

## **NOTICE INVITING TENDER (NIT)**

### **1.1 GENERAL**

#### **1.1.1 NAME OF WORK:**

Uttar Pradesh Metro Rail Corporation (UPMRC) Ltd. invites Open e-tenders on International Competitive Basis (ICB) from eligible applicants from all countries and all areas, who fulfill qualification criteria as stipulated in clause 1.1.4 of NIT, for the work **“KNPCC-06 (Funded by EIB): Design and Construction of TBM Tunnel, Cut & Cover Tunnel, underground ramp from Kanpur Central end of Nayaganj station to elevated ramp after Transport Nagar and three underground metro stations (viz. Kanpur Central, Jhakarkatti and Transport Nagar) including Architectural finishes, E & M, TVS, ECS etc. on Corridor-1 of Kanpur MRTS Project at Kanpur, Uttar Pradesh, India”**.

The brief scope of the work and site information is provided in ITT Clause A1 & Employer's Requirements (Volume –3).

#### **1.1.2 KEY DETAILS:**

Approximate cost of work	<b>INR 1250 Crores</b>
Tender Security amount	Tenderers shall upload scanned copy of Undertaking for Tender Security Declaration as per Annexure-7 of ITT at the time of online bid submission. If Undertaking for Tender Security Declaration is not submitted or is not in prescribed format then such bids shall be considered ineligible and summarily rejected.
Completion period of the Work	<b>36 months</b>
Tender documents on sale	From <b>25.06.2021</b> (from 10:00 hrs) to <b>01.09.2021</b> (up to 15:30 hrs.) on e-tendering website <b><u><a href="https://etenders.gov.in/eprocure/app">https://etenders.gov.in/eprocure/app</a></u></b> Tender document can only be obtained online on the website <b><u><a href="https://etenders.gov.in/eprocure/app">https://etenders.gov.in/eprocure/app</a></u></b>
Cost of Tender documents	<b>INR 23,600/- (inclusive of 18% GST)</b> Non-Refundable (Payment of tender document cost/tender fee is to be made only by RTGS, NEFT & IMPS. No other mode of payment will be accepted. The details of bank account of UPMRC are mentioned below. The tenderers are required to upload scanned copies of transaction of payment of tender document cost/tender fee including e-receipt (clearly indicating <b>UTR No. &amp; tender reference</b> i.e. <b>KNPCC-06</b> must be entered in the remarks at the time of online transaction of payment, failing which payment may not be considered) at the time of online bid submission). (Copy of GST registration no. to be provided along with Tender document cost/ tender fee, if

KNPCC-06: Design and Construction of TBM Tunnel, Cut & Cover Tunnel, underground ramp from Kanpur Central end of Nayaganj station to elevated ramp after Transport Nagar and three underground metro stations (viz. Kanpur Central, Jhakarkatti and Transport Nagar) including Architectural finishes, E & M, TVS, ECS etc. on Corridor-1 of Kanpur MRTS Project at Kanpur, Uttar Pradesh, India

	<p>applicable)</p> <p><b>Name of the Bank</b> - HDFC Bank  <b>Banks Address</b> - HDFC Bank Ltd, Tekari Chambers  Ashok Marg, Lucknow  <b>Account Name</b> - UPMRCL (Kanpur Project)  <b>Account No.</b> - 50100301966502  <b>IFSC code</b> - HDFC0001267</p>
Last date of Seeking Clarification	<p><b>26.07.2021</b></p> <p>Tenderers to note that seeking clarification on the tender shall be done by sending it on e-tendering portal only. Seeking clarification by fax or post will not be considered.</p> <p>Queries/clarifications from tenderers after due date and time shall not be acknowledged.</p>
Pre-bid Meeting	<p><b>30.07.2021 @ 15:00 Hrs</b></p> <p>The Pre-bid meeting shall be conducted through video conferencing by software apps such as Google Meet, Microsoft Team etc. All prospective tenderers who have made online payment towards the cost of tender document shall have to provide the details of the person(s) (maximum up to two) who will be participating in such virtual meeting at least one day before the meeting (latest by 1500 hrs on <b>19.07.2021</b> to the registered official email of employer i.e. <a href="mailto:cecontract@upmrcl.co.in">cecontract@upmrcl.co.in</a> along with scanned copy of transaction of payment of tender cost / tender fee, including e-receipt (clearly indicating <b>UTR No.</b> and <b>tender reference</b> i.e. <b>KNPCC-06</b>, so that links having details such as software, meeting ID, password etc. can be mailed to these persons at least 12 hours before the scheduled virtual pre- bid meeting.</p>
Last date of issuing addendum	<b>10.08.2021</b>
Date & time of Submission of Tender	Tender submission start date: <b>25.08.2021</b> (10:00 hrs). Tender submission end date: <b>01.09.2021</b> (15:30 hrs).
Date & time of opening of Tender	<b>02.09.2021 @ 15:30 Hrs.</b>
Authority and place for seeking clarifications etc.	<p><b>Chief Engineer (Contract),</b>  Uttar Pradesh Metro Rail Corporation,  Administrative Building,  Vipin Khand, Gomti Nagar,  Near Dr. Bhimrao Ambedkar Samajik Parivartan  Sthal, Lucknow-226010, Uttar Pradesh, India  <a href="https://etenders.gov.in/eprocure/app">https://etenders.gov.in/eprocure/app</a></p>

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Any clarification/corrigendum/addendum to the tender documents shall be uploaded on the official e-portal only, without any obligation of press notification.

For further details, please visit official e-portal <https://etenders.gov.in/eprocure/app>.

For any additional information & help for downloading & uploading, please contact e-tendering service desk at the following ID: support-eproc@nic.in or at Toll Free No.: (91)120-4001002, (91)120-4001005, (91)120-6277787.

### 1.1.3 SOURCE OF FUNDS:

UPMRC has received Loan from multilateral funding agency (EIB) hereinafter- called "Funding Agency" towards the part cost of the Project, and intends to apply a portion of the proceeds of the loans to payments under this contract. Disbursement of the loans will be subject, in all respects, to the terms and conditions of the Loan Agreements, including the disbursement procedures and the applicable procurement guidelines of EIB. ([http://www.eib.org/attachments/strategies/guide\\_to\\_procurement\\_en.pdf](http://www.eib.org/attachments/strategies/guide_to_procurement_en.pdf)). No party other than UPMRC shall derive any rights from the Loan Agreement or have any claim to loan proceeds. The above Loan Agreement will cover only a part of the project cost. The remaining portion shall be financed through equity participation by the Government of India and Government of Uttar Pradesh and other appropriate means.

### 1.1.4 QUALIFICATION CRITERIA:

**1.1.4.1 Eligible Applicants: A Tenderer may be from any country and all areas either a single entity or combination of entities in the form of a Joint Venture or Consortium under an existing agreement.** Please refer Clause A3 of ITT (which under its sub-clause A3.10 also includes requirements/stipulations regarding (a) Lead Partner of JV/Consortium (b) Non Substantial Partners (c) Requirement for members of JV /Consortium (d) Change in JV /Consortium (e) Participation by Subsidiary Company or Parent Company with credentials of Parent or Subsidiary Company).

#### 1.1.4.2 Minimum Eligibility Criteria:

- **Work Experience: For a Joint Venture / Consortium to qualify, each of its substantial partners (i.e. having at least 20% participation in JV/Consortium) must have experience of executing at least one Civil and/or E&M and/or "TVS & ECS" work of minimum 20% of NIT value in last 07 years. The tenderer shall submit documentary evidence for the same. Non-substantial partner/s (i.e. having less than 20% participation in JV/Consortium) shall meet the work experience criterion prescribed under A.2 and/or A.3 below.**

The tenderers will be qualified only if they satisfy the criteria **as given in para A.1, A.2 and A.3** below (during last Seven years ending **31.05.2021**):

#### **A.1: Work experience of 'similar work'\***

- (i) At least one "similar work" \* of value of **Rs. 890 Crores** or more **and** at least one underground metro station (having plan area of at least 4500 sqm) in urban environment if not included in this work.

**OR**

KNPCC-06: Design and Construction of TBM Tunnel, Cut & Cover Tunnel, underground ramp from Kanpur Central end of Nayaganj station to elevated ramp after Transport Nagar and three underground metro stations (viz. Kanpur Central, Jhakarkatti and Transport Nagar) including Architectural finishes, E & M, TVS, ECS etc. on Corridor-1 of Kanpur MRTS Project at Kanpur, Uttar Pradesh, India

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(ii) Two “similar works” \* each of value **Rs. 556 Crores** or more **and** at least one underground metro station (having plan area of at least 4500 sqm) in urban environment if not included in these works.

**OR**

(iii) Three “similar works” \* each of value **Rs. 445 Crores** or more **and** at least one underground metro station (having plan area of at least 4500 sqm) in urban environment if not included in these works.

- In case of JV/Consortium the work of tunnel & station may be by different partners also.
- Tenderer (or atleast one member in case of JV/Consortium) should have carried out at least one “similar work” \* of value **Rs. 445 Crores** or more in India or in a country outside their own country.

**\*“Similar Work/s” for this contract shall be work of civil construction in infrastructure projects. Also, at least one of the “Similar Work” executed by the tenderer shall include the work of construction of Tunnel by shield TBM in urban environment with finished internal diameter of more than 5.0 meter with or without underground metro station in urban environment.**

The tenderer should have minimum experience of having constructed a **total of minimum of 2.5 km of tunnel length** by shield TBM in urban environment (In case of twin tunnel each tunnel shall be counted as a separate Tunnel for calculation of length of tunnel) with finished internal dia. of more than 5.0 m (including completed portion of ongoing works) as a part of ‘Similar Works’ mentioned above.

**A.2: Work experience of “E&M Works”-**

One single E&M work of value **Rs. 25 Crores** or more for Detailed Engineering, Supply, Installation, Testing and commissioning of Electrical and Mechanical system including Fire and Hydraulic system for Metro Rail / Railway / Airport / Infrastructure projects / Commercial Projects / Industrial plants.

- Tenderer (or atleast one member in case of JV/Consortium) should have carried out the above work of value **Rs. 25 Crores** or more in India or in a country outside their own country.
- In case the tenderer does not have the experience for “Detailed Engineering” as required above, specialist vendor/designer shall be engaged by the tenderer (in case work is awarded to him) with prior approval of employer for meeting the requirement of this clause. Prior approval for specialist vendor/designer proposed to be engaged for BMS work of “E&M” shall also be obtained from employer in case work is awarded to the tenderer.

**A.3: Work experience “ECS & TVS Works” -**

One single ECS (Environment Control System) and/or TVS (Tunnel Ventilation System) work of value **Rs. 25 Crores** or more for Design Verification, Detailed Engineering, Supply, Installation, Testing and Commissioning of Environment Control System (ECS) / Tunnel Ventilation System (TVS) for Metro Rail / Railway / Airport / Infrastructure projects / Commercial Projects.

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- Tenderer (or atleast one member in case of JV/Consortium) should have carried out the above work of value **Rs. 25 Crores** or more in India or in a country outside their own country.
- In case the tenderer does not have the experience for "Design Verification" and/or "Detailed Engineering" as required above, specialist vendor/designer shall be engaged by the tenderer (in case work is awarded to him) with prior approval of employer for meeting the requirement of this clause.

**Notes:**

- The tenderer shall submit details of works to be considered for qualification of work experience criteria as per the Performa given in **Annexure-1**. 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 (Chartered Accountant), T.D.S (Tax Deducted at Source) 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 **31.05.2021** will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to **31.05.2021** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. **Selling rate of exchange at the close of business of the State Bank of India on the day twenty-eight days before the latest date of Tender Submittal shall be considered for calculating equivalent value in INR.**
- In case of Joint Venture / Consortium, full value of the work, if done by the same joint venture or any of members of the Joint Venture shall be considered. However, if the work done by them in any other JV/consortium, value of work as per his percentage participation in that JV shall be considered.
- Criterion for work experience for 'similar work', construction of u/g station by cut & cover method and tunnelling by Shield TBM (Para A.1) shall be satisfied by the tenderer himself (i.e. a single entity/JV/Consortium).
- Criterion for work experience for "E&M works" (Para A.2) and/or "ECS & TVS works" (Para A.3) shall be satisfied by the tenderer himself or **non-substantial partners or a subcontractor. The non-substantial partners / sub-contractor /s shall meet the work experience criterion prescribed under A.2 and/or A.3 above.**
- The tenderer can propose **maximum of 2 nos. subcontractor/s each for "E&M works" and "ECS & TVS works"** and mention the same in proforma given in Appendix I of Annexure 4 of ITT.
- Subcontractor/s proposed for "E&M works" and "ECS & TVS work" may be the same or different.
- A JV partner can participate in only one of the bidding JV/Consortium while a subcontractor for "E&M"/ "ECS&TVS" can participate with different/ multiple Tenderers.
- **In case the tenderer cites a work experience which includes both "E&M Works" and**

**“ECS & TVS” works, the breakup of the two will be clearly indicated in Annexure-1 of NIT.**

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

**(i) T1 – Liquidity:** The tenderer must have liquidity equal to cash flow requirement of value **Rs. 60 Crores** for the contract.

- a) 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).
- b) 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. 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.
- c) The Banking references should be from a Scheduled Commercial Bank in India or from an International Bank of repute (in case of foreign vendors) acceptable to employer as **per standard proforma provided in NIT as Annexure 4** and it should not be more than 3 months old as on the date of submission of bids
- d) In Case of JV: - 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  $\geq \frac{W \cdot M}{100}$  and working capital of member-2  $\geq \frac{W \cdot N}{100}$

- e) In case the applicant is a Joint Venture/Consortium and if Banking Reference is issued by the bank in favour of the Joint Venture/Consortium 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/Consortium it will be considered only for that member.

**(ii) T2 - Deleted**

**(iii) T3 - Net Worth:** Net Worth of tenderer should be positive in last Two audited financial years.

**In Case of JV/Consortium-** Each member of the JV should have positive Net Worth in the last Two audited financial years.

**(iv) T4 - Annual Turnover:** The average annual turnover **from construction** in last five financial years should be  $\geq$  **Rs. 333 Crores.**

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

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

**Notes:**

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Annexure-2** of NIT along with audited balance sheets. The financial data in the prescribed format shall be certified by the Independent Financial Auditor (Statutory Auditor) of the company appointed under the Company Act or by a Chartered Accountant with his stamp and signature in original. In case any discrepancy in data is found between the balance sheet and the financial information submitted, the data as available in the balance sheet will be considered. In case audited balance sheet of the last financial year is not made available by the tenderer, 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 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.

**1.1.4.3 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:

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

Where,

A = Maximum of the value of **construction works** executed in any one year during the last five financial years (updated to **31.05.2021** 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

B = Value of existing commitments (**as on 31.05.2021**) for on-going construction works during period of **36 months w.e.f. 01.06.2021**

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.

**Example for calculation of bid capacity in case of JV / Consortium / Group**

Suppose there are 'P' and 'Q' members of the JV / Consortium / Group with their participation in the JV / Consortium / 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 / Consortium / Group shall be as under:

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

**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 Independent Financial Auditor (Statutory Auditor) of the company appointed under the Company Act or by a Chartered Accountant with his stamp and signature in original. In case any discrepancy in data is found between the balance sheet and the financial information submitted, the data as available in the balance sheet will be considered.
- Value of existing commitments for on-going construction works during period of **36 months** w.e.f. **01.06.2021** has to be submitted by the tenderer in **Annexure-3B**. These data shall be certified by Independent Financial Auditor (Statutory Auditor) of the company appointed under the Company Act or by a Chartered Accountant with his stamp and signature in original

- 1.1.4.4** The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.4.2 to 1.1.4.3 above, shall not be considered for further evaluation and therefore rejected. If the tenderer fails to meet the eligibility and qualification criteria, then further scrutiny of other technical parameters will not be done and Financial Proposals of such Tenderers shall not be opened.

The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.4.2 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. Technical proposals meeting the Technical requirement and found substantially responsive only will be qualified for opening of their Financial Proposal.

**1.1.4.5 Minimum Key Staff requirement –**

**A. Civil Works including Tunnel, Underground Stations, ramps, architectural finishes etc.**

**a) Project Manager** – having minimum 20 years of total experience out of which 10 years should be in projects of similar nature.

**b) Deputy Project Manager (DPM) Station** - having minimum 15 years of total experience out of which 8 years should be in projects of Under Ground Metro Construction.

**c) Deputy Project Manager (DPM) Tunnel** - having minimum 15 years of total experience out of which 8 years should be in tunnelling.

**d) Station In-Charge (one for each station)** - having minimum 8 years of total experience out of which 3 years should be in projects of Under Ground Metro Station Construction.

**e) Chief Safety Manager** – As per the qualification and experience given in General Instruction – 2 of employer SHE manual.

**f) Chief Quality Manager** – having minimum 15 years of total experience out of which 5 years should be in projects of Metro Construction.

**g) Electrical Utility Engineer-** having minimum 10 years of total experience out



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of which 5 years should be for Electrical utility diversion works related to Metro Construction.

**B. For E&M and ECS & TVS work,**

**a) Deputy Project Manager (E&M)** - having minimum 10 years of total experience out of which 2 years should be in E&M work of Metro Station.

**b) Deputy Project Manager (ECS & TVS)-** having minimum 10 years of total experience out of which 2 years should be in ECS & TVS work of Metro Stations.

**c) Station In-Charge (one for each station)** - having minimum 8 years of total experience out of which 2 years should be in projects of E&M / ECS&TVS of Metro station.

**d) Safety Manager** – As per the qualification and experience given in General Instruction – 2 of employer SHE manual.

**NOTE: CVs of above Key Personals shall be submitted in a format that suitably illustrates the Qualifications and Work Experience of Key Personal proposed to be deployed. Indicative proforma for submission of CVs is placed as 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): Part 1: for Civil works (including Tunnel, Underground Stations, Cut & Cover, Ramps, Architectural Finishes etc.)  
Special Conditions of Contract (including Schedules): Part 2: for E&M and ECS & TVS etc.

**Volume 3**

Employer's Requirements – General (Part 1: Civil, Part 2: E&M, TVS, ECS etc.)  
Employer's Requirements – Functional (Part 1: Civil, Part 2: E&M, TVS, ECS etc.)  
Employer's Requirements – Design (Civil)  
Employer's Requirements – Construction (Civil)  
Employer's Requirements – Appendices

**Volume 4**

Outline Design Specifications (Civil)

**Volume 5**

Outline Construction Specifications (Civil)

**Volume 6**

Tender Drawings (Part 1: Civil, Part 2: E&M, TVS, ECS etc.)

**Volume 7**

Bill of Quantities

**Volume 8**

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

**Volume 9**

Reference Document - Geotechnical Report

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- 1.1.6 The contract shall be governed by the documents listed in para 1.1.5 above along with latest edition of CPWD Specification, IRS Specifications & MORTH Specifications. These may be purchased separately from the market by the tenderer.
- 1.1.7 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Chief Engineer (Contract), Uttar Pradesh Metro Rail Corporation, Administrative Building, Vipin Khand, Gomti Nagar, Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthl, Lucknow-226010.
- 1.1.8 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause E4 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.
- 1.1.9 The intending tenderers must be registered on e-tendering portal <https://etenders.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. Instructions for online bid submission is attached as **Annexure A** to NIT.
- 1.1.10 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 or uploaded using Class-II or Class-III digital signature. However, the tenderer shall upload their tender on <https://etenders.gov.in/eprocure/app> using class-II or class-III digital signature of the authorized signatory only.
- 1.1.11 Tender submissions shall be done online on <https://etenders.gov.in/eprocure/app> after uploading the mandatory scanned documents towards cost of tender documents such as scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS and scanned copy of Undertaking for Tender Security Declaration towards Tender Security (and other documents as stated in the tender document. Instructions for on-line bid submission are furnished hereinafter.
- 1.1.12 Submission of Tenders shall be closed on e-tendering website of employer at the date & time of submission prescribed in NIT after which no tender shall be accepted. It shall be the responsibility of the tenderer to ensure that his tender is submitted online on e-tendering website <https://etenders.gov.in/eprocure/app> before the deadline of submission. The Employer shall not be responsible for any delay, difficulties and/or inaccessibility of the downloading and/or uploading facility from the e-procurement portal for any reason whatsoever.
- 1.1.13 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.1.14 Tenders shall be valid for a period of **180 days** from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per Clause C18.1 of ITT.
- 1.1.15 The Tender procedure will be carried out in line with EIB's Guide to Procurement: [http://www.eib.org/attachments/strategies/guide\\_to\\_procurement\\_en.pdf](http://www.eib.org/attachments/strategies/guide_to_procurement_en.pdf).
- 1.1.16 Employer reserves the right to accept or reject any or all proposals without

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assigning any reasons. No tenderer shall have any cause of action or claim against the employer for rejection of his proposal.

- 1.1.17** Tenderers are requested to visit e-tendering portal <https://etenders.gov.in/eprocure/app> regularly for any Employer's issued clarifications, addendum, corrigendum and/or due date extensions.
- 1.1.18** 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 Reasonable Tender Price. Variant bids are not allowed.
- 1.1.19** Any suit or application, arising out of any dispute or differences on account of this tender shall be filed in a competent court at Lucknow, Uttar Pradesh only and no other court or any other district of the country shall have any jurisdiction in the matter.

**Chief Engineer(Contract)**  
**Uttar Pradesh Metro Rail Corporation**