



DELHI METRO RAIL CORPORATION LIMITED

Contract: Balance Finishing work of Johri Enclave and Shiv Vihar Station of Line 7 Mukundpur – Yamuna Vihar Corridor of Phase-III Delhi MRTS.

Tender No. DMRC/Phase-III/PM-4D/ Balance Finishing work/CC-41/Stations/2016

TENDER DOCUMENTS

VOLUME 1

NOTICE INVITING TENDER INSTRUCTION TO TENDERERS FORM OF TENDER

**DELHI METRO RAIL CORPORATION LTD.
5th Floor, A-Wing, Metro Bhawan, Fire Brigade
Lane, Barakhamba Road, New Delhi –110 001**

Contract : Balance Finishing work of Johri Enclave and Shiv Vihar Station of Line 7 Mukundpur – Yamuna Vihar Corridor of Phase-III Delhi MRTS.

NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites Open Tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work of “**Contract: Balance Finishing work of Johri Enclave and Shiv Vihar Station of Line 7 Mukundpur – Yamuna Vihar Corridor of Phase-III Delhi MRTS**”

The brief scope of the work and site information is provided in ITT (Volume-1) & Employer Requirements (Volume–3)

1.1.2 Key details :

1. Estimated Cost of work	INR 238.56 Lakhs including D-VAT, Service Tax & all other Corporate Taxes as applicable.
2. Tender security amount	INR 1.00 Lakhs
3. Cost of tender form (Non-Refundable)	<input type="checkbox"/> 5250/- (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 up to 15:00 hours on 30.12.2016 in the Chief Project Manager /4, Seed Bed Park Opp. Gurudwara Shakarpur Delhi -110092
4. Completion period of work	06 Months from the date of commencement of work.
5. Tender Documents on sale	From 01.12.2016 to 30.12.2016 (up to 15:00 hrs) on e-tendering website https://eprocure.gov.in/eprocure/app For further information on this regard bidders are advised to contact on Tel: 011-23121134, Fax: 01123121485
6. Last date of issuing addendum	20.12.2016 up to 15:30 Hrs
7. Pre-Bid Meeting	15.12.2016 @ 15:00 Hrs
8. Last Date & time of Submission of Tender Online	30.12.2016 up to 15:00 Hrs.

9. Date & time of opening of Technical Bid	30.12.2016 @ 15:30 Hrs.
10. Date & time of opening of Financial Bid	To be decided after Technical Evolution
11. Authority for purchase of tender documents, seeking clarifications and submission of completed tender documents	Site Office of Chief Project Manager /4, Seed Bed Park, Opp. Gurudwara, Shakarpur, Delhi -110092 Tel: 011-22483216, 22483217, 22483218 Fax: 011-22483215
NOTE: The bidder who fails to submit the tender cost & tender security (in original) within stipulated scheduled deemed to be rejected. All documents required as per NIT to be submitted in time. No second chance for submitting documents will be given. Tender with short document shall be summarily rejected.	

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 organizations 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 similar work.
- v. Any central/state government department/public sector undertaking/other government entity or local body must not banned business with the tenderer (any member in case of JV) as on date of tender submission Also no contract of the tenderer should not have been rescinded/terminated by DMRC / central or state govt department/public sector undertaking/other govt entity or local body after award during 5 years due to non performance of the tenderer or any JV/consortium members. The tenderer should submit undertaking to this effect in appendix-k of form of tender.

The overall performance of the tenderer(all member in case of JV/consortium) shall be examined for all the ongoing civil engineering works and work completed within last one year of value more than 40 % of NIT cost of work. The tenderer should provide list of all such works in the prescribes performa given in appendix-K1 of the form of tender. In addition the tenderer should 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 date of the previous month of tender submission.

If the tenderer or any of the constituent substantial members of JV/consortium does not meet the criteria stated in the appendix-K1, the tenderer including the constituent substantial members of JV/consortium shall be considered ineligible for participation in tender process and they shall be considered ineligible applicants in terms of clause 1.1.3.1 of NIT.

vi. 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.

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:

- (i) At least one work of similar nature/Miscellaneous civil work etc of value of **Rs. 190.85 lakhs** or more.

If the above work of **Rs. 190.85 lakhs** 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. 95.42 lakhs** outside the country of the foreign partner.

OR

- (ii) Two works of similar nature /Miscellaneous civil work etc each of value of **Rs. 119.28 lakhs** or more.

If the above work of **Rs. 119.28 lakhs** 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. 59.64 lakhs** outside the country of the foreign partner.

OR

- (iii) Three works of similar nature /Miscellaneous civil work etc each of value of **Rs. 95.42 lakhs** or more.

If the above work of **Rs. 95.42 lakhs** 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. 47.71 lakhs** outside the country of the foreign partner

Notes:

- The tenderer shall submit details of works executed by them in the Performa of **Appendix of FOT- H** 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 be submitted.
- 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 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 **Rs. 68.16 lakhs** 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 performa provided in ITT as Appendix – I** 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 $\geq \frac{W \cdot N}{100}$.

1

- (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 **Rs 95.42 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 of last five financial years should be \geq **Rs. 381.70 lakh.**

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

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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 of FOT-J** 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 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.

1.1.3.2 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 **31.10.2016** 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 31.10.2016**) for on-going construction works.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix of FOT-F** 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 has to be submitted by the tenderer in **Appendix of FOT-G**. 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 % 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 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.
- 1.1.3.4 No re-submission of tender documents will be permitted after closing date of submission of tender online.

1.1.4 The Tender documents consist of :

Volume 1

- Notice Inviting Tender
- Instructions to Tenderers
- Form of Tender (including Appendix)

Volume 2

- General Conditions of Contracts
- Special Conditions of Contract

Volume 3

- Employer's Requirements – General
- Employer's Requirements – Functional
- Employer's Requirements – Design
- Employer's Requirements – Construction
- Employer's Requirements – Appendices

Volume 4

Technical Specifications

Volume 5

Bill of Quantities

Volume 6

Condition of Contract on Safety, Health & Environment (SHE) Ver. 1.2

- 1.1.5 The contract shall be governed by the documents listed in Para 1.1.4 above along with latest edition of CPWD Specification, IRS Specifications & MORTH Specifications. These may be purchased from the market.
- 1.1.6 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Chief Project Manager /4, Seed Bed Park, Opp. Gurudwara, Shakarpur, Delhi -110092
- 1.1.7 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described “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.
- 1.1.8 The shortlisted tenderers must get themselves registered on e- tendering portal <https://eprocure.gov.in/eprocure/app> Tender submission will be made on line 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 documents.
- 1.1.9 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
- 1.1.10 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.9 Tenders shall be valid for a period of **120 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 as per **of ITT** in the form of a Bank Guarantee from Scheduled Commercial Bank in India, which shall be valid for a further period of **56 days** beyond the validity period for the tender.
- 1.1.10 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.



