

NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work:

Delhi Metro Rail Corporation (DMRC) Ltd. invites open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work

“CONTRACT DMRC-MU-LINE2A-AEUD-05R: TURNKEY PROJECT OF DESIGN, SUPPLY, ERECTION, TESTING & COMMISSIONING FOR MODIFICATION & RAISING OF HEIGHT OF EXISTING 220 KV/110KV MULTI CIRCUIT TRANSMISSION LINES OF M/S RELIANCE INFRA INFRINGING LINE-2A AT BANGUR NAGAR(SPAN VAB 13-14) AND LINE-7 AT MAHANANDA (SPAN VAB 26-27), USING MULTI-CIRCUIT UTILITY STEEL MONOPOLE STRUCTURES”.

The brief scope of the work and site information is provided in ITT Clause A1 (Volume-1) & Technical Specifications (Volume-3)

1.1.2 Key details :

Approximate value of work	Rs. 11.78 Crores
Tender Security amount	Rs. 11.78 Lakhs Validity of Tender Security in case of BG & FDR: - 07.11.2018 Tender Security in case of BG, FDR, Demand Draft, Banker's Cheque (in original) as per clause C18 of ITT shall be accepted only up to 1500 hrs on 13.03.2018 in the office of Chief General Manager/Contracts at the address mentioned hereinafter. In case of RTGS/NEFT & IMPS transactions, bidders shall required to upload the scanned copies of transaction of payment of tender security / EMD at the time of online bid submission. The detail of bank account of DMRC is mentioned below this table.
Completion period	06 months
Tender documents on sale	From 03.02.2018 to 13.03.2018 (upto 15:00 Hrs) on e-tendering website www.eprocure.gov.in/eprocure/app . Tender document can only be obtained online after registration of tenderer on the website www.eprocure.gov.in/eprocure/app . For further information in this regard bidders are advised to contact on 011-49424307, 011-49424365 or 011-23417910, 011-23415838
Cost of Tender documents	INR 23,600/- (inclusive of 18% GST) Non-Refundable (Payment of tender document cost/ tender fee is to be made only by RTGS, NEFT & IMPS. No other mode of payment will be accepted. The detail of bank account of DMRC is mentioned below this table. The bidders are required to upload scanned copies of transaction of payment of tender document cost/ tender fee at the time of online bid submission.)

Last date of Seeking Clarification	19.02.2018
Pre-bid Meeting	22.02.2018 at 11:00 Hrs
Last date of issuing addendum	28.02.2018
Date & time of Submission of Tender	Tender submission start date :05.03.2018 (0900 hrs) Tender submission end date :13.03.2018 (1500 hrs)
Date & time of opening of Tender	14.03.2018 at 15:00 Hrs.
Authority and place for submission of Bid Document cost, tender security, seeking clarifications & Pre Bid Meeting	Chief General Manager/Contracts, Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001

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
ICICI Bank	9A, Phelps Building, Connaught Place, New Delhi -110001	DMRC Ltd. Tender Cell A/C, 000705045337	Current	ICIC0000007

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-2013 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 design, supply, erection, testing and commissioning of transmission line system.
- v. (a) DMRC / any other Metro Organisation (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.
- (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 Organisation (100% owned by Govt.) after award during last 03years (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 Electrical Engineering Works awarded by DMRC/ any other Metro Organisation (100% owned by Govt.) of value more than 40% of NIT cost of work and also for all the completed Electrical Engineering Works 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 of work (for 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 the 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 month (from the last day of the previous month of tender submission) for the on-going 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 penalised 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 Electrical 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.
- (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 of 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

vi Tenderer (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years. The tenderer should submit undertaking to this effect in **Appendix-21** of Form of Tender.

vii LEAD PARTNER/ NON SUBSTANTIAL PARTNERS IN CASE OF JV/CONSORTIUM

a. Lead partner must have a minimum of 26% participation in the JV/Consortium.

b. Partners having less than 26% participation will be termed as non-substantial partner and will not be considered for evaluation which means that their financial soundness and work experience shall not be considered for evaluation of JV/Consortium.

c. In case of JV/Consortium, change in constitution or percentage participation shall not be permitted at any stage after their submission of application otherwise the applicant shall be treated as non-responsive.

d. The tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial partner 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 partner of JV/Consortium in favour of other JV/Consortium partner or any change in constitution of partners 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 facts’ (as the case may be), vide GCC clause 4.33.1 [a (ii) and (iii)] and acted accordingly.

The Employer in such cases, may in its sole discretion take action under clause 4.33.1 (b) and/or under clause 4.33.1(c) of GCC 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 clause 13 of GCC as the situation may demand and recover the cost/damages as provided in contract.

vii. The tenderer must have Valid Electrical Contractor License of Govt.

1.1.3.2 Minimum Eligibility Criteria:

A. Work Experience: The tenderers will be qualified only if they have successfully completed work(s)**, completion date(s) of which falling during last ten years ending last day of the month previous to the month of tender submission as given below:

(i) At least one “*similar works*”* of value **INR 9.42 Cr** or more

OR

(ii) Two “*similar works*”* of value **INR 5.89 Cr** or more.

OR

(iii) Three “*similar works*”* of value **INR 4.71 Cr** or more.

* *Similar works*” for (i),(ii),(iii) above for this contract shall be the work of Design, supply, erection, testing and commissioning of minimum of 110kV or higher voltage electrical transmission line.

** Value of successfully completed portion of any ongoing work up to last day of the month previous to the month of tender submission will also be considered for qualification of work experience criteria.

AND

The bidder shall have to submit an Authorization Letter from manufacturer of steel monopole for all technical support like design, manufacture, supply, erection, testing, commissioning of monopole etc. whichever is required for the smooth execution of the contract in the format prescribed as Appendix-2. Such manufacturer should have the qualification as mentioned below:

1. Should have a manufacturing plant in India.
2. Pole manufacturer should have a manufacturing & galvanizing plant in India and should have supplied at least 10 Nos of 110 kV or higher voltage level transmission line monopoles (in which at least 8 Nos of 110 kV or higher voltage level Transmission line mono poles must have been in satisfactory operation for one year) in India during the last 5 years as on the date of bid opening. The completion certificate/s & one year performance certificate/s in this regard needs to be submitted from any transmission utility of state/central government along with the bid.

Notes:

- The pole manufacturer will inspect and certify the satisfactory completion of installation, testing and commissioning done by executive agency.
- The tenderer shall submit details of works executed by them in the Performa of **Appendix-17 and 17A 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 last day of the month previous to the month of tender submission will also be considered for qualification of work experience criteria. in case of ongoing works of design, supply, erection, testing & commissioning for modification & raising of height of existing 220 kv/110kv multi circuit transmission lines, tenderer shall submit certificate issued by competent authority certifying substantial completion that includes design, supply, erection, testing & commissioning for modification & raising of height of existing 220 kv/110kv multi circuit transmission lines
- For completed works, value of work done shall be updated to ending last day of the month previous to the month of tender submission 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.
- If the above work(s) (i.e. “similar work” -“design, supply, erection, testing & commissioning for modification & raising of height of existing 220 kv/110kv multi

circuit transmission lines” comprise other works, then client’s certificate clearly indicating the amount of work done/quantum of work done in respect of the “similar work” shall be furnished by the tenderer in support of the work experience along-with their tender submissions.

B. - Financial Standing: The Tenderers will be qualified only if they have minimum financial capabilities as below:

(i) T1 – Liquidity: Not used

(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/JVA/Consortium - The profitability of only lead member shall be evaluated.

(iii) T3 - Net Worth: Not used

(iv) T4 - Annual Turnover: Not Used.

(iv) T5-Solvency: Tenderer should have a solvency of **Rs. 5.89 Cr**, duly certified by a Scheduled Commercial Bank based in India not older than three months

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 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 other year than the last year is not submitted, the tender will 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 : Not Used

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.

1.1.3.5 This is a MMRDA funded work which is being executed by DMRC on deposit work basis. Tenderer shall ensure due closure of this Contract for execution of works with DMRC. Tenderer shall ensure that all risks, rewards and claims associated with this contract are settled before closure of this contract. Tenderer to note above while submitting bid with DMRC. However, if this closure is not possible within one year of Revenue Operation Date (ROD) due to arbitration etc, the further management of this contract will be handled by MMRDA.

1.1.4 Tender Documents

The Tender documents consist of :

- Volume-1: Notice Inviting Tender (NIT)
Instructions to Tenderers (ITT) including Annexure
Form of Tender (FOT) including Appendices
- Volume-2: General Conditions of Contracts (GCC)
Special Conditions of Contract (SCC)
- Volume-3: Technical Specifications (TS)
- Volume-4: Tender Drawings
- Volume-5: Condition of Contract on Safety, Health & Environment (SHE) Ver.-1.2
- Volume-6: Schedule of Major Items

1.1.5 The contract shall be governed by the documents listed in Para 1.1.4 above.

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

- 1.1.6 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of General Manager (Contracts), Delhi Metro Rail Corporation, 5th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi – 110 001.
- 1.1.7 The intending tenderers must be registered on e-tendering portal www.eprocure.gov.in/eprocure/app Those who are not registered on the e-tendering portal shall be required to get registered beforehand. If needed they can be imparted training on 'online tendering process'. After registration, the tenderer will get user id and password. On login, tenderer can participate in tendering process and can witness various activities of the process.
- 1.1.8 The authorized signatory of intending tenderer, as per Power of Attorney (POA), must have valid **class-III/III** digital signature. The tender document can only be downloaded or uploaded using Class-III digital signature of the authorized signatory.
- 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 documents such as scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS 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 or scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS and other documents as stated in the tender document.
- 1.1.10 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause. E 4.0 of "Instructions to Tenderers" and/or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.
- 1.1.11 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 bidder / tenderer to ensure that his tender is submitted 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.

- 1.1.12 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 date of submission of Tenders and shall be accompanied with a tender security of the requisite amount and acceptable form as per **Clause C18 of ITT**.
- 1.1.13 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.
- 1.1.14 Bidders shall note that the maximum file size that can be uploaded is 5 MB. All the uploaded files in tender submission should be named properly and arrange systematically.
- 1.1.15 The bidders are advised to keep in touch with e-tendering portal www.eprocure.gov.in/eprocure/app for updates. The Letter of Acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder. For any complaints tenderers may contact CVO DMRC at 1st floor A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001, Tel:011-23418406, Email: cvodmrc@gmail.com.

Chief General Manager (Contracts)
Delhi Metro Rail Corporation Ltd.