



हरियाणा मास रैपिड ट्रांसपोर्ट कॉर्पोरेशन लिमिटेड

HARYANA MASS RAPID TRANSPORT CORPORATION LIMITED

CONTRACT NO: HMRTC/PRO/2023/GGNCCDD-15(R1)

- **Detail Design Consultant (DDC) for Civil Architectural and E&M works of Elevated Section (28.5 km) having 27 Stations (Main Corridor from HUDA City Centre to Cyber City, Gurgaon (26.65 Km) and Spur from Basai Village to Dwarka Expressway (1.85 Km)) of Gurgaon Metro Project and also inclusive of Depot connection.**

Notice Inviting Tender (NIT)

HARYANA MASS RAPID TRANSPORT CORPORATION LIMITED (HMRTC)

C-3, HSVP Complex, Sector 6, Panchkula - 134109

Phone: - 0172-2563003 India

NOTICE INVITING TENDER (NIT)

1.1.1 General:

Haryana Mass Rapid Transport Corporation (HMRTC) Ltd., who has been assigned to implement Gurgaon Metro Rail Project, invites Open E-Tenders in two packet bidding process on competitive basis from eligible applicants from all countries and all areas, who fulfils qualification criteria as stipulated in clause 1.1.3 of NIT, for the work, “**Contract HMRTC/PRO/2023/GGNCCDD-15(R1): Engagement of Detailed Design Consultant (DDC) for Civil Architectural and E&M works of Elevated Section (28.5 km) having 27 stations (Main Corridor from HUDA City Centre to Cyber City, Gurgaon (26.65 Km) and Spur from Basai Village to Dwarka Expressway (1.85 Km)) of Gurgaon Metro Project and also inclusive of Depot connection**”.

1.1.2 Key Details:

HMRTC shall receive Bids pursuant to this Tender Document, in accordance with the terms set forth herein as modified, altered, amended and clarified from time to time by HMRTC. Bidders shall upload their bids in accordance with such terms on or before the date specified in this document. The Bidders are advised to visit the HMRTC premises at the site and familiarise themselves with the proposed arrangements and all activities necessary in this regard. This design work comprises Detailed Design of Viaduct (24.275 km) excluding Stations, all components of 27 elevated stations (2-typical, 18 repetitive and 7 interchange) and proof checking of all components of 0.715 km of special span length alignment.

Key Details:

Cost of the Work	17.68 Crores
Completion period of the Work	48 months
Start of sale of Tender Document to Bidders	From 16.03.2023 to 17.04.2023 (up to 15:00 hrs.) on E-Tendering website https://etenders.hry.nic.in . For further information on this regard, bidders are advised to contact on 0172-2563003. For technical queries related to Central Procurement Portal, Help Desk No: 0120-4200462, 0120-4001002, 0120-4001005.
Cost of Tender Document (Non-refundable)	Non-Refundable Tender Document Cost of Rs.25,000/- (inclusive of 18% GST) shall only be accepted online only in form of NEFT/RTGS on or before 15:00 hours on 17.04.2023 and receipt and details of Tender Document Cost paid have to be uploaded on the web-site up to 15:00 hours on 17.04.2023.

Tender Security	Rs.11.92 Lakhs
Site Visit	20.03.2023 from 10:00 hrs. onwards at Rapid Metro Operation Control Center, Mousari Avenue Road, DLF Phase III, Near Pillar No. 147, Gurugram (Haryana). Contact : 0172-2563003, 9999767544
Pre-Bid Conference	28.03.2023 at 11:30 hrs. The pre-bid meeting shall be conducted through video conferencing by software apps such as WebEx/Microsoft Teams. All Prospective bidders shall provide the details of the person(s) (Mobile No. and E-mail id) (maximum up to two) who will be participating in such virtual meeting at least one day before the meeting (latest by 10:00 hrs on 28.03.2023) to the registered official email of HMRTC i.e. hmrtdgm@gmail.com so that links having details such as software, meeting ID, password, etc. can be mailed to these persons at least 1 hours before the scheduled pre-bid meeting.
Last date of receiving queries	02.04.2023 at 17:30 hrs.. (The queries must be sent only to Registered Email provided in the Tender Document)
HMRTC's response to queries by	05.04.2023.
Date & Time of Submission of Bids	Latest by 15:00 hrs of 13.04.2023 to 17.04.2023
Date & Time of Opening of Technical Bids (Eligibility and technical)	17.04.2023 at 16:00 hrs.
Validity of Bids	180 days from bid submission date

BANK DETAILS FOR MAKING PAYMENT				
Name of Bank	Bank's Address	Account Name & No.	Account Type	IFSC Code
State Bank of India (SBI)	SCO-14, Ground Floor, Sector 10, Panchkula (Haryana) – 134109.	HARYANA MASS RAPID TRANSPORT CORPORATION 0000004051966666	REGULAR SB CHQ-ENTITIES	SBIN0001509

1.1.3 QUALIFICATION CRITERIA:

1.1.3.1 Eligible Applicants:

- The bidder may be any entity which is a sole proprietorship firm, a partnership firm or a company having registered office in India & incorporated under the Companies' Act 1956/2013 or a combination of above in the form of Joint Venture (JV) or Consortium.
- Bid by a JV/Consortium of firms: In case of a bid by a JV/Consortium of firms, following shall be abide by the participant/s:
 - i. For the purpose of evaluation of the consortium, each member's contribution towards the turnover shall be considered in the same ratio of their equity participation in the consortium.

Illustration:

Say if 'A' and 'B' are two members of JV/Consortium, 'A' is having 70% equity holding in JV and 'B' is having 30% equity holding in JV. In such a condition, 70% of A's turnover and 30% of B's turnover will be taken for the calculation of eligibility of the JV.

- ii. The Lead Member of the JV/Consortium shall maintain a minimum equity stake of 51% of the aggregate shareholding of the JV/Consortium during full tenure of License Agreement.
- iii. Any change in percentage stake of JV/ Consortium members without prior written approval of HMRTC shall be treated as Material Breach of Contract and Successful Bidder's event of default entitling HMRTC to encash the Interest Free Security Deposit/ Performance Security and or to terminate the License Agreement after 30 (thirty) days notice.
- iv. Minimum percentage stake of any member in JV/ Consortium shall not be less than 15%.

- v. Partners having less than 26% participation shall be considered as non-substantial partner and shall not be considered for evaluation which means that their eligibility shall not be considered for evaluation of JV/Consortium.
 - vi. All members of such entity shall be jointly and severally liable for the performance of license agreement.
- Bidder shall undertake that they have not been banned from Business, as on date of Tender submission as per following:
 - (i) HMRTC/ 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 been banned/ debarred business with the bidder/s (including any member in case of JV/ Consortium) as on the date of tender submission. The tenderer shall submit an undertaking to this effect, as per Annexure-9 of tender document.
 - (ii) Also no contract of bidder/s / tenderer executed in either individually or in a JV/Consortium, should have been rescinded/ terminated by HMRTC after award during last 3 (three) years (from the last day of previous month of tender submission) due to non-performance of the bidders/tenderer or any of JV/Consortium members. The bidder/s should submit undertaking to this effect as per Annexure-9 of this Tender Document.
 - (iii) In case at a subsequent date the successful bidder/licensee is found to have been banned for business as given above, HMRTC shall be at liberty to and have full rights to terminate the contract and forfeit the Interest Free Security Deposit after adjusting any dues payable by the successful bidder/ licensee. The bidder/s should submit undertaking to this effect, as per Annexure-9 of this Tender Document.
 - The bidders shall enclose with their application an undertaking stating/providing that all the necessary supporting documents, including duly certified audited accounts and financial statements have been provided.
 - 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 only in a joint venture or consortium agreement either with an 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, either individually as a tenderer or as a partner of a JV/Consortium. A tenderer who submits or participates in more than one bid will cause all of the proposals in which the tenderer has participated either as sole tenderer or member of JV/consortium will be disqualified. No tenderer can be included as sub-contractor while submitting a bid individually or as a partner of a JV/consortium in the same bidding process subsequently or at the tender stage. A tenderer, if acting in the capacity of subcontractor in any bid may however participate in more than one bid, but only in the capacity as subcontractor.
- iii. Tenderers shall not have a conflict of interest. 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 implementation of the project;
 - (b) a tenderer's associate(s)/affiliate(s) (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 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 as partner of a joint venture/consortium.
- v. NON-SUBSTANTIAL PARTNERS IN CASE OF JV/CONSORTIUM
 - a. Lead partner must have a minimum of 51% 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

- c. not be considered for evaluation of JV/Consortium. Partners having 26% or more percentage participation shall be termed as substantial partner.
- d. 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. **Maximum number of members in JV/Consortium will be “Three”.**
- e. Maximum number of members in JV/Consortium will be “three”. JV agreement should be furnished in the standard format (Appendix 18 enclosed).

1.1.3.2 Minimum Eligibility Criteria:

Work Experience:

The tenderers will be qualified only if they satisfy the criteria as given in **Para A.1 below** (during last Ten years ending **16.03.2023**):

- A.1 Tenderer (either a single entity / JV / Consortium) should have done one work **Structural, Architectural and E&M design of viaduct and elevated metro stations (both on pile foundations) of Metro/RRTS corridor with length of 18 kms. It should include at least 14 kms Viaduct design with pre-stressed (pre-tensioned)-Full Span or/and with pre-stressed (post tensioned)-Segmental.** Tenderer should have also done one work of Structural, Architectural and E&M design for minimum 14 Elevated Metro/ Light Metro/RRTS stations either as part of above work or an independent work.

Or

Tenderer (either a single entity / JV / Consortium) should have done two works of **Structural, Architectural and E&M design of viaduct and elevated metro stations (both on pile foundations) of Metro/RRTS corridor with length of 11 kms each or more. These should include at least 18 kms. Viaduct design with pre-stressed (pre tensioned)- Full Span and/or with pre-stressed post tensioned)- Segmental.** Tenderer should have also done the work of Structural, Architectural and E&M design for minimum 18 Elevated Metro/ Light Metro/RRTS stations either as part of above two works or independent two works.

Or

Tenderer (either a single entity / JV / Consortium) should have done three works of **Structural, Architectural and E&M** design of viaduct and elevated metro stations (both on pile foundations) **of Metro/RRTS corridor with its length of 9 km each or more. These should include at least 22 km. Viaduct design with pre-stressed (pre-tensioned) - Full Span and/or with pre-stressed (post tensioned)-Segmental.** Tenderer should have also done the work of Structural, Architectural and E & M design for minimum 22 Elevated Metro/ Light Metro stations either as part of above three works or independent three works.

Notes:

- Detailed Design consultancy Contract for this work mean works pertaining design of civil (structure), Architecture and Building services including E&M Works of Viaduct, and elevated stations for Metro Rail/ RRTS Corridor Section.
- If in a joint venture, foreign partner has done the structural design work/ Architectural work/ E&M Work in their own country and the same has been submitted by the JV towards their technical qualification, it will be considered only when such partner has done the work of the same or larger magnitude in the country other than their own.
- Tenderer shall also be considered eligible if criteria as listed under para-A.1 above are satisfied separately by different partners of JV/Consortium for Structural, Architectural & E&M design.
- Deleted
- To substantiate experience the tenderer shall submit technical proposal with following details:

Relevant Detailed Design Experience during last 07 seven years ending last day of the month previous to the month of tender submission Viaduct (including superstructure)/Elevated station work for Metro Rail / Light Rail				
S. No	Project Name and Client	Type of Corridor	Length of the corridor	Year of Completion

- The tenderer shall submit details of works executed by them in the Performa prescribed in **Appendix-13 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.

- Deleted
- For completed works, value of work done shall be updated to **last day of the month previous to the month of tender submission** 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.
- Subsequently, if found that any firm/JV has been awarded the work based on false certificates, the contract will be terminated without assigning any reason.

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 0.62 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 HMRTC **as per standard proforma provided in ITT as Annexure-4** 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

$$\text{Liquidity of member -1} \geq \frac{WM}{100}$$

$$\text{and Liquidity of member -2} \geq \frac{WN}{100}$$

- (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 0.88 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

$$\text{Net worth of JV will be} = \frac{AM+BN}{100}$$

- (iv) **T4 - Annual Turnover:** The average annual turnover from consultancy works of last five financial years should be \geq **INR 4.42 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

$$=(AM+BN)/100$$

Notes:

- Financial data for latest last five audited financial years has to be submitted by the tenderer in **Appendix-12 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.

B. 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 **31.03.2022** price level assuming 5% inflation for Indian Rupees every year and 2% for foreign currency portion per year).

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

B = Value of existing commitments (**as on 16.03.2023**) for on-going Consultancy work during period of **48 months w.e.f.16.03.2023**)

Notes:

- Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-10 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 **48 months w.e.f. 16.03.2023** has to be submitted by the tenderer in **Appendix-11 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 % 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:

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

D. Additional Requirement

(i) The Tenderer shall have to comply following requirements to qualify:

- a. The tenderer shall submit an Organisation Chart together with clear description of the responsibilities of each key staff member within the overall work programme. The names of the technical personals as indicated in Para 2.2.2 of ITT will be submitted as part of Technical Package.
- b. The DDC team shall be headed by a 'Team Leader' having experience not less than

7 years as Team Leader and have handled minimum 02 projects of similar nature & complexity (sufficient proof shall be submitted to substantiate the qualification and experience). The team leader will be supported by following teams.

- c. Other experts shall have the minimum experience in the concerned field as mentioned in Para 2.2.2 of ITT and have handled minimum 01 project of similar nature & complexity (sufficient proof shall be submitted to substantiate the qualification and experience).
- d. Other Key Members of the team shall be deployed who must have minimum experience as mentioned in Para 2.2.2 of ITT and have the experience of handling the projects of similar nature & complexity (sufficient proof shall be submitted to substantiate the qualification and experience).
- e. The technical proposal will be evaluated based on the capabilities /technical strength of staff proposed to be deployed.

Similar nature works means works of Detail Design of viaduct and Elevated stations for Metro Rail / Light Rail

Please note carefully the requirements for submitting tender, and the date and time for submittal.

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 A, B, C & D 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 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.

1.2 The descriptive and detailed scope is defined in Scope of Works

1.3 Tender Document comprises of the following documents:

Volume1

- Notice Inviting Tender (NIT)
- Instructions to Tenderer (ITT)
- General Conditions of Contract (GCC)
- Special Condition of Contract (SCC)
- Form of tender including Indices

Volume 2

- Scope of Work

Volume 3

- Financial Package

Volume 4

Reference Documents

- Part-I: Outline Design Criteria – Railway Geometry, Bridges and Viaducts
- Part-II: Outline Design Criteria-Geo- Technical, Foundation and Railway Formation Works
- Part-III : General Planning Criteria
- Part-IV: Building Services
- Part-V: Interface Scheme Management

Volume 5

- General Alignment Drawing (GAD)

Please note carefully the requirements for submitting tenders, and the date and time for submittal.

More information useful for submitting online bids on the E-tendering portal may be obtained at: <https://etenders.hry.nic.in>.

- 1.4 Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: <https://etenders.hry.nic.in>) by clicking on the link “**Online bidder Enrolment**” on the E-tendering portal which is free of charge.
- 1.5 As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
- 1.6 Bidders are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the E-tendering portal.
- 1.7 Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.
- 1.8 Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC’s to others which may lead to misuse.
- 1.9 Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

- 1.10 Tender submissions will be made online after uploading the mandatory scanned documents towards cost of tender documents and towards Tender Security and other documents as stated in the tender document.
- 1.11 Tenderers are advised to keep in touch with e-tendering portal : <https://etenders.hry.nic.in> for updates.
- 1.12 The Letter of Acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder.
- 1.13 For any complaint tenderer may contact Senior Vigilance Officer / Chief Vigilance Officer HMRTC Limited, C-3, HSVP Complex, Sector-6, Panchkula-134109, Haryana, India.
Phone No: 0172-2563003
- 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 4.0 of ITT.
- 1.15 HMRTC 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 HMRTC for rejection of his proposal.
- 1.16 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **GM/Contract**, C-3, HSVP Complex, Sector 6, Panchkula – 134109 Phone: - 0172-2563003 India
- 1.17 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in **Clause 2.2** 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.
- 1.18 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- 1.19 HMRTC 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 HMRTC for rejection of his proposal.