### NOTICE INVITING TENDER (e-TENDER)

#### 1.1 GENERAL

Delhi Metro Rail Corporation (DMRC) Ltd. Invites sealed open e-Tenders (two bids) from eligible applicants, who fulfill the qualification criteria as stipulated in clause no. 1.2 of NIT, for the work, "Supply and Installation of L-type and I-type MS strip to Strengthen the 25 kV Isolator Operating Rod for Main Line and Depot Feeding Post for all lines and Supply and Installation of Mounting Structure for 42 kV Lightening Arresters (LAs) at RI, KG, SN & DW RSS of Delhi Metro Rail Corporation Ltd."

1.1.1 The details of the Tender are as per following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approximate cost of work</td>
<td>₹ 14,18,515.00 (inclusive of all taxes)</td>
</tr>
<tr>
<td>Tender Security amount</td>
<td>₹ 28,370.00 (As per Clause 13.2 of ITT)</td>
</tr>
<tr>
<td>Cost of Tender (Non-Refundable)</td>
<td>₹ 5,250.00 (₹ 5,000/- plus 5% VAT) Non-Refundable</td>
</tr>
<tr>
<td>Completion period of the Work</td>
<td>01 Year (from 10th day of issue of letter of acceptance)</td>
</tr>
<tr>
<td>Tender documents on sale</td>
<td>From 14.03.2017 to 05.04.2017 (up to 17:00 hrs) on e-tendering website</td>
</tr>
<tr>
<td>Pre-bid Meeting</td>
<td>N/A</td>
</tr>
<tr>
<td>Last date of Seeking Clarification</td>
<td>27.03.2017 up to 15:00 hrs. (Queries from bidders after due date shall not be acknowledged)</td>
</tr>
<tr>
<td>Last date of Issuing Addendum / Corrigendum</td>
<td>31.03.2017 up to 17:00 hrs.</td>
</tr>
<tr>
<td>Last Date &amp; time of Submission of Tender Online</td>
<td>05.04.2017 up to 17:00 hrs.</td>
</tr>
<tr>
<td>Date &amp; time of opening of Technical Bid Online</td>
<td>07.04.2017 at 12:00 hrs.</td>
</tr>
<tr>
<td>Date &amp; time of opening of Financial Bid Online</td>
<td>Shall be informed after evaluation of technical bid through website</td>
</tr>
<tr>
<td>Authority and place for submission of tender cost</td>
<td>Additional General Manager/Traction/DMRC,</td>
</tr>
<tr>
<td>tender security, required documents (if any), seeking</td>
<td>6th Floor, C-wing,</td>
</tr>
<tr>
<td>clarifications etc.</td>
<td>Metro Bhawan, Fire Brigade Lane,</td>
</tr>
<tr>
<td></td>
<td>Barakhamba Road,</td>
</tr>
<tr>
<td></td>
<td>New Delhi-110001.</td>
</tr>
</tbody>
</table>

The tender cost and tender security will be in the form of a 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.

The same should be submitted in original latest by two hours before opening of technical bid in the office of AGM/TR at the above mentioned address.

**NOTE:** The bidder who fails to submit the tender cost & tender security (in original) within stipulated scheduled deemed to be rejected.
1.2 QUALIFICATION CRITERIA:

1.2.1 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 1.2 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 agreement either with an Indian firm having minimum participation interest of 26% or their wholly owned Indian subsidiary registered in India under Companies Act-1956 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/Consortium. A tenderer who submits or participates in more than one bid will cause all of the proposals in which the tenderer has participated either as sole tenderer or member of JV/consortium will be disqualified. A tenderer can be a subcontractor while submitting a bid individually or as a partner of a JV/consortium 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. 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 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 or 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 as partner of a joint venture/consortium. However, the lead partner in case of JV shall be one who has experience of similar works.

v. (a) DMRC / Any Central / State Government Department / Public Sector undertaking / Other Government entity or local body must not have banned business with the tenderer (including any member in case of JV/consortium) as on the date of tender submission.

(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 Central or State Govt. Department / Public Sector Undertaking / other Govt. entity or local body 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-II 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 and completed Civil Engineering / Electrical / Signalling / System / Traction Works 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-VIII of the form of Tender. In addition, the tenderer (all members in case of JV/Consortium separately) shall also submit certificate issued by the Client / Employer for satisfactory performance for all these works 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. The performance certificate issued by the client should not be older than three months (from the last day of the previous month of tender submission).

(d) Tenderer (including any member in case of JV/consortium 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 reason in any Civil Engineering / Electrical / Signaling / System / Traction Contract of value more than 10% of NIT cost of work, during last three years. The tenderer should submit undertaking to this effect in Appendix-IX 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-II or Appendix-VIII or Appendix-IX, 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 1.2.1 of NIT.

(f) If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-II, or performance in any of the works reported in the Appendix-VIII, or undertaking submitted vide Appendix-IX, 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 (c) of GCC.

1.2.2 Minimum Eligible Criteria:

i. Work Experiences -

The tenderers will be qualified only if they have satisfactorily completed similar nature of work(s) during last five years ending on the last day of the previous month of tender submission as given below:

a. One single work of “similar nature” of at least 80% of estimated value of contract.

OR

b. Two works of “similar nature”, each of at least 50% of estimated value of contract.

OR

c. Three works of “similar nature”, each of at least 40% of estimated value of contract

The contractors have completed the above works in Govt. / Semi Govt. / PSU / Private Metro Railway Organization.

Similar Nature of Work: Supply & Installation / Erection / commissioning of Electrical/Mechanical Installations.

In case of JV/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.

NOTE:

1. Successful completed portion of ongoing works up to last day of the previous month of tender submission shall also be considered for qualifying the eligible criteria.

2. Following documents shall be considered for evaluating the criteria of work experience:
   a. Self-attested copies of work order, BoQ along with completion certificate (indicating the name of work, final amount, quantity of work, completion date etc.) issued by the client preferably on their letter head for completed work.
   b. Self-attested copies of work order, BoQ and latest certificate issued by along with completion certificate issued by the client preferably on their letter head for quantum of work executed for work under progress.

3. The tenderer shall provide the documentary proof such as completion certificates / performance certificate from client showing satisfactory performance of similar works wherein following details are to be given:
   a. On company letter head or duly stamped by authorized signatory of firm issuing the completion certificate.
   b. Name of Organization where work done
   c. Customer contact name, email and phone number
   d. Name / Scope of work undertaken by the applicant
   e. LOA No. and date
   f. Cost of Work and date of Commencement of work as per LOA
   g. Actual Completion Cost and Actual date of Completion
   h. Certificate of satisfactory completion of work.

In addition to above, if the work(s) is executed for private client(s), then copies of work order, bill of quantities, bill wise details of payment received certificate by Chartered Accountant, TDS certificates for all payments received and copy of final/last paid by client shall also be submitted.

ii. Financial Standings –

a) Average Annual Turnover: Contractor’s average Annual Turnover of last three audited financial years should be equal to or more than 0.8X of estimated cost of work.*

\[ \text{Estimated cost of work as per NIT} \]

\[ \text{where, } X= \text{---------------------------------------------} \]

\[ \text{Completion period (in years)} \]

The average annual turnover of JV will be based on percentage participation of each member.

Example: Let Member-1 has percentage participation = M and Member - 2 has =N. Let the average annual turnover of Member-1 is 'A' and that of Member-2 is 'B', then the average annual turnover of JV will be

\[ \frac{AM+BN}{100} \]

b) Net Worth: Net worth of applicants should be positive.
In Case of JV- Net worth will be based on the percentage participation of each Member.

Example: Let Member-1 has percentage participation = M and Member-2 has =N. Let the Net worth of Member-1 is A and that of Member-2 is B, then the Net worth of JV will be

\[
\frac{AM+BN}{100}
\]

Tenderer shall submit last three years audited financial statement duly attested by certified CA to work out net worth.

c) **Solvency Certificate** - Solvency Certificate of 80% of estimated cost of contract from the Scheduled Commercial Bank.

Documentary proof of satisfying eligibility conditions and audited financial data to be furnished along with the application on printed letter heads. Testimonials of satisfactory completion should be obtained from an officer not below the rank of executive engineer.

1.2.3 The tender submission of bidders, who do not qualify the minimum eligibility criteria, shall not be considered for further evaluation and considered rejected. The mere fact that the bidder is qualified as mentioned in above shall not imply that his bid shall automatically be accepted. The same shall be subject to the data as required for consideration of tender prescribed in the ITT.

The mere fact that the tenderer is Pre-qualified as shall not imply that his bid shall automatically be accepted. The same should contain all Financial & other details as required for the consideration of tender.

1.2.4 Tender document consists of the following documents, along with their annexure, appendices, addenda and errata if any:

- a. Notice Inviting Tender (NIT)
- b. Scope of Work (SOW)
- c. Tender Prices and Schedule of Payment
- d. Instructions to Tenderers (ITT)
- e. Form of Tender (FOT)
- f. Special Conditions of Contract (SCC)
- g. Other terms and conditions (OTC)
- h. General Conditions of Contract (GCC)
- i. Other relevant supporting documents

1.2.5 The contract shall be governed by the documents listed in Para 1.2.4 above.

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

1.3 The bidders may obtain further information / clarification, if any, in respect of these tender documents from the office of **Additional General Manager/Traction/DMRC, 6th Floor, C-Wing, Metro Bhawan, Fire Brigade Lane, Barakamba Road, New Delhi-110001**
1.4 The intending bidders 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.

1.5 The authorized signatory of intending bidder, 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.

1.6 Tenders shall be valid for a period of as per ITT clause 12.0 from the date of submission of Tenders.

1.7 Tenderer is cautioned that the tender containing any material deviation from the tender document which consists of NIT, Instructions to tenderers, General conditions of contract, Special conditions of contract, Bill of quantities is liable to be summarily rejected as non-responsive.

1.8 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.

1.9 Tenderers are advised to visit the site before offering their rates.

1.10 The bidders are advised to keep in touch with e-tendering portal https://eprocure.gov.in/eprocure/app for updates. Any corrigendum, addendum etc issued shall be part of this tender document and shall be made available on this e-tendering portal.

1.11 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.