



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

MINISTRY OF PUBLIC WORKS AND TRANSPORT  
PROCUREMENT COMMITTEE

Date: 20<sup>th</sup> Feb 2024

**Subject: The first replies of the Bidders' queries** for OPBRC bidding document, the Climate Resilience Improvement of National Road 13 South Extension (Km 21 to 71) Project (P000618).

Dear all respected bidders,

Reference was made to the pre-bid meeting/workshop conducted on 23-24 January 2024, there are many bidders' queries that need to be replied on the bidding document, in order to provide unified information to all the bidders for completing the quality bidding document, therefore, **we have submitted the first replies on the bidders' queries as the file attached herewith** for your references. These replies will be served as the evidences and part of legal binding in the contract document for the Climate Resilience Improvement of National Road 13 South Extension (Km 21 to 71) Project (P000618).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tingkham' followed by a stylized surname.

**Mr. Tingkham SISAVATH**  
Deputy Head of procurement committee

# REPLIES TO PRE-BID MEETING QUERIES - 23 TO 24/01/2024 AT DOR, MPWT

| Serial No. | Part | Reference to Tender Document (Clause/ Para No. & Page No.)                                                                        | Query Raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Reply                                                                                                                                                                                                                                                                                                                                                                                                                                                           | AIIB Comments                                                                       |
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| 1          | 2    | Ref: B.8.3.5<br>OPM-5: Bridges, Structures and Embankments, Page 56 and other service level requirements applicable for the road. | The maintenance and reinforcement of the 223-meter-long Sithong Bridge. From the available information, it is not possible to determine whether the current condition of the bridge meets the requirements. If the design consultant evaluates this bridge cannot meet the load and use requirement, how will the contractor handle it, and who will bear the cost for it?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Under the OPBRC contract, the contractor is only responsible for ensuring the service level requirements on the bridge as stated in the Specifications. The contractor is not responsible for the structural integrity of the bridge. Work on structural elements is not required under the contract, besides normal maintenance of the road over the bridge and pedestrian facilities.                                                                         |                                                                                     |
| 2          | 3    |                                                                                                                                   | Regarding the issue of demolition. It can be seen from the preliminary design drawings in Volume 3 that there are buildings and structures within the red lines of some road constructions. The summary of the bidding document requires that the entire site should be handed over within 60 days after the commencement of the project, but does not indicate which party will be responsible for demolition. Will the owner or the contractor organize the demolition?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>a) The resettlement activities have been prepared long time and are ongoing. They are expected to be completed before the handing over of the site to the contractor. The demolition of houses is not the responsibility of the contractor.</p> <p>b) The responsibility for the supervision of resettlement activities is with the appointed resettlement committee and PUC. The asset owner will be responsible for removing assets such as buildings.</p> |                                                                                     |
| 3          | 3    |                                                                                                                                   | Regarding the protection or diversion of existing electricity, pipelines, etc. We can see from the drawings that there are residents along the project, and there is a high probability that the electricity, pipelines, etc. will pass through the existing road way. If the electricity and pipelines need to be diverted, What's the specific tasks should the contractor to undertake?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | a) The client (DoR) will responsible for removal or reinstallation of public utilities that will be impacted by the execution of the OPBRC, before handing over the site to the contractor. The client will coordinate with concerned related authorities for removal and/or reinstallation.                                                                                                                                                                    |                                                                                     |
| 4          | 1    | Ref: the first amendment of the bidding document                                                                                  | Refer to Letter of Bid-Financial Part, page 100 of bidding document Volume I, BD describe as "the amounts of the Optional Tranche (f) and (g) and of the emergency works (h) shall become provisional sums in the signed contract. Combined Price: We hereby confirm that our combined price for rehabilitation works does not exceed the threshold given in the BDS ITB 33.4 which is eighty (80) percent of the total bid price including maintenance services, rehabilitation works and emergency works and emergency works (see price items a, c, d, f and h above), but excluding the price for the construction and operation of the axle load control stations (see price items b and e above) and any other provisional sums. It means the price for rehabilitation and improvement works including a, c, d, f and h (f and h are provisional), not include b and e. But ITB 33.4 is described." The combined price for the rehabilitation and improvement works may not exceed the following threshold: | The provisions concerning the ceiling of the combined price for rehabilitation and improvement works are to be revised through the amendment to the bidding document.                                                                                                                                                                                                                                                                                           |  |



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|    |   |                                                  | 80 (eighty) percent of the total bid price excluding provisional sum" It means the price for Rehabilitation and Improvement Works including c, d and e, and (c+d+e) not more than 80%" (a+b+c+d+c), and f, g, h are provisional. Please confirm which one is right.                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                                                                                                                                                           |
| 5  | 1 |                                                  | We propose to your kind side provide the indicative Volume of work of project. Although the bidder can calculate the quantity of work based on conceptual design and on-site measurement results, there may be significant differences in the results calculated by each bidder, and certain quantities may be omitted or added... if the bid price is low due to the omission of certain work content, it may not be conducive to the implementation of the contract. Please consider this. |  | The bidder carries the risk of correctly estimating the works quantities and pricing his bid accordingly.                                                                                                                                                                                                                                                                 |
| 6  |   |                                                  | Following the Bidding Document, we found that the designed street light (lamp post double bracket) use electricity, so who will bear the electricity costs during the rehabilitation and maintenance periods.                                                                                                                                                                                                                                                                                |  | The cost of electricity needed for operating the street lights (and any other fixtures needing electricity) shall be borne by the contractor who has to calculate the cost and price this in his bid.                                                                                                                                                                     |
| 7  | 1 |                                                  | Is the project taxes and duties exemption?                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | No, the bidders are responsible for Taxes, Duties, Income Taxes in according to Lao PDR's laws. All the bidding cost have to include all prices include taxes, duties, fees.                                                                                                                                                                                              |
| 8  | 1 |                                                  | Do the bidders/ contractor has to provide the transport, accommodation and office for the monitoring consultant?                                                                                                                                                                                                                                                                                                                                                                             |  | Information on the applicable taxes and duties can be obtained from Ministry of Finance.                                                                                                                                                                                                                                                                                  |
| 9  |   |                                                  | The connection of electricity to the Weighting station who will be responsible, bidder/contractor or the client                                                                                                                                                                                                                                                                                                                                                                              |  | No, the monitoring consultant is responsible for to organize and pay for his own transport, accommodation and office space as stated separately in the monitoring consultant's terms of reference.                                                                                                                                                                        |
| 10 | 3 |                                                  | Some of the overpass may not necessary can we eliminate it?                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | See the amendment to the bidding document concerning the axle load control stations.                                                                                                                                                                                                                                                                                      |
| 13 | 2 | Ref: the first amendment of the bidding document | Payment for providing the "Minimum service level" before and during rehabilitation works.                                                                                                                                                                                                                                                                                                                                                                                                    |  | All overpasses shown in the conceptual design have to be built and included in the bids.                                                                                                                                                                                                                                                                                  |
| 14 |   | Ref: the first amendment of the bidding document | Requirement for completing at least 20 km of rehabilitation works in the first 18 months of contract execution.                                                                                                                                                                                                                                                                                                                                                                              |  | The amendment to the bidding document eliminates the separate payment for providing the "minimum service level", which is to be included by bidders in the lumpsum price for Rehabilitation Works. The separate payment for providing the "normal service level" remains as stated in the bidding document and is applicable when all rehabilitation works are completed. |
| 15 |   | Ref: the first amendment of the bidding document | Requirement for building and operating the axle load control stations.                                                                                                                                                                                                                                                                                                                                                                                                                       |  | This requirement is removed. However, overall requirement to complete all rehabilitation works within three years remains.                                                                                                                                                                                                                                                |
| 16 | 3 |                                                  | Is it possible to provide The AUTO CAD file of the Conceptual Design?                                                                                                                                                                                                                                                                                                                                                                                                                        |  | The amendment to the bidding document removes the requirement for building and operating the axle load control stations. DoR's intention is to build the axle load control stations through a separate stand-alone contract and have these operated by the OPBRC contractor through an agreement to be negotiated between DoR and the OPBRC contractor.                   |
|    |   |                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  | The AUTO CAD file of the conceptual design will be provided to the successful bidder.                                                                                                                                                                                                                                                                                     |

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| 17 | 1 | Section III – Evaluation and Qualification Criteria, page 57 EXP 4.2(a) | According to the requirements in form EXP4.2(a), it is stipulated that there must be either two contracts with a value of at least 30 million or four contracts with a value of at least 75 million. Our concern pertains to the mandated use of asphalt concrete pavement. Can we seek clarification on whether it is permissible to include contracts involving DBST or concrete pavement experience to fulfill these criteria?                                                    | EXP 4.2(a) defines as "similar contract": "Each of the contracts presented under this criterion must meet the following minimum essential requirements: Construction or Rehabilitation of paved roads."                                                                                                                                                                                                                                    |  |
| 18 | 1 | Section III – Evaluation and Qualification Criteria, page 58 EXP 4.2(b) | "In form EXP 4.2(b), it is specified that bidders are required to possess a minimum construction experience in the construction or major rehabilitation of roads with asphalt concrete pavement. This should include an accumulative average rate of production of at least 15 km of road asphalt concrete pavement completed per year. Is it permissible if the experience is only 9 kilometers over the past 10 years, considering that the average road width exceeds 40 meters?" | The requirement is that the bidder must have successfully produced on average at least 15 km of road asphalt concrete pavement per year during the past ten years.                                                                                                                                                                                                                                                                         |  |
| 19 | 1 | Section III – Evaluation and Qualification Criteria, page 58 EXP 4.2(b) | In form 4.2(b), concerning the joint venture requirements, it is specified that in Column One, one member must fulfill at least 60% of the production rate requirement. If one member meets the requirement at 100%, is it necessary to supplement the experience of the other member, or is it deemed sufficient as is? please see the photo attached.                                                                                                                              | All members combined must meet the requirements.<br>One member must fulfill at least 60% of the production rate requirement.                                                                                                                                                                                                                                                                                                               |  |
| 20 |   |                                                                         | Whether the porous material used for the slope cushion is gravel or others is not indicated in the drawing and Specifications                                                                                                                                                                                                                                                                                                                                                        | The material for the porous layer under riprap shall consist of sand, gravel, stone or coarse sand subject upon approval of monitoring consultant. The material of this porous layer has to be judiciously selected to fulfil the purpose to prevent escape of the embankment material through the voids of the grouted or loose riprap as well as to allow free movement of water without creating any uplift head on the grouted riprap. |  |

*See*