

NOTICE INVITING TENDER (NIT)

From:
Managing Director,
Lucknow Metro Rail Corporation Limited,
Administrative Building, Vipin Khand, Gomti Nagar
Near Dr.Bhimrao Ambedkar Samajik Parivartan Sthal,
Lucknow-226010, Uttar Pradesh, India.

To,

“Contract AGDD-01: Engagement of Detailed Design Consultant (DDC) For Civil, Architectural and E & M Works for Sikandra to Taj East Gate Corridor-1 of Proposed Agra Metro Project, Agra, Uttar Pradesh, India; Consisting of 6.35 Km Elevated Section with 07 Elevated Stations, Ramps, 7.65 Km Underground Section with 08 Underground Stations and Car Maintenance Depot.”

1.1.1 General

Lucknow Metro Rail Corporation (LMRC) Ltd. on behalf of Agra Metro Cell Invites Open Tenders on competitive basis from eligible applicants from all countries and all areas, who fulfils qualification criteria as stipulated in clause 1.1.3 of NIT, for the work, **“Contract AGDD-01: Engagement of Detailed Design Consultant (DDC) For Civil, Architectural and E&M Works for Sikandra to Taj East Gate Corridor-1 of Proposed Agra Metro Project, Agra, Uttar Pradesh, India; Consisting of 6.35 Km Elevated Section with 07 Elevated Stations, Ramps, 7.65 Km Underground Section with 08 Underground Stations and Car Maintenance Depot.”**The brief scope of the work and site information is provided in ITT clause 3.2 & Reference document (Volume –4).

Open tenders from the agencies for Detailed Design Consultancy of above work and your expressed willingness to submit a Tender for this Contract No. AGDD-01, for the detailed design services.

Tenders are being called by the Chief Engineer/Contract, Lucknow Metro Rail Corporation Limited (LMRC) on behalf of Agra Metro Cell.

1.1.2 Key details:

Approximate cost of work	INR 24.00 Crores
Tender Security amount	INR 24.00 Lakhs (Rupees Twenty Four Lakhs only)
Completion period of the Work	48 months
Tender documents on sale	From 28.05.2018 to 25.06.2018 02.07.2018 (between 09:30 Hrs to 17:30 Hrs) on working days
Cost of Tender documents	INR 23600/- (inclusive of 18% GST) (Demand Draft in favour of “Lucknow Metro Rail Corporation Ltd.”) payable at Lucknow.
Last date of Seeking Clarification	29.06.2018 05.07.2018

Pre-bid Meeting	04.07.2018 @ 11:00 Hrs <u>09.07.2018 @ 15:00 Hrs</u>
Last date of issuing addendum	11.07.2018 <u>17.07.2018</u>
Date & time of Submission of Tender	31.07.2018 @ 15:00 Hrs.
Date & time of opening of Tender	31.07.2018 @ 15:30 Hrs.
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents	Chief Engineer / Contracts Lucknow Metro Rail Corporation, Administrative Building, Vipin Khand, Gomti Nagar, Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthal, Lucknow-226010, Uttar Pradesh, India E-mail: cecontractlmrc@gmail.com

1.1.3 QUALIFICATION CRITERIA :

1.1.3.1 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 1.1.3 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 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, 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. No tenderer can be included as subcontractor while submitting a bid individually or as a partner of a JV/consortium in the same bidding process subsequently or at the tender stage. A tenderer, if acting in the capacity of subcontractor in any bid may however participate in more than one bid, but only in the capacity as subcontractor.
- 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's associate(s)/affiliate(s) (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 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. NON SUBSTANTIAL PARTNERS IN CASE OF 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. Partners having 26% or more percentage participation shall be termed as substantial partner.
 - 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.

1.1.3.2 Minimum Eligibility Criteria:

A. Work Experience: The tenderers will be qualified only if they satisfy the criteria as given in para A.1, A.2, A.3 and A.4 below (during last Seven years ending 30.04.2018):

A.1 Work experience of Detailed Design Consultant (DDC) For Civil, Architectural and E&M Works of Elevated Section, Elevated Stations, Ramps & Depot connection

*Tenderer (either a single entity / JV / Consortium) should have done **Structural, Architectural and E&M** design of minimum **3.80 km** of viaduct length and minimum **4** elevated metro stations in urban environment in maximum **2** different works.*

Notes:

- *Tenderer shall also be considered eligible if criteria as listed under para A.1 above are satisfied separately by different partners of JV / Consortium for Structural, Architectural & E&M design.*
- *Tenderer shall also be considered eligible under para A.1 above if he submits Letter of Consent along with necessary supporting documents from a firm(s) satisfying eligibility criteria for Architectural & E&M Works as stated, to work as Sub-Contractor of Tenderer for Architectural & E&M Works.*

A.2 Work experience of Detailed Design Consultant (DDC) For Civil, Architectural and E&M Works of Underground Section & Underground Stations

*Tenderer (either a single entity / JV / Consortium) should have done **Structural, Architectural & E&M** design of minimum **3** underground metro stations in urban environment in maximum **2** different works.*

Notes:

- *Tenderer shall also be considered eligible if criteria as listed under para A.2 above are satisfied separately by different partners of JV / Consortium for Structural, Architectural & E&M design.*
- *Tenderer shall also be considered eligible under para A.2 above if he submits Letter of Consent along with necessary supporting documents from a firm(s) satisfying eligibility criteria for Architectural & E&M Works as stated, to work as Sub-Contractor of Tenderer for Architectural & E&M Works.*

A.3 DELETED

A.4 Each substantial partner should have completed at least one work satisfying the criteria specified in Clauses A.1 / A.2.

Notes:

- *The tenderer shall submit details of works executed by them in the Performa of **Appendix-11 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 be submitted.

- Value of successfully completed portion of any ongoing work up to **30.04.2018** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **30.04.2018** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portion per year. The exchange rate of foreign currency shall be applicable 28 days before the submission date of tender.
- 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 **relevant design experience duly supported by proof such as MOU/Client Certificate** percentage participation in such JV/Consortium shall be considered.

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 balance sheets and/or from the banking reference. Net current assets and/or documents including banking reference, 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 **INR 0.97 Crores** 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 or (in case of foreign parties) from an international bank of repute acceptable to LMRC **as per standard proforma provided in ITT as Annexure-4** and it should not be more than 3 months old as on date of submission of bids.

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

$$\text{liquidity of member-1} \geq \frac{W M}{100}$$

$$\text{and liquidity of member-2} \geq \frac{W N}{100}$$

- (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: The profitability of only lead member shall be evaluated.

- (iii) **T3 - Net Worth:** Net Worth of tenderer during last audited financial year should be \geq **INR 1.35 Crores**

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

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

- (iv) **T4 - Annual Turnover:** The average annual turnover from consultancy works of last five financial years should be \geq **INR 5.40 Crores.**

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

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

Notes :

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Appendix-10 of FOT** 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. 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 year other than the last year is not submitted, the tender 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.

1.1.4. 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:

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

Where,

A = Maximum of the value of Consultancy work executed in any one year during the last five financial years (updated to **30.04.2018** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portion per year).

N = No. of years prescribed for completion of the work

B = Value of existing commitments (**as on 30.04.2018**) for on-going Consultancy work during period of **48 months w.e.f .01.05.2018**.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-8 of FOT** 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 Consultancy work during period of **48**

months w.e.f **.01.05.2018** has to be submitted by the tenderer in **Appendix-9 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original.

- 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 % participation is not mentioned then 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:

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

1.2 Tender Documents comprise of following documents:

Volume 1

- Notice Inviting Tender (NIT)
- Instructions to Tenderer (ITT)
- General Conditions of Contract (GCC)
- Special Condition of Contract (SCC)

Volume 2

- Scope of Work

Volume 3

- Financial Package

Volume 4

- Reference Documents
- Part-I: Outline Design Criteria - Railway Geometry, Bridges And Viaducts
- Part-II: Outline Design Criteria - Geo-Technical, Foundation And Railway Formation Works
- Part-III: General Planning Criteria
- Part-IV: Building Services
- Part-V: Interface Scheme Management
- Part-VI: Design Criteria (Depot, Yard & Workshop)

Volume 5

- General Alignment Drawing (GAD)

Please note carefully the requirements for submitting tender, and the date and time for submittal.

- 1.3 The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3 and 1.1.4 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 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.
- 1.4 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Chief Engineer/Contract, Lucknow Metro Rail Corporation, Administrative Building, Vipin Khand, Gomti Nagar, Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthal, Lucknow - 226010.
- 1.5 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause **7.4.4** 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.

- 1.6 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.7 Tenders shall be valid for a period of **180 days** (both days inclusive i.e. the date of submission of tender and the last date of period of validity of the tender) from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per **clause 5.0 of ITT**.
- 1.8 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.

**Chief Engineer/Contract
Lucknow Metro Rail Corporation Ltd.**