
NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites Open e-Tenders on Local Competitive Basis (LCB) from all countries and all areas, who fulfil qualification criteria as stipulated in clause 1.1.4 of NIT, for the work, **CT-11“Supply, Installation, Testing and Commissioning of Ballast less Track of Standard Gauge, Additional Corridor of Sections of Mundka - Bahadurgarh (Line-5 Extn.) & Dwarka - Najafgarh in elevated and underground sections along with Ballasted/Ballast less Tracks in Depots at Bahadurgarh & Najafgarh of Delhi MRTS Project of Phase-III”**

The scope of the work and site information is provided in Clause A1 of ITT and in the Employer's Requirement (Volume –3).

1.1.2 Key details :

Approximate cost of work	INR 118.00 Crores
Tender Security amount	INR 2.36 Crores
Completion period of the Work	18 months
Tender documents on sale	From 18.05.2015 to 29.06.2015 (upto 11:00 hrs) on e-tendering website www.tenderwizard.com/DMRC Tender document can only be obtained after registration of tenderer on the website www.tenderwizard.com/DMRC . For further information on this regard bidders are advised to contact 011-49424307, 011-49424365 or 011-23417910
Cost of Tender documents	INR 21,000/- (inclusive of 5% DVAT) Non-Refundable (Demand Draft /Banker's cheque) in favour of "Delhi Metro Rail Corporation Ltd" payable at New Delhi.) Cost of tender documents i.e, D.D./Banker's cheque, in original, shall be accepted only upto 15:00 hours on 29.06.2015 in the office of Executive Director/Contracts at below mentioned address.
Pre-bid Meeting	02.06.2015 @ 11:00 Hrs.
Last date of Seeking Clarification	04.06.2015 (Queries from bidders after due date shall not be acknowledged)
Last date of issuing addendum	12.06.2015
Date & time of Submission of Tender	29.06.2015 @ 15:00 Hrs.
Date & time of opening of Tender	29.06.2015 @ 15:05 Hrs.

Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	ED (Contracts), Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001
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1.1.3 DMRC is receiving an ODA Loan vide Loan Agreement No. ID-P222 dated 29.03.2012 for 127 billion Japanese Yen from JAPAN INTERNATIONAL COOPERATION AGENCY hereinafter called JICA toward the Part cost of Phase-III of Delhi MRTS, and intends to apply a portion of the proceeds of the loan to payments under this contract. Disbursement of an ODA Loan by JAPAN INTERNATIONAL CO-OPERATION AGENCY will be subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the 'Guidelines for Procurement under JICA ODA Loans'. No party other than DMRC shall derive any rights from the Loan Agreement or have any claim to loan proceeds. The above Loan Agreement will cover only a part of the project cost. The remaining portion shall be financed through equity participation by the Government of India and Government of National Capital Territory of Delhi and other appropriate means.

1.1.4 QUALIFICATION CRITERIA :

1.1.4.1 Eligible Applicants : Please refer Clause A3 of ITT

1.1.4.2 Minimum Eligibility Criteria :

A. Work Experience:

A1. Specific Construction Work Experience: The bidder shall have a past experience of installation of ballastless track length equal to 28 KM on MRTS or main lines of passenger Railway Systems including High Speed Rail in last 7 years ending 31.05.2015. This experience may be from single work, a sum of experience of ballastless track on multiple works and can be of different partners of the bidder in case of JV / Consortium. In case of double/multiple line, each line will be counted separately.

Please note that the, experience on ballastless tracks on a system having design axle load less than 12 Tons, or portions of work having design speed less than 70 Km/h or Tramways shall not be considered. Components of ballastless track works in sidings, spurs and other non-passenger portions shall also not be considered.

A1.1 For welding of Rails, the bidder /JV Partner/ Consortium shall have RDSO approved Flush Butt Welding Plant as on date of opening of bid.

A2. General Construction Work Experience:

Each substantial partner of JV/Consortium shall also have a construction experience of at least one civil engineering work consisting of any of the Tunnelling / System works (Signalling or Traction)/ Underground works / Bridges / Viaducts / RCC buildings / ballasted or ballastless track installation of value of more than or equal to INR 47.20 Crores in last 7 years ending 31.05.2015.

Notes on work experience:

- (i) Work experience of only substantial partner (partner with share of 26% or more in the JV / Consortium) shall be considered for evaluating of JV/Consortium.
- (ii) The lead partner in case of a JV/Consortium shall be the one who has the experience of installation of Ballastless Track work.
- (iii) In case of joint venture / Consortium, full value of the work, if done by the same joint venture shall be considered. However, if the work done by them in another JV/consortium, value of work as per their percentage participation in that JV shall only be considered.
- (iv) The bidder shall submit details of work executed by them in the Performa of Annexure-1A, 1B, 1C and 1D of NIT for the works to be considered for qualification of work experience criteria. Documentary proof such as completion certificates from client clearly indicating the nature/scope of work, actual completion cost and actual date of completion for such work are required to be submitted. In case the work is executed for private client, copy of work order, bill of quantities, bill wise details of payment received certified by C.A., T.D.S certificates for all payments received and copy of final/last bill paid by client shall also be submitted. **The offers submitted without this documentary proof shall not be evaluated.**
- (v) Quantity of successfully completed portion of any ongoing work up to 31.05.2015 will also be considered for qualification of work experience criteria.
- (vi) For general construction completed works, value of work done shall be updated to 31.05.2015 price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. The exchange rate of foreign currency shall be applicable 28 days before the submission date of tender

A3. Fastening System

The fastening system for ballastless track is to be provided by the contractor in this contract. The fastening system is to conform to the Performance Criteria issued by Ministry of Railways, Government of India vide their letter no. 2009/Proj/MAS/9/2 dated 21.05.2010 and the proposed fastening system **must already have** the approval of the Ministry of Railways, Government of India. The bidder shall submit the copy of the approval of Ministry of Railways alongwith compliance on the observations, if any, appended by the Ministry of Railways while according its approval.

Fastening system not having approval of Ministry of Railways will not be considered. If more than one technically complaint fastening system proposals are submitted by the bidder they would have the option of adopting any one of them at the execution stage provided all clauses mentioned in tender regarding fastening are compliant. Use of multiple fastening system would, however, not be allowed.

B. - Financial Standing: The bidders will be qualified only if they have minimum financial capabilities as below:

(i) T1 – Liquidity-

- (a) The bidder must have liquidity equal to cash flow requirement of value **19.67 Crores** (3 months as per linear distribution of cash flow) for the contract.
- (b) The liquidity shall be ascertained from Net Working Capital {Current Assets – (current liabilities + provisions)} as per latest audited balance sheet and/or from the Banking reference(s).
- (c) Banking reference(s) should contain in clear terms the amount that the Bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Working Capital (as seen from the Balance Sheet) is negative, only the Banking reference(s) will be considered, otherwise the aggregate of the Net Working Capital and submitted Banking reference(s) will be considered for working out the Liquidity.
- (d) The Banking references should be from a Scheduled Bank in India or from an International Bank of repute (in case of foreign vendors) as per standard performa provided in ITT as Annexure-11 and it should not be more than 3 months old as on the date of submission of bids.
- (e) In Case of JV: - Requirement of working capital is to be distributed between members as per their percentage participation and every member should satisfy the requirement for his portion.

Example: Let member-1 has percentage participation=M and member-2 has percentage participation=N. If minimum working capital required is 'W' then working capital of member-1 $\geq \frac{W \cdot M}{100}$ and working capital of member-2 $\geq \frac{W \cdot N}{100}$.

- (f) In case the applicant is a Joint Venture/Consortium and if Banking Reference is issued by the bank in favour of the Joint Venture/Consortium for this contract, then it will be considered for the bidder and if the Banking reference(s) is issued in favour of any member of JV/Consortium it will be considered only for that member.

(ii) T2 - Profitability: Profit before Tax should be Positive in at least 2(two) year, out of the last five audited financial years

In Case of JV - The profitability of only lead member shall be evaluated.

(iii) T3 - Net Worth : Net Worth of bidder must be positive in the latest audited financial balance sheets.

In Case of JV, the algebraic sum total of Net Worths of all the members as per the latest audited balance sheets shall be considered the Net Worth of the bidder.

(iv) T4 - Annual Turnover: The average annual turnover from construction of last five financial years should be \geq **118.00 Crores.**

In Case of JV – the bidder must fulfil the following conditions:

1. Each partner to have minimum 25% of minimum requirement.
2. At least one partner to have 40% of minimum requirement.
3. All partners put together should meet the minimum requirement as per their percentage participation.

Example: Let Member-1 has percentage participation = M and Member - 2 has =N. Let the average annual turnover of Member-1 is 'A' and that of Member-2 is 'B', then the average annual turnover of JV will be

$$\frac{=AM+BN}{100}$$

Notes:

- Financial data for latest last five audited financial years has to be submitted by the bidder in **Annexure-2** of NIT along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature. In case audited balance sheet of the last financial year is not made available by the bidder, he has to submit an affidavit certifying that 'the balance sheet has actually not been audited so far'. In such a case the financial data of previous '4' audited financial years will be taken into consideration for evaluation. If audited balance sheet of any other year than the last year is not submitted, the tender will be considered as non-responsive.
- Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.

1.1.4.3 Bid Capacity Criteria :

Bid Capacity: The bidders will be qualified only if their available bid capacity is more than the approximate cost of work as per NIT. Available bid capacity will be calculated based on the following formula:

$$\text{Available Bid Capacity} = 2 * A * N - B$$

Where,

A = Maximum of the value of construction works executed in any one year during the last five financial years (updated to 31.03.2015 price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year).

N = No. of years prescribed for completion of the work

B = Value of existing commitments (**as on 31.05.2015**) for on-going construction works during period of **18 months w.e.f. 01.06.2015**.

Notes:

- Financial data for latest last five financial years has to be submitted by the bidder in **Annexure-3A** of NIT along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature in original.
- Value of existing commitments for on-going construction works during period of **18 months w.e.f. 01.06.2015** has to be submitted by the bidder in **Annexure-3B** of NIT.
- These data shall be certified by the Chartered Accountant with his stamp and signature.
- In the case of a group, the above formula will be applied to each member to the extent of his proposed participation in the execution of the work. If the proposed %is not provided, equal participation will be assumed.

1.1.4.4 Corporate Debt Restructuring :

The bidder shall not be currently in the process of financial restructuring under Corporate Debt Restructuring Mechanism. The bidder has to provide undertaking to this effect.

1.1.4.5 The tender submission of bidders, who do not qualify the minimum eligibility criteria, bid capacity criteria and corporate debt restructuring stipulated in the clauses 1.1.4.2 to 1.1.4.4 above, shall not be considered for further evaluation and considered rejected. The mere fact that the bidder is qualified as mentioned in sub clause 1.1.4.2 to 1.1.4.4 shall not imply that his bid shall automatically be accepted. The same shall be subject to the data as required for consideration of tender prescribed in the ITT

1.1.5 The Tender documents consist of :

Volume 1

Notice Inviting Tender (including Annexures)
Instructions to Bidders (including Annexures)
Form of Tender (including Appendices)

Volume 2

General Conditions of Contracts
Special Conditions of Contract (including Schedules)

Volume 3

Employer's Requirements – General Specification
Employer's Requirements – Particular Specification
Employer's Requirements – Appendices

Volume 4 Tender Drawings

Volume 5 Bill of Quantities and Explanatory Notes to BOQ

Volume 6 Condition of Contract on Safety, Health & Environment (SHE) Ver 1.2

1.1.6 The contract shall be governed by the documents listed in para 1.1.5 above along with latest edition of CPWD Specification, IRS Specifications & MORTH Specifications. These may be purchased separately from the market.

1.1.7 The bidders may obtain further information/ clarification, if any, in respect of these tender documents from the office of ED (Contracts), Delhi Metro Rail Corporation, 5th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001.

1.1.8 The intending bidders must be registered on e-tendering portal www.tenderwizard.com/DMRC. Those who are not registered on the e-tendering portal shall be required to get registered beforehand. If needed they can be imparted training on 'online tendering process'. After registration the tenderer will get user id and password. On login tenderer can participate in tendering process and can witness various activities of the process.

1.1.9 The authorized signatory of intending bidder, as per Power of Attorney (POA), must have valid class-III digital signature. The tender document can only be downloaded or uploaded using Class-III digital signature of the authorized signatory.

1.1.10 Tender submissions will be made online after uploading the mandatory scanned documents towards cost of tender documents such as Demand Draft or Pay Order or Banker's Cheque from a Scheduled commercial bank based in India and towards Tender Security such as Bank Guarantee or Demand Draft or Pay Order or Banker's Cheque from a Scheduled commercial bank based in India and other documents as stated in the tender document.

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- 1.1.11 All bidders are hereby cautioned that tenders containing any material deviation or reservations as described in Clause. E 4.4 of “Instructions to Bidders” and/or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.
- 1.1.12 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.13 Tenders shall be valid for a period of 120 days from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount (as per Annexure-7 of ITT) from Scheduled Commercial Bank in India in the form as under.
- a. An irrevocable Bank Guarantee
 - b. An irrevocable Letter of Credit
 - c. A Demand Draft/Pay order.
- 1.1.14 DMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No bidder shall have any cause of action or claim against the DMRC for rejection of his proposal.
- 1.1.15 Bidders shall note that the maximum file size that can be uploaded is 5 MB. All the uploaded files in tender submission should be named properly and arrange systematically.
- 1.1.16 The bidders are advised to keep in touch with e-tendering portal www.tenderwizard.com/DMRC for updates.

ED (CONTRACTS)
Delhi Metro Rail Corporation

SPECIFIC CONSTRUCTION WORK EXPERIENCE

Applicant's legal name **Date**.....

Group Member's legal name..... **Page** of **pages**

For works of installation of ballastless track on MRTS or main lines of passenger Railway Systems including High Speed Rail as per clause no. 1.1.4.2 (A1) in last 7 years ending on last day of month previous to the month of tender submission.

Specific Construction Work Experience		
Contract Number _____ of _____ required	Information	
Contract Identification		
Award date		
Completion date		
Employer's Name		
Employer's Address: Telephone / Fax number: E Mail		
Role in Contract (Individual/JV-Consortium member)	Individual	JV Member
Completion Cost	As stated in Clients Certificate	In equivalent INR at 31.05.2015 price level
If JV member specify percentage participation in contract & amount (Please refer Note-1)	% participation	Amount corresponding to percentage participation (In equivalent INR at 31.05.2015 price level)
Length of Ballastless Track installed		In case of JV/Consortium, actual length executed by the Applicant (duly substantiated with Client Certificate)

- NOTE:**
1. Only the value of contract as executed by the applicant/member in his own name should be indicated. Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.
 2. Separate sheet for each work along with Clients Certificate to be submitted.

CONSTRUCTION WORK EXPERIENCE OF JV MEMBERS**(TO BE FILLED BY EACH OF THE JV MEMBER)**

Applicant's legal name Date.....

Group Member's legal name..... Page of pages

For works of civil engineering consisting of any of the Tunnelling / System works (Signalling or Traction) / Underground works / Bridges / Viaducts / RCC buildings / ballasted or ballastless track installation of value of more than or equal to the 40% of the 'Approximate cost of work' given in NIT in last 7 years as per clause no. 1.1.4.2 (A 2) or more at the price level on last day of month previous to the month of tender submission (considering escalation as per Clause 1.1.4.2 of Notes Bullet no. iv)

Construction Work Experience of JV Members		
Contract Number _____ of _____ required	Information	
Contract Identification		
Award date		
Completion date		
Employer's Name		
Employer's Address: Telephone / Fax number: E Mail		
Role in Contract (Individual/JV-Consortium member)	Individual	JV Member
Completion Cost	As stated in Clients Certificate	In equivalent INR at 31.05.2015 price level
If JV member specify percentage participation in contract & amount (Please refer Note-1)	% participation	Amount corresponding to percentage participation (In equivalent INR at 31.05.2015 price level)
Nature of work : Tunnelling / System works (Signalling or Traction) /UG Work/ Bridge/ RCC buildings/ Ballasted or Ballastless track installation	Please specify	
Cost component of above component (s) in equivalent INR at 31.05.2015 price level		

NOTE: 1. Only the value of contract as executed by the applicant/member in his own name should be indicated. Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.

2. Separate sheet for each work along with Clients Certificate to be submitted.

ANNEXURE - 1C: Summary of Information provided in Annexure-1A

Applicant's legal name **Date**.....

Group Member's legal name..... **Page** **of** **pages**

Name of Applicant (each member in case of group)	Total Number of works As per clause no. 1.1.4.2 A1 at the price level of 31.05.2015	No. of contracts delayed, i.e., completed beyond the original date of completion

NOTE:-

1. In case the work was done as JV/Consortium, only the value of work done by the applicant as per his Percentage participation must be given.
2. Reasons of delay whether on contractors account or on account of Employer in each applicable case need to be enclosed separately.

ANNEXURE – 1D: Summary of Information provided in Annexure-1B

Applicant's legal name **Date**.....

Group Member's legal name..... **Page** **of** **pages**

Name of Applicant (each member in case of group)	Total Number of works As per clause no. 1.1.4.2 A2 at the price level of 31.05.2015	No. of contracts delayed, i.e., completed beyond the original date of completion

NOTE:-

1. In case the work was done as JV/Consortium, only the value of work done by the applicant as per his Percentage participation must be given.
2. Reasons of delay whether on contractors account or on account of Employer in each applicable case need to be enclosed separately.

Financial DATA

Applicant's legal nameDate

Group Member's legal name..... Page of Pages

Each Applicant or member of a JV must fill in this form

S.N.	Description	Financial Data for Latest Last 5 Years (Indian Rupees)				
		Year 2010-11	Year 2011-12	Year 2012-13	Year 2013-14	Year 2014-15
1.	Total Assets					
2.	Current Assets					
3.	Total External Liabilities					
4.	Current Liabilities					
5.	Annual Profits Before Taxes					
6.	Annual Profits After Taxes					
7.	Net Worth [= 1 - 3]					
8.	Working Capital [=2 - 4]					
9.	Return on Equity					
10	Annual turnover (from construction)					
11	Gross Annual turnover					

Attach copies of the audited balance sheets, including all related notes, income statements for the last five audited financial years, as indicated above, complying with the following conditions.

1. Separate Performa shall be used for each member in case of JV/Consortium.
2. All such documents reflect the financial data of the Applicant or member in case of JV, and not sister or Parent Company.
3. Historic financial statements shall be audited by Statutory Auditor of the Company under their seal & stamp and shall be strictly based on Audited Annual Financial results of the relevant period(s). No statements for partial periods will be accepted.
4. Historic financial statements must be complete, including all notes to the financial statements.
5. Foreign applicants, in whose country calendar year is also the financial year, may submit all relevant data for the last 5 years i.e. 2010, 2011, 2012, 2013 and 2014.
6. Return on Equity = Net Income / Shareholders Equity
Return on Equity = Net Income is for the full fiscal year (before dividends paid to common stock holders but after dividends to preferred stock).
Shareholders equity does not include preferred shares.
7. The above Annexure shall be duly certified by Chartered Accountant / Company Auditor under his signature & stamp.

FINANCIAL DATA**(CONSTRUCTION WORK DONE DURING THE LATEST LAST FIVE FINANCIAL YEARS)**

**NAME OF THE BIDDER (CONSTITUENT
MEMBER IN CASE OF JV/CONSORTIUM) :**

(All amounts in Rupees in Crores)

S. No.	DESCRIPTION	Financial Data for Last 5 Audited Financial Years				
		Year 2010-11	Year 2011-12	Year 2012-13	Year 2013-14	Year 2014-15
1	2	3	4	5	6	7
	Total value of construction work done as per audited financial statements					

NOTE:

1. Separate Performa shall be used for each member in case of JV/Consortium.
2. Attach attested copies of the Audited Financial Statements of the last five financial years as Annexure.
3. All such documents reflect the financial data of the bidder or member in case of JV/Consortium, and not that of sister or parent company.
4. The financial data in above prescribed format shall be certified by Chartered Accountant / Company Auditor under his signature & stamp.
5. The above financial data will be updated to 31.05.2015 price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. **The exchange rate of foreign currency shall be applicable 28 days before the submission date of tender.**

ANNEXURE 3B: Works in hand

As on 01.06.2015

Applicant's legal name **Date**.....

Group Member's legal name..... **Page** of **pages**

Name and brief particulars of contract (Clearly indicate the part of the work assigned to the applicant(s))	Name of client with telephone number and fax number	Contract Value In Rupees Equivalent (Give only the value of work assigned to the applicant(s) (Assume inflation as given in Annexure1)	Value of balance work yet to be done in Rupee equivalent as on 31.05.2015	<i>Date of Completion as per Contract Agreement</i>	<i>Expected Completion Date</i>	Delay if any, with reason	Value of work to be done in 2015-16 (1 st June, 2015 to 31 st March, 2016)	Value of work to be done in 2016 (1 st April, 2016 to 30 th Nov, 2016)

ANNEXURE- 4

DELETED