

**NOTICE INVITING TENDER (NIT)****1.1 GENERAL**

## 1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites Open e-Tenders on International Competitive Basis (ICB) from eligible applicants from all countries and all areas, who fulfil qualification criteria as stipulated in section III of bid documents, for the work,

**Contract CT- 14R: Supply of 3000 MT 90 UTS Rails UIC 60, IRS-T-12-2009, 880 Grade for Greater Noida Depot of Noida –Greater Noida Metro Project.**

## 1.1.2 Key details:

Approximate cost of work	INR 18.38 Crores or 2.78 Million US Dollars
Tender Security amount	INR 36.76 Lakhs or US\$ 55,697/-
Validity of Tender Security in case of BG/FDR	20.10.2016
Completion period of the Work	8 months from LOA
Tender documents on sale	<p>From 15.01.2016 to 24.02.2016 (upto 11:00 hrs) on e-tendering website.</p> <p><a href="http://www.tenderwizard.com/DMRC">www.tenderwizard.com/DMRC</a></p> <p>Tender documents can only be obtained after registration of tenderer on the website <a href="http://www.tenderwizard.com/DMRC">www.tenderwizard.com/DMRC</a>. For further information on this regard bidders are advised to contact 011-49424307, 011-49424365 or 011-23417910, 23415838</p>
Cost of Tender documents	<p>INR 21,000/- Or US\$ 318/- (inclusive of 5% DVAT) <b>(Non-Refundable)</b></p> <p>(Demand Draft/ Bankers Cheque issued in favour of "Delhi Metro Rail Corporation Ltd", payable at "New Delhi".</p> <p>Cost of tender documents i.e, D.D/Banker's cheque, in original, shall be accepted only upto 15:00 hours on 24.02.2016 in the office of Executive Director/Contracts at below mentioned address.</p>

Pre-bid Meeting	29.01.2016 @ 11:00 Hrs
Last date of Seeking Clarification	01.02.2016 (Queries from bidders after due date shall not be acknowledged)
Last date of issuing addendum	09.02.2016
Date & time of submission of Tender	24.02.2016 upto 15:00 Hrs.
Date & time of opening of Tender	24.02.2016 @ 15:05 Hrs.
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	<b>Executive Director (Contracts),</b> Delhi Metro Rail Corporation, 5 <sup>th</sup> floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001

**1.1.3 This is a Non-JICA funded work.**

**1.1.4 QUALIFICATION CRITERIA :**

**A. Eligibility Criteria (Work Experience) :**

The Bidder shall furnish documentary evidence to demonstrate that it meets the following experience requirement(s).

- (a) Supply of a minimum quantity of 20,000 (Twenty Thousand) Metric tons of 880 Grade rails during last seven years ending **31.01.2016** for different tracks including sidings as per IRS-T-12 specification.
- (b) Bidder shall furnish year wise and consignee wise details of supply during last seven years ending **31.01.2016**.
- (c) The bidder shall furnish the details of supplies made for the goods being procured in this contract. Details should include a performance certificate which should include purchase order details, name of purchaser, the railway projects/MRTS Project, where used/being used, the design speed and axle load of the section, quantity of rails supplied and period of supply. The details of address, contact person, fax/e mail is also to be furnished in absence of the above statement/details, offer will be summarily rejected.
- (d) The bidder shall also furnish the
  - Details of Current work commitments;
  - Plant and manufacturing capacity
  - Organization set up
  - Statement & details of equipment and other facilities available.

- Evidence of access top lines of credit and availability of other financial resources;

(e) The Bidder shall furnish documentary evidence to demonstrate that the Goods it offers meet the following usage requirement(s): The rails proposed to be supplied in this bid are as per IRS-T-12-2009 Specifications (with all amendments). The bidder shall furnish clause by clause confirmation of IRS-T-12-2009 Specifications for the rails proposed to be supplied in this contract.

**B. 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 1.1.4 (A) of NIT. In the case of a JV or Consortium, all members of the Company / Firm shall be jointly and severally liable for the performance of whole contract. The JV or Consortium shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the partners of the JV or Consortium during the tendering process and, in the event the JV or Consortium is awarded the Contract, during contract execution.

II. (a) A Tenderer and in case of JV or Consortium, all partners constituting the Tenderer may be from any country and all areas.

(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.
- V. The applicant shall submit user certificate for successful completion as on submission date of tender, failure to submit would result in disqualification.
- VI. The supplier will submit user certificate for the supply of turnouts mentioned in clause 1.1.4 (A) along with their performance. The certificate should contain all the details, so that it can be established that supplier have experience of supplying the turnouts required for DMRC work.
- VII. 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 – Form No. 8 to Section IV (Bidding Forms).
- VIII. 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 Form No. 9 to Section IV (Bidding Forms).
- IX. 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 Form No. 10 to Section IV (Bidding Forms).

## C. FINANCIAL STANDING

The tenderers will be qualified only if they have minimum financial capabilities as below:

### (i) T1 - Liquidity

- (a) 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.
- (b) 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 **INR 3.94 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.
- (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 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 performa provided in Form No. 11 to Section IV (Bidding Forms) and it should not be more than 3 months old as on 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  $\geq \frac{W M}{100}$  and working capital of member-2  $\geq \frac{W N}{100}$ .

- (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 tenderer 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 tenderer during last audited financial year should be > **Rs. 5.51 Crores.**

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/JVA/Consortium will be

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

- (iv) **T4 - Annual Turnover**: The average annual turnover from supply of last five financial years should be  $\geq$  **Rs. 22.06 Crores.**

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 **Annexure-B** 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.

**1.1.5 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 supplies executed in any one year during the last five financial years (updated to **31.01.2016** 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 31.01.2016**) for on-going construction works during period of **08 months w.e.f. 01.02.2016**.

## Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Annexure-C** 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 **08 months w.e.f. 01.02.2016** has to be submitted by the tenderer in **Annexure-D**. 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.

The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the above clauses, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in clauses above 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.

1.1.6 The Tender documents consist of 1 volume in respect of Contractual, Technical, and Financial matters and related information as follows:

**Volume 1**

- Notice Inviting Tender (NIT)
- Instructions to Bidders (ITB)
- Bid Data Sheet (BDS)
- Evaluation criteria (including Annexure A, B, & C)
- Bidding Forms (Bill of Quantity)
- Technical Specifications (including Annexure A)
- General Conditions of Contracts (GCC)
- Special Conditions of Contract (SCC)
- Contract Forms

1.1.7 The intending bidders must be registered on e-tendering portal [www.tenderwizard.com/DMRC](http://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.

1.1.8 The authorized signatory of intending bidder as per Power of Attorney (POA) or its representative must have valid class-III digital signature. The tender document can only be obtained/downloaded and tender submissions can be uploaded using class-III digital signature through user ID & password.

1.1.9 Tender submission will be made online after uploading the mandatory scanned documents towards cost of tender documents and tender security such as 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.

1.1.10 All bidders are hereby cautioned that tenders containing any material deviation or reservations as described in Clause 30. of "Instructions to bidders" and/or

deviations without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.

- 1.1.11 Tenders shall be valid for a period of 180 days (both days inclusive i.e. the date of submission of tenders 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 and acceptable form as per Clause C21 of ITB.
- 1.1.12 DMRC reserves the right to accept or reject any or all proposals without assigning reasons. No bidders shall have any cause of action or claim against the DMRC for rejection of his proposal.
- 1.1.13 Bidders shall note that maximum file size that can be uploaded is 5 MB. All the uploaded files in tender submission should be named properly and arrange systematically.
- 1.1.14 The bidders are advised to keep in touch with e-tendering portal [www.tenderwizard.com/DMRC](http://www.tenderwizard.com/DMRC) for updates.

**Executive Director (Contracts)**  
**Delhi Metro Rail Corporation Ltd.**