

TENDER NOTIFICATION NO.

MEGA/Road Resurface/Zones/PH-1/2018

Road Regrade & Resurface of different roads in various Zones in Ahmedabad city across Metro Rail Corridor

TENDER NO.: MEGA/Road Resurface/Zones/PH-1/2018

VOLUME – I

QUALIFICATION CUM TECHNICAL PACKAGE

Notice Inviting Tender (NIT)

Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd.

(A Joint Venture of Govt. of Gujarat and Govt. of India)

Block No.1, First Floor, Karmayogi Bhavan, Behind Nirman Bhavan,

Sector 10/A, Gandhinagar: 382010,

Gujarat, India

Corporate Identification No (CIN): U60200GJ2010SGC059407



Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd.

(A Joint Venture of Govt. of Gujarat and Govt. of India)
Block No.1, First Floor, Karmayogi Bhavan, Behind Nirman Bhavan,
Sector 10/A, Gandhinagar: 382010,
Gujarat, India

TENDER NOTIFICATION No: MEGA/Road Resurface/Zones/PH-1/2018

31-10-2018

Sealed Tenders are invited from reputed and experienced Contractors for the work of “**Road Regrade & Resurface of different roads in various Zones in Ahmedabad city across Metro Rail Corridor**”. The Interested Tenderers may purchase the tender documents from MEGA’s office during office working hours (11 AM to 6 PM) between **02-11-2018 to 15-11-2018 and on 16-11-2018 (11 AM to 12 noon)** on Payment of non-refundable fee of Rs 25,000/-(Twenty Five thousand) only, in the form of Demand Draft/Pay order/Banker’s Cheque drawn in favour of “**Metro-Link Express for Gandhinagar & Ahmedabad (MEGA) Company Ltd.**” payable at Gandhinagar (Gujarat).

Any alterations in Eligibility Criteria cum Qualification Requirements, and terms of the Tender Document, or any amendment to the Tender Document, etc, will be uploaded on MEGA’s official website and individually intimated to the tenderers only, who have purchased the Tender Documents, without any obligation of press notification or other proclamation.

For further details including NIT, Eligibility Criteria cum Qualification Requirements, etc., please log on to our web site www.gujaratmetrorail.com

Sd/-
Managing Director.
MEGA, Gandhinagar

NOTICE INVITING TENDER**Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd.**

(A Joint Venture of Govt. of Gujarat and Govt. of India)
Block No.1, First Floor, Karmayogi Bhavan, Behind Nirman Bhavan,
Sector 10/A, Gandhinagar: 382010,
Gujarat, India

1.1.1 Name of Work:

Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd invites Open Tenders from **Agencies**, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work, **“Road Regrade & Resurface of different roads in various Zones in Ahmedabad city across Metro Rail Corridor”**

1.1.2 Key details :

The details of the tenders are as follows:

Tender No.	<u>MEGA/Road Resurface/Zones/PH-1/2018</u>
Name of Work	Road Regrade & Resurface of different roads in various Zones in Ahmedabad city across Metro Rail Corridor”
Approximate cost of work	INR 10.47 Crores
Cost of Tender Document	Rs. 25,000 (Twenty Five Thousand) only inclusive of GST (Non-refundable) (Demand Draft /Banker’s cheque drawn on a Scheduled Commercial Bank based in India and should be in favour of “Metro–Link Express for Gandhinagar & Ahmedabad (MEGA) Company Ltd” payable at Gandhinagar/Ahmedabad)
Tender Guarantee Amount	Amount of Tender Security:- INR 10.47 Lac as Bank-Guarantee.
Completion Period of work	6 months
Date of Issue of Tender Document	On all working days between 02-11-2018 to 15-11-2018 (11AM to 6PM) and on 16-11-2018 (11AM to 12 noon)
Last Date of Submission of Filled-In Tender Document by Tenderer	16-11-2018 by 3:00 PM (IST) only
Opening of QCT Package and Tender Guarantee (Financial Package Will Not Be Opened On That Day)	On the day of submission of Filled-In Tender at 3:30 PM (IST)
• Authority for purchase of	Senior Deputy General Manager- Civil & Procurement,

tender documents, seeking clarifications and submission of completed tender documents	Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd. (A Joint Venture of Govt. of Gujarat and Govt. of India) Block No.1, First Floor, Karmayogi Bhavan, Behind Nirman Bhavan, Sector 10/A, Gandhinagar: 382010, Gujarat, India
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Consequent upon the tenderer having deposited the cost of the Tender Documents Rs.25,000 (Rupees Twenty five Thousand only) for the work of “**Road Regrade & Resurface of different roads in various Zones in Ahmedabad city across Metro Rail Corridor**”, the Tender Documents describing the Qualifying requirements, Scope of Work and the Terms and Conditions of Contract, etc as detailed below shall be issued.

1.1.3 QUALIFICATION CRITERIA:

1.1.3.1 Eligible Applicants:

- i. The tenders for this contract will be considered only from those tenderers (proprietorship firms, partnerships firms, companies, corporations, consortia or joint ventures) who meet requisite eligibility criteria prescribed in the sub-clauses of Clause 1.1.3 of NIT. 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.
- ii. (a) A non-Indian firm is permitted to tender either in a single entity or in a joint venture or consortium arrangement with any other Indian firm having minimum participation interest of 26% or their wholly owned Indian subsidiary registered in India under Companies Act-1956 with minimum 26% participation.
- (b) A tenderer shall submit only one bid 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 bidding process. A tenderer, if acting in the capacity of subcontractor in any bid, may participate in more than one bid, but only in that capacity.
- iii. Tenderers shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers shall be considered to have a conflict of interest with one or more parties in this bidding process, if:
 - (a) a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
 - (b) a tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - (c) a tenderer lends, or temporarily seconds its personnel to firms or organisations 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 firm, who has purchased the tender 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/Consortium shall be substantial partner and the one who has experience of Road works.
- v.(a) MEGA/ any other Metro Organisation (100% owned by Govt.) / Ministry of Housing & Urban Affairs / Order of Ministry of Commerce, applicable for all Ministries must not have banned business with the tenderer (including any member in case of JV/consortium) as on the date of tender submission. The tenderer should submit undertaking to this effect in **Appendix-19** of Form of Tender.
- v.(b) Also no contract of the tenderer of the value more than 10% of NIT cost of work, executed either individually or in a JV/Consortium, should have been rescinded / terminated by MEGA / any other Metro Organisation (100% owned by Govt.) after award during last 03 years (from the last day of the previous month of tender submission) due to non-performance of the tenderer or any of JV/Consortium members. The tenderer should submit undertaking to this effect in **Appendix-19** of Form of Tender
- v.(c) The overall performance of the tenderer (all members in case of JV/Consortium separately) shall be examined for all the on-going road Works awarded by MEGA/ any other Metro Organisation (100% owned by Govt.), PWD or any other Government organisation of value more than 40% of NIT cost of work and also for all the completed Road Works awarded by MEGA / any other Metro Organisation (100% owned by Govt.), PWD or any other Government organisation within last one year (from the last day of the previous month of tender submission), of value more than 40% of NIT cost of work executed either individually or in a JV/Consortium. The tenderer shall provide list of all such works in the prescribed Performa given in **Appendix-19A** of the Form of Tender. The tenderer (all members in case of JV/Consortium separately) may either submit satisfactory performance certificate issued by the Client / Employer for the works or give an undertaking regarding satisfactory performance of the work with respect to completion of work/ execution of work (on-going works) failing which their tender submission shall not be evaluated and the tenderer shall be considered non-responsive and non-compliant to the tender conditions. In case of non-submission of either satisfactory performance certificate from client / employer or undertaking of satisfactory performance of any of the above work, the performance of such work shall be treated as unsatisfactory while evaluating the overall performance of tenderer in terms of Note (b) of Appendix - 19A. In case of performance certificate issued by the client, same should not be older than three month (from the last day of the previous month of tender submission for the on-going works).

- v.(d) Tenderer (including any member in case of JV/consortium) for the works awarded by MEGA/ any other Metro Organisation (100% owned by Govt.), PWD or any other Government organisation must have been neither penalised with liquidated damages of 10% (or more) of the contract value due to delay nor imposed with penalty of 10% (or more) of the contract value due to any other reason in any Civil Engineering / Electrical / Signalling / System / Traction Works of value more than 10% of NIT cost of work, during last three years. The tenderer should submit undertaking to this effect in **Appendix-20** of Form of Tender.
- v.(e) If the tenderer or any of the constituent 'substantial member(s)' of JV/Consortium does not meet the criteria stated in the **Appendix 19 or Appendix 19A or Appendix 20**, the tenderer including the constituent 'substantial member(s)' of JV/Consortium shall be considered ineligible for participation in tender process and they shall be considered ineligible applicants in terms Clause 1.1.3.1 of NIT.
- v.(f) If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-19, or performance in any of the works reported in the Appendix 19A, or undertaking submitted vide Appendix-20, the same will be considered as "fraudulent practice" under Clause 4.33.1 a (ii) of GCC and the tenderers will be rejected besides taking further action as per Clause 4.33.1(b), (c) & 13.2.1 of GCC.
- vi. Tenderer (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years. The tenderer should submit undertaking to this effect in **Appendix-21** of Form of Tender.
- vii. LEAD PARTNER/ NON SUBSTANTIAL PARTNERS/ CHANGE IN 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.
 - (d) The tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial partner in the JV agreement/ MOU submitted vide foot note (d) of **Appendix 6** of Form of Tender, providing clearly that any abrogation/subsequent re-assignment of any responsibility by any substantive/ non-substantive partner of JV/Consortium in favour of other JV/Consortium partner or any change in constitution of partners of JV/Consortium (without written approval of Employer) from the one given in JV agreement /MOU at tender stage, will be treated, as 'breach of contract condition'

and/or 'concealment of facts' (as the case may be), vide GCC clause 4.33.1 [a (ii) and (iii)] and acted accordingly.

- (e) The Employer in such cases, may in its sole discretion take action under clause 4.33.1 (b) and/or under clause 4.33.1(c) of GCC against any member(s) for failure in tenderer's obligation and declare that member(s) of JV/Consortium ineligible for award of any tender in MEGA or take action to terminate the contract in part or whole under clause 13 of GCC as the situation may demand and recover the cost/damages as provided in contract.

1.1.3.2 Minimum Eligibility Criteria:

A. Work Experience: The Tenderers will be qualified only if they have successfully completed work(s) during last ten years ending **31.08.2018** as given below:

- (i) At least one work of similar nature(Road works) of **Rs. 8.38 Crore** or more.

If the above work of **Rs. 8.38 Crore** has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done work equal to **Rs.4.19 Crore** outside the country of the foreign partner.

OR

- (ii) Two work of similar nature(Road works) of **Rs. 5.23 Crore** or more.

If the above work of **Rs. 5.23 Crore** has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done work equal to **Rs.4.19 Crore** outside the country of the foreign partner.

OR

- (iii) Three work of similar nature(Road works) of **Rs. 4.19 Crore** or more.

If the above work of **Rs. 4.19 Crore** has been done by the foreign partner of JV and the work was done in the country of the foreign partner then in addition to this, the foreign partner must have done work equal to **Rs.4.19 Crore** outside the country of the foreign partner.

Notes:

1. The tenderer shall submit details of works executed by them in the Performa prescribed in **Appendix-17 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. 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.

2. Value of successfully completed portion of any ongoing work up to **31.08.2018** will also be considered for qualification of work experience criteria.
 3. For completed works, value of work done shall be updated to **31.08.2018** 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.

Additional Requirements:

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

- (i) **T1 – Liquidity:** It is necessary that the firm can withstand cash flow that the contract will require until payments received from the Employer. Liquidity therefore becomes an important consideration.

This shall be seen from the 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 5.23 crores** for this contract, net of applicant's commitments for other Contracts. Banking reference should contain in clear terms the amount that bank will be in a position to lend for this work to the applicant/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 MEGA **as per standard proforma provided in ITT as Annexure-8** and it should not be more than 3 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 member-1 $\geq \frac{W M}{100}$

100
And liquidity of member-2 $\geq \frac{W N}{100}$.

100

- (ii) **T2 - Profitability:** Profit before Tax should be Positive in at least 2 (two) year, out of the last five audited financial years.

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

- (iii) **T3 - Net Worth:** Net Worth of tenderer during last audited financial year should be \geq **INR 6.98 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

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

100

- (iv) **T4 - Annual Turnover:** The average annual turnover from consultancy works of last five financial years should be \geq **INR 20.94 crores.**

The average annual turnover of JV 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 will be

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

100

Notes :

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Appendix-18 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. 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.

1.1.3.2.1 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:

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

Where,

A = Maximum of the value of Consultancy work executed in any one year during the last five financial years (updated to **31.08.2018** 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 31.08.2018**) for on-going Consultancy work during period of **06 months** w.e.f. issuance of LOA.

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-15 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.
- Value of existing commitments for on-going Consultancy work during period of **06 months** w.e.f. issuance of LOA has to be submitted by the tenderer in **Appendix-16 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original.
- 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 %age 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:

$$\text{Bid Capacity of the JV / group} = 0.7X + 0.3Y$$

1.1.3.3 The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.2 to 1.1.3.2.1 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 1.1.3.2.1 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.

In case of mismatch in financial data in the submitted documents i.e in Chartered Accountant certified documents and data in audited balance sheet, the data from the audited balance sheets shall prevail.

1.1.4 The Tender documents consist of:

Volume 1

- Notice Inviting Tender (NIT)
- Instructions to Tenderer (ITT) including annexures
- Form of Tender (FOT) including appendices

Volume 2

- General Conditions of Contract (GCC)
- Special Condition of Contract (SCC)
- Scope of Work

Volume 3

- Financial Package

The Tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **Sr. DGM/Civil & Procurement, Metro-Link Express for Gandhinagar and Ahmedabad (MEGA) Company Ltd.**(A Joint Venture of Govt. of Gujarat and Govt. of India) ,Block No.1, First Floor, Karmayogi Bhavan, Behind Nirman Bhavan, Sector 10/A, Gandhinagar:-382010, Gujarat, India.

- 1.1.5 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.
- 1.1.6 Submission of Tenders shall be closed on the date & time of submission prescribed in NIT after which no tender shall be accepted.
- It shall be the responsibility of the bidder / tenderer to ensure that his tender is submitted before the deadline of submission. MEGA will not be responsible for non-receipt of tender documents due to any delay and/or loss etc.
- 1.1.7 Tenders shall be valid for a period of **180 days** (both days inclusive i.e. the date of submission of tenders and the last date of period of validity of the tender) from the date of submission of Tenders and shall be accompanied with a tender security of the requisite amount as per clause C18 of ITT.
- 1.1.8 MEGA 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 MEGA for rejection of his proposal.

You may please log on to our web site < www.gujaratmetrorail.com >. **Our Contract person for this tender is Sr. DGM- Civil & Procurement with mail-ID snehal.shah@gujaratmetrorail.com, Telephone +91 79 23248572, Extension 527.**

Sd/-
**Managing Director,
MEGA, Gandhinagar**