to share the material list which will be needed?
Answer 2:	The pre-qualification document as issued contains sufficient detail for firms to submit their applications for evaluation. The subsequent bidding document issued to qualified firms shall contain full and complete Technical Specifications and Bills of Quantities.
Question 3:	What kind of pipes will be required? (Type, quantities and diameters etc.)
Answer 3:	Please refer to the answer to Question 2.
Question 4:	What is the approximate purchasing period?
Answer 4:	<p>Duration of the complete procurement depends on many factors. However, MCA-Mongolia plans to finalize the pre-qualification procedures by late 2020 and the bidding processes within the first half of 2021.</p> <p>The subsequent bidding document issued to qualified bidders will contain requirements for bidders to provide detailed work programs, which will include material purchase lead-times, delivery and installation dates. Again, material suppliers are encouraged to research Contractors that may be submitting bids if they wish to have their products included in the Contactor’s submission.</p>

Question 5:	<p>Definition of AWPP</p> <ul style="list-style-type: none"> - We would like to get more detailed description on AWPP (CP-2 AWPP); - On page 80 of PQD, in Para 5 of “Facilities to be constructed”, it is “membrane filtration reject water”. Does it mean RO (reverse osmosis) membrane system? In case AWPP is defined as RO membrane system, is an alternative proposal allowed? For example, can low running cost method by contact oxidation and bacteria without using chemicals - an unique technology developed for treating groundwater to a potable water, be offered?
Answer 5:	<p>The Contractor of the Construction Package-2 (CP-2) will construct the Advanced Water Purification Plant (AWPP) and it is not within the scope of this package.</p> <p>More details on the AWPP can be found in the Pre-Qualification Document (PQD) for the Construction of an Advanced Water Purification Plant (AWPP) and SCADA Controls (Construction Package 2 - CP 2), which has/had a submission date of September 14, 2020, but can still be downloaded/requested for informational purposes from the website of MCA-Mongolia: https://mca-mongolia.gov.mn/ or requested from the Procurement Agent at PA-Mongolia@charleskendall.com with a copy to procurement@mca-mongolia.gov.mn.</p>
Question 6:	<p>Invitation for Pre-Qualification: Construction of Groundwater Well-pump House and Conveyance (Ref. MCA-M/CF/DWA/W-02) prescribes PQ for 3 component parts as 1 complex/package works, but PQDs, on page 79, it says CP-1, CP-2 and CP-3 would be tendered separately. Can you kindly explain for our better understanding? Are they 1 package works or separate works although descriptions are provided under 1 invitation?</p>

<p>Answer 6:</p>	<p>The Invitation for Pre-Qualification states that the Water Supply Project of MCA Mongolia consisting of three closely related following investment activities:</p> <ol style="list-style-type: none"> 1. Downstream Wells Activity, 2. <i>Wastewater Recycling Activity</i>, 3. <i>Water Sector Sustainability Activity</i> <p>According to the pages 78-79 of the Pre-Qualification Document (PQD), MCA-Mongolia will conduct the following <u>three separate works procurements</u> under the Downstream Wells Activity.</p> <ol style="list-style-type: none"> 1. Construction Package 2 (CP 2) - Construction of an Advanced Water Purification Plant (AWPP) and SCADA Controls; 2. Construction Package 3 (CP 3) - Construction of Groundwater Well-pump House and Conveyance; 3. Construction Package 1 (CP 1) - Construction of Downstream Wellfield Wells at Shuvuun and Biokombinat. <p>The CP 2 and CP 3 are considered as the large works procurements, and CP 1 – (Construction of Downstream Wellfield Wells at Shuvuun and Biokombinat) will be considered as a small works procurement under MCC’s PPG.</p> <p>Please be informed that this Invitation for Pre-Qualification is for the Construction of Groundwater Well-pump House and Conveyance (CP3) only.</p> <p>Pre-qualification for the Construction of an Advanced Water Purification Plant (AWPP) and SCADA Controls (CP 2) is a separate pre-qualification for which Invitation for Pre-Qualification was released by MCA-Mongolia on June 23, 2020. An electronic copy of the PQD for CP2 in the English language, together with the issued Clarification Responses and the Amendments to the PQD, may be downloaded from the Employer’s website: https://mca-mongolia.gov.mn/ or requested from the Procurement Agent at PA-Mongolia@charleskendall.com with a copy to procurement@mca-mongolia.gov.mn.</p> <p>The deadline for applications submission for the CP2 Pre-Qualification process is 10 am Ulaanbaatar time (GMT+8), Mongolia, on September 14, 2020, but can still be downloaded and requested for informational purposes.</p> <p>As presently planned, procurement for the Construction of Downstream Wellfield Wells at Shuvuun and Biokombinat (CP1) will not involve a pre-qualification phase.</p>
<p>Question 7:</p>	<p>Related to your use of the term "Joint-Venture (JV)" in the Pre-qualification document:</p> <p>(a) Does it entail the incorporation (by all interested parties to jointly apply for the works) of a <u>separate, stand-alone, special Legal Entity in Mongolia</u> (i.e., a Joint-Venture), which, in turn, will apply for the Pre-qualification?</p> <p><i>or</i></p> <p>(b) it allows for the formation by all interested parties of a “Consortium”, wherein each participant in it retains its separate legal status and is, therefore, not required to setting up dedicated legal entity in Mongolia?</p>
<p>Answer 7:</p>	<p>According to the Paragraph A. General of the Section I of the Pre-Qualification Document:</p>

	<p><i>“Association” or “association” or “Joint Venture” or “joint venture” means an association of entities that forms the Applicant, with or without a legal status distinct from that of its members.</i></p> <p>Please also note that sub-clause 5.5 of the Section I of the Pre-Qualification Document states: <i>“In the case where an Applicant is, or proposes to be, a joint venture or other association (a) all members of the joint venture or association must satisfy the legal, financial, litigation and other requirements set out in this PQD; (b) all members of the joint venture or association will be jointly and severally liable for the execution of the Contract; and (c) the joint venture or association will nominate a representative who will have the authority to conduct all business for and on behalf of any and all the members of the joint venture or the association during the bidding process and, in the event the joint venture or association is awarded the Contract, during Contract performance.”</i></p>
Question 8:	What is the thickness and standards of the ductile iron pipes needed?
Answer 8:	Please refer to the answer to Question 2.
Question 9:	Does the main contractor have to have the electrical experience, or can the subcontractor or joint venture member specialized in the work can provide their expertise proof?
Answer 9:	An Applicant is required to meet the qualification requirements as described in the Table A: Minimum Mandatory Criteria and the Table: 2.0 Qualification of the Section III of the Pre-qualification document. For the Specific Experience in Key Activities in Table 2.4.3, at least one member of the Joint Venture or Association comprising the Applicant must meet this requirement. If the Applicant is a single entity, that entity must meet this requirement. A subcontractor is not a member of Applicant.
Question 10:	Does the main contractor need to have an experience working with ductile iron pipes, or other water conveyance pipe experiences are enough and counted such as HDPE pipes?
Answer 10:	<p>An application will be evaluated based on the qualification criteria specified in the PQ Document (Table A: Minimum Mandatory Criteria and the Table: 2.0 Qualification of the Section III of the Pre-qualification document). The similar and specific experience requirements are related to the experience working with pipelines, but not the experience related to specific pipeline materials.</p> <p>Please also refer to the answer to Question 2.</p>
Question 11:	Applicant and for each member of a joint venture or other association that is a party to the Applicant – does this include subcontractors? If so, do the subcontractors have to fill all forms in the pre-qualification?
Answer 11:	Paragraph A. General of the Section I of the Pre-Qualification Document titled “Instructions to Applicants” provides definitions for words and expressions used in the document, including but not limited to:

	<p>(b) “Applicant” means any eligible entity or person, including any associate of such eligible entity or person that submits an Application.</p> <p>(c) “Application” or “Application for Pre-qualification” or “AFP” means an application for the provision of the Works submitted by an Applicant in response to this Pre-Qualification Document.</p> <p>(d) “Associate” means any entity that forms the Bidder or Contractor. A Subcontractor is not an Associate.</p> <p>Therefore, the pre-qualification Applications and/or any submission form can be submitted only by Applicants (the single entity or association of entities), but not by sub-contractor, as a sub-contractor is not considered as an Associate.</p> <p>During evaluation of the pre-qualification Applications, only experiences of Applicants will be considered. Therefore, experiences of sub-contractors will not be considered for pre-qualification of the Applicant.</p> <p>Please note however that all eligibility requirements also apply to the direct suppliers and sub-contractors of an entity performing an MCC-funded Contract and that approval of subcontractors will be a requirement per the terms of the bidding document and contract that will result from this process.</p>
Question 12:	If not for the question above, does the subcontractor only need to fill “ Form ELI-2: JV/Association/Sub-Contractor Information Sheet ” sheet?
Answer 12:	Please refer to the answer to Question 11. Each submission form shall be completed and submitted by an Applicant.