

NOTICE INVITING TENDER (e-Tender)
DELHI METRO RAIL CORPORATION LIMITED

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work, “**Contract CCDD-15: Engagement of Detail Design Consultant (DDC) for Civil, Architectural and Building Services including E&M Design works for Metro Museum at Shastri Park Depot, New Delhi.**”

Key details :

Approximate cost of work	INR 30.00 Lacs.
Tender Security amount	INR 60,000 Only Tender Security (in original) as per Clause - 4 of ITT shall be accepted only upto 1500 hrs on 08.01.2016 in the office of Executive Director/Contracts at the address given hereinafter.
Completion period of the Work	30 months
Tender documents on sale	From 09.12.2015 to 08.01.2016 (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	INR 5,250/- Non-Refundable (Inclusive of 5% DVAT). (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 up to 1500 hrs on 08.01.2016 in the office of Executive Director/Contracts at the given address hereinafter.
Last Date of Seeking Clarifications	21.12.2015 up to 1730 hrs. Queries /clarifications from bidders after due date and time shall not be acknowledged.
Pre-bid Meeting	18.12.2015 at 1100 hrs.
Last date of issuing addendum	28.12.2015
Date & time of Submission of Tender online	08.01.2016 at 1500 hrs.
Date & time of opening of Tender online	08.01.2016 at 1505 hrs.

<ul style="list-style-type: none"> • Authority to purchase tender document, seeking clarifications and submission of completed tender document • Place for pre-bid meeting 	<p>Executive Director/Contracts, Delhi Metro Rail Corporation Ltd., 5th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001</p>
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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 agreement either with an 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, either individually as a tenderer or as a partner of a JV/Consortium. A tenderer who submits or participates in more than one bid will cause all of the proposals in which the tenderer has participated either as sole tenderer or member of JV/consortium will be disqualified. No tenderer can be included as subcontractor while submitting a bid individually or as a partner of a JV/consortium in the same bidding process subsequently or at the tender stage. A tenderer, if acting in the capacity of subcontractor in any bid may however participate in more than one bid, but only in the capacity as subcontractor.
- iii. Tenderers shall not have a conflict of interest. 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 implementation of the project;
 - (b) a tenderer's associate(s)/affiliate(s) (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 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 as partner of a joint venture/consortium. **However, the lead partner in case of JV/consortium shall be a substantial partner and the one who has experience of Detailed Design Consultancy of Civil (Structural) and/or Architecture and/or Building Services (including E&M Design works) for 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-6** 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-14** 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-12A** 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.
- ix. Any Central / State government department / public sector undertaking / other government entities 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 work of the tenderer must have been rescinded / terminated by DMRC after award of contract during last 10 years due to non-performance of the tenderer. The tenderer should submit undertaking to this effect in **Appendix- 6** of Form of Tender.
- x. **JV/Consortium: Consequences for deviation from JV/MOU**

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/ MOU submitted vide foot note (d) of **Appendix 3** 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 (without written approval of Employer) or any change in constitution of partners of JV/Consortium from the one given in JV/MOU at tender stage, will be treated, as 'breach of contract condition' and/or 'misrepresentation of facts' (as the case may be), and acted accordingly.

The Employer in such cases, may in its sole discretion rescind the contract and/or take appropriate action against any member(s) for failure in tender obligation to declare a contractor ineligible for award of any tender in DMRC or take action to terminate the contract in part or whole under Clause 18 of GCC as the situation may demand and recover the cost/damages as provided in contract besides forfeiting the performance and other guaranties.

1.1.3.2 Minimum Eligibility Criteria:

A. Work Experience: The tenderers will be qualified only if they have completed work(s) of Detail Design Consultancy (DDC) during last seven years ending **31.12.2015** as given below:

- At least one “**similar work**” * of value **INR 24.00 Lacs** or more

OR

- At least Two “similar work” * of value **INR 15.00 Lacs** or more.

OR

- At least Three “similar work” * of value **INR 12.00 Lacs** or more.

If the above qualifying work(s) has / have been done by the foreign partner of JV and the work(s) was/were done in the country of the foreign partner then in addition to this, the foreign partner must have done works at least equal to **INR12.00 Lacs** outside the country of the foreign partner.

***The “similar work” for this contract shall be “ Design of Civil (Structural), Architectural and Building Services including E&M works of Museum building / Socio-culture Centre / Exhibition Centre with RCC framed construction.”** The requirement of designing of structural, architectural and building-services including E&M works may be satisfied by any of the member(s) of JV/Consortium or individually by the tenderer bidding as an individual entity. For the purpose of structural design, the proof checking will be treated as equal to the structural design of structures.

Notes:

- The tenderer shall submit details of works executed by them in the Performa prescribed in **Appendix-13 of FOT** for the works to be considered for qualification of work experience criteria. Documentary proof such as completion certificate(s) 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 will 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 **31.12.2015** will also be considered for qualification of work experience criteria.
 - For completed works, value of work done shall be updated to **31.12.2015** 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.
- 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, 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 **INR1.71Lac** 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 **as per standard proforma provided in ITT as Annexure-4** and **it should not be more than 03 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 $\geq \frac{W M}{100}$

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

- (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 tenderer during last audited financial year should be \geq **INR2.40 Lacs.**

In Case of JV- Net worth will be based on the percentage participation of each Member.

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

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

- (iv) **T4 - Annual Turnover:** The average annual turnover from consultancy works of last five financial years should be \geq **INR9.60 Lacs.**

The average annual turnover of JV will be based on percentage participation of each member.

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 tenderer in **Appendix-12 of FOT** along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature in original. 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 year other than the last year is not submitted, the tender may 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.

C. Bid Capacity Criteria:

Bid Capacity: The tenderers 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 Consultancy works executed in any one year during the last five financial years (updated to **31.12.2015** 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 31.12.2015**) for on-going Consultancy works during period of **30 months w.e.f.01.01.2016**.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-10 of FOT** 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 Consultancy works during period of **30 months w.e.f .01.01.2016** has to be submitted by the tenderer in **Appendix-11 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original.
- 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 % participation is not mentioned then equal participation will be assumed.

Example for calculation of bid capacity in case of JV / Group

Suppose there are 'P' and 'Q' members of the JV / group with their participation in the JV / group as 70% and 30% respectively and available bid capacity of these members as per above formula individually works out 'X' and 'Y' respectively, then Bid Capacity of JV / group shall be as under:

$$\text{Bid Capacity of the JV / group} = 0.7X + 0.3Y$$

D. Technical Qualification Criteria

- i) The Principal Consultant / Architect of the firm / agency should be professionally qualified Architect having graduate degree B. Arch and registered with Council of Architecture.
- ii) The Consultant / Architects (Consultants) should be either based at Delhi/NCR or should give undertaking to establish their branch office at Delhi/NCR if Consultancy work is awarded to them
- iii) The Consultant / Architects should have a professional reputation and the quality of works executed by them should be of acceptable standard. The works assigned to them should have been completed within the prescribed time. DMRC may inspect the works of the Agency to assess quality and performance.
- iv) The Consultant / Architects should have in-house arrangement for providing consultancy for specialized works namely structural design, land-scaping, plumbing, electrical, and construction supervision etc or have tie-up with associate consultants for such works.
- v) The Consultant / Architect are required to attach the requisite satisfactory documents of educational qualification; design experience for key team personnel's as proof towards pre-qualification, along with their tender. Failure to submit the same may result into rejecting the tender . DMRC reserves the right to cross check the information furnished and may obtain confidential report from their previous clients.
- vi) An undertaking from the key personnel must be furnished that he/she will be available for entire duration of the project assignment and will not engage himself/herself in any other assignment during the currency of his/her assignment on the project without the prior approval of DMRC. After the award of work, in case of non availability of key personnel in spite of his/her declaration, he/she shall be debarred for a period of two years for all projects of DMRC.
- vii) In case a firm is proposing key personnel from educational/research institutions, a 'No Objection Certificate' from the concerned institution should be enclosed with the CV of the proposed key personnel committing his services for the instant project.
- viii) In case the consultant intends to replace any of the key personnel during the pendency of the contract, he needs to get approval of DMRC for the same.
- ix) The participant should be having completed at least one consultancy work for a project confirming to Platinum /Gold rating system of IGBC or equivalent rating of GRIHA/USGBC LEED/TERI. In case participant or its constituent do not have experience in of these ratings by themselves, they can make/include a certified consultant having experience of these ratings as JV/Consortium member with not less than 5% share which will be acceptable.

E. Additional Requirements:

- (i) The Tenderer shall have to comply following requirements to qualify:
 - The tenderer shall submit an organisation chart together with clear description of

the responsibilities of each member within the overall work programme.

- **Planning and Architecture team:** Minimum no. and qualification of key personnel's of the Planning and Architecture team shall be as under. Consultant may however increase the staff/ own requirement depending on his assessment of the work.

S. NO.	Description of Post	Nos., Minimum Qualification & Experience
1.	Lead Architect	1 no. B.Arch. with minimum 15 yrs. experience
2.	Architect	2 no. Graduate in Architecture with minimum 8 yrs experience of similar work i.e. CPMC work..
4.	Lead Structural Designer	1 no. M.E/ M. Tech (Structure) with minimum 15 yrs experience of designing Multi storey building, Framed RCC structures.
5.	Plumbing and Sanitary Consultant	1 no. B. Tech/B.E Civil with 5 yrs or Diploma civil with 15 yrs. experience Of Designing water supply, drainage & sanitary services.
6.	Electrical & Mechanical Engineer	1 no. B. Tech/BE (Electrical) with 5 yrs or Diploma (with 10 yrs.) experience of electric supply and internal distribution in multi storey buildings.
7.	Consultant for TERI/LEED Certification.	1 no. Graduate in Civil Engg./Urban Planning/Architecture with experience of green building certification.

The above details should be submitted separately for Architecture, Structures and Building Services. The offer should cover the entire Scope of Work, as laid out in tender documents.

- Please note carefully the requirements for submitting tender, and the date and time for submittal.

1.1.3.3 The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.2 A, B, C & D above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.3.2 shall not imply that his bid shall automatically be accepted. The same should contain all technical data as required for consideration of tender prescribed in the ITT.

1.4 The descriptive and detailed scope is defined in Scope of Works (Volume 2)

1.5 Tender Documents comprise of following documents:

Volume 1

- Notice Inviting Tender (NIT)
- Instructions to Tenderer (ITT) including annexures
- Form of Tender (FOT) including appendices
- General Conditions of Contract (GCC)

- Special Condition of Contract (SCC)

Volume 2

- Scope of Work

Volume 3

- Financial Package (Part –I, II & III)

Please note carefully the requirements for submitting tenders, and the date and time for submittal.

- 1.6 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **Executive Director/Contracts**, Delhi Metro Rail Corporation, 'A' Wing, 5th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001.
- 1.7 The intending tenderers 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.
- 1.8 The authorized signatory of intending tenderer, 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.
- 1.9 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.
- 1.10 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.11 Tenders shall be valid for a period of **180 days** (both days inclusive i.e. the date of submission of tender and the last date of period of validity of the tender) from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per Clause 4.0 of ITT.
- 1.12 DMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No tenderer shall have any cause of action or claim against the DMRC for rejection of his proposal.

**Executive Director/Contracts
Delhi Metro Rail Corporation Ltd.**