

PREQUALIFICATION DOCUMENTS



for

Procurement of Part Design, Supply, Installation, Testing and Commissioning of Ballastless track for underground section from Aarey to Cuffe Parade, Ballasted Track in the area of at-grade Aarey station and in the Depot for the Mumbai Metro Line 3

Contract MM3-CBS-TWK

Employer: Mumbai Metro Rail Corporation

Country: Republic of India

Project: MUMBAI METRO LINE 3

Loan No.: [ID-P 233]

PREQUALIFICATION DOCUMENTS

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PART 1

Prequalification Procedures

Section I.

Instructions to Applicants

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A. General

- 1. Scope of Application**
- 1.1 In connection with the Invitation for Prequalification **specified in Section II, Prequalification Data Sheet (PDS)**, the Employer, as **specified in the PDS**, issues these Prequalification Documents (“Prequalification Documents”) for prequalification to bid for the Works described in Section VI, Scope of Works. In case the Works are to be bid as individual contracts (i.e. the slice and package procedure), these are **specified in the PDS**.
- 1.2 Throughout these Prequalification Documents:
- (a) The term “in writing” means communicated in written form and delivered against receipt;
 - (b) except where the context requires otherwise, words indicating the singular also include the plural and words indicating the plural also include the singular; and
 - (c) “day” means calendar day.
- 2. Source of Funds**
- 2.1 The Borrower **specified in the PDS** has received or has applied for a Japanese ODA Loan from Japan International Cooperation Agency (hereinafter referred to as “JICA”), with the number, in the amount, and on the signed date of the Loan Agreement **specified in the PDS**, towards the cost of the project **named in the PDS**. The Borrower intends to apply a portion of the proceeds of the loan to payments under the contract resulting from the bidding for which this prequalification is conducted.
- 2.2 Disbursement of a Japanese ODA Loan by JICA will be subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the applicable Guidelines for Procurement under Japanese ODA Loans **specified in the PDS**. No party other than the Borrower shall derive any rights from the Loan Agreement or have any claim to loan proceeds.
- 2.3 The above Loan Agreement will cover only part of the project cost. As for the remaining portion, the Borrower will take appropriate measures for finance.
- 3. Corrupt and Fraudulent Practices**
- 3.1 In this ITA 3.1, “Bidder” and “Contractors” are used as synonyms of “Applicants.
- It is JICA’s policy to require that Bidders and Contractors, as well as Borrowers, under contracts funded with Japanese ODA Loans and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, JICA:
- (a) will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
 - (b) will recognise a Bidder or Contractor as ineligible, for a period determined by JICA, to be awarded a contract funded with Japanese ODA Loans if it at any time determines that the Bidder or the Contractor has engaged in corrupt or fraudulent practices in competing for, or in executing another contract funded with Japanese ODA Loans or other Japanese ODA; and
 - (c) Will recognise a Contractor as ineligible to be awarded a contract funded with Japanese ODA Loans if the Contractor or subcontractor, who has a direct contract with the Contractor, is debarred under the cross debarment decisions by the Multilateral Development Banks. Such period of ineligibility shall not exceed three (3) years from (and including) the date on

which the cross debarment is imposed.

“Cross debarment decisions by the Multilateral Development Banks” is a corporate sanction in accordance with the agreement among the African Development Bank Group, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and the World Bank Group signed on 9 April, 2010 (as amended from time to time). JICA will recognise the World Bank Group’s debarment of which period exceeds one year, imposed after 19 July, 2010, the date on which the World Bank Group started cross debarment, as “cross debarment decisions by the Multilateral Development Banks.” The list of debarred firms and individuals is available at the electronic address **specified in the PDS**.

JICA will recognise a Bidder or Contractor as ineligible to be awarded a contract funded with Japanese ODA Loans if the Bidder or Contractor is debarred by the World Bank Group for the period starting from the date of advertisements for Prequalification up to the signing of the contract, unless (i) such debarment period does not exceed one year, or (ii) three (3) years have passed since such debarment decision.

If it is revealed that the Contractor was ineligible to be awarded a contract according to above, JICA will, in principle, impose sanctions against the Contractor.

If it is revealed that the subcontractor, who has a direct contract with the Contractor, was debarred by the World Bank Group on the subcontract date, JICA will, in principle, require the Borrower to have the Contractor cancel the subcontract immediately, unless (i) such debarment period does not exceed one year, or (ii) three (3) years have passed since such debarment decision. If the Contractor refuses, JICA will require the Borrower to declare invalidity or cancellation of the contract and demand the refund of the relevant proceeds of the loan or any other remedies on the grounds of contractual violation.

4. Eligible Applicants

- 4.1 For the purpose of applying the eligibility criteria listed in this ITA 4, references to the “Applicant” include all entities, involved or intended to be involved with the proposed Works (including all partners and any of their affiliates that directly or indirectly control, or are controlled by or are under common control with the firm), specialist subcontractors, consultants, manufacturers or suppliers (as mentioned in Form ELI-1.2 Applicant’s Party Information Form), and the personnel of each, for any part of the contract including related services.
- 4.2 An Applicant may be a firm that is a single entity or any combination of such entities in the form of joint venture (JV) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate an authorised representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a Bid) and during contract execution (in the event the JV is awarded the Contract).
- 4.3 An Applicant and all members constituting the Applicant shall be from any of the eligible source countries as indicated in Section V, Eligible Source Countries of Japanese ODA Loans.
- 4.4 An Applicant shall not have a conflict of interest. An Applicant shall not

be employed under any of the circumstances set forth below, where it is determined to have a conflict of interest throughout the bidding/selection process and/or the execution of the contract unless the conflict has been resolved in a manner acceptable to JICA.

- (a) A firm shall be disqualified from providing goods or non-consulting services resulting from or directly related to consulting services for the preparation or implementation of a project that it provided or were provided by any affiliate that directly or indirectly controls, is controlled by, or is under common control with that firm. This provision does not apply to the various firms (consultants, contractors, or suppliers) only due to the reason that those firms together are performing the Contractor's obligations under a turnkey or design and build contract.
 - (b) A firm that has a close business relationship with the Borrower's professional personnel, who are directly or indirectly involved in any part of: (i) the preparation of the Prequalification and Bidding Documents for the contract, (ii) the Prequalification and Bid evaluation, or (iii) the supervision of such contract, shall be disqualified.
- 4.5 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit their applications for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, based on the "One Bid Per Bidder" principle, which is to ensure fair competition, only one prequalified applicant will be allowed to bid for the same contract. All Bids submitted in violation of this procedure will be rejected. A firm (including its affiliate), if acting in the capacity of a subcontractor in one Bid, may participate in other Bids, only in that capacity.
- 4.6 A firm having any other form of conflict of interest other than ITA 4.4 and ITA 4.5 shall be disqualified.
- 4.7 An Applicant that has been determined to be ineligible by JICA in accordance with ITA 3, shall not be eligible to be awarded a contract.
- 4.8 Applicants shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.

B. Contents of the Prequalification Documents

5. Sections of Prequalification Documents

- 5.1 These Prequalification Documents consist of Parts 1 and 2 which include all the Sections specified below, and which should be read in conjunction with any addendum ("Addendum") issued in accordance with ITA 7.

PART 1 Prequalification Procedures

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. Eligible Countries of Japanese ODA Loans

PART 2 Works Requirements

- Section VI. Scope of Works

- 5.2 The Invitation for Prequalification issued by the Employer is not part of the Prequalification Documents.
- 5.3 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addendum to the Prequalification Documents in accordance with ITA 7. In case of any discrepancies, documents issued directly by the Employer shall prevail.
- 5.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Documents and to furnish with its Application all information or documentation as is required by the Prequalification Documents.
- 5.5 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, and other services and facilities to be provided by the Employer is furnished in Section VI, Scope of Works.

6. Clarification of Prequalification Documents

- 6.1 A prospective Applicant requiring any clarification of the Prequalification Documents shall contact the Employer in writing at the Employer's address **specified in the PDS**. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of Applications. The Employer shall forward copies of its response to all Applicants who have obtained the Prequalification Documents directly from the Employer including a description of the inquiry but without identifying its source. If so **specified in the PDS**, the Employer shall also promptly publish its response at the web page **identified in the PDS**. Should the Employer deem it necessary to amend the Prequalification Documents as a result of a clarification, it shall do so following the procedure under ITA 7 and in accordance with the provisions of ITA 16.2.
- 6.2 If so **indicated in the PDS**, the prospective Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time **mentioned in the PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Documents.
- 6.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Documents. Any modification to the Prequalification Documents that may become necessary as a result of the pre-Application meeting shall be made by the Employer exclusively through the use of an Addendum pursuant to ITA 7. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

7. Amendment of Prequalification Documents

- 7.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Documents by issuing addenda.

- 7.2 Any Addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all who have obtained the Prequalification Documents from the Employer. If so **specified in the PDS**, the Employer shall promptly publish the Addendum at the Employer's web page **identified in the PDS**.
- 7.3 To give prospective Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 16.2.

C. Preparation of Applications

8. Cost of Applications

- 8.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Employer shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

9. Language of Application

- 9.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language **specified in the PDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language **specified in the PDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.

10. Documents Comprising the Application

- 10.1 The application shall comprise the following:
- (a) Application Submission Form, in accordance with ITA 11.1;
 - (b) documentary evidence establishing the Applicant's eligibility to prequalify, in accordance with ITA 12.1;
 - (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 13;
 - (d) Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans (Form-ACK), which shall be signed and dated by the Applicant's authorised representative; and
 - (e) any other document required as **specified in the PDS**.

11. Application Submission Form

- 11.1 The Applicant shall complete an Application Submission Form as provided in Section IV, Application Forms. This Form must be completed without any alteration to its format.

12. Documents Establishing the Eligibility of the Applicant

- 12.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI 1.1 and 1.2, included in Section IV, Application Forms.

13. Documents Establishing the Qualifications of the Applicant

- 13.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding forms included in Section IV, Application Forms.
- 13.2 Wherever an Application Form requires an Applicant to state a monetary amount, the Applicant should indicate the USD equivalent using the rate of exchange determined as follows:
- For construction turnover or financial data required for each year – Exchange rate prevailing on the last day of the respective calendar year.
- Value of single contract - Exchange rate prevailing on the date of the

contract.

Exchange rates shall be taken from the publicly available source **identified in the PDS** or, in case such rates are not available in the source identified above, any other publicly available source acceptable to the Employer. Any error in determining the exchange rates in the Application may be corrected by the Employer.

14. Signing of the Application and Number of Copies

14.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 10 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorised to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorised representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorised signatories.

14.2 The Applicant shall submit copies of the signed original Application, in the number **specified in the PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

15. Sealing and Identification of Applications

15.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

- (a) bear the name and address of the Applicant;
- (b) be addressed to the Employer, in accordance with ITA 16.1; and
- (c) bear the specific identification of this prequalification process, **specified in PDS 1.1**.

15.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 15.1 above.

16. Deadline for Submission of Applications

16.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline **specified in the PDS**.

16.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Documents in accordance with ITA 7, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

17. Late Applications

17.1 The Employer reserves the right to accept or reject late Applications.

18. Opening of Applications

18.1 The Employer shall open all Applications at the date, time and place **specified in the PDS**.

18.2 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

19. Confidentiality

19.1 Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 26.

19.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 26, any Applicant that wishes to contact the Employer on any matter related to the prequalification process (except as specified in ITA 19.1 above), may do so only in writing.

20. Clarification of Applications

20.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing.

20.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

21. Responsiveness of Applications

21.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Documents. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 20.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

22. Subcontractors

22.1 Applicants planning to subcontract any of the key activities indicated in Section III, Qualification Criteria and Requirements, shall specify the activity (ies) or parts of the Works to be subcontracted in the Application Submission Form. Applicants shall clearly identify the proposed specialist subcontractor(s) in Forms ELI-1.2 and EXP -4.2(b) in Section IV, Application Forms. Such proposed specialist subcontractor(s) shall meet the corresponding qualification requirements specified in Section III, Qualification Criteria and Requirements.

22.2 At this time, the Employer does not intend to execute certain specific parts of the Works by subcontractors selected in advance by the Employer (Nominated Subcontractors) **unless otherwise stated in the PDS.**

F. Evaluation of Applications and Prequalification of Applicants

23. Evaluation of Applications

23.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.

23.2 Only the qualifications of subcontractors that have been identified in the Application may be considered in the evaluation of an Applicant. However, the general experience and financial resources of subcontractors may not be added to those of the Applicant for purposes of prequalification of the Applicant.

23.3 Unless otherwise **specified in the PDS**, this prequalification shall be for a single contract.

- 23.4 Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under a JV in accordance with ITA 4.2 shall not be considered.
- 23.5 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Employer shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the aggregate requirements or any other reasonable requirements set forth by the Employer. The Qualification Criteria and Requirements are mentioned in Section III.
- 24. Employer's Right to Accept or Reject Applications**
- 24.1 The Employer reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to Applicants.
- 25. Prequalification of Applicants**
- 25.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Employer.
- 26. Notification of Prequalification**
- 26.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 26.2 Applicants that have not been prequalified may write to the Employer to request, in writing, or in a meeting, the grounds on which they were disqualified.
- 27. Invitation for Bids**
- 27.1 Promptly after the notification of the results of the prequalification, the Employer shall invite Bids from all the Applicants that have been prequalified.
- 27.2 Bidders may be required to provide a Bid Security acceptable to the Employer in the form and an amount to be specified in the Bid documents, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bid documents.
- 27.3 The Bid documents will be prepared in accordance with the applicable Standard Bidding Documents of JICA **specified in the PDS.**
- 28. Changes in Qualifications of Applicants**
- 28.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 25 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to a written approval of the Employer prior to the deadline for submission of Bids. Such approval shall be denied, if; (i) such change has not taken place by the free choice of the firms involved; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements; or (iii) in the opinion of the Employer, the change may result in a substantial reduction in competition.
- Any such changes should be submitted to the Employer not later than fourteen (14) days after the date of the Invitation for Bids.

Section II.

Prequalification Data Sheet

Prequalification Data Sheet

A. General	
ITA1.1	The number of the Invitation for Prequalification is:MM3-CBS-TWK
ITA1.1	The Employer is Mumbai Metro Rail Corporation Limited
ITA1.1	The name, identification, and number of the contract is: “Procurement of Part Design, Supply, Installation, Testing and Commissioning of Ballastless track for underground section from Aarey to Cuffe Parade, Ballasted Track in the area of at-grade Aarey station and in the Depot for the Mumbai Metro Line 3” which consists of two (2) Contract Package 10 A- MM3-CBS-TWK-01 & Package 10 B-MM3-CBS-TWK-02.
ITA2.1	The name of the Borrower is Government of India.
ITA2.1	The number of the Loan Agreement is ID-P233. The amount of a Japanese ODA Loan is Seventy One (71) Billion Japanese Yen. The signed date of the Loan Agreement is 17th September2013
ITA2.1	The name of the Project is Mumbai Metro Line3 (Colaba – Bandra - Seepz-)
ITA2.2	The applicable Guidelines for Procurement under Japanese ODA Loans are those published in April 2012.
ITA3.1(c)	A list of de barred firms and individuals is available at the World Bank’s website: www.worldbank.org/debarr
ITA4.1	An applicant should be either An Indian Company incorporated under Companies Act,1956/2013 OR A Foreign Company registered under relevant legislation in its country of origin and having permission to carry out business in India.
ITA 4.2	The term “JV” of the PQ Document shall be entirely replaced with “Consortium/Joint Venture (JV)”.

B. Contents of the Prequalification Documents	
ITA5.1	<p>Eligible applicants may obtain the pre-qualification documents from 12-05-2017 .by downloading from the website or address below: The Managing Director, MMRCL, R13 NaMTTRI Building E Block Bandra Kurla Complex, Bandra (East), Mumbai– 400 051, India, Website: http://www.mmrc.com</p> <p>The documents will be available for a non-refundable fee of INR 2,500/- or US\$38 (Inclusive of MH VAT) to be paid in the form of Demand Draft/Bankers Cheque from any Nationalised / Scheduled Bank in favour of “Mumbai Metro Rail Corporation Limited” payable at “Mumbai” at the office address mentioned above</p>
ITA6.1	<p>For clarification purposes only, the Employer's address is: Attention :(Mr.) S.K.Gupta Director (Projects), MMRCL, Plot No.R-13 NaMTTRI Building, E Block Bandra Kurla Complex, Bandra (East), Mumbai– 400 051,India, Website: http://www.mmrc.com Telephone: +91 22 26384674 Facsimile number:+91 22 26592005</p>
ITA6.1&7.2	<p>Responses to any request for clarification, if any, will not be published on The Employer’s web page.</p>
ITA6.2	<p>A pre -Application meeting will be held at the following date, time and place : Date 25-05-2017 Time : 3:00 PM Place:MMRCL, Plot No.R-13 NaMTTRI Building, E Block Bandra Kurla Complex, Bandra (East), Mumbai– 400 051, India,</p>
C. Preparation of Applications	
ITA9.1	<p>The Language of the Application as well as all correspondence is English.</p>
ITA10.1(e)	<p>“The Applicant shall submit with its Application, the following additional documents: (i) The Prequalification Document and all the Addendums if any to be submitted duly signed by the authorized representative of the Applicant.</p>
ITA13.2	<p>The source for determining exchange rate is Reserve Bank of India reference rate (foreign currency).If the source of the exchange rate for the Bidder’s proposed currency cannot be found in the Reserve Bank of India reference rate (foreign currency), then with the Employer’s concurrence, the rate in the web site; www.xe.com may be used.”</p>

ITA14.1	The term “JV” of the PQ Document shall be entirely replaced with “Consortium/Joint Venture (JV)”.
ITA14.1	All documents must be spiral/ hard bound. No loose papers will be accepted.
ITA14.2	In addition to the original, the number of copies to be submitted with the Application is two sets of copies and one electronic version (WORD/EXCEL and PDF on CD). The Application should be clearly marked “Application to Pre-qualify for Mumbai Metro Line 3 (Colaba-Bandra-SEEPZ) – “Procurement of Part Design, Supply, Installation, Testing and Commissioning of Ballastless track for underground section from Aarey to Cuffe Parade, Ballasted Track in the area of at-grade Aarey station and in the Depot for the Mumbai Metro Line 3 (MM3-CBS-TWK).”
D. Submission of Applications	
ITA16.1	Submission of applications for pre-qualification must be received in sealed envelopes, either delivered by hand, courier or by registered mail. The deadline for Application submission is: Date: 28-06-2017 Time: 3 PM. For <u>Application submission purposes</u> only, the Employer's address is: Attention: The Managing Director, MMRCL, Plot No. R-13, NaMTTRI Building E Block Bandra Kurla Complex, Bandra (East), Mumbai, 400051, India
ITA18.1	The opening of the Applications shall be at 4:00 p.m. on 28-06-2017
E. Procedures for Evaluation of Applications	
ITA 22.2	At this time the Employer <i>does not intend</i> to execute certain specific parts of the Works by subcontractors selected in advance by the Employer (Nominated Subcontractors).

F. Evaluation of Applications and Prequalification of Applicants	
ITA 23.3	<p>As stipulated in ITA 1.1, this prequalification exercise shall be a combined process for following two packages.</p> <p>Package 10A - MM3-CBS-TWK-01: Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from Aarey station (excluded) until BKC station (included) and ballasted Track in the area of at-grade Aarey Station and in the Depot area, excluding the procurement and supply of the rail Fastener System for Mainline of Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).</p> <p>Procurement and Supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for the entire Mainline for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ) including Package 10 B.</p> <p>Package 10B - MM3-CBS-TWK-02: Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from BKC station (excluded) to Cuffe Parade station (included) excluding the procurement and supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).</p> <p>Part Design, Procurement and Supply of Rail Fastener System for the ballastless Track for the Mainline including Contract Package 10 A for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).</p> <p><i>As a result of this pre-qualification process, a list of pre-qualified applicants will be drawn and pre-qualified applicants will be free to bid for both the packages. An applicant shall be allowed to bid for both the packages within his bidding Capacity. However only one contract will be awarded to any eligible bidder.</i></p> <p>It is to be noted that Aarey Station will be at grade.</p>
ITA 23.4	The term “JV” of the PQ Document shall be entirely replaced with “Consortium/Joint Venture (JV)”.
ITA 27.3	The Bid documents will be prepared in accordance with the Standard Bidding Documents (Design & Build) Trial version 2015 published by JICA.
ITA 28.1	The term “JV” of the PQ Document shall be entirely replaced with “Consortium/Joint Venture (JV)”.

Section III.

Qualification Criteria and Requirements

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Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Consortium/Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA Sub-Clause 4.3	Must meet requirement	N/A	Must meet requirement	N/A	Forms ELI-1.1 And 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA Sub-Clauses 4.4, 4.5 and 4.6	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form
1.3	JICA Ineligibility	Not having been declared ineligible by JICA, as described in ITA Sub-Clause 4.7	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form ACK
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract ⁽ⁱ⁾ did not occur as a result of contractor's default since 1 st January 2015.	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON-2
2.2	Pending Litigation	All pending litigation shall in total not represent more than 50 % of the Applicant's net worth and shall be treated as resolved against the Applicant.	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON-2
2.3	Litigation History	No consistent history of court/arbitral award decisions against the Applicant ⁽ⁱⁱⁱ⁾ since 1 st January 2012	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON-2
<p><u>Notes for the Applicant</u></p> <p>(i) 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 over ruled by the dispute resolution mechanism. 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 Applicant have been exhausted.</p> <p>(ii) This requirement also applies to contracts executed by the Applicant as a Consortium/JV member</p> <p>(iii) The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or on-going under its execution over the last five (5) years. A consistent history of awards against the Applicant or any member of a joint venture may result in failure of the Application.</p>							

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Consortium/Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
3. Financial Situation							
3.1	Financial Performance	The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Employer, for the last five (5) years ending 31 st March 2016 for the countries where the financial year ending on 31 st March 2016 or for the last five (5) years ending 31 st December 2015 for the countries where the financial year ending on 31 st December 2015 shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its Prospective long-term profitability. As the minimum requirement, an Applicant's net worth calculated as the difference between total assets and total liabilities should be positive.	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN-3.1 With attachments
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of USD 25 millions⁽ⁱ⁾ , calculated as total certified payments received for contracts in progress and/or completed, within the last five (5) financial years, divided by five (5) years ending March 31, 2016 ⁽ⁱⁱ⁾ .	Must meet requirement	Must meet requirement	Must meet 25% of the requirement	Must meet 40% of the requirement	Form FIN-3.2
3.3	Liquidity Position	The total amount, USD 9.5 millions , of liquid assets and lines of credit during the duration of the Contract.	Must meet requirement	Must meet requirement	Must meet 25% of the requirement	Must meet 40% of the requirement	Form FIN-3.3

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Consortium/Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
<p><u>Notes for the Applicant</u></p> <p>(i) To bring at par, Turnover values will be escalated by assuming 5% inflation per annum for Indian Rupees and 2% inflation per annum for foreign currency for first 4 years of Turnover values.</p> <p>(ii) For international bidders financial year ending 31/12/15 will be acceptable instead of 31/3/16</p>							
4. Experience							
4.1	General Construction Experience	Experience under construction contracts in the role of prime contractor (single entity or Consortium/JV member), subcontractor or management contractor ⁽ⁱ⁾ for at least the last five (5) years, ending 31 st March 2017.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP-4.1
4.2 (a) (i)	Specific Construction Experience	Total of Thirty Five (35) km single Ballastless track of Underground and or Elevated from maximum of Two (2) number of distinct contracts of comparable nature and complexity ⁽ⁱⁱ⁾ of the proposed contract in Design, Supply, installation, testing and commissioning Contracts that have been successfully ⁽ⁱⁱⁱ⁾ completed as a prime contractor (single entity or Consortium/JV member) ^(iv) Starting from the period 1.1.2006 till the date of submission of application.	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP-4.2 (a) (i)
4.2 (a) (ii)	Specific Construction Experience	From the above or other contracts, execution and successful completion ⁽ⁱⁱⁱ⁾ of Ten (10) km single track underground ballastless Track work of comparable nature and complexity ⁽ⁱⁱ⁾ from maximum of Two (2) number of distinct contracts, completed as prime contractor (single entity or Consortium/JV member), management contractor or subcontractor ^(iv) during the period starting from 1.1.2006 till the date of submission of application."	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP-4.2 (a) (ii)

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Consortium/Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
<p><u>Notes for the Applicant</u></p> <p>(i) A management contractor is a firm which takes on the role of contract management as a “general” contractor of sort could do. It does not normally perform directly the construction work(s) associated with the contract. Rather, it manages the work of other (sub) contractors while bearing full responsibility and risk for price, quality, and timely performance of the work contract.</p> <p>(ii) The comparable nature and complexity shall be based on the physical size, complexity, methods/technology and/or other characteristics described In Section VI, Scope of Works. The Design, Supply, Installation, Testing and Commissioning of ballastless Track works executed on Mainlines on Railway/MRTS/LRT/High Speed Rail on systems having design axle load more than 12 tons and operation speed more than 70 km/h shall only be considered. Sidings and stabling tracks shall not be considered.</p> <p>(iii) Successful completion shall be demonstrated with submission of a Certificate from the client. For the work in progress, the partial completion shall be considered only if the specified part or section of the track work is successfully Designed, supplied, installed, tested for the design speed of the section and certified by the, certifying / regulatory authority for public carriage. A certificate from the client to this effect shall be submitted.</p> <p>(iv) For Contracts under which the Applicant participated as a Consortium/JV member, only the Applicant’s share, by value, shall be considered to meet this requirement.</p>							

Section IV.

Application Forms

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Application Submission Form

Date: *[insert day, month, year]*
IFP No.: *[MM3-CBS-TWK]*

To: The Managing Director, MMRCL

Plot No 13, NaMTTRI Building, E Block ,Bandra Kurla Complex,
Bandra (East),City: Mumbai

Post Code: 400 051 Republic of India”

We, the undersigned, apply to be prequalified for the following contract(s) for the Mumbai Metro Line 3 (Colaba-Bandra-SEEPZ).

Contract Number	Contract Name
Package 10A MM3-CBS-TWK- 01	Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from Aarey station (excluded) until BKC station (included) and ballasted Track in the area of at-grade Aarey Station and in the Depot area, excluding the procurement and supply of the rail Fastener System for Mainline of Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ). Procurement and Supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for the entire Mainline for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ) including Package 10 B.
Package 10 B MM3-CBS-TWK- 02	Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from BKC station (excluded) to Cuffe Parade station (included) excluding the procurement and supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ). Part Design, Procurement and Supply of Rail Fastener System for the ballastless Track for the Mainline including Contract Package 10 A for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).

We declare that:

- We have examined and have no reservations to the Prequalification Documents, including Addendum(s) No(s)., issued in accordance with Instructions to Applicants (ITA)7:*[insert the number and issuing date of each Addendum]*
- We, including subcontractor, meet the eligibility requirements as stated in ITA 4.
- We, including subcontractor, have no conflict of interest in accordance with ITA 4.
- We, in accordance with ITA22.1, plan to subcontract the following key activities and/or parts of the Works:

[insert any of the key activities identified in Section III-4.2 (a) (ii) which the Applicant intends to subcontract]

- (e) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to Bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with ITA24.
- (f) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed [insert signature(s) of an authorised representative(s) of the Applicant]

Name [insert full name of person signing the Application]

In the capacity of [insert capacity of person signing the Application]

Duly authorised to sign the Application for and on behalf of:

Applicant's name [insert full name of Applicant]

Address [insert street number/town or city/country address]

Dated on [insert day number] day of [insert month], [insert year]

[For a Consortium/JV, an authorised representative of the Consortium/JV shall sign, in which case the power of attorney to sign on behalf of all members shall be attached.]

Form ELI- 1.1- Applicant Information Form

Date: *[insert day, month, year]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's legal name: <i>[insert full name]</i>
In case of a Consortium/JV, legal name of the representative member and each member: <i>[insert full name of each member in the Consortium/JV and specify the representative member.]</i>
Applicant's actual or intended country of registration: <i>[insert country of registration]</i>
Applicant's actual or intended year of incorporation: <i>[insert year of incorporation]</i>
Applicant's legal address in country of registration: <i>[insert street/number/ town or city/country]</i>
Applicant's authorised representative information Name: <i>[insert full name]</i> Address: <i>[insert street/number/ town or city/country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[insert E-mail address]</i>
1. Attached are copies of original documents of <ul style="list-style-type: none">• Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.3.• In case of a Consortium/JV, Letter of Intent to form Consortium/JV agreement, in accordance with ITA 4.2. 2. Included are the organizational chart a list of Board of Directors, and the beneficial ownership.

Form ELI- 1.2 - Applicant Information Form

[The following form is additional to Form ELI-1.1., and shall be completed to provide information relating to each Consortium/JV member (in case the Applicant is a Consortium/JV) as well as any specialist subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]

Date: *[insert day, month, year]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's legal name: <i>[insert full name]</i>
Applicant's Party legal name: <i>[insert full name of Applicant's party]</i>
Applicant's Party country of registration: <i>[insert country of registration]</i>
Applicant's Party year of incorporation: <i>[insert year of incorporation]</i>
Applicant's Party legal address in country of registration: <i>[insert street/number/ town or city/country]</i>
Applicant's Party authorised representative information Name: <i>[insert full name]</i> Address: <i>[insert street/number/ town or city/country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[insert E-mail address]</i>
<ol style="list-style-type: none">Attached are copies of original documents of<ul style="list-style-type: none">Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.3.Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON-2 – Historical Contract Non-Performance

[The following table shall be filled in by the Applicant and by each member of a Consortium/JV]

Date: *[insert day, month, year]*
 Applicant's Legal Name: *[insert full name]*
 Applicant's Party Legal Name: *[insert full name]*
 IFP No.: *[MM3-CBS-TWK]*
 Page *[insert page number]* of *[insert total number]* pages

1. History of Non-Performing Contracts

Non-Performing Contracts			
<ul style="list-style-type: none"> Contract non-performance did not occur since 1st January <i>[insert year]</i>, in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.1. Contract(s) not performed since 1st January <i>[insert year]</i> in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.1 as indicated below. 			
Year	Non performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for non-performance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>

2. Pending Litigation

Pending Litigation				
<ul style="list-style-type: none"> • No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2. • Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below. 				
Year of dispute	Amount in dispute	Out come as Percentage of Net Worth	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	<i>[insert amount]</i>	<i>[insert percentage]</i>	Contract Identification: <i>[indicate Complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>

3. Litigation History

Litigation History		
<ul style="list-style-type: none"> • No court/arbitral award decisions against the Applicant since 1st January <i>[insert year]</i>, in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3. • Court/arbitral award decisions against the Applicant since 1st January <i>[insert year]</i>, in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below. 		
Year of award	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Employer" or "Contractor"]</i> Status of dispute: <i>[indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>

FormFIN-3.1- Financial Situation

[The following table shall be filled in by the Applicant and by each member of a Consortium/JV]

Date: *[insert day, month, year]*

Applicant's Legal Name: *[insert full name]*

Applicant's Party Legal Name: *[insert full name]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in (currency)	Historic Information for Previous <i>five(5)</i> years (amount in currency, currency, exchange rate*,USD equivalent)				
	Year 1	Year 2	Year 3	Year 4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets(TA)					
Total Liabilities(TL)					
Net Worth(NW)					
Current Assets(CA)					
Current Liabilities(CL)					
Information from Income Statement					
Total Revenue(TR)					
Profits Before Taxes(PBT)					
Profits After Taxes(PAT)					

2. Financial documents

The Applicant and its members shall provide copies of financial statements for five (5) years pursuant to Section III, Qualifications Criteria and Requirements, Sub-Factor 3.1. The financial statements shall:

- (a) Reflect the financial situation of the Applicant or in case of a Consortium/JV, of each member, and not of an affiliated entity (such as parent company or group member).
 - (b) Be independently audited or certified in accordance with local legislation.
 - (c) Be complete, including all notes to the financial statements.
 - (d) Correspond to accounting periods already completed and audited.
- Attached are copies of financial statements**for the *[number of years]* years required above, and complying with the requirements.

* Refer to ITA13.2 for the exchange rate.

** If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Note: Form FIN 3.1 is duly filled, shall be self-certified and certified by certified Auditors/Chartered Accountants.

FormFIN-3.2 – Average Annual Construction Turnover

[The following table shall be filled in by the Applicant and by each member of a Consortium/JV]

Date: *[insert day, month, year]*

Applicant’s Legal Name: *[insert full name]*

Applicant’s Party Legal Name: *[insert full name]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

Annual Turnover Data (Construction Only)			
Year	Amount and Currency	Exchange Rate*	USD Equivalent
<i>[indicate year]</i>	<i>[insert amount and indicate currency]</i>	<i>[insert applicable exchange rate]</i>	<i>[insert amount in USD equivalent]</i>
Average Annual Construction Turnover**			

* Refer to ITA13.2 for date and source of exchange rate.

** Total USD equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, Sub-Factor 3.2.

Form FIN-3.2, duly filled, shall be self-certified and certified by certified Auditors/Chartered Accountants

FormFIN-3.3 – Liquidity Position

[The following table shall be filled in by the Applicant and by each member of a Consortium / JV]

Date: *[insert day, month, year]*

Applicant’s Legal Name: *[insert full name]*

Applicant’s Party Legal Name: *[insert full name]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

Liquidity Position Data				
Month/Year	Source of Financing	Amount and Currency	Exchange Rate*	USD Equivalent
<i>[indicate month/year]</i>	<i>[indicate source of financing]</i>	<i>[insert amount and indicate currency]</i>	<i>[insert applicable exchange rate]</i>	<i>[insert amount in USD equivalent]</i>

(Please extend this table as required)

* Refer to ITA 13.2 for date and source of exchange rate.

Applicants are required to submit a bank reference letter from a reputable commercial bank to the effect that such bank certifies the financial capability of the applicants to meet their financial obligation to perform the said contract and considers to issue a specific line of credit when and if the contract is awarded to the applicants.

The following table shall be filled in by the Applicant and by each member of a Consortium/JV.

Form FIN – 3.3: Liquidity Position is duly filled and to be self-certified with supporting documents from the bank.

(Bank letter head)

Ref No: - Date:
[insert day, month, year]

The Managing Director, MMRCL
R-13, NaMTTRI Building, E Block, Bandra Kurla Complex, Bandra (East),
City: Mumbai Post Code: 400 051
Republic of India

Dear Sir

Sub: Evidence of access to working Capital limit to {Bidder's Legal Name: [insert full name]} in connection with their bid Procurement of Part Design,. Supply, Installation, Testing and Commissioning of Ballastless track for underground section from Aarey to Cuffe Parade, Ballasted Track in the area of at-grade Aarey station and in the Depot for the Mumbai Metro Line 3 (Pre-qualification No:-MM3-CBS-TWK)

We understand from {Bidder's Legal Name: [insert full name and address]}, one of the reputed customers of our Branch, that they are submitting their Bid for Procurement of Part Design, Supply, Installation, Testing and Commissioning of Ballastless track for underground section from Aarey to Cuffe Parade, Ballasted Track in the area of at-grade Aarey station and in the Depot for the Mumbai Metro Line 3 (Invitation for Bid No.:MM3-CBS-TWK).

Further, we understand from {Bidder's Legal Name: [insert full name]} that they are required to submit a letter from their bankers confirming availability of Working Capital support / Line of Credit i.e. Overdraft to the extent of {Rs. Amount i.e XXX crores} as required until completion of Contract as per the details given below:

Sr. No.	Particulars	Amount Rs. (Crores)	Remarks
Total:			

We wish to inform you that the Company is one of our Prime customers of our Branch. The company is enjoying total Working Capital limits i.e. Cash Credit limit of {Rs. Amount i.e.Rs. XXX crores} and the Guarantee / Letters of Credit limit of {Rs. Amount i.e INR/YEN/USD/EUROXXX crores} from Banking System under the system arrangement. In this connection, we shall provide necessary Working Capital support i.e. Overdraft to the extent of {Rs. Amount i.e INR/YEN/USD/EURO.XXX crores} as per terms applicable for such limits within the consortium. The above Credit facility proposed until completion of Contract to be extended to the bidder shall be subject to due diligence and approvals from our sanctioning authorities.

Yours Sincerely
{Bank Name}

.....

Banker's authorised representative

information Name: [insert full name]

Address: [insert street/ number/ town or city/ country]

Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes]

E-mail address: [insert E-mail address]

FormEXP-4.1 - General Construction Experience

[The following table shall be filled in by the Applicant and by each member of a Consortium/JV]

Date: *[insert day, month, year]*

Applicant's Legal Name: *[insert full name]*

Applicant's Party Legal Name: *[insert full name]*

IFP No.: *[MM3-CBS-TWK]*

Page *[insert page number]* of *[insert total number]* pages

[Identify contracts that demonstrate continuous construction work over the past five (5) years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]

General Construction Experience			
Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief description of the Works performed by the Applicant: <i>[describe Works performed briefly]</i> Amount of contract <i>[insert amount in currency, mention currency used, exchange rate and USD equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor (single entity or Consortium/JV member)", "Management Contractor" or "Subcontractor".]</i>

(Please extend this table as required)

* Refer to ITA13.2 for date and source of exchange rate.

FormEXP-4.2(a) (i) – Specific Construction Experience

[The following table shall be filled in for contracts performed by the Applicant, each member of a Consortium/JV.]

Date: [insert day, month, year]
 Applicant's Legal Name: [insert full name]
 Applicant's Party Legal Name: [insert full name]
 IFP No.: [MM3-CBS-TWK]
 Page [insert page number] of [insert total number] pages

[Fill out one (1) form per contract.]

Contract of Similar Size and Nature			
Similar Contract No. [insert number] of [insert number of similar contracts required]	Information		
Contract Identification	[insert contract name and Reference ID number, if applicable]		
Award Date	[insert day, month, year, e.g., 15 June, 2015]		
Completion Date	[insert day, month, year, e.g., 03 October, 2017]		
Role in Contract [check the appropriate box]	Prime Contractor		
	Single entity <input type="checkbox"/>	Consortium/JV member <input type="checkbox"/>	
Total Contract Amount	[insert total contract amount and currency (ies)]	USD [insert exchange rate and total contract amount in USD equivalent]*	
If member in a Consortium/JV, specify participation in total Contract amount	[insert a percentage amount]	[insert total contract amount and currency (ies)]	USD [insert exchange rate and total contract amount in USD equivalent]*
Employer's Name:	[insert full name]		
Address:	[indicate street/number/town or city/country]		
Telephone/Fax Number:	[insert telephone/fax numbers, including country and city area codes]		
E-mail:	[insert E-mail address, if available]		

Similar Contract No. <i>[insert number]of [insert number of similar contracts required]</i>	Information
Description of the similarity in accordance with Sub-Factor 4.2(a) (i) of Section III:	
1. Physical Size of required works items	<i>[insert physical size of items]</i>
2. Complexity	<i>[insert description of complexity]</i>
3. Methods/Technology	<i>[insert specific aspects of the methods/ technology Involved in the contract]</i>
4. Other Characteristics	<i>[insert other characteristics as described in Section VI, Scope of Works]</i>

* Refer to ITA 13.2 for date and source of exchange rate.

Form EXP - 4.2(a) (ii) Specific Construction Experience

Date: *[insert day, month, year]*

Applicant's Legal Name: *[insert full name]*

Applicant's Party Legal Name: *[insert full name]*

Subcontractor's Legal Name *[insert full name]*

IFP No.: *MM3-CBS-TVE*

Page *[insert page number]* of *[insert total number]* pages

[Fill out one (1) form per contract.]

Key Activity No. (1) ____: *[insert brief description of the Activity, emphasizing its specificity]*

Total Quantity of Activity under the contract: _____

Contract with Similar Key Activities				
Item	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award Date	<i>[insert day, month, year, e.g., 15 June, 2015]</i>			
Completion Date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor		Management Contractor	Subcontractor
	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		USD <i>[insert Exchange rate and total contract amount in USD equivalent]*</i>	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)	
Year 1				
Year 2				
Year 3				
Year 4				

Employer's Name:	<i>[insert full name]</i>
Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/Fax Number:	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert E-mail address, if available]</i>

* Refer to ITA 13.2 for date and source of exchange rate.

2. Activity No. (2) _____

3. Activity No. (3) _____

Form ACK

Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans

A) I, *[insert name and position of authorized signatory]*, being duly authorized by *[insert name of Applicant/members of joint venture (“Consortium / JV”)]* (hereinafter referred to as the “Applicant”) to execute this Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans, hereby certify on behalf of the Applicant and myself that all information provided in the Application submitted by the Applicant for *[insert Loan No and name of the Project]* is true, correct and accurate to the best of the Applicant’s and my knowledge and belief. I further certify, on behalf of the Applicant, that:

- (i) the Application has been prepared and submitted in full compliance with the terms and conditions set forth in the Guidelines for Procurement under Japanese ODA Loans (hereinafter referred to as the “Guidelines”); and
- (ii) the Applicant has not, directly or indirectly, taken any action which is or constitutes a corrupt, fraudulent, collusive or coercive act or practice in violation of the Guidelines and is not subject to any conflict of interest as stipulated in the relevant section of the Guidelines.

<If debarment for more than one year by the World Bank Group is NOT imposed, use the following sentence B).>

B) I certify that the Applicant has NOT been debarred by the World Bank Group for more than one year since the commencement of the advertisement for prequalification.

< If debarment for more than one year by the World Bank Group has been imposed BUT three (3) years have passed since the date of such debarment decision, use the following sentence B’).>

B’) I certify that the Applicant has been debarred by the World Bank Group for a period more than one year BUT that on the date of issuance of Invitation for Bids at least three (3) years had passed since the date of such debarment decision. Details of the debarment are as follows:

name of the debarred firm	starting date of debarment	ending date of debarment	reason for debarment

- C) I certify that the Applicant will not enter into a subcontract with a firm which has been debarred by the World Bank Group for a period more than one year, unless on the date of the subcontract at least three (3) Years have passed since the date of such debarment decision.
- D) I certify, on behalf of the Applicant, that if selected to undertake services in connection with the contract, the Applicant shall carry out such services in continuing compliance with the terms and conditions of the Guidelines.
- E) I further certify, on behalf of the Applicant, that if the Applicant is requested, directly or indirectly, to engage in any corrupt or fraudulent action under any applicable law, such as the payment of a rebate, at any time during a process of public procurement, negotiations, execution or implementation of contract (including amendment thereof), the Applicant shall report all relevant facts regarding such request to the relevant section in JICA (details of which are specified below) in a timely manner.

JICA's information desk on fraud and corruption (A report can be made to either of the offices identified below.)

- (1) JICA Headquarters: Legal Affairs Division, General Affairs

Department URL:

<https://www2.jica.go.jp/en/odainfo/index.php>

Tel: +81 (0)3 5226 8850

- (2) JICA India office,
2nd Floor, Dr. Gopal Das Bhawan,
28, Barakhambha Road,
New Delhi - 110001
Tel: +91 11 47685500
FAX: +91 11 47685555
URL: <http://www.jica.go.jp/>

The Applicant acknowledges and agrees that the reporting obligation stated above shall NOT in any way affect the Applicant's responsibilities, obligations or rights, under relevant laws, regulations, contracts, guidelines or otherwise, to disclose or report such request or other information to any other person(s) or to take any other action, required to or allowed to, be taken by the Applicant. The Applicant further acknowledges and agrees that JICA is not involved in or responsible for the procurement process in any way.

- F) If any of the statements made herein is subsequently proven to be untrue or incorrect based on facts subsequently determined, or if any of the warranties or covenants made herein is not complied with, the Applicant will accept, comply with, and not object to any remedies taken by the Employer and any sanctions imposed by or actions taken by JICA.

Authorized Signatory

[Insert name of signatory; title]

For and on behalf of *[Insert name of the Applicant]*

Date:

Section V. Eligible Source Countries of Japanese ODA Loans

All Countries and Areas

PART 2

Works Requirements

Section VI. Scope of Works

Table of Contents

- 1. DESCRIPTION OF THE WORKS..... 1
- 2. CONSTRUCTION PERIOD..... 5
- 3. SITE AND OTHER DATA..... 5

1. Description of the Works

The Mumbai Metro Rail Corporation Limited (MMRCL) here after “The Employer” intends to pre-qualify Companies or Joint ventures for the in the following described Contracts under this project.

1.1 Employer’s Scope:

Design

General arrangement Drawings for the Works, Concept Design / Outline Design for Trackwork and Technical Specifications including performance rate for the Track’s installation for Mainline and Depot area. The provided Design includes appropriate Track structure consisting of:

I. Slab Track (Ballastless Track)

- a) Ballastless Track (Slab Track) on Mainline.
- b) Ballastless Track (Slab Track) as “Low Vibration Track” in specified locations requiring Noise & Vibration (N&V) Mitigation arrangement on Mainline.

II. Ballasted Track:

- c) Ballasted Track on At-Grade/Mainline.
- d) Ballasted Track in the Depot.

III. Special Track Forms in the Depot (Workshop’s Track, Delivery Track, Washing Track, Embedded Track outdoor and indoor, etc.).

Track material

Track material for both following Contracts will be partially procured over the Employer by the other Contractor as described below in each Contractor’s scopes.

1.2 Contract Package 10 A.

Contract MM3-CBS-TWK-01: Depot and Mainline from Aarey Station to BKC Station (included).

Scope of Work:

Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from Aarey station (excluded) until BKC station (included) and ballasted Track in the area of at-grade Aarey Station and in the Depot area, excluding the procurement and supply of the rail Fastener System for Mainline of Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).

Procurement and Supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for the entire Mainline for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ) including Package 10 B.

The main Works of this Package are briefly described below but are not limited to:

- a) The ballastless Track, approximately 24 km single length inside Twin Tunnels and in Cut & Cover stations, starting from Aarey station (excluded) to BKC station (included). Ballastless Track shall be of Low Vibration arrangement at specified locations.
- b) Approximately 23 km of ballasted single Track, at grade, in Aarey station and in Depot.
- c) Special Track including Part Design: Pit Lines, Washing Track, Embedded Track etc. over the length of 2.3 km in Depot.
- d) Procurement of 60 E1 (UIC 60),1080 grade HH rails for entire Ballastless Track of approximately 70 km and also Part Design and procurement of Turnouts/Crossovers, Scissor Crossovers, Buffer Stops for the entire Mainline including Contract Package 10 B and Depot. Also procurement of all other Track material for Depot.
- e) To provide Spares and Track Maintenance Tools and Equipment, Supply of Maintenance Manuals and Training of Personnel for the Track Maintenance.
- f) The fastener system **for the Mainline** will be procured over the Employer by the Contractor of Contract Package 10 B.

1.2.1 Contractor's Scope for Contract MM3-CBS-TWK-01:

1. Part Design, Supply, Installation and Testing & Commissioning of the Track Structures within the Track construction tolerances.
2. Procurement and Supply of all the Track Materials excluding Employer's scope as mentioned above and excluding Fastener System for Mainline to be supplied over the Employer from Package MM3-CBS-TWK-02 (see below).
3. Part Design, Procurement and supply of Rails 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossings and Buffers Stops for the own Contract's Package and for Contract MM3-CBS –TKW-02 (Mainline from BKC Station excluded, until Cuffe Parade Station).
4. Flash butt welding and Thermit welding and implementation on site, Signs and permanent Markers.
5. Recording of Measurements of Track and testing of Track as per international standard and to the satisfaction of the Employer.
6. "As built" drawings, to be approved from Employer's representatives (General Consultant).
7. The following works shall be executed by other Contractors with whom the Track Contractor will have to coordinate and to solve all interface requirements to satisfaction of the Employer and his Representatives:
 - a) Interface with adjacent Track works Contractor, Contract MM3-CBS-TWK-02.
 - b) Interface with Civil Works & MEP on Mainline, Stations and Depot relating to all aspects of Trackwork.
 - c) Interface with Depot Equipment (DEQ).

- d) Interface with Traction & Power (PSS).
- e) Interface with Overhead Contact System (OCS).
- f) Interface with Signaling, Train Control, Telecommunications (STPT) and Platform Screen Doors (PSD).
- g) Interface with Rolling Stock.
- h) Tunnel Ventilation and Environmental system.
- i) HV Power Supply & Railway Electrification and Auxiliary Substations including SCADA.

Others interfacing System and Stakeholders.

- 8. Provisions within the Trackwork for all interfacing Systems services according to the agreed results of the interface coordination with the other Systems.
- 9. Rail grinding as per international standards suitable for Metro train operation until acceptance from the Employer and his Representatives.

1.3 Package 10 B.

Contract MM3-CBS-TWK-02: Mainline from BKC Station (excluded) to Cuffe Parade Station.

Scope of Work:

Part Design, Procurement and Supply, Installation, Testing and Commissioning of ballastless Track on the Mainline from BKC station (excluded) to Cuffe Parade station (included) excluding the procurement and supply of Head Hardened rail 60 E1 (UIC 60), 1080 grade HH, Turnouts, Scissor Crossovers and Buffer Stops for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).

Part Design, Procurement and Supply of Rail Fastener System for the ballastless Track for the Mainline including Contract Package 10 A for Mumbai Metro Line 3 (Colaba – Bandra – SEEPZ).

The main Works of this Package are briefly described below but are not limited to:

- a) Underground Track on Mainline consisting of approximately forty two (42) Km **single Ballastless Track** in Twin Tunnels and in Cut & Cover stations. Ballastless Track shall be of Low Vibration arrangement at specified locations.
- b) Part Design, Procurement and supply of Rail Fastener System for Ballastless Track for the entire Mainline from Cuffe Parade to Aarey Station (excluded), including Contract Package 10 A.
- c) Supply of spares of Track Fastening System for ballastless track maintenance on entire length of the Mainline excluding the ballasted stretch in the area of Aarey Station.
- d) The Rails UIC 60 E1 HH 1080 Grade, Turnouts, Scissor Crossovers and Buffer Stops **for the Mainline** will be procured over the Employer by the Contractor of Contract Package 10 A.

1.3.1 Contractor's Scope for Contract MM3-CBS-TWK-02:

1. Part Design, Supply, Installation and Testing & Commissioning of the Track Structures within the Track construction tolerances.
2. Procurement and Supply of all the Track Materials excluding Employer's scope as mentioned above and excluding Rails UIC 60 E1 HH 1080 Grade, Turnouts, Scissor Crossovers and Buffer Stops for Mainline to be supplied over the Employer from Package MM3-CBS-TWK-01 (see above).
3. Part Design, Procurement and Supply of Rail Fastener System for ballastless Track for the entire Mainline, from Cuffe Parade to Aarey Station (excluded) including Contract MM3-CBS –TKW-01.
4. Flash butt welding and Thermit welding and implementation on site, Signs and permanent Markers.
5. Recording of Measurements of Track and testing of Track as per international standard and to the satisfaction of the Employer.
6. "As built" drawings, to be approved from Employer's representatives (General Consultant).
7. The following works shall be executed by other Contractors with whom the Track Contractor will have to coordinate and to solve all interface requirements to satisfaction of the Employer and his Representatives:
 - a) Interface with adjacent Track Work Contractor, Contract MM3-CBS-TWK-01 for supply of material and construction.
 - b) Interface with Civil Works & MEP on Mainline and Stations relating to all aspects of Trackwork.
 - c) Interface with Traction & Power (PSS).
 - d) Interface with Overhead Contact System (OCS).
 - e) Interface with Signaling, Train Control, Telecommunications (STPT) and Platform Screen Doors (PSD).
 - f) Interface with Rolling Stock.
 - g) Tunnel Ventilation and Environmental system.
 - h) HV Power Supply & Railway Electrification and Auxiliary Substations including SCADA.
 - i) Others interfacing System and Stakeholders.
8. Provisions within the Trackwork for all interfacing Systems services according to the agreed results of the interface coordination with the other Systems.
9. Rail grinding as per international standards suitable for Metro train operation until acceptance from the Employer and his Representatives.

2 Construction Period

- 2.1 The tentative construction period is 30 months from the dated of signing of the Contract.
- 2.2 The detailed key dates will be described in the Bid documents.
- 2.3 Contractor would be expected to deploy multiple teams to simultaneously work at multiple locations across the corridor and in the Depot in order to comply with the Project Schedule intimated by the Employer and his Representatives.

3 Site and Other Data

1.1 Mumbai City Profile

The climate of Mumbai is a tropical wet and dry climate. The high temperature in Mumbai is approximately 30-33 degrees Celsius without changing dramatically throughout the year. Since Mumbai faces the Arabian Sea, it does not experience extremely high or low temperatures. It is different from Delhi located in an inland area. Due to the monsoon, it is in the period from June to September when Mumbai experiences a continuous spell of rainy weather. Almost all of the annual rainfall of about 2,200 mm concentrates in this period.

There is little rainfall from February to May and the temperature is the highest in this period.



Figure 1: Alignment of
Mumbai Metro Rail Line 3

4 Outline of Project

As shown in red in Figure 1, the alignment of Mumbai Metro Line 3 spans approximately 32.5 Kilometers from Colaba (Cuffe Parade) in the south through Bandra, ending within the Special Electronics Export Processing Zone (SEEPZ) in the north, and consists of 26 underground stations.

One Depot and one (1) At-Grade station has been proposed to be constructed at AAREY with alignment SEEPZ – AAREY (1.8Km) as ramp.

4.1 Salient Features

The salient features of this project are shown in the table below.

Table 1 Salient Features

Sr. No.	Features Line 3
1	Gauge (Nominal): 1435 mm
2	Route Length (Between Dead Ends) : Colaba-Bandra-SEEPZ then to Aarey Milk Colony approximately 35 km.
3	No. of Stations: 27 stations (26 Stations UG and 1 Station At-Grade)
4	Max. Design Speed: 95 km/h Max. Operating Speed: 85 km/h
5	Traction Power System
	(a) Traction System voltage: 25kV AC
	(b) Source of Power Supply: OCS System
6	Rolling Stock
	(a) 3.20 m wide with stainless steel or aluminum body
	(b) Maximum Axle Load: 17 t
	(c) Maximum Length of the cars: 22.6 m
	(d) distance between bogie centers as 14.750-/+0.350 m
	(e) Number Max of cars per train: 8
7	Headway (Target of 72 000 PPHPD) (Single loop service from Cuffe parade to Aarey milk colony)
	(a) 275 seconds for year 2020 – 31 X 8 car trains in operation + Spares
	(b) 200 seconds for year 2031 - 42 X 8 car trains in operation + Spares
	(c) 170 seconds for year 2045 – 49 X 8 car trains in operation + Spares

8	<p><u>Signaling</u></p> <p>CBTC GOA4 for year 2020 and Operated to GOA2 with driver to open/close train doors during peak hours.</p>
9	AFC
	a) Contactless Smart Card – For multiple journeys.
	b) Contactless Smart Token – For Single Journey
	<p>TVS/ECS</p> <p>Tunnel Ventilation</p> <p>(a) Tunnel ventilation and Track exhaust systems utilizing the Tunnel Ventilation Fans (TVF).</p> <p>(b) Tunnel ventilation system with Saccardo nozzle to push smoke to the TVF exhaust point for fire emergency scenarios.</p> <p>(c) Under-Platform Supply Systems (UPSS) consist of Air Handling Units which can provide cool air into the Track for hot days.</p> <p>Environmental Control System</p> <p>(a) Chilled water cooling system for public areas, offices and plant rooms.</p> <p>(b) Station smoke exhaust system to use TVF plants.</p>
11	Escalators and Elevators (Lifts) at Stations
12	Signage - To be Advised

4.2 Other Information

- 1) Access to site- Information on access to site is described in the Bid documents.
- 2) Transportation, communications facilities and medical facilities The Contractor shall procure transportation, communications facilities and medical facilities at his own responsibility.
- 3) Land provided by the Employer. Temporary site for storage of PWAY material by the Employer will be described in the Bid documents.