

**NOTICE INVITING TENDER (NIT)****1. GENERAL****1.1. Name of Work:**

Lucknow Metro Rail Corporation (LMRC) Ltd. invites Open Tenders on Local Competitive Bidding (LCB) from eligible applicants from India, who fulfil *pre qualification criteria* as stipulated in clause 1.1.4 of NIT, for the scope

“Design, supply of Hardware & Software, installation, testing and commissioning of Commercial-off-the-Shelf Enterprises Resource Planning (**COTS ERP**), training of Employer personnel for this system, maintenance of the implemented system for Lucknow Metro Rail Corporation Limited”

The scope of the work and site information is provided in Tender Documents.

**1.2. Key Details:**

Tender Security amount	<b>INR 8.5 Lakhs</b>
Expected Completion period of the Work	<b>06 months of Implementation + 06 months of stabilization + 36 months of AMC</b>
Tender documents on sale	From 12.04.2016 to 11.05.2016 (between 09:30 Hrs to 17:30 Hrs) on working days
Cost of Tender documents	<b>INR 21000/- (inclusive of 5% UPVAT)</b> (Demand Draft in favour of “Lucknow Metro Rail Corporation Ltd”) payable at Lucknow.
Last date of Seeking Clarification	<b>26.04.2016</b> <b>submitted to the authority mentioned below by post/fax or person and soft copy should be e-mailed on dy.cstelucknowmetro@gmail.com)</b>
Pre-bid meeting	<b>27.04.2016 @ 15:00 Hrs.</b> (For the representatives of bidders (max. 3 per bidder) who have purchased the Tender Documents)

Last date of issuing pre-bid replies and addendum	<b>06.05.2016</b>
Date & time of submission of tender	<b>13.05.2016 up to 15:00 Hrs.</b>
Date & time of opening of Tender	<b>13.05.2016 @ 15:30 Hrs.</b>
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	<b>Director (Rolling Stock &amp; Systems)</b> Lucknow Metro Rail Corporation Ltd., Administrative Building, Vipin Khand, Gomati Nagar Lucknow-226010

**1.3. Source of Funds:** The project is to be implemented on 50:50 percent model with equity sharing by Government of India and Government of Uttar Pradesh. Over 50% of the project is to be funded through senior debt from multilateral/ bilateral funding agencies.

## 2. INITIAL FILTER CRITERIA:

### 2.1. Eligible Applicants:

- 2.1.1. Tenderer shall be from India either a single entity or any combination of entities in the form of a joint venture association (JVA) or consortium under an existing agreement. In the case of a JVA/Consortium: all partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms; and the JVA/Consortium shall nominate a representative who shall have the authority to conduct all business for and on behalf of any and all the partners of the JVA/Consortium during the tendering process and, in the event the JVA/Consortium is awarded the Contract, during contract execution.
- 2.1.2. Tenderer, and all partners constituting the tenderer, shall be from India. Registration certificate shall be submitted with bid accordingly.
- 2.1.3. Tenderer, and all partners constituting the 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 this tendering process, if:

- 2.1.3.1. Tenderer and all partners constituting the tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for or implementation of the project.
- 2.1.3.2. Tenderer and all partners constituting the tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph 2.1.3.1 above; or
- 2.1.3.3. Tenderer and all partners constituting the tenderer lends, or temporarily seconds its personnel to firms or organizations 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.
- 2.1.4. Tenderer shall submit only one tender in the same tendering process, either individually as a Tenderer or as a partner of a JVA/ Consortium. A Tenderer who submits or participates in, more than one tender will cause all of the proposals in which the Tenderer has participated to be disqualified. No Tenderer can be a subcontractor while submitting a tender individually or as a partner of a JVA/ Consortium in the same tendering process. A Tenderer, if acting in the capacity of subcontractor in any tender, may participate in more than one tender, but only in that capacity.
- 2.1.5. Not Used.
- 2.1.6. Tenderers shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- 2.1.7. A firm, who has purchased the tender document in their name, can submit the tender either as individual firm or in joint venture/JVA/Consortium.
- 2.1.8. The Tenderer (individual/any member in case of JV/Consortium) shall have not been debarred by any multilateral/bilateral funding Agency/Government of India/Any State Government in India/Central or State Government Undertaking as on the due date of submission of Bid (The tenderer should submit undertaking to this effect in Annexure 7 of Initial Filter).
- 2.1.9. IN CASE OF JOINT VENTURE ASSOCIATION (JVA) / Consortium**
- Lead partner must have a minimum of 40% participation in the JVA / Consortium. Each partner shall have minimum 26% participation. In case of JVA/ 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.
- 2.1.10. A Tenderer and all partners constituting the Tenderer shall confirm Non-performance of a contract did not occur within the last two (2) years prior to the

deadline for application submission based on all information on fully settled disputes or litigation (as per Annexure-6). A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.

## **2.2. Minimum Eligibility Criteria :**

### **2.2.1. Work Experience:**

This will deal with Commercial-off-the-shelf based Enterprises Resource Planning Implementation works (minimum 300 users) executed for Government/Government Undertaking/Public Sector Unit in the last 5 years ending 31-03-2016 which should have been in successful operation for the last one year (minimum). If the work was done in another JV / Consortium, the value in proportion of participation in that JV / Consortium by the member only will be considered. The details of works will correspond to the No. of Commercial-of-the-shelf based Enterprises Resource Planning Implementation projects completed in the last 5 Years as given in Annexure 1, 1-A of Initial Filter document.

### **2.2.2. Minimum Requirement**

#### **COTS-ERP implementation**

The applicant (or the concerned member in case of JV / Consortium) must have completed at least one work of COTS ERP implementation costing INR 6.8 crores or more at the price level of 31-03-2015.

**OR**

The applicant (or the concerned member in case of JV / Consortium) must have completed at least two works of COTS ERP implementation each costing INR 4.25 crores or more at the price level of 31-03-2015.

**OR**

The applicant (or the concerned member in case of JV / Consortium) must have completed at least three works of COTS ERP implementation each costing INR 3.4 crores or more at the price level of 31-03-2015.

#### **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 and Technical Evaluation. Maximum five projects will be considered as part of technical evaluation. 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.***

- Value of successfully completed portion of any ongoing work up to **31.03.2016** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to tender submission date assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. **For the purpose of evaluation of work experience, all prices will be converted to Indian Rupees using the Exchange (selling) rates for those currencies at the close of business of the State Bank of India at 31<sup>st</sup> December of each year for the works completed in respective year. For the works completed in the latest year before 31<sup>st</sup> of December of current year, the exchange rates of foreign currency shall be applicable 28 days before the tender submission date.**
- If the work done by firm in any other JVA/Consortium, value of work as per his percentage participation in that JV shall be considered.

\* **Completion certificate** should cover:

- ✓ COTS ERP version along with database
- ✓ COTS ERP modules
- ✓ Total number of user licenses
- ✓ System in operation since
- ✓ Database migration (Yes/no)
- ✓ Any delay, if yes reason
- ✓ Any penalty, if yes reason

**(B) Financial Standing:**

The Tenderers will be qualified only if they have minimum financial capabilities as below:

**(i) T1 - Liquidity**

**(a)** The tenderer must have liquidity equal to **cash flow requirement of 4.25 Cr.**

**(Approx. equal to 3 months cash flow)** as per linear distribution of cash flow for the contract.

**(b)** 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).

**(c)** 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/JVA. 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.

(d) The Banking references should be from a Scheduled Bank in India and it should not be more than 1 month old as on the date of submission of bids.

(e) In Case of JVA: - Requirement of working capital is to be distributed between members as per their percentage participation and every member should satisfy the requirement for his portion.

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 of member-1  $\geq (WM)/100$  and working capital of member-2  $\geq (WN)/100$ .

(f) In case the applicant is a JVA and if Banking Reference is issued by the bank in favor of the JVA 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 JVA it will be considered only for that member.

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

**In Case of JVA/Consortium** - The profitability of only lead member shall be evaluated.

(iii) **T3 - Net Worth:** Net Worth of tenderer must be positive in the latest audited financial balance sheets.

**In Case of JVA**, the algebraic sum total of net worth of all the members as per the latest audited balance sheets shall be considered the Net Worth of the tenderer.

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 last **five financial years should be  $\geq 34$  Cr.**

In Case of JVA/Consortium – the tenderer must fulfil the following conditions:

1. Each partner to have minimum 26% of minimum requirement.
2. At least one partner to have 40% of minimum requirement.

3. All partners put together should meet the minimum requirement as per their percentage participation.

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 JVA/Consortium will be  

$$= (AM+BN)/100$$

**Notes:**

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Annexure-3** 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 '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 submitted, the tender will 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.

**2.3. Bid Capacity Criteria :**

**Bid Capacity:** The Tenderers will be qualified only if their available bid capacity is more than the figure given below.

Bid capacity will be calculated based on the following formula:

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

**If Bid Capacity of a tenderer is:-**

- (i) More than or equal to Rs. 8.5 Cr. the tenderer will qualify.**
- (ii) Less than Rs. 8.5 Cr. the tenderer will be disqualified.**

Where,

A = Maximum of the value of works executed in any one year during the last five financial years (updated to tender submission date 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 = 06 months= 0.5 years

B = Value of existing commitments (**as on tender submission date**) for on-going works during period of **12 months w.e.f.** tender submission date

**Notes:**

- Financial data for latest 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 in original.
- Value of existing commitments for on-going construction works during period of **12 months w.e.f. tender submission date** has to be submitted by the tenderer in **Annexure-2A**. These data shall be certified by the Chartered Accountant with his stamp and signature.
- In the 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.

**(C) Quality Certification**

The bidder needs to have CMMI Level 5 certification by the 31<sup>st</sup> March 2016.

2.3.1. The tender submission of Tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.4.1 to 1.1.4.3 above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.4.1 to 1.1.4.3 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 Tender Documents.

**2.3.2. The Tender documents consist of :**

- Notice Inviting Tender
- (With Qualification Requirements)
- Instruction to Tenderers
- Form of Tender
- Employer Requirements
- General Conditions of Contracts
- Special Conditions of Contracts

2.3.3. The Tenderers may obtain further information/ clarification, if any, in respect of these



tender documents from the office of Director (Rolling Stock & Systems), Lucknow Metro Rail Corporation, Administrative Building, Vipin Khand, Gomati Nagar, Lucknow-226010.

- 2.3.4. All Tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in tender documents and/or minor deviation without quoting the cost of withdrawal shall be considered as non-responsive and is liable to be rejected.
- 2.3.5. Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 2.3.6. Tenders shall be valid for a period of 180 **days** from the date of submission of Tenders. The Tenderer shall submit with his tender in a separately identified envelope, the original Tender Guarantee for a sum of **Rupees 8.5 Lakhs (Rupees Eight Lakhs Fifty Thousand only)** in the form of a bank guarantee issued by scheduled commercial bank based in India in the format given in Annexure 8 of Initial Filter Document. A copy shall be included in the tender package. The Tender Guarantee shall remain valid for a period of 56 days beyond the validity period for the Tender. The Tender Guarantee in form of DD/FD issued by scheduled commercial bank based in India in favour of “LUCKNOW METRO RAIL CORPORATION LTD” payable at Lucknow can also be provided by the bidders accordingly.
- 2.3.7. LMRC 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 LMRC for rejection of his proposal.
- 2.3.8. Employer will award the Contract to the Tenderers whose tender has been determined to be substantially responsive and compliant to the requirements contained in the Tender Documents and who has offered the Lowest Evaluated Tender Price. Variant Bids are not allowed.

**Director (Rolling Stock & Systems)**  
**For Managing Director**  
**Lucknow Metro Rail Corporation limited**