

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, "**Contract KC-2 : Construction of Elevated Viaduct, 6 Elevated Stations viz Aluva, Pulinchodu, Companypady, Ambattukavu, Muttom, Kalamassery, (From Chainage (-)120.000m to 7055.218 m) Including Architectural Finishing Works of Stations and Connecting Elevated viaduct & Ramp to Depot at Muttom on Alwaye – Petta Line of Kochi Metro Rail Project**". The detailed scope of the work and site information is provided in Employer's Requirement (Volume 3).

1.1.2 There are likely to be 4 (four) packages for civil works of viaduct and stations. However, the tenderers must note that only a maximum of 2 (two) contract packages will be awarded to a contractor while they can participate in all tenders. It will also be made sure that a Party is awarded a maximum of only 2 (two) contract packages, either in individual capacity or to a Joint Venture/consortium in which they are member(s). Tenders are cautioned that this condition will be applicable even if some member(s) of the JV/consortium are different in respective tenders.

1.1.3 Key details:

Approximate Cost of Work	₹353.00 Crores
Tender Security Amount	₹3.53 Crores
Completion period of the Work	24 (Twenty Four) Months
Tender Documents on Sale	From 16.01.2013 to 31.01.2013 (between 09:00 Hrs to 17:30 Hrs) on working days
Cost of Tender Documents	21,000/- (inclusive of 5% VAT) (Demand Draft in favour of "Delhi Metro Rail Corporation Ltd") payable at New Delhi.
Last Date of Seeking Clarification	05.02.2013 (up to 11:00 hrs)
Pre-bid Meeting	08.02.2013 at 11:00 Hrs. at office of the Project Director, DMRC Ltd., 2nd Floor, GCDA, Eastern Entry Tower, Ernakulam South Railway Station, Kochi – 682016 (Tel.: 0484-2311113, Fax : 0484-2321112)

Date of issuing addendum	15.02.2013
Date & Time of Submission of Tender	01.03.2013 (up to 15:00 hrs) at office of the Chief Engineer/Tender, Delhi Metro Rail Corporation Limited, 5th Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi – 110 001 (Tel.:011-23415838, Fax: 011-23417908)
Date & Time of opening of Tender (At the Place of Submission)	01.03.2013 at 15:05 hrs
Authority and Place for purchase of Tender Documents	<p>Tender documents are available for sale at following 2 offices :</p> <p>(i) Office of the Chief Engineer (Tender), Delhi Metro Rail Corporation, 5th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi – 110001 (Tel.:011-23415838, Fax: 011-23417908)</p> <p>(ii) Office of the Project Director, DMRC Ltd., 2nd Floor, GCDA, Eastern Entry Tower, Ernakulam South Railway Station, Kochi – 682016 (Tel.: 0484-2311113, Fax : 0484-2321112)</p>

1.1.4 QUALIFICATION CRITERIA :

1.1.4.1 Eligible Applicants :

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 as under :

- i. 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 non-Indian firm is permitted to tender only in a consortium arrangement or Joint Venture with their wholly owned Indian subsidiary registered in India under Companies Act -1956 or any other Indian firm having minimum participation interest of 26%.
- iii. A tenderer shall submit only one bid in the same tendering process, either individually as a tenderer or as a partner of a JVA. 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 JVA 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.
- iv. A tenderer shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A tenderer may be considered to have a conflict of interest with one or more parties in the bidding process, if:
 - (a) a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for or implementation of the project;

- (b) a tenderer is any associates/affiliates (inclusive of parent firm) 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 or implementation of the project, if the personnel would be involved in any capacity on the same project.
- v. 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 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.

1.1.4.2 Eligibility Criteria for the tenderers is given below :

A) Work Experience : The tenderers will be qualified only if they have completed work(s) during last **Seven(7)** years ending **28.02.2013** as given below :

- (i) At least one similar work (i.e Viaduct/Bridge/Flyover having super structure as Pre stressed concrete using pre cast member/element including its casting, transporting & Launching/Erection etc. Complete.) of Rs. 195 crores and one work of civil construction of frame structured multistoried building/Metro Railway Stations/any similar civil structure of total value of Rs. 87 crores or more,

‘OR’
- (ii) Two similar works (i.e Viaduct/Bridge/Flyover having super structure as Pre stressed concrete using pre cast member/element including its casting, transporting & Launching/Erection etc. Complete.) each of value of Rs. 122 Crores or more and two work of civil construction of frame structured multistoried building/Metro Railway Stations/any similar civil structure, each of total value of Rs. 54 crores or more,

‘OR’
- (iii) At least three similar works (i.e Viaduct/Bridge/Flyover having super structure as Pre stressed concrete using pre cast member/element including its casting, transporting & Launching/Erection etc. Complete.) each of value of Rs. 98 Crores or more and three work of civil construction of frame structured multistoried building/Metro Railway Stations/any similar civil structure, each of total value of Rs. 43 crores or more.

Additional Requirement : At least one of the above works must be on pile foundation wherein the value of piling must be Rs. 25 crores or more or else in addition to above works, the tenderer must submit details of any other work involving pile foundation executed by them wherein the amount of piling shall be more than Rs. 25 crores.

Notes :

- (a) The tenderer shall submit details of work executed by them in **Appendix 15 of Form of Tender (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 be submitted.

- (b) Value of successfully completed portion of any on-going work up to **28.02.2013** will also be considered for qualification of work experience criteria.
- (c) For completed works, value of work done shall be updated to **28.02.2013** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year.
- (d) In case of joint venture / consortia, full value the work, if it was done by the same joint venture or the entire work was done fully by any of the substantial member, shall be considered. If the work was done in other JV formation, the value in proportion of the participation in that JV by the member (only substantial member) shall be considered. No evaluation of work done by any non-substantial member shall be done.

B) Financial Standing: The tenderers will be qualified only if they have minimum financial capabilities as below:

- (i) **T₁- Working Capital** (Liquidity and Bankers References): Working Capital (Net Cash Flow) of the tenders during last audited financial years should be $\geq \text{₹ 25.00 Crores}$.
 - In case of JV/consortium, the requirement of working capital is to be distributed between members as per their percentage participation and every member should satisfy the minimum requirement.

For example, Let member-1 has percentage participation = M and member-2 has percentage participation =N. If minimum working capital required is 'W' then working capital required of member -1 $\geq (W.M)/100$ and working capital required of member -2 $\geq (W.N)/100$

 - The liquidity shall be ascertained from Net Working Capital {Current Assets – (current liabilities + provisions)} as per latest audited balance sheet and/or from the Banking reference(s).
 - Banking reference(s) should contain in clear terms the amount that the Bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Working Capital (as seen from the Balance Sheet) is negative, only the Banking reference(s) will be considered, otherwise the aggregate of the Net Working Capital and submitted Banking reference(s) will be considered for working out the Liquidity.
 - The Banking references should be from a Scheduled Bank in India or from an International Bank of repute (in case of foreign vendors) and it should not be more than 3 months old as on the date of submission of bids.
 - In case the applicant is a Joint Venture/Consortium and if Banking Reference is issued by the bank in favour of the Joint Venture/Consortium for this contract, then it will be considered for the tenderer and if the Banking reference(s) is issued in favour of any member of JV/Consortium it will be considered only for that member.
 - (ii) **T₂- Profitability** :Profit before Tax should be Positive in at least 2 (two) years, out of the last five financial years.

- In case of JV/consortium, the profit before tax of the lead member of the JV/consortium will be considered. 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 **₹ 35 Crores.**
 - In case of JV/consortium, the net worth will be based on the percentage participation of each member.
- (iv) **T₄ - Annual Turnover :** The average annual turnover from construction works of last five financial years should be \geq **₹ 141 crores.**
 - In case of JV/consortium, the average annual turnover will be based on the percentage participation of each member.

Notes :

- a) Financial data for latest 5 years has to be submitted by bidders in **Appendix 16 of FOT** along with the audited Balance Sheets. In case audited Balance Sheet of the last Financial Year i.e. 2011-12 is not made available by the bidder, he has to submit an affidavit certifying that the Balance Sheet for the financial year 2011-12 has actually not been audited so far along with Statuary Auditor's certificate in this regard. In such a case the financial data of previous 4 years i.e. 2007-08, 2008-09, 2009-10 and 2010-11 will be taken into consideration for evaluation.
- b) Foreign Tenderers, in whose country calendar year is also the financial year, may submit all relevant data for the last 5 years i.e. 2007, 2008, 2009, 2010 and 2011.
- c) **If Audited Balance Sheet of any other year than the last financial year is not submitted, the application will be considered as Non-responsive.**

1.1.3.3 Bid Capacity Criteria :

Bid Capacity : The tenderers will be qualified only if their available bid capacity is more than the approximate cost of work as per NIT. Available bid capacity will be calculated based on the following formula :

$$\text{Available Bid Capacity} = 2 \times A \times N - B$$

Where,

A = Maximum of the value of construction works executed in any one year during the last five financial years (updated to 31.03.2012 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 28.02.2013**) for on-going construction works during period of **24 months** w.e.f.**01.03.2013**.

In the case of a group/JV, the above formula will be applied to each member to the extent of his proposed participation in the execution of the work.

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:

$$\text{Bid Capacity of the JV / group} = 0.7X + 0.3Y$$

Tenderers, which do not qualify bid capacity criteria, shall not be considered for further evaluation and shall be rejected.

Notes :

- (a) Financial data of the construction work done for latest last five financial years has to be submitted by the tenderer in **Appendix 17 of FOT** along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature.
- (b) Value of existing commitments for on-going construction works during period of **24 months** w.e.f. **01.03.2013** has to be submitted by the tenderer in **Appendix 18 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature.

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

1.1.5 The Tender documents consist of:

Volume 1

- Notice Inviting Tender (NIT)
- Instructions to Tenderers (ITT)
- Form of Tender (FOT)
- Special Conditions of Contract (SCC)

Volume 2

- Technical Specifications (Part-A & Part-B)

Volume 3

- Employer’s Requirement and Appendices

Volume 4

- Bill of Quantities (BOQ)

Volume 5

- General Conditions of Contract (June, 2011)
- Condition of Contract on Safety, Health & Environment (SHE Ver. 1.2)

Volume 6

- Tender Drawings (Part A to E)

1.1.6 The contract shall be governed by the documents listed in para 1.1.4 above and CPWD, MORTH& IRC Specifications. CPWD, MORTH & IRC Specifications may be purchased from the market.

1.1.7 The tenderers may obtain further information and pre-bid clarifications, if any, in respect of these

Contract KC-2 : Notice Inviting Tender

tender documents from the office of Chief Engineer (Tender), Delhi Metro Rail Corporation, 5th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001.

- 1.1.8** All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause C2.2 (m) 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.
- 1.1.9** Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.10** 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 **Annexure-6 of ITT** in the form of a Bank Guarantee from Scheduled Commercial Bank in India.
- 1.1.11** 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.

**Chief Engineer (Tender)
Delhi Metro Rail Corporation Ltd.**