



दिल्ली मेट्रो रेल कॉरपोरेशन लिमिटेड  
DELHI METRO RAIL CORPORATION LTD.

## **NOTICE INVITING TENDER (NIT)**

TENDER No.DMRC/OPERATIONS/FBS-01/2019

**CONCESSION AGREEMENT FOR  
PROCUREMENT, OPERATION AND  
MAINTENANCE OF ELECTRIC BUSES IN  
NORTH CLUSTER OF DELHI**

**DELHI METRO RAIL CORPORATION LTD.**

**5<sup>th</sup>FLOOR, A-WING, METRO BHAWAN, FIRE BRIGADE LANE,  
BARAKHAMBA ROAD, NEW DELHI 110001**

**INDEX**

<b>CLAUSE</b>	<b>DESCRIPTION</b>	<b>PAGE NO.</b>
1.1	GENERAL	3
1.1.2	KEY DETAILS	4
1.1.3	QUALIFICATION CRITERIA	5
1.1.3.1	ELIGIBLE TENDERER	5
1.1.3.2	MINIMUM ELIGIBILITY CRITERIA	8
-	INSTRUCTIONS FOR ONLINE BID SUBMISSION	15

## **NOTICE INVITING TENDER (NIT)**

### **1.1 GENERAL**

#### **1.1.1 Name of Work:** Delhi Metro Rail Corporation (DMRC) Ltd. invites online open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work: **Procurement, operation and maintenance of 50 MIDI AC Electric Buses in North Cluster of Delhi.**

Delhi Metro Rail Corporation Ltd. is a Joint Venture of Govt. of India and Govt. of National Capital Territory of Delhi with equity participation. Presently, it has a network metro route of 373 kms with 271 metro stations.

Last mile connectivity is a critical component for provision of an effective integrated public transport. It is essentially required to promote the use of public transport and to provide speedy & easy access to metro stations and to transit point / destination. With this objective, Delhi Metro Rail Corporation Ltd. (DMRC) has been providing feeder services to & fro metro stations. Various last mile connectivity modes includes feeder buses, e-rickshaws, cycle sharing services, etc. In order to provide further comfort to the passengers and to simultaneously contribute to the environment, DMRC is planning to introduce Air Conditioned Electric bus services on feeder routes.

In order to facilitate the passenger for last mile connectivity, DMRC intends to provide feeder services under North cluster by way of Air Conditioned Electric buses. In this regard bids are solicited from interested Applicants who shall be responsible to Procure, operate and maintain 50 (fifty) MIDI AC Electric buses (23-34 seater); specifications given in **Schedule-B of Conditions of Contract**. For the purpose, Delhi Metro Rail Corporation Ltd. floats this open e-Tender to select a Tenderer, who would be entrusted with the following tasks: -

- To procure, operate & maintain 50 (Fifty) MIDI AC Electric Buses. To procure, install, commission, operate & maintain battery charging Infrastructure for these 50 (Fifty) MIDI AC Electric Buses in the depot.
- To develop bus depot infrastructure for repair and maintenance of buses on land/plot provided by DMRC at Majlis Park and requisite tools, equipment, machinery for repair and maintenance of buses as per Annexure-1 of Schedule-A of Conditions of Contract.

For accomplishing the work, the Tenderer will be compensated by monthly payment on Opex Model.

The Tenderers are requested to familiarise themselves regarding OEM related requirements and technical eligibility criteria as per FAME India Phase-II scheme, its amendments and fulfil the same. Interested Tenderers, as per terms of eligibility given in this Tender Document, are requested to submit their bids for evaluation by DMRC for assessment of their capabilities (Technical and Financial) for provision of above-mentioned services. The proposal shall be submitted in two package system i.e. Technical Bid and Financial Bid separately on <https://eprocure.gov.in/eprocure/app> with supporting documents as provided in Instruction to Tenderers of this Tender Document.

### 1.1.2 KEY DETAILS

The key details are as follows: -

a.	<b>Approximate Cost of work</b>	<b>Rs. 179.62 Crores (Inclusive of 18% GST)</b>
b.	<b>Tender Security* (Earnest Money Deposit)</b>	<p>Amount of Tender Security:- <b>Rs.50 Lakhs</b>                      Validity of Tender Security in case of BG/ FDR: <b>24.06.2020</b>                      Tender Security in case of <b>BG, FDR, Demand Draft, Banker's Cheque (in original)</b> as per clause C18 of ITT shall be accepted only up to <b>1500 hrs on 29.10.2019</b> in the office of Chief Engineer/Contract at the address mentioned hereinafter.</p> <p>In case of <b>RTGS/NEFT/IMPS</b> transactions, Tenderers shall upload the scanned copies of transaction of payment of tender security / EMD including e-receipt (indicating UTR no.at the time of online bid submission. The Tender Reference Number i.e. <b>FBS-01/2019</b> shall be clearly entered in remarks/descriptions at the time of online transaction of payment, failing which payment may not be considered) to be uploaded in online bid submission. The detail of bank account of DMRC is mentioned below this table.</p> <p><i>Note:</i> Tenderers to note that the payment of tender security shall be made from the account of Tenderer only however, in case of JV/ Consortium the tender security can either be paid from JV/Consortium account or one of the constituent member of JV/Consortium. If tender security has been made from other than the account mentioned above, same shall not be accepted and all such bids shall be considered ineligible and summarily rejected.</p>
c.	<b>Period of work</b>	10 Years from commencement date, with provision of extension by 2 years based on mutual consent.
d.	<b>Tender Document on sale</b>	From <b>09.10.2019</b> to <b>29.10.2019</b> (upto 15:00 hrs) on e-tendering website <a href="https://eprocure.gov.in/eprocure/app">https://eprocure.gov.in/eprocure/app</a> .
e.	<b>Cost of Tender Documents* (Non-Refundable)</b>	<p>INR <b>23,600/-</b> (inclusive of 18% GST) Non-Refundable (Payment to be made only by RTGS, NEFT &amp; IMPS. No other mode of payment will be accepted.)</p> <p>The details of bank account of DMRC are mentioned below. The Tenderers shall upload scanned copies of transaction of payment of tender cost including e-receipt at the time of online bid submission.The Tender Reference Number i.e. <b>FBS-01/2019</b> shall be clearly entered in remarks/descriptions at the time of online transaction of payment, failing which payment may not be considered.</p>

<b>f.</b>	<b>Last date of Seeking Clarification</b>	<b>15.10.2019 (Upto 17:00 Hrs.)</b> (Queries from Tenderers after due date shall not be acknowledged)		
<b>g.</b>	<b>Pre-bid Meeting</b>	<b>16.10.2019 at 11:00 Hrs.</b>		
<b>h.</b>	<b>Last date of issuing amendment, if any</b>	<b>22.10.2019</b>		
<b>i.</b>	<b>Date and time of submission of Tender online</b>	Tender submission start date: <b>23.10.2019</b> from <b>11:00 Hrs.</b> Tender submission end date: <b>29.10.2019</b> upto <b>15:00 Hrs.</b>		
<b>j.</b>	<b>Date &amp; Time of opening of Tender (Technical Bid)</b>	<b>30.10.2019 at 15:00 Hrs.</b>		
<b>k.</b>	<b>Authority and place for submission of tender cost &amp; Tender Security (EMD), seeking clarifications on tender documents and pre bid meeting</b>	<b>CE/Contract,</b> Delhi Metro Rail Corporation Ltd. 5th Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001 Tel : 011-23415838		
<b>m</b>	<b>Date &amp; Time of opening of Financial Bid</b>	Will be informed later on, e-procurement site after the evaluation of Technical Bids (Only to the Tenderers who will successfully qualify the Technical Evaluation)		
<b>n)</b>	<b>Validity of Tender</b>	180 days from the last date of submission of tender		
<b>o)</b>	<b>Date of Commencement</b>	The Date of Commencement of work is 10 months and 15 days from the date of issue of LOA.		
To facilitate payment of Tender Fee and Tender Security through RTGS, NEFT & IMPS, the details of bank account of DMRC is mentioned below:				
Name of Bank	Bank's Address	Account Name & No.	Account Type	IFSC code
Punjab National Bank	ECE House Branch, Connaught Place, New Delhi-110001	DMRC Ltd. O&M Expenditure A/C, 1120005800000032	Current	PUNB0112000

### 1.1.3 QUALIFICATION CRITERIA

#### 1.1.3.1 ELIGIBLE APPLICANT

- i) The tenders for this contract will be considered only from those Tenderers 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 tendering process, 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 to

be disqualified. No Tenderer can be a sub-contractor while submitting a bid individually or as a partner of a JV/Consortium in the same bidding process. A Tenderer, if acting in the capacity of sub-contractor 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; or
  - 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 an implementation of the project, if the personnel would be involved in any capacity on the same project.
- iv) The payment of the tender cost is acceptable from any account. However, tenderer shall submit such transaction details along with their tender submission on e-portal. If the same transaction reference number has been submitted for more than one bids, all such bids shall be considered ineligible and summarily rejected.
- v) a) DMRC / any other Metro Organization (100% owned by Govt.) / Ministry of Housing & Urban Affairs / Order of Ministry of Commerce, applicable for all Ministries must not have banned business with the Tenderer (including any member in case of JV/consortium) as on the date of tender submission. The Tenderer should submit undertaking to this effect in Appendix-19 of Form of Tender.
- v) b) Also no contract of the Tenderer of the value more than 10% of NIT cost of workexecuted either individually or in a JV/Consortium, should have been rescinded / terminated by DMRC / any other Metro Organisation (100% owned by Govt.) after award during last 3 years (from last day of the previous month of tender submission) due to non-performance of the Tenderer or any of JV/Consortium, members. The Tenderer should submit undertaking to this effect in Appendix 19of Form of Tender.
- v) c) The overall performance of the tenderer (all members in case of JV/Consortium separately) shall be examined for all the ongoing Bus Services OR Stage Carriage/ Contract Carriage Services awarded by DMRC/ any other Metro Organisation (100% owned by Govt.)/ value more than 40% of NIT Cost and also for all the completed Bus Services OR Stage Carriage/Contract Carriage Services works awarded by DMRC/ any other Metro Organisation (100% owned by Govt.) of value more than 40% of NIT Costwithin last oneyear (from the last day of the previous month of tender submission), executed either individually or in a JV/Consortium. The tenderer shall provide list of all such works in the prescribed Performa given in Appendix-19A of the Form of Tender. The tenderer (all members in case of JV/Consortium separately) may either submit satisfactory performance certificate issued by the Client / Employer for the works or give an undertaking regarding satisfactory performance of the work with respect to completion of work/ execution of work (ongoing 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. In case of non-submission of either satisfactory performance certificate from client / employer or undertaking of satisfactory performance of any of the above work, the performance of such work shall be treated as unsatisfactory while evaluating the overall performance of tenderer in terms of Note (b) of Appendix - 19A. In case of performance certificate issued by the client, same should not be older than three months (from the last day of the previous month of tender submission for the ongoing works). In case the tenderer does not have any work falling in above criteria, his performance will not be judged unsatisfactory.

- v) d) Tenderer (including each member in case of JV/Consortium) for the works awarded by DMRC/any other Metro Organisation (100% owned by Govt. must have been neither penalized with liquidated damages of 10% (or more) of the Contract Value due to delay nor imposed with penalty of 10% (or more) of the contract value due to any other reason in any related work of value more than 10% of NIT cost of work during last three years. The Tenderer should submit undertaking to this effect in the Appendix-20 of Form of Tender.
- v) e) If the Tenderer or any of the constituent 'substantial member(s)' of JV/Consortium does not meet the criteria stated in the, Appendix-17, Appendix-17A & Appendix-17B, Appendix-19, Appendix-20 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 Tenderers in terms of Clause 1.1.3.1 of NIT.
- v) f) If there is any misrepresentation of facts with regard to undertaking submitted vide Appendix-19 , Appendix-19A, Appendix-20 ,the same will be considered as "fraudulent practice" under Clause 12 CC and the tender submission of such Tenderers will be rejected besides taking further action as per Clause 12 CC.
- vi) Tenderer (each member in case of JV/Consortium) must not have suffered bankruptcy/ insolvency during the last 3 years. The Tenderer should submit undertaking to this effect in the Appendix-21 of Form of Tender.
- vii) **LEAD MEMBER/NON SUBSTANTIAL MEMBER/ CHANGE IN JV/CONSORTIUM**
  - a) Lead member must have a minimum of 26% participation in the JV/Consortium.
  - b) Member having less than 26% participation will be termed as non-substantial member 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 tender otherwise the Tenderer shall be treated as non-responsive.
  - d) The Tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial member in the JV agreement/ MOU submitted vide foot note (d) of Appendix-6 of Form of Tender, providing clearly that any abrogation /subsequent re-assignment of any responsibility by any substantive/ non-substantive member of JV/Consortium in

favour of other JV/Consortium member or any change in constitution of member of JV/Consortium (without written approval of Employer) from the one given in JV agreement/MOU at tender stage, will be treated, as 'Breach of Contract Condition' and/or 'Concealment of Acts' (as the case may be), vide CC clause 12 and acted accordingly. Please refer clause 2 (xxxii)(f) and 9.3 of CC for change in ownership.

- e) The Employer in such cases, may in its sole discretion take action under clause 12 of CC against any member(s) for failure in Tenderer's obligation and declare that member(s) of JV/Consortium ineligible for award of any tender in DMRC or take action to terminate the contract in part or whole under Condition of Contract as the situation may demand and recover the cost/damages as provided in Contract.
- viii) a) Tenderer (including any member in case of JV / consortium) has not been put on defaulter's list of EPF / ESI / GST / Labour Deptt. etc during the last three years (upto the last day of the previous month of tender submission). The Tenderer should submit an undertaking to this effect in Appendix-27 of Form of Tender.
- viii) b) Tenderer (including each member in case of JV/consortium) should not be involved in any illegal activity and/or has not been charge sheeted for any criminal act during last three years(from the last day of the previous month of tender submission). The Tenderer should submit undertaking to this effect in the Appendix-27 of Form of Tender.

### **1.1.3.2 MINIMUM ELIGIBILITY CRITERIA**

#### **A. TENDERER'S COMPOSITION**

The Tenderer can be either of the following-

- i) Operator having authorization from Original Electric Bus Manufacturer meeting the specifications prescribed in Schedule-B of Conditions of Contract can participate with undertaking as per prescribed format given in Form of Tender - Appendix-10A either as a single entity or in JV/Consortium. Requirement of operational experience for operator is defined in clause 1.1.3.2 B below. Operator can submit authorization (Appendix-10A) from one or multiple OEM. Also, an OEM can issue Appendix-10A to multiple agencies.
- Or,
- ii) An Original Electric Bus Manufacturer (OEM)\* meeting the specifications prescribed in Schedule-B of Conditions of Contract, can participate either as a single entity or in JV/Consortium and can also issue multiple authorization letters (as per Performa – Appendix-10A of FOT) to various other tenderers.

#### **Definition of OEM:**

1. The OEM shall be an Indian manufacturer of the electric buses having manufacturing facility in India.
2. OEM should have completed testing and certification requirement under Central Motor Vehicles Rules 1989 (CMVR) of at least 01 (one) Mini/Midi/Standard



electric bus (100 % battery operated) from the designated testing centres in India i.e. CMVR type approval of at least one model of electric bus.

**Note:** - OEM shall ensure that at the time of supply of buses, all the buses should satisfy minimum technical eligibility criteria notified under FAME India Scheme Phase-II and also should satisfy Phased Manufacturing Program (Localisation) as notified by DHI from Time to time. In this regard, OEM has to submit undertaking and documents as per the Appendix-17C of FOT.

**B. OPERATIONAL EXPERIENCE CRITERIA**

i) Minimum Operational Experience of the Tenderer shall be **338 Passenger Car Unit Years** during the last three years (up to the last day of the previous month of tender submission)

ii) The following categories of experience would be considered for working out operation experience: -

**Category-1:** Stage Carriage (e.g. Standard Bus /Midi bus/Mini Bus / Rural Transport Vehicle (RTV)) operation with requisite valid Permits to operate inIndia.

**Category-2:** Contract Carriage (e.g. Standard Bus /Midi bus / Mini Bus / RTV / Cabs / Taxi / Van / Jeep) operations with requisite valid Permits to operate inIndia

**Category-3:** Stage / Contract Carriage with requisite valid Permits issued by appropriate authority from outside India under equivalent law.

iii) Based on the Category of experience, relative weights shall be assigned as set out here under for the purpose of calculations of operational experience in terms of passenger car unit years

Category	Measurement Parameter	Experience Weight
Category-1	Stage Carriage operation experience in India	1.00
Category-2	Contract Carriage operation experience in India	0.80
Category-3	Stage Carriage / Contract Carriage operation experience outside India	0.80

iv) In case the Tenderer has experience in more than one Category, the experience for each Category would be computed and aggregated to arrive at the total Operational Experience.

v) Tenderer needs to submit documents in respect of Operational Experience under any one or all the categories. In case the Tenderer is a JV / 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.This is to be substantiated with documentary evidence such as Client/Completion certificate, permit etc.

Based on the type of vehicle following PCU factors are to be used for working out

operational experience in terms of PCU years.

Type of vehicle	PCU Factor
Bus (Standard)(Overall Length – > 9.4 m)*	3.00
Midi Bus(Overall Length : (7-9.4 m)*	2.25
Mini Bus(Overall Length< 7.0 m)*	1.50
RTV	1.50
Car / Cabs	1.00
Taxi / Van / Jeep	1.00

\* Type of vehicles shall be as per Urban Bus Specifications for buses.

- vi) Experience Score in terms of PCU years for a given Category [refer Clause B.(i) above] will be worked out as

= Number of Vehicles X Experience Weight as per applicable category [refer table at (iii) above] X PCU Factor (refer table at v) above] X No. of Months of operations /12 months

**Note:** - Example for calculating the Operational Experience is set out in the following Table: -

Type	No. of vehicles with Permit	PCU Factor for Vehicle	Experience Weight as per category of Experience	No. of Months in Operation (1.4.15 to 31.3.18)	Total PCU Years
1	2	3	4	5	6=(2x3x4x5)/12
<b>Category 1</b>					
Bus(Standard)	35	3.00	1.00	24	210.00
Midi Bus	25	2.25	1.00	24	112.50
Mini Bus	10	1.50	1.00	20	25.00
<b>Category 2</b>					
Bus(Standard)	10	3.00	0.80	12	24.00
Mini Bus	5	1.50	0.80	8	4.00
Cab	50	1.00	0.80	12	40.00
Taxi	10	1.00	0.80	18	12.00
Van	2	1.00	0.80	5	0.67
Jeep	1	1.00	0.80	6	0.40
RTV	1	1.50	0.80	3	0.30
<b>OPERATIONAL EXPERIENCE (SUM OF TOTAL PCU YEARS)</b>					<b>428.87</b>

NOTE: The Tenderer is required to submit the self-attested copy of permit:

- vii) The Tenderers must provide the necessary information as per Appendix-17, Appendix-17A and Appendix-17B. Operational Experience for each Tenderer shall be calculated based on submissions made by the Tenderer. The Tenderer shall be deemed to qualify on Operational Experience Criteria where Calculated Operational Experience is more than or equal to the Minimum Operational Experience i.e. 338 passenger car unit years.
- viii) Existing operator of DMRC/ any other Metro Organisation (100% owned by Govt.) Feeder Buses shall meet the Minimum Operational Experience as stated in clause

1.1.3.2 B of NIT. However, they can use the permits of DMRC/ any other Metro Organisation (100% owned by Govt.) feeder buses issued on the Name of DMRC/ any other Metro Organisation (100% owned by Govt.) for meeting Operational Experience Criteria. They shall submit copy of these permits, Work Experience Certificate issued by Client indicating required details such as Contract Number & Name, Numbers of feeder buses in Operation, Types of buses, and Duration of Operation along with Performance of the Contract.

C. **FINANCIAL STANDING:** Tenderers will be qualified only if they have minimum financial capabilities as below:-

i) **T1 (LIQUIDITY)**

It is necessary that the tenderer 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 last audited balance sheets and/or from the banking reference. Net current assets and/or documents including banking reference (as per Performa given in Appendix-23 of Form of Tender), 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. 14.37 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 Tenderer/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. Banking Reference can be submitted by any/all of the substantial members.

The banking reference should be from a Scheduled Bank in India and it should not more than 3 months old as on date of submission of bids.

The Banking Reference should be on the letter head of the Bank and in the format as provided in Appendix-23.

In case of JV/Consortium- Liquidity 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 Liquidity of Member-1 is A and that of Member-2 is B, then the Liquidity of JV/Consortium should be =  $(AM+BN)/100$ .

ii) **T2 (Profitability)**

Profit before Tax should be positive in at least 1 (one) year, out of the last three 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. 3.59 crores.**

In Case of JV/Consortium - 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 =  $(AM+BN)/100$

iv) **T4- Annual Turnover:** The average annual turnover of the Tenderer during last 3 audited financial years should be  $\geq$  **Rs. 14.37 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 percentage = N. Let the average annual turnover of Member-1 is A and that of Member-2 is B, then average annual turnover of JV should be =  $(AM+BN)/100$ .

**Notes: -**

- Financial data for last three audited financial years has to be uploaded by the Tenderer in Appendix-18 of Form of Tender 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 Tenderer, he has to submit an affidavit [as per format provided in Appendix-18A to Form of Tender (FOT)] certifying that 'the Balance Sheet has actually not been audited so far'. In such a case the financial data of previous '2' Audited Financial Years will be taken into consideration for evaluation. If Audited Balance Sheet of any other year than the last year is not uploaded, the tender may be considered as non-responsive.

1.1.3.3 The tender submission of Tenderers, who do not qualify the minimum eligibility criteria stipulated in the clauses 1.1.3.2 above, shall not be considered for further evaluation and shall be 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. **In case of mismatch in financial data in the submitted documents i.e. in Chartered Accountant certified documents and data in audited balance sheet, the data from the audited balance sheets shall prevail.**

1.1.4 Tender document consists of the following: -

- a) Notice Inviting Tender (NIT)
- b) Instructions to Tenderers (including Annexures) [ITT]
- c) Form of Tender (Including Appendices) [FOT]
- d) Employer's Requirement (Including Appendices) (ER)
- e) Conditions of Contract (Including Schedules)
- f) Financial Bid (BOQ)

- 1.1.5 Tenderers may obtain further information / clarification, if any, in respect of these tender documents from the office of CE/Contract, Delhi Metro Rail Corporation Ltd., 5<sup>th</sup>Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi-110001.
- 1.1.6 All Tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause E4.4 of ITT and/or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.
- 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 e-tendering portal shall be required to get registered before-hand. After registration, the Tenderer will get USER ID and PASSWORD. On login, Tenderer can participate in the tendering process and can witness various activities of the process.
- 1.1.8 The authorized signatory of intending Tenderer, as per Power of Attorney (POA), must have valid Class-II or Class-III Digital Signature. The Tender Document can only be downloaded from e-tendering portal using Class-II or Class-III Digital Signature. However, the Tenderer shall upload their tender on <https://eprocure.gov.in/eprocure/app> using Class-II or Class-III digital signature of the authorized signatory only.
- 1.1.9 Tender submissions shall be done online on <https://eprocure.gov.in/eprocure/app> after uploading the mandatory scanned documents towards cost of tender and towards Tender Security and other documents as stated in the tender document. Instructions for online bid submission are furnished hereinafter.
- 1.1.10 Submission of Tenders shall be closed on e-tendering website of DMRC at the date & time of submission prescribed in NIT after which no tender shall be accepted. It shall be the responsibility of the Tenderer / Tenderer to ensure that his tender is uploaded online on e-tendering website <https://eprocure.gov.in/eprocure/app> before the deadline of submission. DMRC will not be responsible for non-receipt of tender documents due to any delay and/or loss etc.
- 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 last date of submission of Tender and shall be accompanied with a tender security of the requisite amount as per clause C18 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.
- 1.1.13 Tenderers are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for updates.
- 1.1.14 Letter of Acceptance to the successful Tenderer shall be uploaded on e-procurement portal <https://eprocure.gov.in/eprocure/app> which can be downloaded by the successful Tenderer. For any complaint, Tenderer may contact the CVO, DMRC (email-[cvodmrc@gmail.com](mailto:cvodmrc@gmail.com) or Phone No.011-23418406).

## **INSTRUCTIONS FOR ONLINE BID SUBMISSION**

The Tenderers are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the Tenderers in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at <https://eprocure.gov.in/eprocure/app>.

### **REGISTRATION**

- 1) Tenderers are required to enrol on the e-Procurement module of the North Public Procurement Portal (URL: <https://eprocure.gov.in/eprocure/app>) by clicking on the link “**Online bidder Enrolment**” on the CPP Portal which is free of charge.
- 2) As part of the enrolment process, the Tenderers will be required to choose a unique username and assign a password for their accounts.
- 3) Tenderers are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.
- 4) Upon enrolment, the Tenderers will be required to register their valid Digital Signature Certificate (Class-II or Class-III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.
- 5) Only one valid DSC should be registered by a Tenderer. Please note that the Tenderers are responsible to ensure that they do not lend their DSC’s to others which may lead to misuse.
- 6) Tenderer then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

### **SEARCHING FOR TENDER DOCUMENTS**

- 1) There are various search options built in the CPP Portal, to facilitate tenderers to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the tenderers may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.
- 2) Once the Tenderer has selected the tender they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective ‘My Tenders’ folder. This would enable the CPP Portal to intimate the tenderers through SMS / e-mail in case there is any corrigendum issued to the tender document.
- 3) The Tenderer should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

## **PREPARATION OF BIDS**

- 1) Tenderer should take into account any corrigendum published on the tender document before submitting their bids.
- 2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.
- 3) Tenderer, in advance, should get ready the bid documents to be uploaded as indicated in the tender document / schedule and generally, they can be in PDF/XLS/RAR/DWF/JPG formats. Bid documents may be scanned with 100 dpi with black & white option which helps in reducing size of the scanned document. Tenderer has to ensure that size of each file should not exceed 40 MB before uploading.
- 4) To avoid the time and effort required in uploading the same set of standard documents which are required to be uploaded as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the Tenderers. Tenderers can use “My Space” or “Other Important Documents” area available to them to upload such documents. These documents may be directly submitted from the “My Space” area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

## **SUBMISSION OF BIDS**

- 1) Tenderer should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Tenderer will be responsible for any delay due to other issues.
- 2) The Tenderer has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
- 3) Tenderer has to select the payment option as “offline” to pay the Tender Fee / EMD as applicable and enter details of the instrument.
- 4) Tender fee / Tender document cost: Tenderer has to select the instrument type & enter the details of transaction of payment of tender fee / tender document cost done by RTGS / NEFT / IMPS as applicable and upload copy of transaction receipt as documentary proof for payment for further details tenderer may refer clause C18.1 of ITT.
- 5) Tender Security / Earnest Money Deposit (EMD): Tenderer should submit the EMD/Tender Security as per the instructions specified in C18.3 of ITT in the tender document.
- 6) Tenderers are requested to note that they should necessarily submit their Financial Bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the Tenderers. Tenderers are required to download the BOQ file, open it and complete the white coloured (unprotected) cells with their respective financial quotes and other details (such as name of the Tenderer). No other cells should be changed. Once the

details have been completed, the Tenderer should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the Tenderer, the bid will be rejected.

- 7) The server time (which is displayed on the Tenderers' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the Tenderers, opening of bids etc. The Tenderers should follow this time during bid submission.
- 8) All the documents being uploaded by the Tenderers would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- 9) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- 10) Upon the successful and timely submission of bids (i.e. after Clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the Bid No. and the date & time of submission of the bid with all other relevant details.
- 11) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

### **ASSISTANCE TO TENDERERS**

- 1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.
- 2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.
- 3) For any Technical queries related to Operation of the North Public Procurement Portal Contact at: -

Tel: The 24 x 7 Help Desk Number 0120-4200 462, 0120-4001 002/5, 0120-6277 787.

E-Mail: support-eproc[at]nic[dot] in International Tenderers are requested to prefix +91 as country code.