

ANNEXURE-III (Delhi Metro Website Only)

TENDER: NRS1-FIC

TENDER DOCUMENTS

NOTICE INVITING TENDER (NIT)

CONTRACT :NRS1-FIC
NOTICE INVITING TENDER
DELHI METRO RAIL CORPORATION LIMITED

From:
Chief Electrical Engineer/RS-III,
Delhi Metro Rail Corporation Limited,
NBCC Place, Bhisma Pitamah Marg,
Pragati Vihar,
New Delhi - 110003,INDIA.

To

Contract NRS1-FIC: Engagement of Factory Inspection Consultant (FIC) for Inspection & Testing of Rolling Stock Coaches & its major parts during manufacturing at CRRC Nanjing Puzhen Co., Ltd , China

1.1.1 General

Delhi Metro Rail Corporation (DMRC) Ltd. has awarded Rolling Stock contract NRS1 for Noida – Greater Noida for 19 4-car trains (76 cars) to state owned CRRC Corporation, China. The Cars are to be manufactured at CSR works Nanjing with delivery expected from July'17 onwards.

DMRC intends to place an inspecting Agency at Nanjing works for ensuring overall quality of production / manufacturing right from the inception to the final roll out of Train sets from the works. The Agency is planned to be placed shortly.

DMRC Invites Open e-tenders from eligible agencies for Consultancy of above work and your expressed willingness to submit a Tender for this Contract, NRS1-FIC, for Inspection & Testing of Rolling stock coaches & its major parts during manufacturing at CRRC, Nanjing, China.

Tenders are being called by the Chief Electrical Engineer/RS-III, Delhi Metro Rail Corporation Limited (DMRC).

1.1.2 Key details:

Approximate cost of work	INR 15 Crores
Tender Security amount	INR 15 Lakhs Tender Security (in original) as per Clause-5 of ITT shall be accepted only up to 1500 hrs on in the office of Chief Electrical Engineer / RS-III at the address given hereinafter.
Completion period of the Work	18 Months
Tender documents Download / Sale date	From 22.11.2016 to 06.01.2017 (up to 1100 Hrs) on e-tendering website https://eprocure.gov.in/eprocure/app . Tender document can be obtained online after

	registration of tenderer on the website https://eprocure.gov.in/eprocure/app . For further information in this regard bidders are advised to contact on 011-24365210
Cost of Tender and PQ documents	21000/- (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 upto in the office of Chief Electrical Engineer/RS-III at the given address hereinafter.

Last date of Seeking Clarification	09.12.2016 Queries/Clarifications from bidders after due date and time shall not be acknowledged.
Pre-bid Meeting	09.12.2016 at 11.00 hHs
Last date of issuing addendum	22.12.2016
Date & time of Submission of Tender documents	06.01.2016 upto 11:00 Hrs
Date & time of opening of Tender online	06.01.2016 @ 11.05 Hrs
Authority and place for submission of tender documents cost, seeking clarifications	Chief Electrical Engineer/RS-III, Delhi Metro Rail Corporation Limited, NBCC Place, Bhisma Pitamah Marg, Pragati Vihar, New Delhi - 110003,INDIA.

Note-

- "Letter of Acceptance" to the successful bidder shall be uploaded on e-tendering portal <https://eprocure.gov.in/eprocure/app> which can be downloaded by the successful bidder.
- The contact details of Chief Vigilance Office (CVO) dealing with vigilance issues are as under-
Shri Ghansham Bansal,
Chief Vigilance Officer,
Delhi Metro Rail Corporation Ltd,
Fire Brigade Lane, Barakhamba Road, New Delhi-110001
Tel:011-23418406
Email: cvodmrc@gmail.com

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 either in a single entity or 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 or any partner of the tenderer or Director of the tenderer's company is closely related to any of the Officers of the Employer or the Engineer or CRRC Corporation Limited (CRRC), or alternatively, if any close relative of an officer of the Employer or the Engineer or CRRC has financial interest / stake in the tenderer's firm.
- 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/Consortium shall be substantial partner and the one who has experience of Inspection & Testing of Rolling stock coaches & its major parts during Manufacturing at Factory .
- 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/Central or State Govt. Department/ Public Sector Undertaking/ other Govt entity or local bodies after award during last 10 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.

The overall performance of the tenderer (all members in case of JV/Consortium) shall be examined for all the ongoing Rolling Stock works and works completed within last one

year, of value more than 40% of NIT cost of work. The tenderer shall provide list of all such works in the prescribed Performa given in Appendix 6-A of Form of tender. In addition the tenderer shall also submit certificate issued by the client/Employer for satisfactory performance for all these works with respect to completion of work/execution of work(for running works) failing which their tender submission shall not be evaluated and the tenderer shall be considered non- responsive and non –compliant to the tender conditions. The performance certificate issued by the client should not be older than one month from the last day of the previous month of tender submission.

If the tenderer or any of the constituent 'substantial member(s)' of JV/Consortium does not meet the criteria stated in Appendix 6A, the tenderer including the constituent 'substantial member(s)' of JV/Consortium shall be considered ineligible for participation in tender process and they shall be considered ineligible applicants in terms Clause 1.1.3.1 of NIT.

- 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. NON SUBSTANTIAL PARTNERS IN CASE OF 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 country of origin of the Lead partner/ Sole Bidder shall not be the People Republic of China.
 - e. Non substantial partners cannot be leader of Consortium / Joint Venture.

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 31.10.2016 as given below:

FIC (Factory Inspection Consultant) of Rolling Stock manufacturing and related works of Metro Rail / Light Rail / Railways value of **Rs. 6 crores** or more.

Factory Inspection Consultant (FIC) work means work pertaining to inspection & testing of rolling stock coaches & its major part during manufacturing for Metro Rail / Light Rail / Railways . The requirement of inspection & testing of rolling stock & its major part during manufacturing works may be satisfied by any of the member(s) of JV/Consortium or individually by the tenderer bidding as an individual entity

Notes:

- The tenderer shall submit details of works executed by them in the Performa of **Appendix-10 of FOT** for the works to be considered for qualification of work experience

criteria. Documentary proof such as completion certificates from Employer 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.**

- Value of successfully completed portion of any ongoing work up to **31.10.2016** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **31.10.2016** 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 the Cash Flow that the contract will require until payment received from Employer. Liquidity therefore becomes an important consideration.

This can be seen from the balance sheets and/or from the banking reference. Net current assets {(Current assets + loans & advances) – (current liabilities + provision)} 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 **INR 1.72 crore** 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 the form given in Instructions to Tenderers –Annexure-3**. 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.

Liquidity of INR / 1.72 crore available: **Pass**

Liquidity of INR / 1.72 crore million not available: **Fail**

In case of a Joint Venture/Consortium, the above evaluation will be done **in** totality after applying pro-rata percentage participation of each member and not as individual member. For e.g., if there are three members in a Joint Venture/Consortium with pro-rata percentage participation of 'A%', 'B%' and 'C%' and the calculated liquidity of the respective members are 'X', 'Y' and 'Z', then the evaluation for the above criteria will be based on the pro-rata percentage applied algebraic aggregate i.e. 'AX+BY+CZ'.

However, 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 amount stated in the banking reference without applying pro-rata % participation of each member.

(ii) **T₂ Profitability :**

The minimum requirements to 'Pass' this criteria is that the Balance sheets should indicate that the Profitability (Earnings or Profit before tax but after interest) shall be positive in at least 2 financial years out of last five financial years.

The financial year as applicable in the country of origin of the bidders would be considered. The 'last financial year' will be the latest financial year that ended on or before 31.03.2016.

In case of a Joint Venture/Consortium, the evaluation against the above eligibility criteria will be done in totality (i.e. algebraic aggregate of evaluation of each member)and not as individual member.

(iii) **T₃ - Net Worth:** Net Worth of tenderer during last audited financial year should be **positive(+ve).**

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 minimum requirements to 'Pass' this criteria is that the Average Annual Turn Over for the last five financial years for Consultancy only (in terms of rupee equivalent adjusted to last date of the financial year that ended on or before 31.03.2016. by assuming 5% escalation for Indian Rupee and 2% for foreign currency per year) shall not be less than **INR 9.6 crore.**

The financial year as applicable in the country of origin of the bidders would be considered. The 'last financial year' will be the latest financial year that ended on or before 31.03.2016

In case of a Joint Venture/Consortium, the above evaluation will be done in totality after applying pro-rata percentage participation of each member and not as individual member. For e.g., if there are three members in a Joint Venture/Consortium with pro-rata percentage participation of 'A%', 'B%' and 'C%' and the Average Annual Turnover of the respective members are 'X', 'Y' and 'Z', then the evaluation for the above criteria will be based on the pro-rata percentage applied algebraic aggregate i.e. 'AX+BY+CZ'.

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:

Methodology for Working Out the Available Bid Capacity

The Tenderers will be qualified only if their available bid capacity is more than the estimated cost of work. Available bid capacity will be calculated as under:

Available Bid Capacity = $2AN - B$

Where A = Maximum value of consultancy work in any one(1) year during the last five(5) years

N = No. of years in which work is to be completed (N = 2 in this case)

B = Value at price level as on the twenty eight days prior to 'date for tender submission' of existing commitments and on-going works to be completed during next two(2) years starting from the twenty eight days prior to 'date for tender submission' .

The estimated cost of work may be taken as Rs. 15 Crore (inclusive Taxes and duties).

Note:

1. In case of a Joint Venture/Consortium, the above formula will be applied to each member to the extent of his proposed percentage (%) participation in the execution of the work. The Bid Capacity of the Joint Venture/Consortium will be the sum total of the Bid Capacity of each member of the Joint Venture/Consortium as calculated above.

2. Value of 'A':

The maximum value of consultancy work in any one year during last five(5) years ('A' in the above formula) shall be the maximum turnover of consultancy work in any one(1) financial year during the last five(5) financial years. Financial year as applicable in the country of origin of the bidders would be considered. The turnover of consultancy work to be furnished in response to details furnished in **Appendix-12 of Form of Tender** shall be considered for evaluating the value 'A' in above formula and the details furnished by the applicant shall be supported with audited copies, duly certified by Independent chartered accountant/CPA, indicating Annual turnover of consultancy work only.

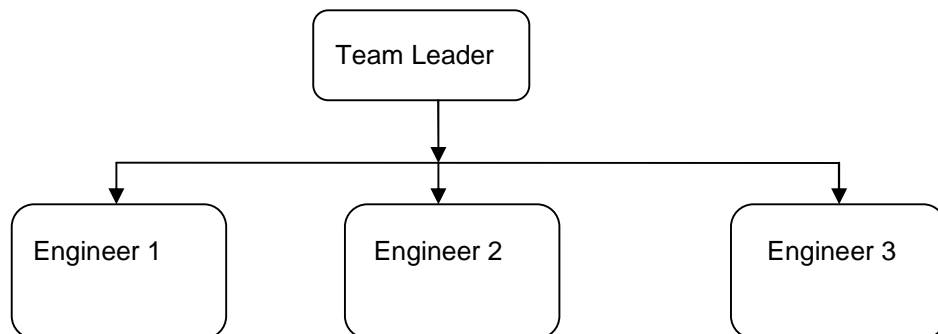
3. Value of 'B':

The value of existing commitments ('B' in the above formula) as furnished in response to details furnished in **Appendix-11 of Form of Tender** shall be considered. The 'twenty eight days prior to date for tender submission' means for eg: Say, if 'date for tender submission' is 06.12.2016, then ' twenty eight days prior to date for tender submission' will be 08.11.2016 and next 2 years period will be period up to 08.11.2018.

D. Additional Requirement :

1. The tenderer shall submit an organisation chart together with clear description of the responsibilities of each member within overall work programme.
2. The Lead member and its JV/Consortium partner shall have handled minimum **5 Projects** as an individual entity in their respective fields for Rolling Stock works. The Lead member and/or its JV partners must have completed inspection & testing of Rolling Stock project of similar nature and complexity (sufficient proof shall be submitted to substantiate the qualification and experience).
3. The FIC team shall be headed by a '**Project Manager**' having experience not less than 15 years as Project Manager / Team Leader and have handled minimum **03 projects** of similar nature and complexity (sufficient proof shall be submitted to substantiate the qualification and experience).
4. Under Team Leader ,'**Engineers**' shall be deployed who must have minimum experience of **10 years of** relevant experience in the concerned field and have handled minimum **02 projects** of similar nature and complexity (sufficient proof shall be submitted to substantiate the qualification and experience).
5. The technical proposal will be evaluated based on the capabilities /technical strength of staff proposed to be deployed.
6. At least one of the team members shall be fully conversant and fluent in Chinese language in addition to English language.
7. The Tenderer shall have or shall open an office in China before start of work.

The form of organisation structure is prescribed in fig. 1 below:-



1.1.4 Deleted

1.1.5 Tender Documents comprise of following documents:

Volume 1

- Notice Inviting Tender
- Instructions to Tenderer
- Form of Tender
- General Conditions of Contract
- Special Condition of Contract

Volume 2

- Scope of Work

Volume 3

- Conditions for Financial Package
- Financial Package-BOQ

Volume 4

Reference Documents :

- Bogie Inspection & Test Plan
- Carbody Inspection & Test Plan
- Outfitting inspection & Test Plan
- Completed Car Inspection and Test Plan
- Supply Inspection and test Plan

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

1.1.6 The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3 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 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.

1.1.7 The intending tenderers must be registered on e-tendering portal <https://eprocure.gov.in/eprocure/app>. 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 tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **Chief Electrical Engineer/RS-III**, Delhi Metro Rail Corporation Ltd, 3rd Floor, NBCC Place, Bhisma Pitamah Marg, Pragati Vihar, New Delhi-11003

1.1.9 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause **7.4.4** of "Instructions to Tenderers" and/or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.

- 1.1.10 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.11 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 5 of ITT**.
- 1.1.12 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.

**Chief Electrical Engineer/RS-III
Delhi Metro Rail Corporation Ltd.**