

DELHI METRO RAIL CORPORATION LTD.

Contract- NC-05

Contract NC-05: Design, Fabrication, Supply and Erection of Pre-Engineered Stel Building for Greater Noida Depot of Noida-Greater Noida Corridor.

SUMMARY SHEET (ADDENDUM NO.-2)

Sr. No	Tender Document	Clause No/ Item No.	Page No.	Addendum / Corrigendum	Remarks
1	NIT Volume-1	Clause 1.1.2 (Key details)	Page 1	Sale period, last date of issuing addendum, date of tender submission and date of tender opening are modified	Page 1 is replaced with Page 1R
2	NIT Volume-1	1.1.3.1 (iv) (Eligible Applicants)	Page 2	Clause revised	Page 2 is replaced with Page 2R
3	NIT Volume-1	1.1.3.2 A (i), (ii) & (iii) (Minimum Eligibility Criteria – Work experience))	Page 3	Clauses revised	Page 3 is replaced with Page 3R
4	NIT Volume-1	1.1.3.2 A / Notes (bullet no. 5)	Page 4	Clause revised	Page 4 is replaced with Page 4R

NOTICE INVITING TENDER (NIT)

(e-tender)

1.1 GENERAL

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites online open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work “**Contract NC-05: Design, Fabrication, Supply and Erection of Pre-Engineered Steel Buildings for Greater Noida Depot of Noida- Greater Noida Corridor.**”

The brief scope of the work and site information is provided in ITT Clause A1 (Volume-1) and Employer's Requirements (Volume-3).

1.1.2 Key details :

Approximate cost of work	INR 24.60 Crores
Tender Security amount	INR 24.60 Lakhs
Completion period of the Work	18 (Eighteen) months
Tender documents on sale	From 27.07.2015 to 04.09.2015 14.09.2015 (up to 1100 hrs) on e-tendering website www.tenderwizard.com/DMRC . Tender document can only be obtained online after registration of tenderer on the website www.tenderwizard.com/DMRC . For further information in this regard bidders are advised to contact on 011-49424307, 011-49424365 or 011-23417910.
Cost of Tender documents	21,000/- (inclusive of 5% DVAT) Non-Refundable. (Demand Draft /Banker's cheque drawn on a Scheduled Commercial Bank based in India and should be 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 1500 hrs on 04.09.2015 14.09.2015 in the office of Executive Director/Contracts at below mentioned address.
Last date of Seeking Clarification	10.08.2015
Pre-bid Meeting	06.08.2015 at 1100 hrs
Last date of issuing addendum	18.08.2015 24.08.2015
Date & time of Submission of Tender	04.09.2015 14.09.2015 upto 1500 hrs.
Date & time of opening of Tender	04.09.2015 14.09.2015 @ 1505 hrs.
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	Executive Director/Contracts, Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001

1.1.3 QUALIFICATION CRITERIA :

1.1.3.1 Eligible Applicants :

- i. The tenders for this contract will be considered only from those tenderers (proprietorship firms, partnerships firms, companies, corporations, consortia or joint ventures) who meet requisite eligibility criteria prescribed in the sub-clauses of Clause 1.1.3 of NIT. In the case of a JV or Consortium, all members of the Group shall be jointly and severally liable for the performance of whole contract.
- ii. (a) A non-Indian firm is permitted to tender only in a joint venture or consortium arrangement with any other Indian firm having minimum participation interest of 26% or their wholly owned Indian subsidiary registered in India under Companies Act-1956 with minimum 26% participation.

(b) A tenderer shall submit only one bid in the same tendering process, either individually as a tenderer or as a partner of a JV. A tenderer who submits or participates in, more than one bid will cause all of the proposals in which the tenderer has participated to be disqualified. No tenderer can be a subcontractor while submitting a bid individually or as a partner of a JV in the same bidding process. A tenderer, if acting in the capacity of subcontractor in any bid, may participate in more than one bid, but only in that capacity.
- iii. Tenderers shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers shall be considered to have a conflict of interest with one or more parties in this bidding process, if:
 - (a) a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
 - (b) a tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - (c) a tenderer lends, or temporarily seconds its personnel to firms or organisations which are engaged in consulting services for the preparation related to procurement for on implementation of the project, if the personnel would be involved in any capacity on the same project.
- iv. A firm, who has purchased the tender document in their name, can submit the tender either as individual firm or in joint venture/Consortium. However, the lead partner in case of JV shall be one who has experience of design, fabrication, supply and erection of pre- engineered steel buildings.
- v Any Central / State government department / public sector undertaking / other government entity or local body must not have banned business with the tenderer (any member in case of JV) as on the date of tender submission. Also no contract of the tenderer should have been rescinded / terminated by DMRC after award during last 5 years due to non-performance of the tenderer or any of JV/Consortium members. The tenderer should submit undertaking to this effect in **Appendix-19** of Form of Tender.
- vi Tenderer (any member in case of JV/consortium) must not have paid liquidated damages of 10% (or more) of the contract value in a contract due to delay or penalty of 10% (or more) of the contract value due to any other reason during last five years. The tenderer should submit undertaking to this effect in **Appendix-20** of Form of Tender.
- vii Tenderer (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years. The tenderer should submit undertaking to this effect in **Appendix-21** of Form of Tender.
- viii LEAD PARTNER/ NON SUBSTANTIAL PARTNERS/ CHANGE IN JV/ CONSORTIUM

- a. Lead partner must have a minimum of 26% participation in the JV/Consortium.
- b. Partners having less than 26% participation will be termed as non-substantial partner and will not be considered for evaluation which means that their financial soundness and work experience shall not be considered for evaluation of JV/Consortium.
- c. In case of JV/Consortium, change in constitution or percentage participation shall not be permitted at any stage after their submission of application otherwise the applicant shall be treated as non-responsive.
- d. The tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial partner in the JV agreement / MOU submitted vide foot note (d) of **Appendix 6** of Form of Tender, providing clearly that any abrogation/subsequent re-assignment of any responsibility by any substantive/non-substantive partner of JV/Consortium in favour of other JV/Consortium partner or any change in constitution of partners of JV/Consortium (without written approval of Employer) from the one given in JV agreement / MOU at tender stage, will be treated, as 'breach of contract condition' and/or 'concealment of facts' (as the case may be), vide GCC clause 4.33.1 [a (ii) and (iii)] and acted accordingly.

The Employer in such cases, may in its sole discretion take action under clause 4.33.1 (b) and/or under clause 4.33.1(c) of GCC against any member(s) for failure in tenderer's obligation and declare that member(s) of JV/Consortium ineligible for award of any tender in DMRC or take action to terminate the contract in part or whole under clause 13 of GCC as the situation may demand and recover the cost/damages as provided in contract.

1.1.3.2 Minimum Eligibility Criteria:

A. Work Experience: The tenderers will be qualified only if they have completed work(s) during last seven years ending **31.08.2015** as given below:

- (i) At least one work of design, fabrication, supply and erection of pre-engineered steel buildings of value of **Rs. 19.68 crores** or more.

If the above work of Rs. 19.68 crores has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done works equal to Rs. 9.84 crores outside the country of the foreign partner.

OR

- (ii) Two works of design, fabrication, supply and erection of pre-engineered steel buildings each of value of **Rs. 12.30 crores** or more.

If the above work of Rs. 12.30 crores has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done works equal to Rs. 9.84 crores outside the country of the foreign partner.

OR

- (iii) Three works of design, fabrication, supply and erection of pre-engineered steel buildings each of value of **Rs. 9.84 crores** or more.

If the above work of Rs. 9.84 crores has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done works equal to Rs.9.84 crores outside the country of the foreign partner.

Notes:

- The tenderer shall submit details of works executed by them in the Performa of **Appendix-17 of FOT** 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 should be submitted. **The offers submitted without this documentary proof shall not be evaluated.** 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.

- Value of successfully completed portion of any ongoing work up to **31.08.2015** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **31.08.2015** 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.
- In case of joint venture / Consortium, full value of the work, if done by the same joint venture shall be considered. However, if the qualifying work(s) were done by them in JV/Consortium having different constituents, then the value of work as per their percentage participation in such JV/Consortium shall be considered.
- If the work of 'design, fabrication, supply and erection of pre-engineered steel buildings' includes other miscellaneous works, then the client's certificate clearly indicating the amount for the 'design, fabrication, supply and erection of pre-engineered steel buildings' shall be furnished by the tenderer along with their submissions.

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

- (i) **T1 – Liquidity:** It is necessary that the firm can withstand cash flow that the contract will require until payments received from the Employer. Liquidity therefore becomes an important consideration.

This shall be seen from the balance sheets and/or from the banking reference. Net current assets and/or documents including banking reference (as per proforma given in **Annexure-8** of ITT), should show that the applicant has access to or has available liquid assets, lines of credit and other financial means to meet cash flow of **Rs. 2.34 crores** for this contract, net of applicant's commitments for other Contracts. Banking reference should contain in clear terms the amount that bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Current Assets (as seen from the Balance Sheets) are negative, only the Banking references will be considered. Otherwise the aggregate of the Net Current Assets and submitted Banking references will be considered for working out the Liquidity.

The banking reference should be from a Scheduled Bank in India or (in case of foreign parties) from an international bank of repute acceptable to DMRC and it should not be more than 3 months old as on date of submission of bids.

In Case of JV- Requirement of liquidity is to be distributed between members as per their percentage participation and every member should satisfy the minimum requirement.

Example: Let member-1 has percentage participation = M and member-2 has percentage participation = N.

If minimum liquidity required is 'W' then liquidity of member-1 $\geq \frac{W \cdot M}{100}$

and liquidity of member-2 $\geq \frac{W \cdot N}{100}$