

BIDDING DOCUMENT



MMRC

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

CONTRACT NO: -MM3-CBS-REL-PYL

BIDDING PROCEDURE

SECTION-I

NOTICE INVITING TENDER

MARCH 2017

**Mumbai Metro Rail Corporation Ltd
MMRDA Building, 5th Floor
Bandra-Kurla Complex,
Bandra (East) 400051, Mumbai, India**

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NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work:

Mumbai Metro Rail Corporation (MMRC) Ltd invites online open e-tenders from eligible and interested bidders who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work ***“Contract -MM3-CBS-REL-PYL-: Procurement, Supply, Installation, Testing and Commissioning of various Power Supply works including associated Civil works, required for diversion of 220 kV and 33 kV Transmission Lines along with the Transmission towers belonging to M/s Reliance Infrastructure Ltd. in Aarey depot area for Mumbai Metro Line - 3”***

The brief scope of the work and site information is provided in ITT clause A1 (Section II) & Employer Requirements (Section VII).

1.1.2 Key Details:

Sr No	Name of Work	Estimated Cost (Rs. In Lakhs)	Earnest Money (Rs. In Lakhs)	Security Deposit (Rs. In Lakhs)	Time Period
1	2	3	4	5	6
1.	<i>Procurement, Supply, Installation, Testing and Commissioning of various Power Supply works including associated Civil works, required for diversion of 220 kV and 33 kV Transmission Lines along with the Transmission towers belonging to M/s Reliance Infrastructure Ltd. in Aarey depot area for Mumbai Metro Line -3”</i>	4239.43	42.39	10% of the Estimated amount put to Tender or Contract price, whichever is higher	426 Days (Including Monsoon)

Sr. No.	Tender Schedule	Bidder Schedule	Start Date & Time	End Date & Time
1.	Tender Authorization and Publishing	-----	-----	10/04/2017, 1800 hrs
2.	-----	Tender Document Download	11/04/2017, 1000 hrs	24/05/2017, 1800 hrs
3.	Pre-bid Meeting	-----	21/04/2017, 1100 hrs	-----
4.	-----	Seeking Clarification	11/04/2017, 1000 hrs	05/05/2017, 1800 hrs
5.	Tender Closing	-----	25/05/2017, 1000 hrs	25/05/2017, 1800 hrs

6.	Opening Envelope, A – Tender Fees, EMD	-----	26/05/2017, 1000 hrs	26/05/2017, 1800 hrs
7.	Opening Envelope B – Technical Bid	-----	26/05/2017, 1000 hrs	26/05/2017, 1800 hrs
8.	Opening Envelope C – Financial Bid	-----	To be notified later	To be notified later

1.1.2.1 The Project

The Project includes, Procurement, Supply, Installation, Testing and Commissioning of various Power Supply works including Civil, Electrical and Mechanical works, required for diversion of 220 kV and 33 kV Transmission Lines along with the Transmission Towers belonging to M/s Reliance Infrastructure Ltd. located on the proposed land for establishing MML-3 Depot/Yard at Aarey Colony, Goregaon.

1.1.3 Qualification Criteria:

1.1.3.1 Eligible Applicants:

i. Statutory Licenses/Registration

- The bidder should have a valid Electrical Contractor's License.
- The bidder should be registered under Maharashtra Value Added Tax (MVAT) Act / Central Sales Tax Act and Service Tax Act under GOI as well as for other various taxes in force.
- The bidder should be registered under P.F. Act.
- Income Tax Permanent Account No.

Note: Duly attested copies of Certificate should be submitted with bid offer.

- ii. The bidders for this contract will be considered only from those bidders (proprietorship firms, partnerships firms, companies, corporations, consortia or joint ventures) who meet requisite eligibility criteria prescribed in the sub-clauses mentioned below. In the case of a JV or Consortium, all members of the Group shall be jointly and severally liable for the performance of whole contract.
- iii. Bidder may associate with other firms in the form of Joint Venture with not more than 3 members (including lead member) with condition that the Lead Member must have participation of at least **26%** or their wholly owned Indian subsidiary registered in India under Company Act 1956 or Company Act 2013, with minimum 26% participation.
- iv. A Tenderer shall submit only one tender in the same tendering process, either individually as a tenderer or as a partner of a JV. A tenderer who submits or participates in, more than one bid will cause all of the proposals in which the tenderer has participated to be disqualified. No Tenderer can be a subcontractor while submitting a bid individually or as a partner of a JV in the same tendering process. A tenderer, if acting in the capacity of subcontractor in any tender, may participate in more than one tender, but only in that capacity.
- v. A bidder shall not have a conflict of interest. All bidders found to have a conflict of interest shall be disqualified. Bidders shall be considered to have a conflict of interest with one or more parties in this tendering process,
 - (a) A bidder has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
 - (b) A bidder is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - (c) A bidder lends, or temporarily seconds its personnel to firms or organization's which are engaged in civil construction for the construction for an

implementation of the project, if the personnel would be involved in any capacity on the same project.

- vi. A firm, who has purchased the bid document in their name, can submit the tender either as Individual firm or in joint venture/Consortium. However, the lead partner in case of JV shall be one who has experience of *similar work as defined below*.
- vii. The Central / State government department / public sector undertaking / other government entity, PSUs or Government/Private Organisations* must not have banned business with the bidder (any member in case of JV) as on the date of tender submission. Also, no contract of the bidder should have been rescinded / terminated during last 5 years due to non-performance of the bidder or any of JV /Consortium members. The bidder should submit undertaking to this effect in **Appendix 09 of FOT**
- viii. Bidder (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years. The bidder should submit undertaking to this effect in Appendix 09 of FOT
- ix. Non-Substantial Partners in Case of JV/Consortium
 - a. Lead partner must have a minimum of 26% participation in the JV/Consortium.
 - b. Partners having less than 26% participation will be termed as non-substantial partner and will not be considered for evaluation which means that their financial soundness and work experience shall not be considered for evaluation of JV/Consortium.
 - c. In case of JV/Consortium, change in constitution or percentage participation shall not be permitted at any stage after their submission of application otherwise the applicant shall be treated as non-responsive.

1.1.3.2 Minimum Eligibility Criteria:

A. The bidders individually or as consortium/ JV should fulfil the following **Eligibility Criteria**:

- (a) **For Supply, Erection, Testing & Commissioning of EHV/HV Transmission Towers, Termination Yard Equipments & associated Civil Works:**

The Bidder should have achieved the following eligibility criteria of having successfully completed **Similar works**** during the last 7 years preceding 31st January, 2017:

Three Similar works** completed, costing not less than Rs. 8 Crores each.

or

Two Similar works** completed costing not less than Rs. 10 Crores each.

or

One Similar work** completed costing not less than Rs. 16 Crores.

Similar Work(s)** is defined as *“Supply, Testing and Commissioning of EHV/HV Transmission Towers of 110 kV and above voltage level and/or Procurement, Supply, Erection, Testing and commissioning of various Switchyard Equipments like CTs, LAs, CR Panels, SCADA and associated Equipments like ACDB, DCDB, Battery, Battery Chargers etc. for major Transmission utilities, PSUs or Government/Leading Private organisations*.”*

The work also involves, associated Civil Works like EHV Cable Ducts along with HDPE Pipes, Construction of Termination Yard along with Control room, Foundations of Transmission and Switch Yard Towers, Gantry Foundations etc. These Civil Works can be carried out through an *experienced Sub-Contractor*.

**In case the work is executed for private client, copy of work order, bill of quantities, bill wise details of payments received certified by C.A., T.D.S certificates for all payments received and copy of final/last bill paid by client shall also be submitted.*

(b) **For Procurement and Supply of EHV, HV & LV Cables along with Termination / Jointing Kits and other Associated Items.**

The Bidder should have achieved the following eligibility criteria of having successfully completed **Similar works**** during the last 7 years preceding 31st January, 2017:

Three Similar works** completed, costing not less than Rs. 9 Crores each.

or

Two Similar works** completed, costing not less than Rs. 11 Crores each.

or

One Similar work** completed, costing not less than Rs. 18 Crores.

Similar Work(s)** defined as *Procurement/supply of EHV Cables of 110kV and above voltage level. for major Transmission utilities, PSUs or Government/Private Organisations.*

**In case the work is executed for private client, copy of work order, bill of quantities, bill wise details of payments received certified by C.A., T.D.S certificates for all payments received and copy of final/last bill paid by client shall also be submitted.*

The bidder shall submit duly attested/notarised performance certificate issued by the utility/end users along with a copy of details work order]

(c) **For Laying, Testing and Commissioning EHV, HV & LV Cables along with Making Termination / Joints.**

The Bidder should have achieved the following eligibility criteria of having successfully completed **Similar works**** during the last 7 years preceding 31st January, 2017:

Three Similar works** completed of not less than 3 km of cable length.

or

Two Similar works** completed of not less than 4 km of cable length.

or

One Similar work** completed of not less than 6 km of cable length.

Similar Work(s)** is defined as *Laying, Testing and Commissioning of EHV Cables of 110kV and above voltage level.*

“The above-mentioned cable laying work can be carried out through a *Specialized Sub-Contractor* who is having experience of not less than 5 Years in Cable Laying of 110 kV and above voltage level.”

The tenderer shall submit details of works executed by them in the Performa of **Appendix- 16 of FOT** for the works to be considered for qualification of work experience criteria. Documentary proof such as completion certificates from client clearly indicating the nature/scope of work, actual completion cost and actual date of completion for such work should be submitted. Experience certificate of any person/official below the rank of Executive engineer will not be accepted as proof for Eligibility. **The offers submitted without this documentary proof shall not be evaluated.**

Value of successfully completed portion of any on-going work up to **last date of submission** will also be considered for qualification of work experience criteria.

- For completed works, value of work done shall be updated to **01-04-2017** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. **The exchange rate of foreign currency shall be applicable 28 days before the submission date of tender.**
- In case of Joint Venture / Consortium, full value of the work, if done by the same joint venture shall be considered. However, if the qualifying work(s) were done by them in JV/Consortium having different constituents, then the value of work as per their percentage participation in such JV/Consortium shall be considered.
- The client’s certificate clearly indicating the amount pertaining to each work shall be furnished by the tenderer along with their submission.

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

T1 - Annual Turnover: The bidder should have average Annual Financial Turnover during the last 5 years ending 31st March, 2016 of not less than **INR 29.00 Crores**. (The average annual turnover of JV will be based on percentage participation of each member.)

T2- Liquidity: It is necessary that the firm can withstand cash flow of **INR. 6 Crores** that the contract will require until payments received from the Employer. Liquidity therefore becomes an important consideration.

This shall be seen from the balance sheets and/or from the banking [reference.Net](#) current assets and/or documents including banking reference, should show that the applicant has access to or has available liquid assets, lines of credit and other financial means to meet cash flow of **INR 6 Crores** for this contract, net of applicant’s commitments for other Contracts. Banking reference (as per **Annexure-8 of ITT**) should contain in clear terms the amount that bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Current Assets (as seen from the Balance Sheets) are negative, only the Banking references will be considered. Otherwise the aggregate of the Net Current Assets and submitted Banking references will be considered for working out the Liquidity.

The banking reference should be from a Scheduled Bank in India or (in case of foreign parties) from an international bank of repute (acceptable to MMRC) and it should not be more than 03 months old as on date of submission of bids.

In Case of JV- Requirement of liquidity is to be distributed between members as per their percentage participation and every member should satisfy the minimum requirement.

Example: Let member-1 has percentage participation=M and member-2 has percentage participation=N. If minimum liquidity required is ‘W’, then liquidity of

$$\text{Member-1} \geq \frac{W \cdot M}{100} \text{ and liquidity of member-2} \geq \frac{W \cdot N}{100}$$

T3 - Profitability: Profit before Tax should be Positive in at least 2 (two) years, out of the last Five audited financial years.

In Case of JV: - The profitability of only lead member shall be evaluated.

T4 - Net Worth: Net Worth of tenderer during last audited financial year should be INR 11.00 Crores.

In Case of JV- Net worth will be based on the percentage participation of each Member.

Example: Let Member-1 has percentage participation = M and Member-2 has = N. Let the Net worth of Member-1 is A and that of Member-2 is B, then the Net worth of JV will be

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

Notes:

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Appendix-14 of FOT** along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature in original with membership number. In case audited balance sheet of the last financial year is not made available by the bidder, he has to submit an affidavit certifying that ‘the balance sheet has actually not been audited so far’. In such a case the financial data of previous ‘4’ audited financial years will be taken into consideration for evaluation. If audited balance sheet of any year other than the last year is not submitted, the tender may be considered as non-responsive.

Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.

1.1.3.3 Bid Capacity Criteria:

Bid Capacity: The tenderers will be qualified only if their available bid capacity is more than the approximate cost of work as per NIT. Available bid capacity will be calculated based on the following formula:

Available Bid Capacity = 2*A*N – B

Where,

A = Maximum of the value of construction works executed in any one year during the last five financial years (updated to **01-04-2017** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year).

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

B = Value of existing commitments (**as on first day of the month of submission of the tender,**) for on-going construction works during period of **426 Days w.e.f. first day of the month of submission of the tender.**

Notes: Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-14 of FOT** along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature in original with membership number.

- Value of existing commitments for on-going construction works during period of **426 Days** w.e.f. **first day of the month of submission of the tender** has to be submitted by the tenderer in **Appendix-15 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original with membership number.
- In the case of a group, the above formula will be applied to each member to the extent of his proposed participation in the execution of the work. If the proposed % participation is not mentioned, then equal participation will be assumed.

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

Suppose there are 'P' and 'Q' members of the JV / group with their participation in the JV / group as 70% and 30% respectively and available bid capacity of these members as per above formula individually works out 'X' and 'Y' respectively, then Bid Capacity of JV / group shall be as under: **Bid Capacity of the JV / group = 0.7X + 0.3Y**

- 1.1.3.4** The Bid submission of bidders, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.2 to 1.1.3.3 above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.3.2 to 1.1.3.3 shall not imply that his bid shall automatically be accepted. The same should contain all technical data as required for consideration of tender prescribed in the ITT.

1.1.4 TENDER DOCUMENTS

The Tender documents consist of:

Section I - Notice Inviting Tender

Section II - Instructions to Tenderers (including Annexures)

Section III - Form of Tender (including Appendices)

Section IV - General Conditions of Contract

Section V -Special Conditions of Contract (including Schedules)

Section VI -Condition of Contract on Safety, Health and Environment

Section VII - Employer's Requirements with Appendices

Section VIII - Technical Specifications

Section IX - Bill of Quantities

Section X - Tender Drawings

- 1.1.5** The contract shall be governed by the documents listed in Para 1.1.4 above along with latest edition of National Electrical Installation Standards (NEIS) Specifications, IEEE Specifications. These may be purchased from the market.
- 1.1.6** The Tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of The Executive Director (Electrical), Mumbai Metro Rail Corporation, Bandra-Kurla Complex, Bandra (East), Mumbai -400051
- 1.1.7** All bidders, to note, that tenders containing any material deviation or reservations as describe in Clause. E 4.0 of "Instructions to Tenderers" and/or minor deviation without quoting the cost of withdrawal shall be considered as Non-responsive and is liable to be rejected.
- 1.1.8** The intending bidders must be registered on e-tendering portal of MMRC <https://www.tenderwizard.com/MMRC> Those who are not registered on the e training on

‘online tendering process’. After registration, the bidder will get user id and password. On login, bidder can participate in tendering process and can witness various activities of the process.

- 1.1.9** Bidders should have valid clause 3 Digital Signature Certificate (DSC) having both Signing and Encryption Certificates obtained from any Certifying Authorities empanelled by Controller of Certifying Authorities India. In case of requirement of DSC,

Bidders should go to <https://www.tenderwizard.com/MMRC> and follow the procedure mentioned in the document Procedure for Digital Certificate.

- 1.1.10** Tender submissions will be made online after uploading the mandatory scanned documents Bid shall be submitted online on the e-tendering portal in ‘**three electronic envelopes system**’ within prescribed schedule.

a. e-Envelope ‘A’ (Tender Fee, EMD, Prequalification Criteria if any)

Bidder should generate and upload scanned copies of Receipt for the following –

- i. Generate Receipt for e-tender fee
- ii. Upload Receipt of Earnest Money Deposit (EMD)

b. e-Envelope ‘B’ (Technical Bid)

Bidder shall upload scanned copies of Technical Document as per RFP/Bid document.

c. e-Envelope ‘C’ (Financial Bid)

Tenderer shall quote his offer as percentage below/above/at par the estimated cost electronically at the prescribed space in the dialog box in envelope- C. The amount quoted by the tenderer shall be calculated by system.

- Under “MMRC- Financial Bid Percentage Rate”
- Under “Price Bid- Covering Letter”

Upload the digitally signed copy of Tender document and Quotation in company’s Letter head under the template” Price Bid- Covering Letter” bidder shall upload scanned copy of Financial Proposal (Financial Package) **Section IX** of Tender document duly Quoted/Filled.

Payment Procedure for Tender Fee and EMD

(i) Tender Fee:

Tender Document and Supporting can be downloaded for reference purpose from the e-Tendering Portal of MMRC during the period mentioned in the tender notice. Interested Bidders have to make online payment of Tender Fee using online payment gateway during bid preparation i.e. Debit Card/Credit Card/Net-Banking. Tender Fee receipt can be system generated during bid preparation by the Bidder.

(ii) Earnest Money Deposit

Earnest money deposit for this work will be Rs. 42,39,000/- only. The Tenderer shall submit with his Tender a Tender Security for the sum mentioned in NIT in the following forms:

- a. An amount of INR 1,00,000 (Rupees One Lakh) Through RTGS/NEFT/Net Banking/Credit card/Debit Card

b. For the balance Tender Security/Earnest Money, Irrevocable bank guarantee issued by a Scheduled Commercial Bank (including Schedule Commercial Foreign Banks) in India, in the form given in Annexure 6, of the Instruction to Tenderers (ITT), payable at Mumbai shall be submitted before the tender closing date as mentioned in NIT.

(In case of joint venture/consortia, Bank Guarantee for Tender Security shall be in the name of joint venture/consortia and not in name of individual members.) The Tender Security shall remain valid for a period of 56 days beyond the validity period for the tender. The tenderer shall upload the scanned copy of the Bank Guarantee as part of Envelope A on the online MMRC e-tendering portal only. The bidder shall submit the original Bank Guarantee, before the deadline of submission of bid at the office of the Executive Director (Electrical), MMRDA Building, 5th Floor, A-Block, Bandra Kurla Complex, Bandra –East, Mumbai-400051, India

- 1.1.11** Submission of Tenders shall be closed on e-tendering portal of MMRC on the date & time of submission prescribed in NIT after which no tender shall be accepted. It shall be the responsibility of the bidder / bidder to ensure that his tender is submitted online on e-tendering portal of MMRC before the deadline of submission. MMRC will not be responsible for non-receipt of tender documents due to any delay and/or loss etc.
- 1.1.12** Tender Document can be downloaded for reference purpose from the e-Tendering Portal of MMRC during the period mentioned in the tender notice. Interested Bidders have to make online payment of Rs. 25,000/- (Rupees Twenty-Five Thousand only) inclusive of MVAT (non-refundable) as Tender Processing Fee using online payment gateway during bid preparation using i.e. Debit Card/Credit Card/Net-Banking. Tender Fee receipt can be system generated during bid preparation by the Bidder.
- 1.1.13** The lowest tenderer will have to submit the rate analysis of all major items if called for.
- 1.1.14** Tenders shall be valid for a period of **180 days** (both days inclusive i.e. the date of submission of tender and the last date of period of validity of the tender) from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per **Clause C22 of ITT**.
- 1.1.15** MMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No tenderer shall have any cause of action or claim against the MMRC for rejection of his proposal.

Date: 10th April, 2017

Place: Mumbai

No.: MMRC/MM3/REL-PYL/NIT/18

**Executive Director (Electrical)
Mumbai Metro Rail Corporation Ltd.**