

NOTICE INVITING TENDER (NIT)

1.1 GENERAL

1.1.1 Name of Work:

Uttar Pradesh Metro Rail Corporation (UPMRC) Ltd., who has been assigned to carry out interim works for Kanpur Metro Rail Project, invites open tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.4 of NIT, for the work, “**Design, Supply, Installation, Testing & Commissioning of Receiving cum Auxiliary Main Sub Stations Including High Voltage Cabling from Grid Substations, 750 Volts DC 3rd Rail Traction System, 33kV Cable Network, ASS, TSS & SCADA System for Corridor-1 & 2 of Kanpur Metro Rail Project at Kanpur, Uttar Pradesh, India.**”

The brief scope of the work and site information is provided in ITT Clause A1 (Volume-1) & Employer’s Requirements (Volume–3& 4)

1.1.2 Key details :

Approximate cost of work	Rs. 500.00 Crores
Tender Security amount	Rs. 5.00Crores
Completion period of the Work	40months
Tender documents on sale:	From 21.02.2020 to 12.03.2020 (between 09:30 hrs to 17:30 hrs) on working days
Cost of Tender documents	Rs. 23,600/- (inclusive of 18% GST) (Demand Draft on a scheduled commercial bank based in India in favour of “Uttar Pradesh Metro Rail Corporation Ltd”) payable at Lucknow
Last date of Seeking Clarification	13.03.2020
Pre-bid Meeting	13.03.2020@ 1500 Hrs
Last date of issuing addendum	23.03.2020
Date & time of Submission of Tender	07.04.2020upto 15:00 Hrs.
Date & time of opening of Tender	07.04.2020@ 15:30 Hrs.
Authority and place for purchase of tender documents, seeking clarifications and submission of completed tender documents.	Director (RS & S), Uttar Pradesh Metro Rail Corporation, Administrative Building, Vipin Khand, Gomti Nagar, Lucknow-226010 Email: knpe1and2upmrc@gmail.com

1.1.3 SOURCE OF FUNDS:

This work is likely to be funded by bilateral agency.

1.1.4 PRE QUALIFICATION CRITERIA:

1.1.4.1 Eligible Applicants:

- (i) A Tenderer may be from any country and all areas either a single entity or any combination of entities in the form of a joint venture or consortium under an existing agreement. In the case of a JV/Consortium: all partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms; and the JV/Consortium shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the partners of the JV/ Consortium during the tendering process and, in the event the JV/Consortium is awarded the Contract, during contract execution.
- (ii) A Tenderer, and all partners constituting the Tenderer, shall be from any country and all areas.
- (iii) A Tenderer and all partners constituting the Tenderer, shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if:
 - a) Tenderer and all partners constituting the Tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for or implementation of the project;
 - b) Tenderer and all partners constituting the Tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - c) a Tenderer and all partners constituting the Tenderer lends, or temporarily seconds its personnel to firms or organizations which are engaged in consulting services for the preparation related to procurement for or implementation of the project, if the personnel would be involved in any capacity on the same project.
- (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/ Consortium. A Tenderer who submits or participates in, more than one tender will cause all of the proposals in which the Tenderer has participated to be disqualified. No Tenderer can be a subcontractor while submitting a tender individually or as a partner of a JV/ Consortium 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) Deleted
- (vi) Tenderers shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- (vii) A firm, who has purchased the tender document in their name, can submit the tender either as individual firm or in JV/ Consortium.
- (viii) Any Central / State government department or public sector undertaking must not have banned business with the tenderer (any member in case of JV/Consortium). The tenderer should submit undertaking to this effect in Form of Tender.
- (ix) **NON SUBSTANTIAL PARTNERS IN CASE OF JV/CONSORTIUM**
Lead Partner must have a minimum 26% participation in the JV/Consortium
Substantial Partner should have at least 26% participation, otherwise they 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.

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.

- (x) A Tenderer and all partners constituting the Tenderer shall confirm Non-performance of a contract did not occur within the last two (2) years prior to the deadline for application submission based on all information on fully settled disputes or litigation(as per Annexure-7 of NIT). A fully settled dispute or litigation is one 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.

- (xi) The Tenderer should supply at least 50% of Plant, Materials and Services from Indian sources as per Ministry of Housing and Urban Affairs (Govt. of India) guidelines dtd:27.07.2018 regarding minimum local content in procurement of Metro Rail Systems. Declaration for Minimum Local Content to be given by tenderer as per Annexure-4 of NIT. Certification from C.A. regarding minimum local content in the financial bid is to be submitted by tenderer within 2 weeks after the submission of bid. 'Local content' is defined in Instructions to Tenderers clause A3.5.

1.1.4.2 **Minimum Eligibility Criteria:**

A. Work Experience: The tenderers will be qualified only if they satisfy the criteria as given below:

Eligibility& Qualification Criteria			Compliance Requirement		
SN	Factor	Requirement	Single Entity	Joint Venture/Consortium (existing or intended)	
				All Parties Combined	Each Member
	Experience				
1	Specific Construction Experience	<p>Work Experience:“<i>The tenderers will be qualified only if they satisfy the Work Experience criteria for Similar Work** as given below during last seven years ending 31.12.2019.</i>”</p> <p>At least One (1)“Similar Work”** of value of Rs 400 Crores or more</p> <p>If the above “Similar Work”** of value Rs 400 Crores or more has been done by the foreign partner of JV/ Consortium and was done in the country of the foreign partner then in addition to this work, the foreign partner must have done at least one Similar Work equal to or more than Rs 200 Crores outside the country of the foreign partner.</p> <p style="text-align: center;">OR</p> <p>Two (2) “Similar Work”**each of value of Rs 250 Crores or more</p> <p>If both the above the “Similar Work”** of value Rs 250 Crores or more has been done by the foreign partner of JV/Consortium, then either at least one of these two work should have been done outside the country of the foreign partner and if not, then in addition to this the foreign partner must have done at least one Similar Work equal to value of Rs 200 Crore or more outside the country of the foreign partner.</p> <p style="text-align: center;">OR</p>	Must meet requirement	Must meet requirement	N/A

		<p>Three (3) “Similar Work”**each of value of Rs 200 crores or more</p> <p>If all the above three Similar Work of Rs 200Crores or more or two out of three works have been done by foreign partner of JV, then either at least one of these three work should have done outside the country of the foreign partner.</p>			
2		A minimum construction Experience in the following Key activities (A+B+C+D+E+F) is required to be successfully completed as Single entity or JV/Consortium.			
(a)		<p><u>Key Activity A: RSS</u></p> <p>Construction, supply, installation, testing & commissioning of at least two (2) Electrical Substations with primary voltage 66kV & above; with use of AIS/GIS; along with other associated works in maximum 2 works.</p>	Must meet requirement	Must meet requirement	N/A
(b)		<p><u>Key Activity B: ASS</u></p> <p>Supply, installation, testing & commissioning of at least fifteen (15) Indoor type Auxiliary Substations with primary voltage 33kV & above; with use of AIS/GIS; along with other associated works in maximum 2 works.</p>	Must meet requirement	Must meet requirement	NA
(c)		<p><u>Key Activity C: TSS</u></p> <p>Supply, installation, testing & commissioning of at least nine (9) 600V dc and above Indoor type Traction Substations; with use of AIS/GIS; along with other associated works for Metro Rail/ Suburban Rail/ Main line Railways/ Mono Rail/Tramways in maximum 2 works.</p>	Must meet requirement	Must meet requirement	NA

(d)		<p><u>Key Activity D: Third Rail</u> Supply, installation, testing & commissioning of at least fifteen Route km (15 Rkm) 600/ 750 volts DC and above Third Rail Traction Electrification System for Metro Rail/ Sub urban Rail/ Mono Rail in maximum 2 works.</p>	Must meet requirement	Must meet requirement	NA
(e)		<p><u>Key Activity E: SCADA</u> Supply, installation, testing & commissioning SCADA System for Metro Rail/ Suburban Rail/ Main line Railways/ Mono Rail/Tramways for minimum length of fifteen Route km (15 Rkm) in maximum 2works.</p>	Must meet requirement	Must meet requirement	NA
(f)		<p><u>Key Activity F: EHV Cabling</u> Supply, installation, testing & commissioning of EHV (66kV and above) cable network system for minimum length of 10 Circuit Route km (10ckt Rkm) in maximum 2 works.</p>	Must meet requirement	Must meet requirement	NA

Note:

1. Explanation to item1 Specific Construction Experience:

***“Similar Work” for this tender shall be work of Electrical Traction & Power System work in Metro Rail/ Suburban Rail/ Main line Railways/ Mono Rail/Tramways and/or 66kV & above Electrical Substations in Electrical Transmission/ Distribution/ Industrial Projects.

Subcontractor is permitted only for Key Activity item 2(f). For all other key activities primary contractor shall be responsible either as a single entity or as JV/Consortium.

2. The tenderer shall submit details of work executed by them, in the Performa of **Annexure-1** 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. **The offers submitted without this documentary proof shall not be evaluated. In case the work is executed for private client, copy of work order, bill of quantities, bill wise details of payment received certified by C.A., T.D.S certificates for all payments received and copy of final/ last bill paid by client shall be submitted.**
3. Value of successfully completed portion of any ongoing work up to 31.12.2019 will also be considered for qualification of work experience criteria.
4. For completed works, value of work done shall be updated to **31.12.2019** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portions per year. **Selling rate of exchange at the close of business of the State Bank of India on the**

day twenty eight days before the latest date of Tender Submittal shall be considered for calculating equivalent value in INR.

5. 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.
6. **A JV /Consortium member can participate in only one of the bidding JV/Consortium.**
7. The Joint venture/Consortium agreement must contain a clause **stating “All the partners are jointly and severally liable to UPMRC”**

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

(i) T1 – Liquidity: The tenderer must have liquidity equal to cash flow requirement of value Rs 22.00 Crore for the contract.

- a) The liquidity shall be ascertained from Net Working Capital {Current Assets – (current liabilities + provisions)} as per latest audited balance sheet and/or from the Banking reference(s).
- b) Banking reference(s) should contain in clear terms the amount that the Bank will be in a position to lend for this work to the applicant/member of the Joint Venture/Consortium. In case the Net Working Capital (as seen from the Balance Sheet) is negative, only the Banking reference(s) will be considered, otherwise the aggregate of the Net Working Capital and submitted Banking reference(s) will be considered for working out the Liquidity.
- c) The Banking references should be from a Scheduled Bank in India or from an International Bank of repute (in case of foreign vendors) acceptable to UPMRC as per the standard proforma provided in NIT as Annexure-6 and it should not be more than 3 months old as on the date of submission of bids.
- d) In Case of JV/Consortium: - Requirement of working capital is to be distributed between members as per their percentage participation and every member should satisfy the requirement for his portion.
Example: Let member-1 has percentage participation=M and member-2 has percentage participation=N. If minimum working capital required is 'W' then working capital of member-1 $\frac{(WM)}{100}$ and working capital of member-2 $\frac{(WN)}{100}$.
- e) In case the applicant is a Joint Venture/Consortium and if Banking Reference is issued by the bank in favour of the Joint Venture/consortium for this contract, then it will be considered for the tenderer and if the Banking reference(s) is issued in favour of any member of JV/Consortium it will be considered only for that member.

(ii) T2- 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/Consortium: The Profitability of the only lead member shall be evaluated.

(iii) T3- Net Worth:-Net Worth of the tenderer must be Rs30.00 Crores & more in the latest audited financial balance sheets:

In Case of JV/Consortium:-Net Worth shall be based on % participation of each member as per the latest audited balance sheet. Each JV member shall have at least Positive Net Worth.

(iv) **T4 - Annual Turnover:-**The average annual turnover in last **five financial years should be** \geq INR 120crores.

In Case of JV/Consortium – The average annual turnover of JV/Consortium will be based on percentage participation of each member:

Example: Let Member-1 has percentage participation = M and Member - 2 has =N. Let the average annual turnover of Member-1 is 'A' and that of Member-2 is 'B', then the average annual turnover of JV/JVA will be

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

Notes:

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Annexure-2** along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature. In case audited balance sheet of the last financial year is not made available by the bidder, he has to submit an affidavit certifying that 'the balance sheet has actually not been audited so far'. In such a case the financial data of previous '4' audited financial years will be taken into consideration for evaluation. If audited balance sheet of any other year than the last year is not submitted, the tender will be considered as non-responsive.
- Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.

1.1.4.3 Bid Capacity Criteria :

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

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

Where,

A = Maximum of the value of works executed in any one year during the last five financial years (updated to 31.12.2019 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 =40 months

B = Value of existing commitments (**as on 31.12.2019**) for on-going works during period of **40 months w.e.f. 01.01.2020**

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Annexure-3A** along with audited financial statements. The financial data in the prescribed format shall be certified by the Chartered Accountant with his stamp and signature in original.
- Value of existing commitments for on-going construction works during period of **40 months w.e.f. 01.01.2020** has to be submitted by the tenderer in **Annexure-3B**. These data shall be certified by the Chartered Accountant with his stamp and signature.

- 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 % is not provided, equal participation will be assumed.

1.1.4.4 The tender submission of Tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.4.1 to 1.1.4.3 above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.4.1 to 1.1.4.3 shall not imply that his bid shall automatically be accepted. The same should contain all technical data as required for consideration of tender prescribed in the ITT.

1.1.5 The Tender documents consist of :

Volume 1

Notice Inviting Tender (including Annexures)
Instructions to Tenderers (including Annexures)
Form of Tender (including Appendices)

Volume 2A

General Conditions of Contracts
Special Conditions of Contract (including Schedules)

Volume 2B

Questionnaire from Bidder

Volume 3

Employer's Requirements – General Specifications

Volume 4

Employer's Requirement- Technical Specifications

Volume 5

Tender Drawings

Volume 6

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

Volume 7

Pricing Document/Bill of Quantities

1.1.6 The contract shall be governed by the documents listed in Para 1.1.5 above along with latest edition of IEEE, IS, CEA Regulations, Grid Code etc.

1.1.7 The Tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Director (RS & S), Uttar Pradesh Metro Rail Corporation, Administrative Building, Vipin Khand, Gomti Nagar, Lucknow-266010.

1.1.8 All Tenderers are hereby cautioned that tenders containing any material deviation or reservations as described 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.

1.1.9 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.

1.1.10 Tenders shall be valid for a period of **180 days** from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount valid for **240 days** from the date of submission of tender as per clause C18 of ITT in the form of a Bank Guarantee (as per **Annexure-7 of ITT**) from Scheduled Commercial Bank in India.

KNPE-1&2:Design, Supply, Installation, Testing & Commissioning of Receiving cum Auxiliary Main Sub Stations Including High Voltage Cabling from Grid Substations, 750voltsDC 3rd Rail Traction System, 33kV Cable Network, ASS, TSS& SCADA System for Corridor-1 & 2 of Kanpur Metro Rail Project at Kanpur, Uttar Pradesh, India.

1.1.11 UPMRC 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 UPMRC for rejection of his proposal.

**Director/RS & S
Uttar Pradesh Metro Rail Corporation**