

NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work :

Delhi Metro Rail Corporation (DMRC) Ltd. invites sealed tenders from eligible applicants, who fulfill *qualification criteria* as stipulated in clause 1.1.3 of NIT, for the work, “*Contract BC-46 : Construction of Staff Quarters at Sector-46, Gurgaon*”. The brief scope of the work and site information is provided in clause 2.0 & 3.0 respectively.

1.1.2 Key details :

Approximate cost of work	Rs.23.50 Crores
Tender Security amount	Rs.23.50 Lakhs
Completion period of the Work	30 (Thirty) Months
Tender documents on sale	From 14/01/2011 to 25/01/2011 (between 09:00 Hrs to 17:30 Hrs) on working days
Cost of Tender documents	Rs. 21,000/- (inclusive of 5% DVAT)
Last date of Seeking Clarification	27/01/2011 (up to 1100 Hrs.)
Pre-bid Meeting	27/01/2011 at 11:00 Hrs.
Last date of issuing addendum	31.01.2011
Date & time of Submission of Tender	07/02/2011 (up to 15.00 hrs)
Date & time of opening of Tender	07/02/2011 at 15:05 hrs
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	Chief Engineer (Tender), Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001

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 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. Tenderers shall not have a conflict of interest. All Tenderers found to have a conflict of interest in this tender process shall be disqualified. Tenderers shall be considered to have a conflict of interest, if:
 - (a) One firm applies for tender both as an individual firm and in a Group.
 - (b) If Tenderers in two different applications have controlling shareholders in common.
 - (c) Submit more than one application in this tender process.
 - (d) If the Tenderer has participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of this tender.
- 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.
- v. Tenderer must not have been blacklisted or deregistered by any central / state government department or public sector undertaking. Also no work of the tenderer must have been rescinded by client after award of contract during last 10 years. The tenderer should submit undertaking to this effect in Performa of **Annexure-4**.

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 31.01.2011 as given below :

- (i) At least one work of "**Multistoreyed RCC framed structure building work (minimum Ground + 6 floors)**" of value of **Rs. 18.80 crores** or more, **or**
- (ii) Two different works, as defined in Para (i) above, each of value **Rs. 11.75 crores** or more, **or**

- (iii) Three different works, as defined in Para (i) above, each of value **Rs. 9.40 crores** or more

Notes :

- The tenderer shall submit details of work 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 the contract entered into with the private party/ contractor, bill of quantities ordered and for which payment has been received duly certified by C.A., T.D.S certificates issued by the client for payments made for such contract and copy of final/last bill paid for such contract shall be submitted. Value of successfully completed portion of any ongoing work up to 31.08.2009 will also be considered for qualification of work experience criteria.***
- For completed works, value of work done shall be updated to **31.01.2011** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year.
- In case of joint venture / consortia, full value the work, if done by the same joint venture or any of members of the Joint Venture shall be considered. However, if the work done by them in JV/consortium, value of work as per his percentage participation shall be considered.

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

- (e) **T₁ - Working Capital** (Liquidity and Bankers References) : Working Capital (Net Cash Flow) of the tenderers during last audited financial year should be \geq **Rs. 1.34 crores**
- (f) **T₂ - Profitability** : Profit before Tax should be Positive in at least 1 (one) year, out of the last three audited financial years.
- (g) **T₃ - Net Worth** : Net Worth of tenderer during last audited financial year should be \geq **Rs.1.88 crores.**
- (h) **T₄ - Annual Turnover** : The average annual turn over from construction of last three financial years should be \geq **Rs.7.52 crores.**

Notes :

- Financial data for last three 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 '3' 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.
- In case of Joint Venture / Consortia, the financial standing criteria will be evaluated based on weighted average of the financial data of the members as per their percentage participation.

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 :

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

Where,

A = Maximum of the value of construction works executed in any one year during the last five financial years (updated to 31.03.2010 price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year).

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

B = Value of existing commitments (as on **31.01.2011**) for on-going construction works during period of **30 months** w.e.f. **01.02.2011**.

Notes :

- Financial data for 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.
- Value of existing commitments for on-going construction works during period of **30 months** w.e.f. **01.02.2011** has to be submitted by the tenderer in **Annexure-3B**. These data shall be certified by the Chartered Accountant with his stamp and signature.
- In the case of joint venture / consortia, bid capacity of each member will be computed applying above formula and combined bid capacity of the joint venture / consortia will be weighted average of the individual bid capacity of the members as per

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.

1.1.4 The Tender documents consist of :

Volume 1

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

Volume 2

- Technical Specifications

Volume 3

- Bill of Quantities (BOQ)

Volume 4

- Geotechnical Investigation Report

Volume 5

- Tender Drawings

Following two documents, even though not attached as a part of tender document, will form integral part of the tender. These documents will form integral part of contract agreement also. The work is to be carried out in accordance with GCC and all provisions contained in the Conditions of Contract on SHE shall be strictly followed. These documents can be purchased separately from DMRC. The tenderers while quoting their rates must carefully consider all the requirements of these documents:

- i. **General conditions of contract (Part Design & Build and Build only)**
- ii. **Conditions of contract on Safety, Health & Environment (SHE) Ver 1.2.**

1.1.5 The contract shall be governed by the documents listed in para 1.1.4 above and CPWD Specifications. CPWD Specifications may be purchased from the market.

- 1.1.6** The tenderers may obtain further information, if any, in respect of these 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.
- 1.1.7** All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause 24.0 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.
- 1.1.8** Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.9** The Tenderer should confirm and declare in the tender submittal (in Performa of **Annexure-5**) that they, or any associate, have not engaged in any fraudulent and corrupt practice as defined in Clause 5.0 of the General Conditions of Contract and that no agent, middleman or any intermediary has been, or will be, engaged to provide any services, or any other items of work related to the award and performance of this contract.
- 1.1.10** Tenders shall be valid for a period of **120 days** from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per form B 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

