

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, (components of SCADA system),
Development of RAP for the route of the Conveyance system, and
Conducting DEIA and ESIA for the Wastewater Recycling Activity**

**ANSWERS TO CLARIFICATION QUESTIONS – ISSUE No. 3 (Questions 60-79)
(Date of Issuance: March 30, 2021)**

Questions and Answers 1-13 issued to all registered Consultants on March 15, 2021 Questions and Answers 14-59 issued to all registered Consultants on March 23, 2021	
Question 60:	Are there any groundwater monitoring wells within 1km of the pipeline route and the project sites? If so, please clarify if they would be accessible for sampling during the baseline studies for the ESIA.
Answer 60:	There are no groundwater monitoring wells within the pipeline route and the project sites. The Consultant shall determine number of groundwater monitoring wells that will be needed for sampling during the baseline studies for the ESIA.
Question 61:	How many water and soil samples would be required for the baseline surveys for the ESIA?
Answer 61:	The Consultant is responsible for determining the number of water and soil samples for establishing baseline conditions for the ESIA.
Question 62:	Does the client have any preferred laboratories for environmental testing of water and soil or can the Consultant choose an accredited one in Mongolia.
Answer 62:	There are no preferred laboratories for environmental testing of water and soil. The Consultant should arrange and select accredited, independent laboratories in Mongolia.
Question 63:	Please provide coordinates and a location map showing the areas/sites listed.
Answer 63:	WRP SITE – 47°54'04" N; 106°44'59" E CHPP #3 – 47°53'47" N; 106°51'54" E CHPP #4 – 47°53'41" N; 106°48'14" E CHPP #3 storage tank, pumping station – 47°53'30" N; 106°50'19" E See the location map from the RFP.
Question 64:	RFP/TOR Text: “The RAP for the conveyance infrastructure may be implemented by the Ulaanbaatar City’s Land Management Department (LMD) based on Implementing Entity Agreement (IEA) signed between the MCA-Mongolia and the Capital City’s Land Management Department with support from the Consultant selected by this RFP.” If LMD decide to implement RAP for the conveyance infrastructure, then what will be included into ‘Support Scope’ of the Consultant?
Answer 64:	Please refer to Section V, Task 9.

Question 65:	<p>RFP/TOR Text: <i>“Should this option is exercised by MCA-Mongolia, at their sole discretion, the Consultant shall be required to carry out the following indicative RAP tasks.”</i></p> <p>Do MCA have preferred or pre-qualified RAP experts on livelihood restoration in Mongolia? Or is it expected that the Consultant will mobilize all required subject-matter experts?</p>
Answer 65:	<p>The Consultant shall propose and mobilize necessary personnel, including livelihood restoration expert in Mongolia, to complete the Works described in the bidding documents.</p>
Question 66:	<p>The-Qualification criteria contain a number of elements which on their own are ok, but when combined together, become quite restrictive. This will lead to reduced competition.</p> <p>In Table 3.7.4 Experience (3.7.4.2 General & Specific Experience) seems to indicate that sub-consultant experience counts towards “Consultant” experience.</p> <p>Does the experience of a Sub-Consultant qualify for meeting the requirements of ITC 24.1 (page 48)?</p> <p>For example, related to: <i>“Experience in consultancy services shall include successful experience as the prime consultant in the execution of at least two (2) projects of a similar nature with similar weather condition and complexity to each of the Tasks described in Section V of this RFP in the water supply and sanitation sector and utility management during the last 5 years.”</i></p> <p>Can a Consultant missing only “similar weather condition” join forces with a local Mongolian sub-consultant (to cover similar weather) in order to meet the overall criteria?</p>
Answer 66:	<p>MCA-Mongolia recognizes that this experience may be offered by a Sub-Consultant, provided that firm has successful experience as the prime consultant in the execution of at least two (2) projects of a similar nature with similar weather condition and complexity.</p> <p>As such Addendum 1 shall be issued imminently that amends 3.4 and 3.7 of the Section III of the RFP as follows:</p> <ul style="list-style-type: none"> a) The requirement for Organizational Capability and Experience of the Consultant has been divided into: <ul style="list-style-type: none"> (i) Organizational Capability and General Experience of the Consultant and (ii) Specific Experience of the Consultant. b) Consultant’s Organizational Capability and General Experience shall be met by adherence to Qualification Criterion 3.7.4.1 “Organizational Capability and General Experience of the Consultant”. c) Specific Experience of the Consultant shall be met by adherence to Qualification Criterion Table 3.7.4.2 “Specific Experience of the Consultant”. d) Scores associated with Experience of the Consultant are now amended to accommodate this change. <p>Accordingly, if the Consultant deems it necessary, they can hire sub-consultant(s),</p>

	<p>If Sub-Consultants are employed by the Consultant, they fulfill at least one requirement from qualification criteria, the experience of the Sub-Consultant can be counted as the Consultants qualification on the criteria. It is acceptable to use a sub-consultant to provide experience in similar weather where the Consultant can demonstrate that the similar weather experience can be applied to the project.</p>
Question 67:	<p>From the RFP: <i>“Key personnel proposed by the Consultant shall provide services of proven competence and experience to undertake the tasks defined by these TOR and to finally achieve the overall and the specific objectives of the project, in terms of time, costs and quality. Key personnel proposed by the Consultant shall have the prerequisite experience specified with their assignments and shall have an overall background in civil engineering and urban infrastructure projects and resettlement issues in Mongolia or similar regions. There should be at least 3 people working on every professional engineer task. This requirement applicable for all individual engineer's job status except for Project Manager and Design Manager. For example, the design consultant company should have 3 more mechanical engineers who has acceptable knowledge.”</i></p> <p>a) Can you please clarify this text? There is no “Design Manager” defined in the RFP. Is this indicating that “Lead Power Plant Design engineer” and “Lead Mechanical Design engineer” are to have 3 sub-engineers each?</p> <p>b) Are engineers expected to have experience in resettlement issues, even though there is a Key Expert to cover this aspect?</p>
Answer 67:	<p>a) Design manager is not required as the key personnel from the Consultant, but if Consultant deems necessary, they can assign this personnel during the Contract period. <i>3 more mechanical engineers who have acceptable knowledge</i> refers to engineer that will be working under Lead Power Plant Design Engineer and Lead Mechanical Design Engineer, and these number of engineers do not necessarily mean under each lead engineer but indicates that the Consultant is expected to have at least minimum of 3 mechanical engineers other than Lead Engineers working on this project.</p> <p>b) Note that a Resettlement Specialist is required as one of the Key Personnel in Section V. Although Engineers are not necessarily required to have experience in resettlement issues, due to complicated nature of this project, it is expected that engineers and resettlement specialists will need to coordinate closely for the Transmission Pipeline Design (selecting the most optimal route).</p>
Question 68:	<p><i>The weights given to the Technical and Financial Proposals are:</i></p> <p><i>T = 50 and F = 50”,</i> whereas the minimum technical score is 80.</p> <p>In our experience of clients looking for a high-quality offer, the weighting is usually 80/20 or higher in order to ensure quality is marked appropriately. Please confirm the Technical and Financial Proposal weightings.</p>
Answer 68:	<p>We confirm that according to the Sub-Clause ITC 25.10 of the RFP, the weights given to the Technical and Financial Proposals are: T = 50 and F = 50</p>

	Only Proposals which score more than 80 in the Technical Score will have their Financial Proposal evaluated.
Question 69:	<p>The issuing of non-password protected financial proposals is inconsistent typical procurement whereby financial information is confidential until the technical evaluation is complete. Indeed, this would normally constitute grounds for declaring a Proposal non-responsive (ref 17.2(e)). Additionally, submitting a password protected file but also the password at the same time, leads to the same outcome. In both cases, the financial proposal contents are no longer confidential.</p> <p>It is our opinion that to guarantee transparency, only password protected financial proposals should be issued by the tender deadline and that the passwords should only be issued to MCA once the technical evaluation is complete. Please confirm.</p>
Answer 69:	<p>According to the sub-clauses ITC 17.3 (g) and ITC 17.3 (h) of the Section I of the RFP, The Technical and Financial Proposals are not required to be password-protected, but may be protected at the Consultant's discretion.</p> <p>According to the sub-clause ITC 17.3 (g) of the Section II of the RFP: If a Consultant submits a Technical Proposal with password protection, the password for the Technical Proposal should be sent no earlier than 00:00 a.m. of April 20, 2021 and no later than 10:15 am of April 20, 2021, Ulaanbaatar, Mongolia local time to the following email addresses: PA-Mongolia@charleskendall.com cc to procurement@mca-mongolia.gov.mn. Case-sensitive passwords should be sent as is, with the cases obvious.</p> <p>According to the sub-clause ITC 17.3 (h) of the Section II of the RFP, If a Consultant submits a Financial Proposal with password protection, the password for the Financial Proposal shall be sent to the following email addresses: PA-Mongolia@charleskendall.com cc to procurement@mca-mongolia.gov.mn at the time and date provided, along with the notice described at ITC 25.6, to those Consultants whose Technical Proposals achieved the minimum qualifying mark. Case-sensitive passwords should be sent as is, with the cases obvious.</p> <p>Based on the above requirements of the ITC17.3 (h), the password of the financial proposal (If the consultants submits the financial proposal with the password protection) is not required to be submitted together with the password of the technical proposal, but shall be provided after completion of the technical evaluation and by only those consultants whose Technical Proposals achieved the minimum qualifying mark.</p> <p>In any case, the content of Technical and Financial proposals will remain confidential, and the opening of proposals will be conducted strictly according to the clauses ITC 21 and ITC 25 of the RFP.</p>
Question 70:	Please confirm the specification for "Civil Engineer and Instrumentation/Controls Engineer".
Answer 70:	Civil Engineer and Instrumentation/Controls engineers should have sufficient knowledge and experience in the field to fully design capable system, but these engineers are not deemed as key personnel thus there is no qualification criteria for them.

Answer 71:	The Transfer Pump Station #2 located at the WRP, and is the scope of work of the Design-Build Contractor and not included in this Consultants' scope of work. The Consultant is obliged to provide water transmission pipeline's hydraulic and piezo metric calculation result to the D/B Contractor (of the WRP) and coordinate its design with the D/B Contractor's design of Transfer Pump Station #2.
Question 72:	Please provide location of 4000 m3 water storage tank with booster pumping station and confirm that this is the storage facility and pump station referred to as "pumping station with a water storage facility that will boost the recycled water's pressure and transfer it to the CHPP #3".
Answer 72:	<p>The overall project is conceptually depicted in Figures V.1 and V.2 in the TOR. Kindly refer to figure presented in page 97 of the RFP. From this figure you can see the approximately determined location of 4,000 m3 water storage tank and booster pumping station. Note that the location shown in the figures is preliminary in nature. The Consultant is responsible for deciding the final location of the storage tank and the pump station as part of the design.</p> <p>Yes, it is the pumping station referred to as "pumping station with a water storage facility that will boost the recycled water's pressure and transfer it to the CHPP #3".</p>
Question 73:	<p>Please confirm, pump stations part of project:</p> <ol style="list-style-type: none"> Transfer Pump Station #2 pumping station with a water storage facility that will boost the recycled water's pressure and transfer it to the CHPP #3 pumping station with a water storage facility that will boost the recycled water's pressure and transfer it to the CHPP #3 new pumping house with pumps for the raw water inside CHPP #4
Answer 73:	<ol style="list-style-type: none"> Transfer Pump Station #2 is not included in the scope of work for the Consultancy Service. See answer to Question 71. Pumping water station with water storage facility included in the scope of work for the Consultancy Service is a repeated statement of b It is included in the scope of work of the Consultancy Service (kindly refer to Annex 3 (of the TOR) CHPP #4 Design Requirement
Question 74:	Is the Government / MCA aware of any indigenous and/or ethnic minority group and/or other specific group who have historically lived and/or currently live and/or have used the area for any purpose in the footprint and/or in proximity that might give rise to them being considered important and potentially show a cultural and archaeological connection to the project area through use of the land, whether that be for habitation and/or the use of the land for growing food and/or feeding livestock. This could include the riverine and swamp/wetland habitats in proximity to the project area.
Answer 74:	Preliminary environmental and social baseline assessment did not identify indigenous group in the project area. The Environmental and Social Baseline Assessment will be provided to the Consultant after the Contract award. Note that it is the Consultant's responsibility conduct surveys and assessment for the Works.
Question 75:	The current table on page 124 of the RFP requires the selected consultant to prepare an ESMP that would be provided to the potential D/B contractor as part of the procurement process. While Wave understand this requirement, it is highly likely given our significant

	experience that some potential impacts that may or may not be able to be mitigated may become apparent at some stage after the deliverables are due for Tasks 4.2 and 4.3. Could the consultant at this time, provide a list of high-level impacts and the proposed mitigations etc in a table rather than a formal ESMP which would be prepared once any impacts/risks are assessed during the preparation of the ESIA and DEIA, which is good international industry practice.
Answer 75:	Noted. The Consultant is required to submit complete draft of ESMP as described in Task 4.2 and 4.3 on time.
Question 76:	<p>Please kindly confirm our understanding of the scope below:</p> <p>SCOPE: Detailed Design for the conveyance facilities and the modifications to CHPP #3 and CHPP #4</p> <p>Task 3: The Recycled Water Transmission Pipeline will convey treated effluent from the outlet of the Transfer Pump Station #2 at the WRP to designated points at the CHPP #3 and CHPP #4.</p> <p>Recycled Wastewater Pipelines, Pumping Stations, Storage Tanks from WRP to CHPP fence line.</p> <p><u>Transition pipelines</u></p> <ul style="list-style-type: none"> • Recycled Wastewater Pipeline from CWWTP to CHP #4 • Recycled Wastewater Pipeline from Pipeline CWWTP to CHP #3 • 4000 m³ water storage tank with booster pumping station. <p><u>Return pipelines</u></p> <ul style="list-style-type: none"> • Pipeline to return cooling tower blowdown water at the CHPP#4 to the CWWTP through a return pipeline. <p><u>CHPP #3</u> (Modifications inside CHPP #3)</p> <p>Necessary modifications need to be performed for the circulation water pipelines, pump stations, laboratory, and associated electrical system inside CHPP #3.</p> <ul style="list-style-type: none"> • pumping station with a water storage facility that will boost the recycled water's pressure and transfer it to the CHPP #3 • new pipeline (for transferring the treated water) from the pumping station to the CHPP #3 • electrical substation with a distribution panel for the pumping station • new complete building and equipment needed for the laboratory. • Various CHPP #3 internal pipelines <p><u>CHPP #4</u> (Modifications inside CHPP #4)</p> <p>Necessary modifications need to be performed for the circulation water pipelines, pump stations, laboratory, and associated electrical system inside CHPP #4.</p> <ul style="list-style-type: none"> • new pumping house with pumps for the raw water • install a return pipeline for the unused recycled water and cooling tower blowdown water to the CWWTP.

	<ul style="list-style-type: none"> • install an electrical switchgear for power supply of the raw water pumping house. • A complete new laboratory for treated water and micro biological with a building • Various CHPP #4 internal pipelines <p>Task 4: Environmental and Social Impact Assessment (ESIA), Detailed Environmental Impact Assessment (DEIA), and Environmental and Social Management Plans (ESMPs).</p>
Answer 76:	The Scope is as defined in Section V.
Question 77:	<p>As written in Page 49, the lead pipeline design engineer shall have an experience of minimum 15 years and experience in detailed design of at least two pipeline and pumping station similar in scale (total length water transmission pipeline over 10km in a cold climate region, 1000mm diameter HDPE main transmission pipeline, HDPE return pipeline, 500mm diameter branch HDPE pipelines from main to CHPPs, 4000m3 water storage tank and a booster pumping station).</p> <p>In Mongolian case, there was no pipeline with 1000mm diameter ever constructed and the maximum diameter of pipeline ever constructed in Mongolia is 800mm.</p> <p>Can the expert have an experience in 800mm diameter pipeline?</p>
Answer 77:	<p>The text in the bracket gives information about the size of facilities that needs to be designed. In the Mongolian case, there was a metal pipeline with 1200 mm, 1400 mm diameter constructed, but as for the HDPE pipeline the maximum diameter that has ever constructed is 800 mm. The similar in scale means transmission pipeline with approximate size and length installed in a cold environment (countries with similar harsh continental climate). The expert is not required to have experience of design work only in Mongolia. The experience could be relevant to design work of facilities with a similar scale in a cold region with similar climatic conditions of Ulaanbaatar city area.</p> <p>The experience in designing a HDPE type water transmission pipeline with 800mm diameter can be considered as experience of facility with a similar experience however the length of the pipelines with which the 800mm experience gained must also be similar to those required for this project.</p>
Question 78:	<p>Can you please confirm whether or not the consultant is exempt from withholding taxes? The list of exemptions covers corporate income tax, so our assumption is that this exemption extends to withholding taxes as well.</p>
Answer 78:	<p>Reference to Compact's Section 2.8 Taxes</p> <p>The list of tax exemptions includes taxes and other similar charges on income, profits, or gross receipts attributable to work performed in connection with the Program, and related social security taxes and other similar charges on all natural or legal persons performing work in connection with the Program, except:</p> <ul style="list-style-type: none"> • Natural persons who are citizens or permanent residents of Mongolia; • Legal entities formed under the laws of Mongolia. <p>The mechanisms to implement this tax exemption is set forth in detail in Annex V of the Program Implementation Agreement.</p>

	https://mca-mongolia.gov.mn/en/operation-agreement
Question 79:	In case of award, would it be acceptable if our bank of choice for payments is a foreign one or is it a requirement to have the payments made in a bank of the country of the consultant?
Answer 79:	Payments can be made to any bank around the world as long as the financial institution is not located in a country debarred by The United States Department of State. https://www.state.gov/state-sponsors-of-terrorism/