

Tender No. DMRC/CHK-Ops-01/2021: Mechanized Cleaning & Housekeeping Works from Rajendra Place to New Ashok Nagar Metro station of Line-3 (including Mandi House-6) of DMRC Ltd.

<b>Addendum No. –1</b>				
<b>(SUMMARY SHEET)</b>				
<b>S. No.</b>	<b>Clause Reference</b>	<b>In place of</b>	<b>Please read as</b>	<b>Remarks</b>
1.	Pre-Bid Qualification Clause 1.1 x) 'Purchase Preference to Class-I Local Suppliers/Preference to Make in India'	Page 6 of 14 Page 7 of 14 Page 8 of 14	Page 6R of 14 Page 7R of 14 Page 8R of 14	Clause modified.
2.	Appendix-31 of FOT	–	Revision no.1	Appendix modified
3.	Appendix-34 of FOT	–	Revision no.1	Last page of Appendix modified
4.	Annexure-D of Employer's Requirement	Page 22 of 23 and Page 23 of 23	Page 22R of 23 and Page 23R of 23	Content of table modified.
5.	Penalties & Deductions Clause 2b) 'Deduction details for Chemicals and other consumables'	Page 3 of 4 and Page 4 of 4	Page 3R of 4 and Page 4R of 4	Content of table modified.
6.	BOQ Form F-C 'Minimum Cleaning Chemicals And Consumables Required For Station Cleaning'	–	Revision no.1	Content of 'Chemical' and 'Make' column of table modified.
7.	Pre-Bid Clarifications (2 pages)			

foreclosed or scope under that contract is reduced by DMRC after award during last three 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- 27** of Form of Tender.

**ix) Participation by Subsidiary Company / Parent Company with credential of other Company**

- a. Applicant in the capacity of a Subsidiary Company as a single entity is not permitted to use the credential of its Parent Company and/or its Sister Subsidiary Company/ Companies unless the Applicant participates in tender as JV/Consortium with its Parent Company and/or its Sister Subsidiary Company/ Companies as a member(s) in JV with minimum 26% participation each (as Substantial member) for such member(s).

However, in such a case each substantial member of JV/Consortium has to substantiate the experience of executing at least one "similar work" as per the requirement of clause **1.1(vii)(a)** in their individual capacity along with all other requisite conditions stipulated in the tender documents.

- b. Applicant in the capacity of a Parent Company as a single entity is not permitted to use the credential of its Subsidiary Company/Companies unless the Applicant participates in tender as JV/Consortium with its Subsidiary Company/ Companies as a member(s) in JV with minimum 26% participation each (as substantial member) for such member(s).

However, in such a case each substantial member of JV/Consortium has to substantiate the experience of executing at least one "similar work" as per the requirement of **Clause 1.1(vii)(a)** in their individual capacity along with all other requisite conditions stipulated in the tender documents.

**x) Purchase Preference to Class-I Local Suppliers/Preference to Make in India:**

Only Class-I local supplier and Class-II local supplier are eligible to participate/bid in this tender.

**a) Definitions:**

- i) 'Local content' means the amount of value added in India which shall, unless otherwise prescribed by the Nodal Ministry, be the total value of the item procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all custom duties) as a proportion of the total value, in percent.
- ii) Class-I local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than **90% 50%**, as defined under the Order No. P-45021/2/2017-PP(BE-II) dated 04.06.2020 **16.09.2020** issued by Department for Promotion of Industry and Internal Trade (DPIIT).

**Minimum local content for class-I local supplier shall be 90% 50% for the subject tender.**

- iii) 'Class-II local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content more than 20% but less than ~~90%~~ **50%**, as defined under the Order No. P-45021/2/2017-PP (BE-II) dated ~~04.06.2020~~ **16.09.2020** issued by Department for Promotion of Industry and Internal Trade (DPIIT).
  - iv) 'Non-Local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than or equal to 20%, as defined under the Order No. P-45021/2/2017-PP (BE-II) dated ~~04.06.2020~~ **16.09.2020** issued by Department for Promotion of Industry and Internal Trade (DPIIT).
  - v) 'L1' means the lowest tender or lowest bid or the lowest quotation received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per the tender or other procurement solicitation.
  - vi) 'Margin of purchase preference' means the maximum extent to which the price quoted by a "Class-I local supplier" may be above the L1 for the purpose of purchase preference. The margin of purchase preference shall be **20% of subject tender**.
- b) Procedure for Purchase Preference to 'Class-I local supplier' in procurement of goods or works which are divisible in nature: NOT APPLICABLE FOR THE SUBJECT TENDER**
- i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'class-I local supplier', the contract for full quantity will be awarded to L1.
  - ii. If L1 bid is not a 'Class-I local supplier', 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the 'Class-I local supplier' will be invited to match the L1 price for the remaining 50% quantity subject to the Class-I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.
  - iii. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price or accepts less than the offered quantity, the next higher 'Class-I local supplier' within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly.
  - iv. In case some quantity is still left uncovered on Class-I local suppliers, then such balance quantity may also be ordered on the L1 bidder.
- c) Procedure for Purchase Preference to 'Class-I local supplier' in procurement of goods or works which are not divisible in nature and in procurement of services where the bid is evaluated on price alone: APPLICABLE FOR THE SUBJECT TENDER**
- i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.
  - ii. If L1 is not 'Class-I local supplier', the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.

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- iii. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly.
- iv. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price; the contract may be awarded to the L1 bidder.

**d) Minimum Local content and Verification of local content:**

- i. The 'Class-I local supplier'/'Class-II local supplier' at the time of tender, bidding or solicitation shall be required to indicate percentage of minimum local content and provide self-certification that the item offered meets the minimum local content requirement for 'Class-I local supplier'/'Class-II local supplier', as the case may be. They shall also give details of the location(s) at which the local value addition is made.
- ii. In cases of procurement for a value in excess of Rs.10 crores, the 'Class-I local supplier'/'Class-II local supplier' shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content after completion of works to the Engineer.
- iii. If any false declaration regarding local content is found, the company shall be debarred for a period of three years from participating in tenders of all metro rail companies.
- iv. Supplier/bidder shall give the details of the local content in a format attached as **Appendix-31 and Appendix-32 of FOT** duly filled to be uploaded along with the technical bid. In case, bidder do not upload **Appendix-31 and Appendix-32** of FOT duly filled along with their technical bid, supplier/bidder shall be considered as 'Non-local supplier' and will not be eligible to participate for estimated value of purchases upto Rs.200 crores except Global tender enquiries in terms of Clause 3(b) of Order No.P-45021/2/2017-PP(BE-II) dated ~~04.06.2020~~ **16.09.2020** issued by Department for Promotion of Industry and Internal Trade (DPIIT).

**e) Complaints relating to implementation of Purchase Preference**

Fees for such complaints shall be Rs.2 Lakhs or 1% of the value of the local item being procured (subject to maximum of Rs.5 Lakhs), whichever is higher. In case the complaint is found to be incorrect, the complaint fee shall be forfeited. In case, the complaint is upheld and found to be substantially correct, deposited fee of the complainant would be refunded without any interest.

**xi Restriction of Bidders from Countries sharing Land Borders with India**

Any bidder from a country which shares a land border with India will be eligible to bid either as a single entity or as a member of a JV / Consortium with others, in any procurement whether of goods, services (including consultancy services and non-consultancy services) or works (including turnkey projects) only if the bidder is registered with the Competent Authority.