

“Construction of Public Toilet at Wazirpur Industrial Area, New Delhi.”

NOTICE INVITING TENDER

No. NIT/03/2017-18/DMRC/CPM-2/PM-2B

1.1 GENERAL

1.1.1 Name of Work :

Delhi Metro Rail Corporation (DMRC) Ltd. invites Open e-tenders from eligible applicants, who fulfill qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work, “Construction of Public Toilet at Wazirpur Industrial Area, New Delhi.”

The brief scope of the work and site information is provided in NIT Section -3 and Section-5 respectively.

1.1.2 Key details :

Cost of Work	Rs. 32.89 Lakh
Tender Security Amount	Rs. 65,786/-
Completion period of the Work	3 months
Tender Documents on Sale	From 17.08.2017 to 30.08.2017 (upto 15:00 hrs) on e-procurement website https://eprocure.gov.in/eprocure/app Tender document can only be obtained after registration of tenderer on the website https://eprocure.gov.in/eprocure/app . For further information on this regard bidders are advised to contact on Tel: 011-23121134, Fax: 011-23121485
Cost of Tender Documents	Rs. 5,250/- (inclusive of 5% GST) 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 upto 15:00 hours on 30.08.2017 in the office of Chief Project Manager-2, at below mentioned address.
Date & Time of Submission of Tender	30.08.2017 (upto 15:00 Hrs).

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Date & Time of opening of Tender	31.08.2017 at 15:30 Hrs.
Authority and place for submission of Tender cost, EMD, seeking clarifications and opening of tender	<u>Project Manager-2B</u> Office of Chief Project Manager-2, Delhi Metro Rail Corporation, Opposite Inderlok Metro Station, Shahzada Bagh, Inderlok New Delhi –110035 Tel: 011-23121134, Fax: 011-23121485

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) who meet requisite eligibility criteria prescribed in the sub-clauses of clause 1.1.3 of NIT.
- ii. A tenderer shall submit only one bid in the same tendering process, individually as a tenderer. 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 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

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tender as individual firm, who has experience of Building work.

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 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.

(b) Also no contract of the tenderer of the value more than 10% of NIT cost of work, executed either individually or in a JV/Consortium, should have been rescinded/terminated by DMRC/any other Metro Organization (100% owned by Govt.) after award during last 03 years (from the 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-19 of Form of Tender.

(c) The overall performance of the tenderer (all members in case of JV/Consortium separately) shall be examined for all the ongoing Civil Engineering works awarded by DMRC/any other Metro Organization (100% owned by Govt.) of value more than 40% of NIT cost of work and also for all the completed Civil Engineering awarded by DMRC/any other Metro Organisation (100% owned by Govt.) within last one year (from the last day of the previous month of tender submission), of value more than 40% of NIT cost of work 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 (ongoing works) failing which their tender submission shall not be evaluated and the tenderer shall be considered non-responsive and non-complaint 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.

(d) Tenderer (including any 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 reasons in any Civil Engineering works of value more than 10% of NIT cost of work, during last three years. The tenderer should submit undertaking to this effect in Appendix-20 of Form of Tender.

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(e) If the tenderer or any of the constituent substantial member(s) of JV/Consortium does not meet the criteria stated in the Appendix 19 or Appendix 19A or 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 applicants in terms Clause 1.1.3.1 of NIT.

(f) If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-19 or performance in any of the works reported in the Appendix 19A or undertaking submitted vide Appendix-20, the same will be considered as “fraudulent practice” under Clause 4.33.1 a(ii) of GCC and the tender submission of such tenderers will be rejected besides taking further action as per Clause 4.33.1 (b), (c) & 13.2.1 of GCC.

1.1.3.2 Minimum Eligibility Criteria:

A. **Work Experience:** The tenderers will be qualified only if they have completed work(s) during last five years ending **31.03.2017** as given below:

(i) At least one work of similar nature (**i.e. Building Work**) of value of **Rs. 26.31 Lakh** or more.

OR

(ii) Two works of similar nature (**i.e. Building Work**) of value of **Rs 16.45 Lakh** or more.

OR

(iii) Three works of similar nature (**i.e. Building Work**) of value of **Rs. 13.15 Lakh** or more.

Notes:

- The tenderer shall submit details of works executed by them in the Performa of **Annexure-1** 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 **31.03.2017** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **31.03.2017** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency

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portions per year. **The Exchange rate of foreign currency shall be applicable 28 days before the submission date of tender.**

- The client’s certificate clearly indicating the amount pertaining to the work of “Building Work” shall be furnished by the tenderer along with their submission.

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. 18.79 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. 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 and it should not be more than **3 months** old as on date of submission of bids.

- (ii) **T2 - Profitability:** Profit before Tax should be Positive in at least **2(two) year**, out of the last five audited financial years.

- (iii) **T3 - Net Worth:** Net Worth of tenderer during last audited financial year should be **≥Rs. 26.31 Lakh**

- (iv) **T4 - Annual Turnover:** The average annual turnover from construction of last five financial years should be **≥Rs. 105.25 Lakh.**

Notes:

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Annexure-2** 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 will be considered as non-responsive.

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- 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: 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 **31.03.2017** price level assuming **5%** inflation for Indian Rupees every year and **2%** for foreign currency portions per year). This will be taken from the PQ submission of the tenderer. (**Annexure-3A**)

N = No. of years prescribed for completion of the work

B = Value of existing commitments (as on **31.03.2017**) for on-going construction works during next **6 months.w.e.f 01.04.2017**.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Annexure-3A** along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature in original.
- Value of existing commitments for on-going construction works during period of 6 months as on **31.03.2017** has to be submitted by the tenderer in **Annexure-3B** of NIT. These data shall be certified by the Chartered Accountant with his stamp and signature.

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 The tender submission of tenderers, who do not qualify the 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.

1.2.3 Tender documents consists of following sections:

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Volume -1

- i) Notice Inviting Tender & Annexures to NIT (Annexure-1,1A,2,3A,3B)
- ii) Instructions to Tenderers & Annexures to ITT (Annexure-1,2,3,4,7,8,11)
- iii) Scope of Work
- iv) Technical Specification
- v) Site Information
- vi) Special Conditions of contract
- vii) Mode of Measurement
- viii) Tender Drawings

Volume -2

- i) Form of tender & Appendix to FOT (Appendix-1,2,5,9,10,11,12)
- ii) Bill of quantities.

Volume 3

- i) General conditions of Contract
- ii) Condition of contracts on Safety, Health and Environment (SHE) Ver.1.2.

1.2.4 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from **Project Manager-2B, Office of Chief Project Manager-2, Opposite Inderlok Metro Station, Shahzada Bagh, Inderlok, New Delhi-110035.**

1.2.5 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.

1.2.6 All tenderers are hereby cautioned that tenders containing any material deviation or reservation as described in instruction to tenderer and/ or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.

The contract shall be governed by the documents listed in **para 1.2.3** above along with latest edition of CPWD Specification, IRS Specifications & MORTH Specifications. These may be purchased from the market.

1.2.7 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.

1.2.8 Tender submissions will be made online after uploading the mandatory scanned

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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 document.

- 1.2.9 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.2.10 Tenders shall be valid for a period of **180 days** from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per ***Clause - 18.1 of ITT***.
- 1.2.11 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.

**Project Manager-2B
Delhi Metro Rail Corporation**