

SECTION-1

NOTICE INVITING TENDER (NIT)

1.1 GENERAL (e-Tender)

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites e-Tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT for the work of **“Contract CE(W)-08 - Development of Service Road in between Mayur Vihar Metro Station and adjoining Nallah** from the agencies/firms Pre-qualified by DMRC for works as detailed below:

The brief scope of work and site information is provided in clause 2.0 to 2.8 and 4.1 of NIT respectively.

1.1.2 Key details :

Approximate cost of work	INR 35.33 Lakhs
Tender Security	INR 70,660/- (validity of tender security-30.08.2017)
Completion period of the Work	02 months
Tender documents on sale	From 02.12.2016 to 02.01.2017 (up to 1500 hrs) on e-tendering website https://eprocure.gov.in/eprocure/app . Tender document can only 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 011-23417916
Cost of Tender documents (Non-Refundable)	INR 5,250 /- (inclusive of 5% DVAT) Non-Refundable (Demand Draft /Banker’s cheque drawn on a Nationalised Bank or 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 02.01.2017 in the office of Chief Engineer/ Works at the address mentioned hereinafter.
Pre-bid Meeting	12.12.2016 at 1500 Hrs
Last date of Seeking Clarifications	14.12.2016 upto 1730 hrs. Queries/clarifications from bidders after due date and time shall not be acknowledged.
Last date of issuing addendum	16.12.2016
Date & time of Submission of Tender	26.12.2016 to 02.01.2017 upto 1500 hrs
Date & time of opening of Tender	03.01.2017 at 1505 hrs.
Authority for purchase of tender documents, seeking clarifications and submission of completed tender documents	Project Manager/Staff Quarter-1, Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001

SECTION 2

INSTRUCTIONS TO TENDERER

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 viaduct/bridge/flyover.
- 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 body 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.

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 31.12.2016 as given below:*

(i) At least one "similar work" of value INR 28.26 Lakh or more,

'OR'

Two "similar works" each of value INR 17.67 Lakh or more,

'OR'

Three "similar works" each of value INR 14.13 Lakh or more.

****"Similar works"** for (i) above for this contract shall be works "similar nature of work. " Miscellaneous Building works "

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 **31.12.2016** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **31.12.2016** 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 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 **INR. 30.28 Lakh** 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. The standard performa of Banking Reference is given in '**Annexure-1**'.

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 haspercentage participation=N.

If minimumliquidity requiredis 'W' then liquidity of member-1 $\geq \frac{W M}{100}$

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

100

- (ii) **T2 - Profitability:** Profit before Tax should be **Positive in at least 2 (two) years**, out of the lastfive 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 **INR 42.39 Lakh.**

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 construction/respective field of last five financial years should be **≥INR 169.58 Lakh.**

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=AM+BN

Notes :

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Appendix-18 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 with membership number. 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.

1.1.3.3 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 construction works executed in any one year during the last five financial years (updated to **31.12.2016** 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 31.12.2016**) for on-going construction works during period of **02 months w.e.f.01.01.2017**.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-15 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 with membership number.

- Value of existing commitments for on-going construction works during period of **02 months** w.e.f.**01.01.2017** has to be submitted by the tenderer in **Appendix-16 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original with membership number.
- 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:

Bid Capacity of the JV / group = 0.7X + 0.3Y

1.1.3.4 The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.2 to 1.1.3.3 above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.3.2 to 1.1.3.3 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.

1.2 POINTS TO BE NOTED

1.2.1 Works envisaged under this contract are required to be completed in all respects within the period of completion time mentioned above.

1.2.2 Tender documents consisting of following sections:

- i) Notice Inviting Tender
- ii) Instruction to Tenderers
- iii) Site information
- iv) Scope of work & Technical Specification
- v) General conditions of contract
- vi) Special conditions of contracts
- vii) Form of Tender & Appendix
- viii) Bill of Quantities

1.2.3 The contract shall be governed by the documents listed in Para 1.2.2 above with latest version of CPWD specifications 2009 with up to date correction slips. CPWD specifications may be obtained from the department concern or may be purchased from market.

1.2.4 All tenderers are hereby cautioned that conditional offers or offers with deviations from the conditions of contract or other requirements stipulated in these tender documents are likely to be rejected as non-responsive.

- 1.2.5 DMRC reserves the right to accept or reject any or all proposal without assigning any reasons. No tenderer shall have any cause of action or claim against the DMRC for rejection of his proposal.
- 1.2.6 The intending tenderers must be registered on e-tendering portal. Those who are not registered on the e-tendering <https://eprocure.gov.in/eprocure/app.portal> shall be required to get registered beforehand and intimate to the office of Project Manager/SQ1 about his registration so that his name can be included in the list of agencies entitled to download the e-tender. 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.
- 1.2.7 The authorised 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 authorised signatory.
- 1.2.8 Tender submission 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 other Documents as stated in the tender document.

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