

Summary of the queries received on DPCC's EOI for setting up 2 CBWTFs in Delhi

Query No.	Query raised by proponents	Response
1	Lead member is not having experience but other JV partners have Experience more than 8 year and meet all other criteria's. Will this qualify? Please clarify	The Eolder should have past experience in handling and operating CBWTF for at least 5 years during the last 10 years. In Case of a JV, the Lead/JV member shall meet this criteria.
2 (a)	What is the basis/reasons for restricting only one CBWTF i.e M/s Biotic Waste Solutions Pvt Ltd. from participating in the EOI for these two areas by imposing a condition that in case we intend to continue operations at present location, we are not eligible for the invited EOI?	To avoid monopoly of single party. In case, in future the party closes its operation, minimum impact should be there on Delhi's bio medical waste management and compliances.
2(b)	What will be the service charges/rates to be charged from HCFs by the selected bidders for both the proposed regions?	Website of Directorate of Health Services, Govt. of NCT of Delhi be referred for the prevailing rates being charged from HCFs.
3 (a)	It is submitted that the land be provided by Delhi Government or Municipal Corporation as per BMW Rules 2016.	No change
3 (b)	Existing Municipal Corporation can allow usage of their existing dumping Ground or Processing and Disposal Plant to be used (in part for CBWTFs) . This may kindly be permitted.	No change
3 (c)	Getting both Owned land and meeting minimum qualification on operation is almost difficult. Getting registered land lease is also difficult as the time is short.	No change.

	<p>Both these conditions as pre requisite for RFP issuance should not be there and may this not be considered in the Minimum eligibility criteria.</p> <p>It should be that the any one desirous to set up the plant should get the land registered before issuance of CTO or it should be at the risk of EOI holder.</p>	
3 (d)	<p>What is the meaning of the Present Location?</p>	<p>Present location means the location where operational CBWTF is currently in operation.</p>
3 (e)	<p>Minimum Eligibility Criteria states that For the Minimum Eligibility Criteria and evaluation, credentials of holding company / subsidiary company of the Eolder shall be accounted for.</p> <p><i>Query</i> : May this be consider for the bidder/lead company only</p>	<p>No change</p>
3 (f)	<p>This EOI is for 6 Districts dividing into two regions of 3 districts each.</p> <p>May the catchment area for regions be increased in future operations for both regions.</p>	<p>It specified that DPCC reserves its right to review allocation of districts to CBWTF for long term solution for collection, treatment and disposal of biomedical waste. However, the no. of beds covered/ catered by the CBWTF shall be maintained.</p>
3 (g)	<p>Getting both Owned land and meeting minimum qualification on operation is almost difficult.</p> <p>Getting registered land lease is also difficult as the time is short .</p> <p>Both these conditions as pre requisite for RFP issuance should not be there and may this not be considered in the Minimum eligibility criteria It should be that the any one desirous to set up the plant should get the land registered before issuance of CTO or it should be at the risk of EOI holder .</p>	<p>No change.</p>
3 (h)	<p>There is no such terminology in guideline by any pollution control board. Formula for Specific Waste Generation Factors (SWGf).</p> <p>Please share the detailed calculation for deriving 80 T/day</p>	<p>The quantity of 80 TPD is tentative estimate and the proponents who submit EOIs are</p>

		<p>free; before submitting their EOIs, to make their own estimates/judgments about above mentioned figures /related factors /numbers of HCFs/waste generation and their rate(s) of variations/increments during the existing or operative period of proposed CBWTFs. The proponent(s) cannot make any claim about the veracity of the earlier provided data either before/during/after submission of their EOIs and/or Detailed Proposals later and/or during establishment and/or scheduled operational period of proposed CBWTF(s).</p>
3 (i)	<p>May this point be removed as Delhi Government is not providing any land. Also by making the service free to the Government HCE. The Occupier shall hand over segregated waste get the waste as suggested in the Schedule I of BMW Rules 2016. As this will be overlooked by the HCE. This is against the principle of Polluters Pay Principal and will lead to unsegregated waste deposit violating Rules. Weather Government or Private Party each one has to be given equally accountability. Or else Private units will be unnecessary charged for it.</p>	<p>No change. As per Prevailing Directorate of Health Services, Govt. Of NCT Of Delhi rates, services to Delhi Govt. HCFs is being provided free of cost by currently operational CBWTFs.</p>
3 (j)	<p>Please provide the details which DPCC & Delhi Government is facilitating the Eolder through this Eol</p>	<p>Refer EOI document for details.</p>
3 (k)	<p>We request DPCC/Delhi Government to clarify on the Capital Grant to be provided to this project for ensuring the viability of the project.</p>	<p>No such Capital Grant proposed.</p>

3 (l)	We request DPCC/Delhi Government that EC should be in their scope	No change. Please refer scope of work in EOI document.
4 (a)	As per Tender Act, EOIDER should be registered company in India under Company act/ society/ trust/ partnership/ proprietorship	Ok. Companies registered under Company act/ society/ trust/ partnership/ proprietorship can apply for Eol
4 (a)	The Eolder should have atleast one professional on pay roll having degree/ diploma in any branch of Engineering , Environmental or Medical science	No change
4 (b)	Remove the Land criteria as mandatory	Possession of land (owned/ leased) at the time of Eol submission is mandatory
4 (c)	The presently operation CBWTF in Delhi, intending to continue operation at the present location shall not be eligible for applying for this Eol; even in JV	Pls refer EOI document
4 (d)	Evaluation should consider the experience in handling maximum no. of CBWTFs, along with the capacity	No Change
4 (e)	Remove the evaluation based on use of technology in the CBWTFs being operated by the bidder	No Change
4 (f)	Remove evaluation criteria based on possession of land	No Change. Possession of land (owned/ leased) at the time of Eol submission is mandatory
5 (a)	Since process of EC takes 8-12 months, kindly change the time line of the project as 12 months after obtaining EC	No change.
5 (b)	Relax the criteria of possession of land and instead include: procure land within 6 months from date of award	No change.
5 (c)	Provide no. of beds covered by Delhi Govt. Hospital as the service to them is to be provided free of cost	Delhi Govt. HCFs being catered by existing CBWTF are : Region 1: Dispensaries: 71 DHS Hospital: 9 (~3830 beds) Mohalla clinic: 59 Region 2:

		<p>Dispensaries: 97 DHS Hospital: 19 (~5698) Mohalla clinic:114</p> <p>Issue will further be addressed at RFP stage.</p>
5 (d)	The estimated turnover of a single CBWTF will not be more than 5 crore. Kindly allow minimum turn over as 5 crore in last 3 years	No change.
5 (e)	The lead member should have 51% of joint turn over. This would restrict technically sound party for bidding. Kindly allow joint turn over for eligibility criteria.	No change.
5 (f)	Since no EOIders from outside Delhi will have land available with them at the time of EOI, Relax the criteria of possession of land and instead include: procure land within 6 months from date of award	No change.
5 (g)	Kindly share the rates of bedded and non bedded HCFs being currently charged in Delhi	Website of Directorate of Health Services, Govt. Of NCT of Delhi be referred for prevailing rate list being charged from HCFs
6 (a)	<p>From last 10 years we are operating the CBWTF facilities for both the proposed regions, and our turnover is not more than Rs. 6 Crore.</p> <p>Based on this the proposed tender capacity turnover is not more than 6 Crore, and the tender requires turnover requirement is Rs.10 Crore per year for each of the last three year, which is not in line with CVC guidelines.</p> <p>Hence we request to kindly reduce the requirement of Rs. 10 Crore to Rs. 6 Crore.</p>	No change
6 (b)	We request authority to include first Right of refusal clause in the proposed EOI/RFP in favor of existing operator, catering this region from last 10 years, as existing party is already set up complete facilities and can operate from the date of order.	No change

	Same practice is followed in many tenders as it save the capital investment and interest cost burden to service user.	
6 (c)	Please confirm the ownership rights of the Bio-medical waste as per legal provision.	Pls Refer BMW rules 2016 and CPCB guidelines
6 (d)	Please confirm the provisions/rights (under different acts/rules) empowering DPCC to invite EOI for 10 years.	It's a Policy Decision
6 (e)	Whether the constitution and by-laws of DPCC empowers Member Secretary to invite proposed EOI to collect license fee from successful Bidder. Please clarify.	In place of license fee, a one- time bidding amount to be paid by the successful bidder. It's a Policy Decision
6 (f)	Which Act/ rule empowers DPCC to charge License Fee from Bidders	In place of license fee, a one- time bidding amount to be paid by the successful bidder. It's a Policy Decision
6 (g)	How DPCC shall protect the interest of successful bidder, if in near future the city corporation/ULB floated the same tender /Claim the ownership of Bio-medical waste. Please elaborate the legal rights of DPCC.	Kindly refer BMW rules 2016 and CPCB Guidelines
6 (h)	<p>What is the logic behind to provide free of cost service of collection, transportation, treatment and disposal of BMW to the Delhi Government health care facilities, where no financial /land contribution toward the setting up the facilities is provided by Government. This provision is contradictory to Hon'ble Supreme Court verdicts in the past of polluters to pay principle.</p> <p>The proposed free service to Government health care unit and licence fee to be collected by DPCC shall be unnecessary burden to health care unit and ultimately it will be burden to common man. Please remove both clause and follow the principal of equality and polluters to pay principle.</p>	Policy decision for Delhi Govt. HCFs in view of prevailing rates of Directorate Of Health Services, Govt. Of NCT Of Delhi.
6 (i)	Please confirm whether DPCC shall collect the License Fee from other existing facility which is privately developed and operated by Biotic Solution. If yes what shall be methodology of fixing the license fee, please elaborate, if License fee is not charged to biotic solution then it shall be	In place of license fee, a onetime bidding amount is to be paid by the successful bidder, hence it is only

	<p>injustice to HCES of proposed reasons and facility. Why DPCC is not inviting tender for full Delhi as per NGT orders to have 4 facilities to Delhi.</p> <p>Why DPCC is not inviting tender for full Delhi as per NGT orders to have 4 facilities to Delhi.</p>	<p>applicable for new CBWTF operators who will be awarded the work.</p> <p>The EOI has been prepared after the gap analysis in 2020 as mandated under CPCB guidelines.</p>
6 (j)	<p>We are operating CBWTF awarded by Directorate Of Health Services, Govt. Of NCT Of Delhi On Government land. As per agreement the plant should be operated for 10 years without further renewal/cancellation clause. DJB letter of allotment of land specify the renewal of land lease after 10 years, even Directorate Of Health Services, Govt. Of NCT Of Delhi/DJB have kept additional 0.5 acre land for future expansion also. By floating this EOI, DPCC insisting Eolder to come up with private land to set up CBWTF instead ensuring to renew existing CBWTF on Government land which is not in line with BMW Rule 2016 which states that land should be provided by Govt. there is no problem of the land to govt than why private land is demanded.</p>	<p>Pls refer BMW Rule 2016 and CPCB guidelines</p>
6 (k)	<p>When Govt. is able to renew our existing CBWTF for shorter period as per their needs till new facility is developed, we wish to clarify why Govt. is not allowing us to operate for next 10 years and allowing other private facility Biotic which is discriminatory action. Why tender are not invited as per affidavits filed in NGT by Govt.</p>	<p>Pls refer BMW Rule 2016 and CPCB guidelines</p>
6 (l)	<p>BMW rule 2016 says that, its ULB responsibility to provide Government land to set up CBWTF, then why DPCC is floated EOI to come with private land.</p>	<p>Pls refer BMW Rule 2016 and CPCB guidelines</p>
6 (m)	<p>We request DPCC to redistribute the catchment area between all three facilities (Proposed two and One Operating Facility which biotic Solution).</p>	<p>No comment at this stage as It's a suggestion.</p>
7 (a)	<p>We request department to confirm and ensure that all the units under Delhi Government health care facilities shall bind that all the BMW waste from respective health care facilities shall dispose in proposed unit only.</p>	<p>Pls refer BMW Rule 2016 and CPCB guidelines</p>

	Please confirm the proposed district healthcare waste shall not be disposed by any other means, other than the proposed CBMTF.	
7 (b)	Kindly consider start date after obtaining all clearances, consents and approvals. Also we request Govt. to support to get all clearances.	No Change.
7 (c)	Considering the provision of the BMW rule 2016, we request to approach ULB to provide the suitable land as per the law, so that the project can be set up with Govt. support	No Change. Pls refer CPCB guidelines dated 21 December 2016 and BMW Rules 2016.
7 (d)	Kindly confirm why separate EOI with complete requirement is required as it is single tender on https://govtprocurement.delhi.gov.in	Indicating preference as per Annexure I of EOI will suffice.
7 (e)	<p>If Eolder wish to apply for both region, then kindly clarify whether the Eolder should submit two EOI or mention the Preference of Region as per Annexure-I.</p> <p>If Eolder apply 2 EOI for both region, and Eolder become H1 in both region, then kindly confirm Eolder had choice to select any one or it should be as per client choice.</p> <p>If Eolder apply 2 EOI for both region , and Eolder become H1 in both region, in that case what will be the final price of H2 Eolder, whether H2 should match H1 price or H2 will award as per submitted offer.</p> <p>Kindly clarify the Eolder can apply in 2 Region EOI with same land.</p>	<p>Indicating preference as per Annexure I of EOI will suffice.</p> <p>In case a bidder is H1 for both regions, the work shall be awarded as per the preference provided by EOlder in Annexure I of EOI</p> <p>If a bidder is H1 for both regions, H2 will be offered to match the quote of H1 and so on, for the other region.</p> <p>Yes.</p>
7 (f)	Kindly clarify, the Defect Liability Period	Shall be addressed during RFP
7 (g)	If in future any other Government policies or requirement other than tender requirement is come and forced to applicable in project, then in that cases all charges shall be paid extra by client and required time for the same shall be extended from contract period. Request to consider and confirm the same	Will be dealt suitably at appropriate stage. No comments required at this stage.

7 (h)	<p>In this type of contract, the contractor has to set up infrastructure on his own expenses and payment shall be get from on monthly basis, which is depends upon the quantity of waste. Hence we request to kindly reduce it to 3%, and same will reduce the cost of bidding because bidder needs to add interest of 5% in his bid.</p> <p>Also the range of 5-10% is not advisable; please fix it upto 3%.</p>	<p>As per Ministry of Finance latest order dated 12 November, 2020 the performance security shall be 3% subject to any modification by Ministry of Finance at RFP stage.</p>
7 (i)	<p>If due to any pandemic conditions arises in future (line COVID-19) and due to which the project becomes delay, then please consider extension in time limit for the period until which the conditions becomes normalized.</p> <p>Also the clause of penalty due to non-completion or non-performance for such period shall be not applicable , kindly consider and confirm</p>	<p>Will be dealt suitably at appropriate stage. No comments required at this stage.</p>
7 (j)	<p>We request to extend the date of submission of tender by 60 days after clarification of all queries.</p>	<p>No change</p>
7 (k)	<p>Kindly confirm the minimum qualified EOI for each region is must to issue RPF.</p>	<p>All Eolder securing 50% marks as per evaluation criteria shall qualify</p>
7 (l)	<p>As per general practice and in other tenders, the successful Eolder must form a SPV to operate the facilities, hence we request to kindly confirm that the successful Eolder need to form SPV to run the CBWTF.</p>	<p>No comments. It's a suggestion.</p>
7 (m)	<p>The requirement of 0.5 acre land is not required in EOI stage and can be consider during RFP stage.</p> <p>Also remove the marking system for land requirement for qualification purpose.</p>	<p>No Change</p>
8 (a)	<p>It is requested to provide the rates that can be charged from Health Care Facilities. Further the same shall be circulated to all Health Care Facilities.</p>	<p>Visit Directorate of Health Services, Govt. of NCT Of Delhi website for prevailing rate being charged from HCFs.</p>
8 (b)	<p>In case where a Lead member meeting all the eligibility condition however forming a JV with a Land owning company or a Lessee to fulfill the Land criteria, other JV</p>	<p>No Change</p>

	member's audited financial statements should not be mandatory to be submitted.	
8 (c)	Please confirm that EOlder can participate for both the region with the land lease agreement for the same land parcel as at the end only one region shall be awarded to a particular EOlder.	Yes. Preference to be provided as per Annexure I of EOI
8 (d)	<p>It is a standard practice to allow the credentials of Associate companies for meeting the eligibility criteria. Hence following modification is suggested:</p> <p>"For the Minimum Eligibility Criteria and evaluation, credentials of holding company / subsidiary company/ Associates of the EOlder shall be accounted for.</p> <p>For purposes of this EOI, Associate means, in relation to the Bidder/ Consortium Member, a person who controls, is controlled by, or is under the common control with such Bidder/ Consortium Member (the "Associate"). As used in this definition, the expression "control" means, with respect to a person which is a company or corporation, the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such person, and with respect to a person which is not a company or corporation, the power to direct the management and policies of such person by operation of law.</p>	No Change
8 (e)	ESI/PF statements are asked to establish the years of experience, however in case of a foreign company such documents are not available. Hence it is requested to allow a self-certificate from the HR department of the EOlder stating the years of experience along with the CV as a supporting document under this criteria	Will be suitably considered during evaluation stage in case of foreign companies.

8 (f)	Since the experience is of the foreign country, hence the authorization from the environment authority of the foreign country shall be allowed. Please confirm	Will be suitably considered during evaluation stage in case of foreign companies.
8 (g)	Kindly provide minimum 2 weeks from the date of response of the queries for submission of EOI	No Change