

CB No: MCA-M/CF/DWA/W-01

Invitation for Bids
For Construction Works of an Advanced Water Purification Plant (AWPP)
and SCADA Controls (CP 2)

ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 1 (Questions 1-7)
January 11, 2021

Question 1:	<p>a. Please provide the phone number of the responsible specialist in order to discuss questions about the tender.</p> <p>b. Is it possible to have an estimated budget for this tender?</p>
Answer 1:	<p>a. As Set forth in ITB 8.1. <i>“Clarification requests regarding this bidding document should be submitted to the Employer in writing MCA-Mongolia will respond in writing to all clarification requests.... The responses will also be posted on the Employer’s website”</i>. Under no circumstance will unofficial communication methods be entertained.</p> <p>b. Budget estimates for the specific works and/or its different components will remain confidential and will not be published.</p>
Question 2:	<p>We are a Government-Owned Enterprise (name of Enterprise and Country removed for confidentiality reasons). Also, we have projects in Mongolia jointly funded by National and International Donors (Funding Agencies removed for confidentiality reasons), We are very interested in this Procurement and would like to know if ITB 5.4 (Government-Owned Enterprises) means only Mongolian Government-Owned Enterprises are not eligible to compete.</p>
Answer 2:	<p>ITB 5.4 applies to Government-Owned Enterprises of all countries. MCC does not allow government-owned enterprises of any country to compete for contracts for goods or works. MCC may also consider any firm incorporated and organized in a country with a non-market economy to be a government-owned enterprise, which makes the firm ineligible to compete. Furthermore, as set forth in ITB 5.3:</p> <p><i>“A Bidder, all parties constituting the Bidder, and any subcontractors and suppliers for any part of the Contract, including related services, may have the nationality of any country, subject to the nationality restrictions specified in this Section 5. An entity will be deemed to have the nationality of a country if such entity is constituted, incorporated, or registered in, and operates in conformity with, the provisions of the laws of that country.”</i></p>
Question 3:	<p>We are very interested in this Procurement but one qualification issue we are not certain of relates to Government-Owned Enterprises. A minority share (percentage removed for confidentiality reasons) belongs to a regional government, but a majority share (percentage removed for confidentiality reasons) belongs to employers and employers commit. We would like to verify our eligibilities at the beginning of tender Instead of afterwards, could you advise how we can verify our eligible related to GOE requirement? Or what kind of documents we shall provide?</p>

Answer 3:	<p>Please refer to the response to Question 2. Additionally, please refer to Part 13 of the Program Procurement Guidelines (mcc.gov) where the MCC policy regarding eligibility of entities that are government-owned and/or government-controlled is treated more fully. Ultimately, the determination of whether or not an entity is a GOE for MCC policy purposes is made by MCC, relying on information provided by the Bidder (especially Form ELI-3: Government-Owned Enterprise Certification Form) and research services contracted by MCC.</p> <p>Furthermore, MCA-Mongolia is introducing - by amending the IFB though Addendum 2 to be issued in the near future - Form ELI-4: (Beneficial Ownership Disclosure Form). This Form is to be completed by each Bidder. In case of joint venture, the Bidder must submit a separate Form for each member. The beneficial ownership information to be submitted in this Form shall be current as of the date of its submission. For the purposes of this Form, a Beneficial Owner of a Bidder or of a joint venture member is any natural person who ultimately owns or controls the Bidder or joint venture member by meeting one or more of the following conditions:</p> <ul style="list-style-type: none"> • directly or indirectly holding 10% or more of the shares • directly or indirectly holding 10% or more of the voting rights • directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Bidder or joint venture member <p>Therefore, MCA-Mongolia cannot advise a potential Bidder if it is deemed to be to a Government-Owned Enterprise or not. Bidders must submit every Bid Form required in the Invitation for Bids, including but not limited to Form ELI-3: Government-Owned Enterprise Certification Form and Form ELI-4: Beneficial Ownership Disclosure Form.</p>
Question 4:	Please explain ITB 5.4 (Government-Owned Enterprises). We are a Government-Owned Enterprise (name of Country removed for confidentiality reasons) and would like to know if we are eligible to Bid.
Answer 4:	Please refer to the responses to Questions 2 and 3.
Question 5:	We are a supplier for one of the required materials identified in the design specifications document and want to be sure that our company can be identified by the contractors who are bidding this project so they can contact us for pricing. Could you please put my contact and product information in the appropriate location or provide instructions for how to do so?
Answer 5:	MCA-Mongolia cannot include contact details of material suppliers in the Invitation for Bids or provide this to Bidders. You are encouraged to research Contractors that may be submitting Bids if they wish to have their products included in the Contactor's submission. Also, you are encouraged to register for the Pre-Bid Conference webinar as detailed in ITB 8.4, as a way of receiving the names of the firms that attend.

Question 6:	<p>a) We would like to Bid this project as a Subcontractor providing materials identified in the design specifications document. Can you provide a list of interested Prime Contractors so we can contact them for bidding purposes?</p> <p>b) Are there wiring diagrams, parts list and cabinet layout drawings for the PLC, RO and Filling Station Control Panels?</p> <p>c) Can you provide a list of Manufactures with their associated part numbers for the Instruments</p>
Answer 6:	<p>a) Please refer to the response to Question 5.</p> <p>b) The contract drawings and specifications contain all of the available information. Please see page: 754-759, 836-893, 945-948. Cabinet layout drawings are not included in the contract drawings. Rather, this information is shown schematically on the instrumentation and electrical drawings. Dimensional layouts of control panels are the responsibility of the contractor, however, and to be submitted in the equipment submittal process.</p> <p>c) MCA-Mongolia cannot provide a list of Manufacturers with their associated part numbers. You are encouraged to research manufacturers in addition to Contractors that may be submitting. Again, you are encouraged to register for the Pre-Bid Conference webinar as detailed in ITB 8.4, as a way of receiving the names of the firms that attend.</p>
Question 7:	<p>We are very interested in CP2: Construction Works of an Advanced Water Purification Plant (AWPP) and SCADA Controls. However, we cannot participate in it alone. Therefore, we would appreciate if you could suggest us or refer to some companies that would cooperate with us for this bid. Perhaps you could describe what constellation you would expect from the general contractor?</p>
Answer 7:	<p>MCA-Mongolia cannot provide direct recommendations for potential Joint Venture partners or Subcontractors. You are encouraged to research other Contractors that may be submitting Bids Also, you are encouraged to register for the Pre-Bid Conference webinar as detailed in ITB 8.4, as a way of receiving the names of the firms that attend.</p>