

## **1. Notice Inviting Tender (NIT)**

The Managing Director, Mumbai Metro Rail Corporation Limited (MMRCL) invites proposals for entering into a contract for the delivery of Operations and Maintenance Services for Mumbai Metro Line-3.

## **2. The Tender Document**

### **2.1. Bidders must read the complete 'Tender Document'.**

This NIT is an integral part of the Tender Document and serves a limited purpose of invitation and does not purport to contain all relevant details for submission of bids. 'Tender Information Summary' (TIS) appended to this notice gives a salient summary of the tender information. Any generic reference to NIT shall also imply a reference to TIS as well. However, Bidders must go through the complete Tender Document for details before submission of their Bids.

### **2.2. Availability of the Tender Document**

The Tender Document shall be published on the Portal. It shall be available for download after the date and time of the start of availability till the deadline for availability as mentioned in TIS. Unless otherwise stipulated in TIS, if MMRCL happens to be closed on the deadline for submitting the bids as specified above, this deadline shall *not* be extended. Any query/ clarification regarding downloading Tender Documents and uploading Bids on the e-Procurement portal may be addressed to the Help Desk (contact details given in TIS).

### **2.3. Clarifications**

A Bidder requiring any clarification regarding the Tender Document may ask questions in writing/ electronically from Office/ Contact Person as mentioned in TIS, provided the questions are raised before the clarification end date mentioned in TIS. This deadline shall not be extended in case of any intervening holidays.

## **3. Eligibility Criteria for Participation in this Tender**

Subject to provisions in the Tender Document, participation in this Tender Process is open to all bidders who fulfil the 'Eligibility' and 'Qualification criteria. Bidder should meet the following eligibility criteria as of the date of his bid submission and should continue to meet these till the award of the contract. Bidder shall be required to

declare fulfilment of Eligibility Criteria in Form 1.2 (Eligibility Declarations). Bidder unless otherwise stipulated in TIS/ AITB (Appendix to Instruction to Bidders):

- 1) must be:
  - (a) a natural person, private entity, public entity (State-owned enterprise or institution),
  - (b) unless permitted explicitly in TIS/ AITB, not be (or proposes to be, a Joint Venture/ Consortium (an association of several persons, firms, or companies - hereinafter referred to as JV/C).
  
- 2) must:
  - (a) not be insolvent, in receivership, bankrupt or being wound up, not have its affairs administered by a court or a judicial officer, not have its business activities suspended and must not be the subject of legal proceedings for any of aforesaid reasons.
  - (b) Including their affiliates or subsidiaries or Contractors/ subcontractors for any part of the contract:
    - i) Not stand declared ineligible/ blacklisted/ banned/ debarred by the Mumbai Metro Rail Corporation Ltd. (JV of Govt. of India and Govt. of Maharashtra) (MMRCL) or its Ministry/ Department from participation in its Tender Processes; and/ or any other National/ International Agencies including World Bank, Asian Development Bank or
    - ii) Not be convicted (within three years preceding the last date of bid submission) or stand declared ineligible/ suspended/ blacklisted/banned/ debarred by appropriate agencies of Government of India from participation in Tender Processes of all of its entities, for:
      - offences involving moral turpitude in business dealings under the Prevention of Corruption Act, 1988 or any other law; and/or
      - offences under the Indian Penal Code or any other law for causing any loss of life/ limbs/ property or endangering Public Health during the execution of a public procurement contract and/ or

- suspected to be or of doubtful loyalty to the Country or a National Security risk as determined by appropriate agencies of the Government of India.
- iii) Not have changed its name or created a new "Allied Firm", consequent to having declared ineligible/ suspended/ blacklisted/ banned/ debarred as above.
- iv) Not have an association (as a bidder/ partner/ director/ employee in any capacity)
- of any retired Manager (of Gazetted Rank) or any retired Gazetted Officer of the Central or State Government or its Public Sector Undertakings if such a retired person has not completed the cooling-off period of one year after his retirement. However, this shall not apply if such managers/ officers have obtained a waiver of the cooling-off period from their erstwhile organisation.
  - of the near relations of executives of MMRCL involved in this Tender Process
- (c) Not have a conflict of interest, which substantially affects fair competition. The prices quoted should be competitive and without adopting any unfair/ unethical/ anti-competitive means. No attempt should be made to induce any other bidder to submit or not to submit an offer for restricting competition
- 3) must fulfil any other additional eligibility condition, if any, as may be prescribed, in Tender Document.
- 4) must provide such evidence of their continued eligibility to the MMRCL if so requested.
- 5) of Class-II Local Suppliers and Non-Local Suppliers (as defined in Make-in-India policy) shall be eligible subject to certain conditions as detailed in the ITB-clause 4.1.
- 6) from specified countries having land borders with India (but not in development partnership with India) shall be eligible subject to certain conditions as detailed in the ITB-clause 3.3.

#### **4. Purchase Preference Policies of the Government**

As detailed in the Tender Document, the Procuring Entity reserves its right to grant preferences to eligible Bidders under various Government Policies/ directives (policies relating to Make in India; MSME; Start-ups etc.).

#### **5. Pre-bid Conference:**

If so, as indicated in TIS, Bidders are requested to attend a Pre-bid conference for clarification on the Tenders' technical specifications and commercial conditions, on the time, date, and place mentioned therein. Participation in such a Pre-bid Conference is not mandatory.

#### **6. Submission of Bids:**

- 1) Bids must be uploaded before the deadline for submission mentioned in TIS.
- 2) Unless otherwise specified, in TIS, originals (or self-attested copies of originals – as specified therein) of specified scanned uploaded documents must be physically submitted sealed and signed by the holder of power of attorney in double cover, and acknowledgment be obtained before the bid submission deadline at mentioned venue. Failure to do so is likely to result in the bid being rejected. If the office is closed on the deadline for physical submission of originals documents indicated in TIS 9.0 only, it shall stand extended to the next working day at the same time and venue.
- 3) No manual Bids shall be made available or accepted for submission (except for originals of scanned copies as per the sub-clause above). Bidder must comply with the conditions of the eProcurement portal, including registration, compatible Digital Signature Certificate (DSC), etc. In the case of downloaded documents, Bidder must not make any changes to the contents of the documents while uploading, except for filling in the required information.
- 4) The Bidder shall submit bid security for the amount as mentioned in Sr. 10 in of Tender Information Summary (TIS) in the form of a bank guarantee. The bank guarantee shall be issued or confirmed by an Indian scheduled commercial bank as defined in Section 2 (e) of RBI Act 1934. The BG shall be drawn in favour of the MMRCL. A scanned copy of the original BG should be uploaded along with bids and the Original BG shall be physically submitted in accordance with Sr.9 Tender Information Summary (TIS). Bids not complying with these provisions shall be rejected.

- 5) **Integrity Pact:** If so indicated, in the TIS/ AITB, all Bidders shall have to sign the Integrity Pact with the MMRCL as per 'Form 8: Integrity Pact'. Bids without a signed Integrity Pact shall be rejected.

## **7. Bid Opening**

Bids received shall be opened online at the specified date and time given in TIS. If the office is closed on the specified date of opening of the bids, the opening shall be done on the next working day at the same time.

## **8. Disclaimers and Rights of MMRCL**

The issue of the Tender Document does not imply that the MMRCL is bound to select bid(s), and it reserves the right without assigning any reason to:

- a) reject any or all of the Bids, or
- b) cancel the tender process; or
- c) abandon the procurement of the Services; or
- d) issue another tender for identical or similar Services

*Note: For further details, please refer to appended TIS and the complete Tender Document.*

Sd/-

(Ms. Ashwini Bhide, IAS)  
Managing Director  
Mumbai Metro Rail Corporation Ltd.

Appendix: Tender Information Summary (TIS)

**Appendix to NIT: Tender Information Summary (TIS)**

Tender Document No. MM3-CBS-O&M; Tender Title: Operations and Maintenance Services for Mumbai Metro Line-3

(Ref ITB-clause 1.4)

<b>Tender Information Summary (TIS)</b>	
<b>1.0 Basic Tender Details</b>	
<b>Tender Title</b>	Operations and Maintenance Services for Mumbai Metro Line-3
<b>Tender Reference Number</b>	MM3-CBS-O&M
<b>Tender ID</b>	MM3-CBS-O&M
<b>Tender Type</b>	Open Tender - Global Tender Enquiry (GTE, International Competitive Bidding)
<b>Form of Contract</b>	Cost Plus
<b>Tender Category</b>	Services
<b>No. of Covers</b>	Two Covers
<b>Bidding System</b>	Single Stage
<b>Price Structure</b>	Cost-Plus
<b>e-Reverse Auction to be held after financial bid opening (See AITB also in case of Yes)</b>	No
<b>The Procuring Organisation:</b>	Mumbai Metro Rail Corporation Ltd. (A 50: 50 JV of Govt. of India and Govt. of Maharashtra) (MMRCL)
<b>The Procuring Entity:</b>	Mumbai Metro Rail Corporation (MMRCL)

<b>Tender Inviting Authority (TIA)</b>	Managing Director, MMRCL ADDRESS: First Floor, MMRCL Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC, Mumbai-400051, Maharashtra, India. E-Mail ID: <a href="mailto:oandm@mmrcl.com">oandm@mmrcl.com</a>
<b>Appointing Authority for Arbitration</b>	Managing Director, MMRCL
<b>2.0 Requirement Details (ITB 5.0)</b>	
<b>Contract Period:</b>	10 years from the date of LOA inclusive of Pre-COD and extendable.
<b>Consignee/ State:</b>	Maharashtra
<b>Service Details:</b>	Operations and Maintenance Services for Mumbai Metro Line-3  Operations and Maintenance of rail-based metro system of 33.5 km in length with 26 underground stations and 1 (one) at grade station and 1 depot.
<b>3.0 Critical Dates (ITB-clause 7.0; 8.0; 9.0, 10.0 and 11.0)</b>	
<b>Published Date</b>	22-10-2022
<b>Bid Validity (Days from the date of Bid Submission) – ITB-clause 9.3</b>	180 days
<b>Document Download Start Date &amp; Time</b>	26-10-2022 11:00 Hrs

<b>Document Download End Date &amp; Time</b>	20-12-2022 13:00 Hrs
<b>Clarification Start Date &amp; Time</b>	26-10-2022 11:00 Hrs
<b>Clarification End Date &amp; Time</b>	25-11-2022 15:00 Hrs
<b>Bid Submission Start Date &amp; Time</b>	26-10-2022 12:00 Hrs
<b>Bid Submission Closing Date &amp; Time</b>	20-12-2022 14:00 Hrs
<b>Bid Opening (techno-commercial bid) Date &amp; Time</b>	20-12-2022 15:00 Hrs
<b>Bid Opening (Financial bid) Date &amp; Time</b>	To be intimated later
<b>4.0 Eligibility to Participate (NIT-clause 3 and ITB-clause 3.2)</b>	
<b>Nature of Bidders eligible</b>	Single Entity or Joint Venture / Consortium
<b>Entities from countries not eligible to participate on reciprocal basis ITB- clause 4.1.2 (Make in India Policy)</b>	Government of India Ministry of Finance, Department of Expenditure, Procurement Policy Division Order No: F.1/15/2018-PPD, Dated on 15-06-2017
<b>Minimum local content for eligibility to participate ITB- clause 4.1.4 (Make in India Policy)</b>	50%
<b>Classes of Local Suppliers eligible to</b>	All classes of Contractors (Class-I, Class-II, and Non-local) eligible – [Global Tenders]



<b>participate ITB-clause 4.1.4 (Make in India Policy)</b>	
<b>Mandatory Joint venture with Indian Company ITB-clause 4.1.7 (Make in India Policy)</b>	Deleted
<b>5.0 Thresholds for Eligibility to Participate and Preference under Make in India Policy (ITB-clause 4.1.4)</b>	
<b>Classification of Local Suppliers based on Minimum local content (ITB-clause 4.1.1)</b>	Class-I Local Suppliers: 50% Class -II Local Supplier: more than 20% but less than 50% Non-Local Supplier less than 20%
<b>The margin of purchase preference (ITB-clause 4.1.4)</b>	20% only for class one local supplier
<b>Is the requirement divisible for preference (ITB-clause 4.1.5)</b>	No
<b>Would the contract be split among more than one bidder (ITB-clause 4.1.5)</b>	No
<b>6.0 Obtaining the Tender Document and clarifications (ITB 7.0)</b>	
<b>eProcurement Portal and helpdesk for Document availability and submission</b>	E-tendering site: <a href="https://www.tenderwizard.com/MMRCL">https://www.tenderwizard.com/MMRCL</a> Help: Please Contact tender Wizard Helpdesk at +91 8040482100, India Contact Timing: 10:00 Hrs to 17:00 Hrs Cell No.: (+91 8951906455/8040482100)

<p><b>Cost of Tender Document (INR)</b></p>	<p>RFP Document can be downloaded for reference purposes from the e-Tendering Portal of MMRC during the period mentioned in the tender notice. Interested Bidders must make an online payment of ₹ 50,000/- (Rupees Ten Thousand only) inclusive of GST (Non-Refundable) as Tender Processing Fee using online payment gateway during bid preparation using Debit Card/Credit Card/Net Banking. Tender Fee receipt can be system generated during bid preparation by the Bidder. In case of MSME, the tender fees will be refundable</p>
<p><b>Office/ Contact Person/ email for clarifications</b></p>	<p>Mr. Rajeev, Executive Director (Rolling Stock and Operations) Ground Floor, MMRCL Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKCMumbai-400051, Maharashtra, India. E-Mail ID: <a href="mailto:oandm@mmrcl.com">oandm@mmrcl.com</a> Phone No: 022-26575228 All the queries should be sent in the specified format attached as both PDF &amp; Word/Excel format and hard copies needs be submitted/sent on given address.</p>
<p><b>7.0 Pre-bid Conference (ITB-clause 8)</b></p>	
<p><b>Place, time, and date of the Pre-bid Conference</b></p>	<p>Board Room, First floor, MMRCL Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC Mumbai-400051, Maharashtra, India. 18-11-2022 11:00 Hrs</p>
<p><b>Place, time, and date before which</b></p>	<p>Mr. Rajeev, Executive Director (Rolling Stock and Operations)</p>

<p><b>registration of participants for the Pre-bid conference must be received</b></p>	<p>Transit Office of 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC Mumbai-400051, Maharashtra, India. E-Mail ID: oandm@mmrcl.com 17-11-2022 15:00 Hrs</p>
<p><b>8.0 Preparation and Submission and Opening of Bids (ITB-clause 9.0 and 10.0)</b></p>	
<p><b>Bids to be Addressed to</b></p>	<p>Managing Director, Mumbai Metro Rail Corporation Limited (MMRCL)</p>
<p><b>Instructions for Online bid Submission</b></p>	<p>The intending Tenderers must be registered on e-tendering portal <a href="http://www.tenderwizard.com/MMRCL">www.tenderwizard.com/MMRCL</a>. 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 the tendering process and can witness various activities of the process.</p> <p>DSC Process Checklist for Foreign Bidders</p> <p><b>Foreign Organization</b></p> <ol style="list-style-type: none"> <li>1. Applicant's Govt issued ID Proof/Organisational ID Proof.</li> <li>2. Certificate of Incorporation/Company's Registration Certificate (as an entity proof)</li> <li>3. Authorisation letter from Organisation with Authorised Signatory Id Proof.</li> <li>4. A) Organisational existence, publicly verifiable and listed/recognized by local government reference of organisation in database/registry should be provided B) List of directors/Any organization documents that contain applicant or authorised person's name</li> </ol>

	<p>5. If Organisation is registered under Indian Government, then a scanned copy of Authorisation letter (contain applicant details) issued from Organisation can be accepted as address proof/existence of Organisation for DSC.</p> <p>6. Passport size Photo of the applicant in JPG / PNG format</p> <p><b>Foreign Individual</b></p> <p>1. Identity proof, the scanned copy of Passport/Local Govt issued identity/PAN/OCI passport can be submitted.</p> <p>2. Address proof the scanned copy of passport/OCI passport/local government issued id having address/bank details having address/any utility bills in the name of applicant issued within three months/ document issued from embassy with residential address can be provided</p> <p>3. Passport size Photo of the applicant in JPG / PNG format</p>
<b>Bid Opening Place</b>	Board Room, First floor MMRCL Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC, Mumbai-400051, Maharashtra, India.
<b>Alternate Bids allowed or not ITB-clause 9.1.6</b>	NO
<b>9.0 Physical submission of Originals/ Self-attested copies of Originals of Scanned Documents uploaded (ITB-clause 10.3)</b>	
<b>Physical documents required/ permitted to be submitted</b>	Yes
<b>If Yes, List of Documents to be submitted physically</b>	<ul style="list-style-type: none"> <li>• Original Bank Guarantee towards Bid Security or bid securing declaration if applicable (Form 7)</li> <li>• Form 1.1-A: Power of Attorney for Signing of Bid</li> <li>• Form 1.1-B: Power of Attorney for Lead Member of Joint Venture</li> <li>• Format 1.6: Joint Bidding Agreement</li> </ul>

	<ul style="list-style-type: none"> <li>Form 1.1-C: Guarantee by Ultimate Parent Company</li> </ul>
<b>Deadline for physical submission of originals/ self-attested copies of Originals of uploaded scanned documents</b>	19-12-2022 16:00 Hrs
<b>Address of Physical Submission of Originals</b>	Ground Floor, MMRCL Transit Office, 'E' Block, North Side of City Park, Behind Income Tax office 'A' Wing, Bandra (E), BKC, Mumbai-400051, Maharashtra, India.
<b>10.0 Documents relating to Bid Security (ITB-clause 9.4) and Performance Security (ITB-clause 13.2.4)</b>	
<b>Bid Security</b>	INR 60,00,000/- (Rupees Sixty Lacs) in the form of BG or Bid Securing Declaration if applicable
<b>Performance Security</b>	<ul style="list-style-type: none"> <li>Applicable @ 3% of Contract value</li> <li>Form of Security and to whom to be addressed: Bank Guarantee in the name of Managing Director MMRCL</li> </ul>
<b>Additional Clauses</b>	
<b>Clause</b>	<b>Description</b>
<b>Integrity Pact to be Signed and Submitted along with bid ITB-clause 9.2.1</b>	No
<b>Independent External Monitor,</b>	N/A

<b>Name and Contact Details</b>	
<b>Price Variation (ITB-clause 6.2.2)</b>	YES
<b>Advance Payments Provided</b>	YES
<b>Quantity Splitting/ Parallel Orders ITB-clause 13.1.2</b>	No
<b>If yes, the Ratio of Distribution among L-1 and others</b>	No