

**BIDDING DOCUMENTS**



**MUMBAI METRO LINE 3  
(COLABA-BANDRA-SEEPZ)**

**CONTRACT: MM3-CBS-O&M/TKS/PKG-1/2024**

Provision of Ticket Vending Services and Customer Service  
Staff at Metro Stations & Associated Locations  
(Package 1: Aarey JVLR to Bandra Station of MML 3)

**SECTION – I**

**NOTICE INVITING TENDER (NIT)**

Mumbai Metro Rail Corporation Ltd

MMRCL Line 3 Transit Office,

Wing A, Block E, Bandra-Kurla Complex,

Bandra (East), Mumbai- 400 051, Maharashtra, India.

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**NOTICE INVITING TENDER (NIT)**

(e-Tender)

**1.1 GENERAL**

1.1.1 **Name of Work:** Mumbai Metro Rail Corporation (MMRC) Ltd. invites online open e-tenders from eligible applicants, for the work **Contract Package MM3-CBS-O&M/TKS/PKG-1/2024 Provision of Ticket Vending Services and Customer Service Staff at Metro Stations & Associated Locations (Package 1: Aarey JVLR to Bandra Station of MML-3).**

The brief scope of the work is provided in Clause 1.1 of ITT and Employer's Requirement.

**1.1.2 KEY DETAILS:**

a.	<b>Approximate Cost of work</b>	<b>Rs. 40,21,20,527.73 (excluding GST)</b>
b.	<b>Tender Security* (Earnest Money Deposit/EMD)</b>	<p>Amount of Tender Security: - <b>Rs. 40,21,500/-</b></p> <p>Validity of Tender Security in case of BG/FDR must be minimum <b>180 days</b> beyond the last date of Bid submission.</p> <p>Tender Security (<b>in original</b>) as per clause 3.18 of ITT shall be accepted only <b>up to 15:00 Hours on 28.02.2024</b> in the office of <b>GM (Operations)</b> at the address mentioned hereinafter.</p> <p>In case of Online Payment through IMPS/RTGS/NEFT, bidders shall upload the scanned copies of transaction of payment of Tender Security / EMD including e-receipt (Clearly indicating UTR/Transaction No. and Tender Reference no. <b>MM3-CBS-O&amp;M/TKS/PKG-1/2024</b> must be entered in remarks at the time of online transaction of payment) in online bid submission. No physical/hard copies of transaction of payment, in case online payment, are required to be sent to the office of GM (Operations).</p>
c.	<b>Completion period of Work</b>	48 months (Contract may be extended for 01 year with same terms & conditions, subject to satisfactory performance of contractor and MMRCL requirement).
d.	<b>Performance Security / Security Deposit</b>	10% of accepted Contract Price
e.	<b>Tender Documents Downloading Date &amp; Time</b>	<b>From 27.01.2024 to 28.02.2024 (up to 15:00 Hours)</b> on e-tendering website <a href="https://etenders.gov.in/eprocure/app">https://etenders.gov.in/eprocure/app</a> , Tender document can only be obtained online after registration of tenderer on the website <a href="https://etenders.gov.in/eprocure/app">https://etenders.gov.in/eprocure/app</a> .
f.	<b>Tender Fees (Tender Document Cost/Cost of Tender Documents, Non-Refundable)</b>	<b>Not applicable for this tender.</b>
g.	<b>Last date of Seeking Clarification / Query</b>	<b>12.02.2024 (Up to 18:00 Hours)</b> *(Queries from bidders after due date shall not be acknowledged). **(Queries must be submitted in the format provided as Annexure-10 of ITT
h.	<b>Last date of Issuance of Clarification</b>	<b>16.02.2024</b>
i.	<b>Pre-bid Meeting</b>	09.02.2024 at 11:00 Hours
j.	<b>Last date of issuing amendment if any</b>	<b>16.02.2024</b>
k.	<b>Date and Time of submission of Tender online</b>	Tender submission start date: <b>27.01.2024.</b> Tender submission end date: <b>28.02.2024 (15:00 Hours)</b>

I.	<b>Date &amp; Time of opening of Tender online (Technical Bid)</b>	<b>29.02.2024 at 15:30 Hours</b>			
m.	<b>Tender Validity</b>	180 days from the last day of submission of Tender Document			
n.	<b>Authority, place for submission of Tender Security (EMD), seeking clarifications on tender documents and pre-bid meeting</b>	<b>General Manager (Operations), Mail I'd: <a href="mailto:ser.contract@mmrcl.com">ser.contract@mmrcl.com</a> Ground Floor, MMRC Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC Mumbai-400051, Maharashtra, India.</b>			
O.	To facilitate payment of Tender Security/EMD/Bid Security through RTGS, NEFT & IMPS and SFMS Confirmation in case of BG, the details of bank account of MMRC is mentioned below: -				
	<b>Name of Bank &amp; Address</b>	<b>Account Name</b>	<b>Account Number</b>	<b>Account Type</b>	<b>IFSC code</b>
	State Bank of India (SBI)  Mumbai Main Branch, Fort, Mumbai 400001	Mumbai Metro Rail Corporation Limited	00000035160137534	Current	SBIN0000300

1.1.2.1 \* *Tender Security/EMD/Bid Security is exempted for Micro & Small Enterprises (MSEs) registered with District Industries Centre or Khadi & Village Industries Commission or Khadi & Village Industries Board or Coir Board or National Small Industries Corporation or Dte. of Handicraft & Handloom or any other bodies specified by Ministry of Micro, Small & Medium Enterprises for appropriate category “**Manpower Services/Employment Activities**” and have valid registration certificate as on date of tender submission.*

The MSEs would not be eligible for exemption of tender security if;

- Either they are not registered for “**Manpower Services/Employment Activities**” category.
- or they do not have valid registration as on the date of tender submission.

The tenderers seeking exemption from ‘Tender Security’, being MSEs, shall ensure their eligibility w.r.t above and submit registration certificate issued by the body under which they are registered which clearly mentions category of registration i.e., “**Manpower Services/Employment Activities**” and Terminal Validity of registration.

In absence of any of the above requirements no exemption for ‘Tender Security’ will be allowed and tenderers eligibility shall be dealt as if they are not registered with MSEs.

In case any bidder(s) participated in tender with expired/invalid MSEs Certificate and/or MSE Certificate not registered under appropriate category as mentioned above, for seeking exemption from ‘Tender Security’ being MSEs, the offer of the said Bidder(s) shall be summarily rejected.

**No further clarification shall be sought on the above.**

### 1.1.3 QUALIFICATION CRITERIA

#### 1.1.3.1 Eligible Applicant

- The tenders for this contract will be considered only from those tenderers {Proprietorship Firm, Partnership Firms, Companies, Corporations, Government Entities} who meet requisite eligibility criteria prescribed in this document.

**Note: Joint Venture, Consortiums & Foreign Firms are not allowed to participate in this tender. Only Indian Firms are allowed to participate in this tender.**

- ii. (a) A “non-Indian firm” is **NOT PERMITTED TO PARTICIPATE** in the tender.
  - (b) A tenderer shall submit only one bid in the same tendering process, either individually as a tenderer or as a partner of a J.V. 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.
- 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 for an 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. A firm, who has purchased the tender document in their name, shall submit the tender in the same name.
- v. (a) MMRC or any other Metro Organisation (100% owned by Govt.), or Department / PSU / Subordinate Offices under Ministry of Housing and Urban Affairs (MOHUA) or any department of Government of Maharashtra or Department of Expenditure (DOE), Ministry of Finance, Government of India, or any central/state government department, or any statutory/Autonomous body or any public sector undertaking / enterprise of Govt. of India & State Government must not have banned business with the tenderer as on the date of tender submission. The tenderer should submit undertaking to this effect in Appendix-19 of Form of Tender.
  - (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, should have been rescinded / terminated by MMRC or any other Metro Organisation (100% owned by Govt.), or Department / PSU / Subordinate Offices under Ministry of Housing and Urban Affairs (MOHUA) or any department of Government of Maharashtra or Department of Expenditure (DOE), Ministry of Finance, Government of India, or any central/state government department, or any statutory/Autonomous body or any public sector undertaking / enterprise of Govt. of India & State Government after award during last 03 years (from the last day of the previous month of tender submission) due to non-performance of the tenderer. The tenderer should submit undertaking to this effect in **Appendix-19 of Form of Tender**.
  - (c) **Deleted.**
  - (d) Tenderer for the works awarded by MMRC or any other Metro Organisation (100% owned by Govt.), or Department / PSU / Subordinate Offices under Ministry of Housing and Urban Affairs (MOHUA) or any department of Government of Maharashtra or Department of Expenditure (DOE), Ministry of Finance, Government of India, or any central/state government department, or any statutory/Autonomous body or any public sector undertaking / enterprise of Govt. of India & State Government must have been neither penalized 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 “Manpower Supply Works” 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.
  - (e) If the tenderer does not meet the criteria stated in the Appendix 19 or Appendix 20, the tenderer 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.

(f) If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-19 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 must not have suffered bankruptcy/ insolvency during the last 5 years. The tenderer should submit the undertaking to this effect in the Appendix-21 of Form of Tender.
- vii. **DELETED.**
- viii. (a) Tenderer has not been put on defaulter’s list of EPF/ESI/GST/Labour Department etc. during the last three years (from the last day of the previous month of tender submission). The tenderer should submit undertaking to this effect in the Appendix-27 of Form of Tender.  
  
(b) Tenderer should not be involved in any illegal activity and/or has not been charge sheeted for any criminal act during last three years (from the last day of the previous month of tender submission). The tenderer should submit undertaking to this effect in the Appendix-27 of Form of Tender.  
  
(c) Also, no contract of the tenderer of the value more than 10% of NIT cost of work, executed either individually or in a JV, should have been foreclosed or scope under that contract is reduced by MMRC or any other Metro Organization (100% owned by Govt.), or Department / PSU / Subordinate Offices under Ministry of Housing and Urban Affairs (MOHUA) or any department of Government of Maharashtra or Department of Expenditure (DOE), Ministry of Finance, Government of India, or any central/state government department, or any statutory/Autonomous body or any public sector undertaking / enterprise of Govt. of India & State Government after award during last three years (from the last day of the previous month of tender submission) due to non-performance of the tenderer. The tenderer should submit undertaking to this effect in Appendix-27 of Form of Tender.

#### 1.1.3.2 Minimum Eligibility Criteria

##### A. Work Experience:

The tenderers will be qualified only if they have successfully completed work(s) during last 7 years ending last day of the month previous to the month of tender submission as given below (tenderer shall upload Appendix-17 of FOT along with Documentary proof):

- i. At least one “similar work”\*\*\*of value of **Rs. 8.05 crores** or more.

**OR**

- ii. Two “similar works” \*\*each of value of **Rs. 5.03 crores** or more.

**OR**

- iii. Three “similar works”\*\*\*each of value of **Rs. 4.03 crores** or more.

\*\* “**Similar work**” for this contract means “Supply of trained and computer literate Personnel” at Metro Rail, Railways, Monorail, Road Transport Systems, Toll Plazas, Archaeological Monuments, Museums, Educational Institutions, UNESCO World Heritage Sites, Multiplexes, Malls and Other Commercial Places”.

Notes:

- a) The tenderer shall upload details of work executed by them in the prescribed format as per Appendix-17 of FOT along with Documentary Proof as mentioned below, for the works to be considered for qualification of work experience criteria.:
  - i. Documentary proof such as Completion Certificates from the client clearly indicating the nature/scope of work, work involved Supplying Trained & Computer Literate Personnel, actual completion cost, cost of supply of

personnel (in case composite work) and actual date of completion for such work should be uploaded.

- ii. In case work is executed for private client documentary proof as mentioned above along with copy of work order, Bill wise details of payment received duly certified by CA, and TDS certificates for all the payments received against that work, should be uploaded.
  - iii. The offers submitted without this documentary proof shall not be evaluated.
- b) 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.
  - c) 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.
  - d) if the qualifying work(s) were done by tenderer in Joint Venture (JV), then the value of work as per their percentage participation in such JV shall be considered. 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.

**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-23 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. 2.02 Crore** 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. The aggregate of Net Current Asset & 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 be more than 3 months old as on date of submission of bids.**

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

- ii. **T2- Profitability:** Profit before Tax should be **Positive in at least 2 (two) years**, out of the last five audited financial years.
- iii. **T3-Net Worth:** Net Worth of tenderer during last audited financial year should be **Positive**.
- iv. **T4- Annual Turnover:** The average annual turnover of the tenderer during last five audited financial years should be **≥ Rs. 3.02 Crore**.

**Notes:**

- Financial data for last five audited financial years has to be submitted 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 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 uploaded, the tender may be considered as non-responsive.

(v) **History of Non-Performing Contracts**

- Non-performance of a contract\* did not occur as a result of contractor's default since 1<sup>st</sup> January 2015 till bid submission date. (Tenderer shall upload Appendix-23A of FOT)

1. Non-performance, as decided by the Employer, shall include all contracts:-

- a) where non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and
- b) that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employer's decision was overruled by the dispute resolution mechanism. Moreover, non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

2. This requirement also applies to contracts executed by the Bidder as a JV member.)

- **Pending Litigation**

Submission of pending Litigation (tenderer shall upload Appendix-23A of FOT)

vi. **Deleted.**

vii. **Deleted.**

viii. Tenderer shall upload Appendix-21 of FOT for Undertaking of Solvency.

ix. **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:

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

Where,

A = Maximum of the value of Manpower 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 the work

B = Value of existing commitments (as on the last day of the previous month of tender submission) for on-going Manpower Works completed during period of **48 months** w.e.f. from the first day of the month of tender submission.

**Notes:**

(a) Financial data for last five financial years has to be submitted 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.

(b) Value of existing commitments for on-going Manpower Works during period of **48 months** w.e.f. from the first day of the month of tender submission has to be submitted 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 & UDIN.

**1.1.3.3** The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.1 to 1.1.3.2 above, shall not be



considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.3.1 to 1.1.3.2 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 Contents of Tender Documents:**

- a) Notice Inviting Tender (NIT)
- b) Instructions to Tenderers (ITT) (Including Annexures)
- c) Form of Tender (FOT) (Including Appendices)
- d) General Conditions of Contract (GCC)
- e) Special Conditions of Contract (SCC)
- f) Employer's Requirement (Including Appendices)
- g) Conditions of Contract on Safety, Health & Environment.
- h) Bill of Quantities / Pricing Document

**1.1.5** The Tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **GM (Operations) Ground Floor, MMRC Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC Mumbai-400051, Maharashtra, India.**

**1.1.6** All Tenderers are hereby cautioned that bids containing any deviation or reservations as described in Clause 5.4.4 of "Instructions to Tenderers" 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://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.

**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://etenders.gov.in/eprocure/app> using class-II or class-III digital signature of the authorized signatory only.

**1.1.9** Tenderer shall submit the Tender Security (in Envelope), in both physical (in case of Bank Guarantee or Demand Draft or Pay Order or Banker's Cheque or FDR) & online form (upload the scanned copy). Technical & Financial submissions shall be done online on <https://etenders.gov.in/eprocure/app> after uploading the mandatory scanned documents 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 is furnished in ITT.

**1.1.10** Submission of Tenders shall be closed on e-tendering website of MMRC at the date & time of submission prescribed in NIT after which no tender shall be accepted under any circumstances.

It shall be the responsibility of the bidder / tenderer to ensure that his tender documents are uploaded online on e-tendering website <https://etenders.gov.in/eprocure/app> before the deadline of submission. MMRC 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 3.18 of ITT.

- 1.1.12** MMRC reserves the right to accept or reject any or all proposals, annulment of tendering process at any stage without assigning any reasons. No tenderer shall have any cause of action or claim against the MMRC for rejection of his proposal and/or annulment of tendering process.
- 1.1.13** If any scheduled event(s) of tender activity falls on Public Holiday or declared as holiday, then the same will be conducted on the next working day at the same mentioned time & venue.
- 1.1.14** Tenderers are advised to keep in touch with e-tendering portal <https://etenders.gov.in/eprocure/app> for any updates, Addendum, Clarification, etc. It is the responsibility of the bidder / tenderer to ensure that his bid shall be submitted in accordance with all updates, Addendum, Clarification, etc. as issued by MMRC.
- 1.1.15** After selection, a Letter of Award Acceptance (the “LOA”) will be issued, in duplicate by MMRC to the successful Bidder and the Successful Bidder shall, sign and return the duplicate copy of the LOA in acknowledgement thereof.
- 1.1.16** Tenderers are to carry out their self-assessment in respect of their capacity in terms of manpower and finance. He may indicate separate set of manpower in different tenders. Once a tender is accepted, resources required for its execution shall not be accepted for assessment of other tender. The tenderer is to consider positive variation in annual value to the extent of 50% (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. Also, the deployment of manpower may be reduced or redeployed to other locations as per requirements of MMRC.
- 1.1.17** Tenderers should note that MMRC is inviting tender for Provision of Ticket Vending Services and Customer Service Staff at Metro Stations & Associated Locations at the Mumbai Metro Line 3 Stations in Three Separate packages namely Contract No. **MM3-CBS-O&M/TKS/PKG-1/2024**, **MM3-CBS-O&M/TKS/PKG-2/2024** and **MM3-CBS-O&M/TKS/PKG-3/2024** (03 tenders). Tenderers must note that maximum one (1) tender out of these three tenders may be awarded to one bidder in individual capacity, while they can participate in all 3 tenders. The financial bid(s) of the tenderer(s) who have been awarded one of the aforesaid tenders, shall not be opened for the remaining tenders/packages.

S/d

**Director (System and O&M)**  
**Mumbai Metro Rail Corporation Limited**