NOTICE INVITING TENDER (NIT)
(e-Tender)

1.1 GENERAL

1.1.1 Name of Work:
Delhi Metro Rail Corporation (DMRC) Ltd, invites online open e-tenders from eligible applicants, who fulfill qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work, Contract: DMRC/O&M/E&M/LED/76: Supply, Installation, Testing & Commissioning of LED Lights at 76 different locations (i.e. stations, depots, RSS and staff quarters) in DMRC.

The brief scope of the work is provided in Employer’s Requirement (Volume 3).

NOTE: Tenderers are advised to note that there are two different contract packages for Supply, Installation, Testing & Commissioning of LED Lights at 155 different locations (i.e. stations, depots, RSS and staff quarters) in DMRC viz., Contract DMRC/O&M/E&M/LED/76 and Contract DMRC/O&M/E&M/LED/79 Tenderers are also advised to refer clause 1.1.3.1 (viii) of NIT regarding award of contract.

1.1.2 KEY DETAILS:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>a.</td>
<td>Name of Work</td>
</tr>
<tr>
<td>b.</td>
<td>Approximate Cost of work</td>
</tr>
</tbody>
</table>
Validity of Tender Security in case of BG: 31.07.2020  
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 05.12.2019 in the office of Chief Engineer/Contract at the address mentioned hereinafter.  
In case of RTGS/NEFT/IMPS transactions, tenderers shall upload the scanned copies of transaction of payment of tender security / EMD including e-receipt (indicating UTR No.) at the time of online bid submission, The Tender Reference Number i.e. Contract: DMRC/O&M/E&M/LED/76 shall be clearly entered in remarks/descriptions at the time of online transaction of payment, failing which payment may not be considered. The detail of bank account of DMRC is mentioned below this table.  
Note: Bidder to note that the payment of tender security shall be made from the account of bidder only however, in case of JV/Consortium the tender security can either be paid from JV/Consortium account or one of the constituent member of JV/Consortium. If tender security has been made from other than the account mentioned above, same shall not be accepted and all such bids shall be considered ineligible and summarily rejected. |
| d. | Completion period of Work | 09 months |
| e. | Tender Documents on sale | From 05.11.2019 to 05.12.2019 (upto 1500 hrs) on e-tendering website https://eprocure.gov.in/eprocure/app |
| f. | Cost of Tender Documents* (Non-Refundable) | INR 23,600/- (Inclusive of 18% GST) Non-Refundable (Payment to be made only by RTGS, NEFT & IMPS. No other mode of payment will be accepted). |
The details of bank account of DMRC are mentioned below:

The tenderers shall upload scanned copies of transaction of payment of tender cost including e-receipt (indicating Tender Reference No.) must be entered at the time of online bid submission. The Tender Reference Number i.e. DMRC/O&M/E&M/LED/76 shall be clearly entered in remarks/descriptions at the time of online transaction of payment, failing which payment may not be considered.

Note: The payment of the tender cost is acceptable from any account. However, tenderer shall submit such transaction details along with their tender submission on e-portal. If the same transaction reference number has been submitted for more than one bid, all such bids shall be considered ineligible and summarily rejected.

(Copy of GST registration no, to be provided along with Tender document cost/tender fee)

g. Last date of Seeking Clarification : 11.11.2019 (Upto 1200 Hrs) (queries/clarifications from tenderers after due date and time shall not be acknowledged)

h. Pre-bid Meeting : 14.11.2019 at 1100 Hrs.

i. Last date of issuing amendment, if any : 25.11.2019

j. Date and Time of submission of Tender online

   Tender submission start date: 26.11.2019 (from 1100 hrs)
   Tender submission end date: 05.12.2019 (upto 1500 hrs.)

k. Date & Time of opening of Tender online (Technical Bid) : 06.12.2019 at 1500 Hrs.

l. Date & Time of opening of Financial Bid : Will be informed later on after the evaluation of Technical Bids
(Only to the tenderers who will successfully qualify the Technical Evaluation)

m. Validity of Tender : 180 days from the last date of submission of tender

n. Stipulated date of Commencement of work : As mentioned in Letter of Acceptance (LOA)

o. Authority, place for submission of tender cost & Tender Security (EMD), seeking clarifications on tender documents and pre-bid meeting : CE/Contract,
Delhi Metro Rail Corporation Ltd.,
5th 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:

<table>
<thead>
<tr>
<th>Name of Bank</th>
<th>Bank's Address</th>
<th>Account Name &amp; No.</th>
<th>Account Type</th>
<th>IFSC code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab National Bank</td>
<td>ECE House Branch, Connaught Place, New Delhi-110001</td>
<td>DMRC Ltd, O&amp;M Expenditure A/C, 112000580000000032</td>
<td>Current</td>
<td>PUNB0112000</td>
</tr>
</tbody>
</table>
1.1.3 QUALIFICATION CRITERIA

1.1.3.1 Eligible Applicant

i. The tenders for this contract will be considered only from those tenderers (proprietary firms, partnership firms, companies, corporations, consortia or joint ventures (JV hereinafter)) 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 participate in tender 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-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. 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 or implementation of the project;

(b) A tenderer is any associates/affiliates (inclusive of parent firms) mentioned in sub-paragraph (a) above; or

(c) A tenderer lends, or temporarily seconds its personnel to firms or organizations which are engaged in consulting services for the preparation related to procurement for an implementation of the project, if the personnel would be involved in any capacity on the same project.

iv The payment of Tender cost is acceptable from any account. However, tenderer shall submit such transaction detail along with their tender submission on e-portal. If the same transaction reference number has been submitted for more than one bids. All such bids shall be considered ineligible and summarily rejected.

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.

v(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 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-19 of Form of Tender.

v(c). The overall performance of the tenderer (all members in case of JV/Consortium separately) shall be examined for all the ongoing Electrical 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 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 (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 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 ongoing works.

v(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 work 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.

v(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 Clause 1.1.3.1 of NIT.

v(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 the Appendix-21 of Form of Tender.

vii. ** LEAD PARTNER/NON-SUBSTANTIAL PARTNERS/CHANGE IN 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. However, in this tender for Civil / Electrical / Signalling / Tracks & Other System Works **, a Joint Venture / Consortium to qualify, each of its partner (including non-substantial partners) must have experience of executing at least one Civil / Electrical / Signalling / Tracks & Other System Work** of minimum 20% of NIT value in last 07 years. ** Strike whichever are not applicable The tenderer shall submit details of above works in the Perfora of Appendix-17 & 17A of FOT etc. as per Notes 2), 3), 4) & 7) of Clause 1.1.3.2.A of NIT.

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.
e. 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.

viii. **ELIGIBILITY FOR ONLY ONE PACKAGE**

Based upon the quantum of the work and the location of projects i.e. a total of 155 DMRC locations which includes stations, depots, RSS, staff quarters and other buildings, the proposed work has been divided into following two contract packages:

(i) **Contract DMRC/O&M/E&M/LED/76**: Supply, installation, testing & commissioning of LED lights at 76 different locations (i.e. stations, depots, RSS and staff quarters) in DMRC. Approximate cost of work **INR 26.45 Crore**.

(ii) **Contract DMRC/O&M/E&M/LED/79**: Supply, installation, testing & commissioning of LED lights at 79 different locations (i.e. stations, depots, RSS and staff quarters) in DMRC. Approximate cost of work **INR 27.05 Crore**.

Technical Packages of both the Contract packages shall be opened and finalized simultaneously. However, financial packages shall be dealt in following sequence:


(2) After finalization of Contract:DMRC/O&M/E&M/LED/79, financial packages of Contract:DMRC/O&M/E&M/LED/76 shall be opened. The financial package of the bidder who has been awarded Contract:DMRC/O&M/E&M/LED/79 shall not be opened for Contract:DMRC/O&M/E&M/LED/76. In case the bidder who is awarded the package-I, (Contract No. DMRC/O&M/E&M/LED/79), is the only bidder in package II (Contract No. DMRC/O&M/E&M/LED/76), the same shall be opened and evaluated & can be considered for award of work.

ix. **Purchase Preference to Local Supplier/ Preference to Make in India:**

(a) Definitions:

i) 'Local content' means the amount of value added in India which shall 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. Minimum local content shall be 80% for the subjected tender.

ii) ‘Local supplier’ means a supplier or service provider whose product or service offered for procurement meets the minimum local content as prescribed at Sr.no.1) above.

iii) ‘L1’ means the lowest tender or lowest bid received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per tender or other procurement solicitation.

iv) ‘Margin of purchase preference’ means the maximum extent to which the price quoted by a local supplier may be above the L1 for the purpose of purchase preference. Margin of purchase preference shall be 10% for the subjected tender.

(b) **Procedure for purchase preference 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 from a local supplier, the contract for full quantity will be awarded to L1.

ii) If L1 is not from a local supplier, 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the lowest suppliers will be invited to match the L1 price for the remaining 50% quantity subjected to the local supplier’s quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such local suppliers subject to matching the L1 price.

iii) In case such lowest eligible local suppliers fails to match the L1 price or excepts less than the offered quantity, the next higher 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 local suppliers, than such balance quantity may also be ordered on the L1 bidder.

(c) Procedure for purchase preference in procurement of goods or works which are not divisible in nature and in procurement of service where the bid is evaluated on price alone: NOT APPLICABLE FOR THE SUBJECT TENDER

i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is from a local supplier, the contract will be awarded to L1.

ii) If L1 is not from a local supplier, the lowest bidder among the lowest suppliers will be invited to match the L-1 price subject to the local supplier’s quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such local suppliers subject to matching the L1 price.

iii) In case such lowest eligible local suppliers fails to match the L1 price, 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 local supplier within the margin of purchase preference matches the L1 price, then the contract may be awarded to the L1 bidder.

(d) Minimum local content and verification of local content:

i) The local supplier as the time of tender shall be required to provide self-certification that the item offered meet the minimum local content and shall give details of the location(s) at which the local value addition is made.

ii) In case of procurement for a value in excess of Rs. 10 Crores, the local supplier shall be required to provide a certificate from the statutory auditor or cost auditor of the company of from a practicing cost accounted or practicing chartered accountant 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 debarrd for a period of 03 years from participating in tenders of all metro rails companies.

iv) Supplier/bidder shall give the details of the local content in a format attached as Appendix-23 and Appendix-24 of FOT duly filled to be uploaded along with the technical bid. In case, bidder do not upload Appendix-23 & Appendix-24 of FOT duly filled along with the technical bid, local content shall be considered as ‘nil’ in tender evaluation.

(e) Complaints relating to implementation of Purchase Preference

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

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 seven years ending last day of the month previous to the month of tender submission as given below(tenderer shall upload Appendix-17 of FOT):

i. One “Similar completed work” **costing not less than INR 21.16 Crore.

OR

ii. Two “Similar completed work” **costing not less than INR 13.22 Crore.

OR

iii. Three “Similar completed work” **costing not less than INR 10.58 Crore.

AND

*(a) Specific work of Supply of LED lights/Supply, Installation and Commissioning of Lights illumination work of value 5.29 Crore or more.

*In case work defined at S.N. (a) of value of Rs. 5.29 Cr or more is included in any of the work mentioned in S.N. i, ii & iii above the tenderers are not required to submit the work at S.N. (a) separately. However client certificate clearly indicating the amount of work done in respect of above shall be furnished by the tenderer in support of work experience along with their tender submission.
**‘Similar Work’ for this Contract shall be “Supply of LED lights/Supply, installation, testing & commissioning of lights/ Electrical / Electrical & Mechanical works”.

If the tenderer is a JV/Consortium having foreign partner(s) and above work(s) have been executed by the foreign partner of JV/Consortium and the work(s) were done in the country of the foreign partner, then in addition to this the foreign partner must have executed works (Which need not be similar in nature) of total minimum value **INR10.58 Crore** or more outside the country of the foreign partner.

Note:

(1) Work experience of only substantial partner (partner with share of 26% or more in the JV /Consortium) shall be considered for evaluating of JV/Consortium.

(2) The tenderer shall submit details of works executed by them in the Performa of Appendix-17 & 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. All the documents or certifications which are provided by CA after 1st July, 2019, must contain UDIN thereon and the particulars of certifications must be same as mentioned on document/certification and submitted to ICAI on its website which can be verified online on [https://udin.icai.org/search-udin](https://udin.icai.org/search-udin).

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

(4) For completed works, value of work done shall be updated to the last day of the previous 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.

(5) 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. This is to be substantiated with documentary evidence.

(6) If the above work(s) comprise(s) other works also, then client’s certificate clearly indicating the amount of work done in respect of the “similar work” shall be furnished by the tenderer in support of work experience along-with their tender submissions.

(7) Only work experience certificate having stamp of Name and Designation of officer along with the name of Client shall be considered for evaluation. However, if any work experience certificate has been issued prior to 01.07.2019, same shall be considered for evaluation even it is not stamped.

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

(i) **T1-Liquidity:** It is necessary that the firm can withstand cash flow that the contract will require until payments received from the Employer. Liquidity therefore becomes an important consideration.

This shall be seen from the last audited balance sheets and/or from the banking reference. Net current assets and/or documents including banking reference (as per proforma given in Appendix-26 of Form of Tender), should show that the applicant has access to or has available liquid assets.
lines of credit and other financial means to meet cash flow of **Rs.5.04Crore** for this contract, net of applicant's commitments for other contracts. Banking reference should contain in clear terms the amount that bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Current Assets (as seen from the Balance Sheets) are negative, only the Banking references will be considered. Otherwise the aggregate of the Net Current Assets and submitted Banking references will be considered for working out the Liquidity. The banking reference should be from a Scheduled Bank in India and it should not more than 3 months old as on date of submission of bids.

**The Banking Reference should be on the letter head of the Bank.**

*In Case of JV*: Requirement of liquidity is to be distributed between members as per their percentage participation and every member should satisfy the minimum requirement.

**Example:** Let member-1 has percentage participation = M and member-2 has percentage participation = N.

If minimum liquidity required is `W` then liquidity of member-1 ≥ \( WM \)

\[
\text{and liquidity of member-2} \geq \frac{WN}{100}
\]

(ii) **T2- Profitability:** Profit before Tax should be **Positive in at least 2 (two) years**, out of the last five audited financial years.

*In Case of JV:* The profitability of only lead member shall be evaluated.

(iii) **T3-Net Worth:** Net Worth of tenderer during last audited financial year should be ≥ **Rs.7.05Crore**

*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 = (AM+BN)/100.

(iv) **T4- Annual Turnover:** The average annual turnover of the tenderer during last five audited financial years should be ≥ **Rs.28.21Crore**.

The averages 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 percentage = N, Let the averages annual turnover of member 1 is A and that of member 2 is B, then average annual turnover of JV will be = \( AM+BN \)

\[
\frac{100}{100}
\]

**Notes:**

- Financial data for last five audited financial years has to be uploaded by the tenderer in **Appendix-18** of Form of Tender along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature in original with membership number. All the documents or certifications which are provided by CA after 1st July, 2019, must contain UDIN thereon and the particulars of certifications must be same as mentioned on document/certification and submitted to ICAI on its website which can be verified online on [https://udin.icai.org/search-udin](https://udin.icai.org/search-udin). In case audited balance sheet of the last financial year is not made available by the bidder, he has to submit an affidavit (As per format provided in Appendix-18A to Form of Tender (FOT)) 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 uploaded, the tenderer may 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:

**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:

Bid capacity will be calculated based on the following formula:

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

Where,

- \(A\) = Maximum of the value of works executed in any one year during the last five financial years (updated to the last day of the previous month of tender submission 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 this work.

- \(B\) = Value of existing commitments (as on the last day of the previous month of tender submission) for on-going works during period of **09 months** w.e.f. from the first day of the month of tender submission.

**Notes:**

- Financial data for last five financial years has to be uploaded by the tenderer in **Appendix-15** of Form of Tender along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature in original with membership number. All the documents or certifications which are provided by CA after 1st July, 2019, must contain UDIN thereon and the particulars of certifications must be same as mentioned on document/certification and submitted to ICAI on its website which can be verified online on https://udin.icai.org/search-udin.

- Value of existing commitments for on-going works during period of **09 months** w.e.f. from the first day of the month of tender submission has to be uploaded by the tenderer in **Appendix-16** of Form of Tender. These data shall be certified by the Chartered Accountant with his stamp and signature in original with membership number. All the documents or certifications which are provided by CA after 1st July, 2019, must contain UDIN thereon and the particulars of certifications must be same as mentioned on document/certification and submitted to ICAI on its website which can be verified online on https://udin.icai.org/search-udin.

- In case of a group, the above formula will be applied to each member to the extent of his proposed participation in the execution of the work. If the proposed % is not provided, equal participation will be assumed.

**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:

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

1.1.3.4 The 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.

In case of mismatch in financial data in the submitted documents i.e. in chartered Accountant certified documents and data in audited balance sheets, the data from the audited balance sheets shall prevail.
1.1.4 Tender documents consist of the following:

**Volume 1**
- a. Notice Inviting Tender
- b. Instructions to Tenderers (Including Annexures)
- c. Form of Tender (Including Appendices)

**Volume 2**
- a. General Conditions of Contract
- b. Special Conditions of Contract

**Volume 3**
- a. Employer Requirement and Particular specification (Including Appendices)

**Volume 4**

**Volume 5**
- a. Financial Package/Bill of Quantities

1.1.5 The Tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Chief Engineer/Contract, Delhi Metro Rail Corporation, 5th Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001.

1.1.6 All Tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause E 4.4 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.

1.1.7 The intending tenderers 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. 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-II** or **class-III** digital signature. The tender document can only be downloaded from e-tendering portal using class-II or class-III digital signature. However, the tenderer shall upload their tender on https://eprocure.gov.in/eprocure/app using class-II or class-III digital signature of the authorized signatory only.

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 (in the form of Demand Draft or Pay Order or Banker’s Cheque from a Scheduled commercial bank based in India) and towards Tender Security (in the form of Bank Guarantee or Demand Draft or Pay Order or Banker’s Cheque or FDR from a Scheduled commercial bank based in India) and other documents as stated in the tender document. Instructions for on-line bid submission are furnished hereinafter.

1.1.10 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 can be uploaded. It shall be the responsibility of the bidder / tenderer to ensure that his tender is uploaded 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.

1.1.11 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 latest Date of Submission of Tender and shall be accompanied with a tender security of the requisite amount as per clause C18 of ITT.
1.1.12 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.

1.1.13 Tenderers are advised to keep in touch with e-tendering portal https://eprocure.gov.in/eprocure/app for updates.

1.1.14 The Letter of Acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder.

1.1.15 For any complaint tenderer 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.

1.1.16 Tenderers are to carry out their self-assessment in respect of their capacity in terms of manpower and finance. The tenderer is to consider positive variation in annual value to the extent of 25% (rounded to nearest higher Whole number) and should be able to take up additional similar services at short notice at the accepted rate. Similarly, the scope of work may also be reduced on account of poor performance and contractor shall have no right for any claims due to reduction in scope of work.

Chief Engineer/Contract
Delhi Metro Rail Corporation Limited
Instructions for Online Bid Submission:

The tenderers are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the tenderers in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: https://eprocure.gov.in/eprocure/app.

REGISTRATION

1) Tenderers are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: https://eprocure.gov.in/eprocure/app) by clicking on the link "Online bidder Enrollment" on the CPP Portal which is free of charge.

2) As part of the enrollment process, the tenderers will be required to choose a unique username and assign a password for their accounts.

3) Tenderers are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.

4) Upon enrolment, the tenderers will be required to register their valid Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.

5) Only one valid DSC should be registered by a bidder. Please note that the tenderers are responsible to ensure that they do not lend their DSC’s to others which may lead to misuse.

6) Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

SEARCHING FOR TENDER DOCUMENTS

1) There are various search options built in the CPP Portal, to facilitate tenderers to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the tenderers may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.

2) Once the tenderers have selected the tenders they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective ‘My Tenders’ folder. This would enable the CPP Portal to intimate the tenderers through SMS / e-mail in case there is any corrigendum issued to the tender document.

3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

PREPARATION OF BIDS

1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.

2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.

3) Bidder, in advance, should get ready the bid documents to be uploaded as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR / DWF/JPG formats. Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document. Tenderer has to ensure that size of each file should not exceed 40 MB before uploading.

4) To avoid the time and effort required in uploading the same set of standard documents which are required to be uploaded as a part of every bid, a provision of uploading such standard documents
(e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the tenderers. Tenderers can use "My Space" or "Other Important Documents" area available to them to upload such documents. These documents may be directly submitted from the "My Space" area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS
1) Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.

2) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.

3) Bidder has to select the payment option as "offline" to pay the tender fee / EMD as applicable and enter details of the instrument.

4) Bidder should prepare the EMD as per the instructions specified in the tender document. The original should be posted/couriered/given in person to the concerned official, latest by the last date of bid submission or as specified in the tender documents. The details of the DD/any other accepted instrument, physically sent, should tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise the uploaded bid will be rejected.

5) Tenderers are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the tenderers. Tenderers are required to download the BOQ file, open it and complete the white coloured (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the bidder, the bid will be rejected.

6) The server time (which is displayed on the tenderers’ dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the tenderers, opening of bids etc. The tenderers should follow this time during bid submission.

7) All the documents being uploaded by the tenderers would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.

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9) Upon the successful and timely submission of bids (i.e. after Clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.

10) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

ASSISTANCE TO BIDDERS
1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.

2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.
3) For any Technical queries related to Operation of the North Public Procurement Portal Contact at:
   Tel: The 24 x 7 Help Desk Number 0120-4200 462, 0120-4001 002/5, 0120-6277 787.
   E-Mail: support-ePROC@NIC.DOt in International Tenderers are requested to prefix +91 as country code.