

NOTICE INVITING TENDER (NIT)**1.1 GENERAL****1.1.1 Name of Work:**

Lucknow Metro Rail Corporation (LMRC) Ltd. invites Open Tenders on international competitive basis from eligible applicants from all countries and all areas, who fulfil *pre qualification criteria* as stipulated in clause 1.1.4 of NIT, for the scope

“Design, Supply, Installation, Testing & Commissioning of Receiving cum Auxiliary Main cum Traction Sub Stations Including High Voltage Cabling from Grid Substation, 25kV Flexible/Rigid OHE, Sectioning Post, 33kV Cable Network, ASS & SCADA System including Catenary Maintenance Vehicle/ Rail Cum Road Vehicle for Lucknow MRTS Phase-”

The brief scope of the work and site information is provided in ITT clause A1 & Employer Requirements (Volume –3 & Vol. 4)

1.1.2 Key details :-

Approximate Cost of work LKE 1&2= INR 265 Cr.

Tender Security amount	INR 2.65 Cr.
Expected Completion period of the Work	30 months
Tender documents on sale	From 06.04.2015 to 23.04.2015 (between 09:30 Hrs to 17:30 Hrs) on working days
Cost of Tender documents	21000/- (inclusive of 5% UPVAT) (Demand Draft in favour of “Lucknow Metro Rail Corporation Ltd”) payable at Lucknow.
Last date of Seeking Clarification	17.04.2012
Pre-bid Meeting	24.04.2012 @ 1500 Hrs
Last date of issuing addendum	30.04.2015
Date & time of Submission of Tender	26.05.2015 @ 15:00 Hrs.
Date & time of opening of Tender	26.05.2015 @ 15:30 Hrs.
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	Director (Rolling Stock & Systems) Lucknow Metro Rail Corporation, 1 st floor, Janpath Market, Hazratganj, Lucknow-266001

Director (Rolling Stock & Systems), Lucknow Metro Rail Corporation, 1st floor, Janpath Market, Hazratganj, Lucknow-266001

1.1.3 **Source of Funds:** The tender is likely to be funded by bilateral agency.

1.1.4 **PRE QUALIFICATION CRITERIA :**

1.1.4.1 **Eligible Applicants :**

- i) A Tenderer may be from any country and all areas either a single entity or any combination of entities in the form of a joint venture or association (JVA) 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 is awarded the Contract, during contract execution.
- ii) A Tenderer, and all partners constituting the Tenderer, shall be from any country and all areas.
- iii) A 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:
 - a) 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;
 - b) Tenderer and all partners constituting the Tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - c) a 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.
- iv) A 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.
- v) Deleted.
- vi) Tenderers shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- vii) 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.
- viii) Any Central / State government department or public sector undertaking must not have banned business with the tenderer (any member in case of JV) as on the date of tender submission. The tenderer should submit undertaking to this effect in Form of Tender.
- ix) **IN CASE OF JV/JOINT VENTURE ASSOCIATION(JVA)**
Lead partner must have a minimum of 40% participation in the JV/JVA.

Each Partners shall have minimum 25% participation..

In case of JV/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.

- x) 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.

1.1.4.2 **Minimum Eligibility Criteria :**

A. Work Experience: The Tenderers will be qualified only if they have completed work(s) during last 10 years as on date of tender submission is given below:

General experience:

- (i) At least one single work of value Rs. 38 **Cr** or more which shall include minimum of Design,Detail Engineering, Supply, Installation, Testing And Commissioning of 15 kV and above **Traction (Flexible OHE) Systems** completed in last 10 years

OR

Average value of 2 different works of Rs. 24 **Cr** or more. Both works together shall include minimum of Design, Detail Engineering, Supply, Installation, Testing And Commissioning of 15 kV and above **Traction (Flexible OHE) Systems** completed in last 10 years

OR

Average value of 3 different works of Rs. 19 **Cr** or more. All three works together shall include minimum of Design, Detail Engineering, Supply, Installation, Testing And Commissioning of 15 KV and above **Traction (Flexible OHE) Systems** completed in last 10 years

AND

- (ii) At least one single work of value 80 **Cr** or more which shall include minimum of Design, Detail Engineering, Supply, Installation, Testing And Commissioning of 11 kV and above **INDOOR Auxiliary Sub stations** completed in last 10 years

Or

Average value of 2 Different works of 50 **Cr** or more which shall include minimum of Design, Detail Engineering, Supply, Installation, Testing And Commissioning of 11 kV and above **INDOOR Auxiliary Sub stations** completed in last 10 years

Or

Average value of 3 Different works of 40 **Cr** or more which shall include minimum of Design, Detail Engineering, Supply, Installation, Testing And Commissioning of 11 kV and above INDOOR Auxiliary Sub stations completed in last 10 years

B. Specific Experience:

- (ii) At least one single work of value 41 **Cr** or more which shall include minimum of Supply, Installation, Testing And Commissioning of 132kV Gas Insulated Switchgear (indoor) Substation and above **Systems** completed in last 10 years

OR

Average value of 2 different works of 26 **Cr** or more. Both works together shall include minimum of Supply, Installation, Testing And Commissioning of 132kV Gas Insulated Switchgear (indoor) Substation and above **Systems** completed in last 10 years

OR

Average value of 3 different works of 20 **Cr** or more. All three works together shall include minimum of Supply, Installation, Testing And Commissioning of 132kV Gas Insulated Switchgear (indoor) Substation and above **Systems** completed in last 10 years

Note:- If the general experience vide (i) & (ii) is provided for the same contract (which includes both similar works), the total eligibility criteria shall be evaluated after adding the values of works as mentioned in each of the works of General Experience under (i) & (ii)

Experience for the following may please be furnished. In this case experience of proposed sub-contractor shall be acceptable

S.No	Description	Criteria of Qualification	No. of Works
1.	Experience of 132/220 kV and above cable laying	<i>At least one work of 132kV / 220kV for Bidders to qualify)</i>	
2.	Experience of 15/25 kV and above switching posts, Sectioning posts (SS/SP/SSP)	<i>At least one work of 15kV / 25kV for Bidders to qualify)</i>	
3.	Experience of design and execution of 15/25 kV ROCS	<i>At least one work for Bidders to qualify</i>	
4.	Experience of SCADA system for Traction and Power Supply systems for metro/ suburban/ mainline Railways.	<i>At least one work for Bidders to qualify</i>	

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 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 be submitted.
- Value of successfully completed portion of any ongoing work up to **date of tender submission** 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 31st December of each year for the works completed in respective year. For the works completed in the latest year before 31st of December of current year, the exchange rates of foreign currency shall be applicable 28 days before the tender submission date.**

- In case of joint venture / JVA, full value the work, if done by the same joint venture or any of members of the Joint Venture shall be considered. If the work done by them in any other JV/JVA, value of work as per his percentage participation in that JV shall be considered.

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 26 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 as per Annexure 7 should be from a Scheduled Bank in India or from an International Bank of repute (in case of foreign vendors) and it should not be more than 3 months old as on the date of submission of bids.
- (e) In Case of JV/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 Joint Venture/JVA and if Banking Reference is issued by the bank in favour of the Joint Venture/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 JV/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 JV/JVA - 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 JV/JVA, the algebraic sum total of Net Worths 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

$$\frac{=AM+BN}{100}$$

- (iv) **T4 - Annual Turnover:** The average annual turnover of last **five financial years should be \geq 212 cr.**

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

1. Each partner to have minimum 25% 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 JV/JVA will be

$$\frac{=AM+BN}{100}$$

Notes:

- Financial data for latest last five 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 '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.

1.1.4.3 Bid Capacity Criteria :

Bid Capacity: The Tenderers will be qualified only if their available bid capacity is more than the approximate cost of work.

The approximate cost of work for **LKE 1&2 is Rs. 265 Cr.**

Bid capacity will be calculated based on the following formula:

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

If Bid Capacity of a tenderer is:-

- (i) More than Rs. 265 Cr. the tenderer will qualify.
- (ii) Less than Rs. 265 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 =30 months=2.5 years

B = Value of existing commitments (**as on tender submission date**) for on-going works during period of **30 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 **36 months w.e.f. tender submission date** 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 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.

1.1.4.4 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 ITT.

1.1.4.5 **Minimum Key Staff requirement – shall be as per Annexure-4 of NIT**

NOTE – Please submit the CV of above Key Personals as per Annexure – 5 of NIT.

1.1.5 **The Tender documents consist of :**

Volume 1

- Notice Inviting Tender
- Instructions to Tenderers (including Annexures)
- Form of Tender (including Appendices)

Volume 2

General Conditions of Contracts

Special Conditions of Contract (including Schedules)

Volume 3

Employer's Requirements – General specifications

Volume 4

Employer's Requirements – Particular Specifications

Volume 5

Tender Drawings

Volume 6

Condition of Contract on Safety, Health & Environment (SHE) Ver. 1.2

Volume 7

Bill of Quantities

(Soft copy in MS Excel format shall also be provided in a CD)

- 1.1.6 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, 1st floor, Janpath Market, Hazratganj, Lucknow-266001.
- 1.1.7 All Tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause. **E 4.0** 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 Tenders shall be valid for a period of **150 days** from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount valid for **210 days** from the date of submission of tender as per clause C18 of ITT in the form of a Bank Guarantee (as per **Annexure-7 of ITT**) from Scheduled Commercial Bank in India.
- 1.1.10 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.

Director (Rolling Stock & Systems)

For Managing Director

Lucknow Metro Rail Corporation limited