NOTICE INVITING TENDER (NIT) (e-Tender)

1.1 GENERAL

1.1.1 Name of Work:

National High Speed Rail Corporation Ltd. (NHSRCL) invites online open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, for the work "PROVIDING OFFICE SPACE ON LEASE BASIS IN MUMBAI FOR NATIONAL HIGH-SPEED RAIL CORPORATION LTD." under single stage two packet on 60:40 Quality and Cost Based Selection (QCBS) process for Technical and Financial Proposal respectively].

Tender documents may be downloaded from CPPP site https://etenders.gov.in/eprocure/app as per the schedule as given in 1.1.2 below.

The brief scope of the work is provided in Clause A1 of ITT (Volume-1) and Employer's Requirement-Functional (Volume-3).

1.1.2 Key details:

Approximate cost of work	INR 40.17 Crore (₹ Fourty crores and Seventeen lacs, including 18% GST)		
Lease requirement	Hiring of office space ('fully furnished' or 'Bare shell with provision of furnishing as per requirement of NHSRCL on cost of bidder) havin Carpet area of minimum 13000 Sq. feet, for a period of FIVE YEARS		
Tender Security	Amount of Tender Security: - INR ₹26,08,900/-		
	Tender security (In original) as per clause C18 of ITT shall be accepted only up to 24.05.2023 (latest by 13:00 Hrs.) in the Office of CPM Mumbai, at the address mentioned hereinafter.		
	In case of RTGS/NEFT/IMPS transactions, bidders shall upload the scanned copies of transaction of payment of tender security/ EMD including e-receipt (clearly indicating UTR No. and tender reference i.e. Providing office space on lease basis in Mumbai for National High Speed Rail Corporation Ltd. Tender No. NHSRCL/MA/CPM/MUMBAI/OFFICE SPACE/23-24/02 must be entered in remarks at the time of online transaction of payment, failing which payment may not be considered) to be uploaded in online bid submission. The detail of bank account of NHSRCL is mentioned below this table.		
	Note: Bidders to note that the payment of tender security shall be made from the account of bidder only. However, in case of JV/Consortium, the tender security can either be paid from JV/Consortium account or one of the constituent member of JV/Consortium.		
	If tender security has been made from other than the account mentioned above, same shall not be accepted and all such bids shall be considered ineligible and summarily rejected.		
	For further details, clause C18 of ITT may be referred.		
	OR		
	For Bid Security Declaration		

/23-24/02 Rail Book of Rail Boo

upload the scanned copy of the Bid Security Declaration duly signed and stamped. Bid Security Declaration format is provided at Annexure 6C (As per clause C 18.1) For further details, clause C 18 of ITT may be referred. Note: The Bid Security Declaration should be in the name of Bidder. It case of a Jeint-Venture / Consortium, the Bid Security Declaration mus be submitted by all Jt//Consortium members separately. From 02.05.203 (from 15:00 hrs) to 24.05.2023 (upto 12:00 hrs) on e-tendering website https://jetenders.gov.in/eprocure/app Tender document can only be obtained online after registration or tenderer on the website https://jetenders.gov.in/eprocure/app For document so of Tender document can only be obtained online after registration or tenderer on the website https://jetenders.gov.in/eprocure/app For further information in this regard bidders are advised to contact or Email: https://jetenders.gov.in/eprocure/app For further information in this regard bidders are advised to contact or Email: https://jetenders.gov.in/eprocure/app For further information in this regard bidders are advised to contact or Email: https://jetenders.gov.in/eprocure/app For further information in this regard bidders are advised to contact or Email: https://jetenders.gov.in/eprocure/app For further information in this regard bidders are advised to contact or favored for favored by RTGS/NETT/IMPS. No other mode of payment will be accepted. The details of bank account of NHSRCL are mentioned below. The bidders are required to upload scanned copies of transaction of payment of tender foalment in this payment of tender favored for the payment of tender foalment in this payme				
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Email: dycpmciv2.mum@nhsrcl.in				
		Email: dycpmciv2.mum@nhsrcl.in		

To facilitate payment of Tender Fee and Jersen Surity through RTGS, NEFT & IMPS, the

Reg. No. 25 1005

details of bank account of NHSRCL is mentioned below:

Name of Bank	Bank's Address	Account Name No.	&Account Type	IFSC Code
HDFC Bank	209-214, Kailash Building,	57500000079852	Current	HDFC0000003
Limited	26, Kasturba Gandhi Marg,			
	New Delhi-110001			

NHSRCL/MA/CPM/MUMBAI/OFFICE SPACE 23-24/02

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 or Consortium) who meet requisite eligibility criteria prescribed in the sub-clauses of Clause 1.1.3 of NIT.
- ii. (a) The eligible nationality of the tenderer(s) shall be Indian
 - (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/Consortium. 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/Consortium/Association in the same bidding process.
- iii. A tenderer, if acting in the capacity of subcontractor in any bid, may participate in more than one bid, but only in that capacity.
- iv. 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 organizations which are engaged in consulting services for the preparation related to procurement for / on implementation of the project, if the personnel would be involved in any capacity on the same project.
- v. (a) NHSRCL/ Ministry of Railways along with any of their attached and subordinate offices/
 Any metro rail organizations in India (owned by Govt.)/ Order of Ministry of Commerce
 applicable for all Ministries must not have banned business with the tenderer (including
 any member in case of J-V/consortium) as on the date of tender submission. The
 tenderer should submit undertaking to this effect in Appendix-19 of Form of Tender.
 - (b) Also, no contract of the tenderer executed either individually or in a JV/Consortium, should have been rescinded / terminated by NHSRCL/Ministry of Railways along with any of their attached and subordinate offices/ Any metro rail organizations in India (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. Non-performance, which is basically termination of the Contract as decided by the Employer, shall include all Contracts where non-performance was not challenged by the Contractor, including through referral to the dispute resolution mechanism under the respective Contract or by written representation/ appeal to the Employer or in any appropriate court.
 - (c) If the Tenderer or any of the constituent 'substantial member(s)' of JV/Consortium does not meet the criteria stated in the **Appendix-19**, 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 of Clause 1.1.3.1 of NIT.
 - (d) If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-19, the same will be considered as "fraudulent practice" under Clause 4.33.1 (a) (ii) of GCC and the tender submission of such tenderers will be rejected besides taking further action as per Clause 4.33.1 (b) & 13.2.1 of GCC.
- vi. Tenderer (any member in ase of JV/consortium) must not have suffered bankruptcy/ insolvency during the last by the process of winding-up or there is a case of

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insolvency pending before any Court on the deadline of submission of bids. The tenderer should submit undertaking to this effect in **Appendix-20** of Form of Tender.

VII. LEAD PARTNER/ NON-SUBSTANTIAL PARTNERS/ CHANGE IN JV/ CONSORTIUM

- a. Lead partner must be a substantial partner in the JV/Consortium and it should have a minimum of 40% participation in JV/Consortium. A substantial partner shall be having minimum of 26% participation in JV/Consortium.
- b. Each non-substantial partner should have a minimum of 20% participation in the JV/Consortium. Partners having less than 26% participation will be termed as non-substantial partner.
- c. In case of JV/Consortium, change in constitution or percentage participation shall not be permitted at any stage after their submission of bids. In case of changes during tendering stage, the bid 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-Consortium 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) of GCC against any member(s) for failure in tenderer's obligation and declare that member(s) of JY/Consortium ineligible for award of any tender in NHSRCL 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.

viii. Participation by Subsidiary Company / Parent Company with credential of other Company

- a. Applicant in the capacity of a Subsidiary Company as a single entity is not permitted to use the credential of its Parent Company and/or its Sister Subsidiary Company/ Companies unless the Applicant participates in tender as JV/Consortium with its Parent Company and/or its Sister Subsidiary Company/ Companies as a member(s) in-JV with minimum 26% participation each (as substantial member) for such member(s).
- b. Applicant in the capacity of a Parent Company as a single entity is not permitted to use the credential of its Subsidiary Company/ Companies unless the Applicant participates in tender as JV/Consortium with its Subsidiary Company/ Companies as a member(s) in JV Consortium with minimum 26% participation each (as substantial member) for such member(s).

ix. Purchase Preference to Local Suppliers/Preference to Make in India:

- a) Definitions: Deleted
- b) Procedure for Purchase Preference in procurement of goods or works which are divisible in nature: NOT APPLICABLE FOR THE SUBJECT TENDER: Deleted
- c) Procedure for Purchase Preference in procurement of goods or works which are not divisible in nature <u>and in procurement of services where the bid is evaluated on price alone</u>: APPLICABLE FOR THE SUBJECT TENDER: Deleted
- d) Minimum local content and verification of local content: Deleted
- e) Complaints relating to implementation of Purchase Preference: Deleted

- x. Public Procurement Policy for Micro and Small Enterprises (MSEs):
 - a) to h) Deleted
- xi. Startup India:
 - a) to c) Deleted
- 1.1.3.2 Minimum Eligibility Criteria: (Refer Volume 3 of Tender Document)

The below points <u>Licensee requirement</u> is mandatory and need to be individually fulfilled as part of Technical Qualification Criteria.

- A. Work Experience: Not Applicable: Deleted
 - (i) At least one "similar work" * of value of (60% of estimated value) or more OR
 - (ii) Two "similar works" *each of value of (40% of estimated value) or more OR
 - (iii) Three "similar works" *each of value of (30% of estimated value) or more.

*Notes:

- a) to g) Deleted
- h) In case of any concealment or misrepresentation of facts, appropriate action(s) in accordance with Tender Conditions and "Suspension/ Banning Policy, May 2020" of NHSRCL shall be taken. The copy of "Suspension/Banning Policy, May 2020" of NHSRCL can be downloaded from tender section of NHSRCL website i.e. www.nhsrcl.in
- B. Financial Standing: The tenderers will be qualified only if they have minimum financial capabilities as below: Not Applicable; Deleted
 - (i) T1 Liquidity: Deleted
 - (ii) T2 Profitability: Deleted
 - (iii) T3 Net Worth: Deleted
 - (iv) T4 Annual Turnover: Deleted

1.1.3.3 Bid Capacity Criteria:

Deleted

1.1.3.4 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 1.1.3.3 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.

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1.1.4 Contents of Tender documents

Volume 1

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

Volume 2

General Conditions of Contrag

Vol-1/NIT Page 8

- Particular Conditions of Contract (including Schedules)
- Condition of Contract on Safety & Health and Environment-Deleted

Volume 3

- Employer's Requirement General
- Employer's Requirement Functional Deleted
- Employer's Requirement Design Deleted
- Employer's Requirement Construction- Deleted
- Employer's Requirement Appendices Deleted

Volume 4

- Outline Design Specifications: Deleted
- Specifications for work.- Deleted

Volume 5

Tender Drawings

Volume 6

- Bill of Quantities
- 1.1.5 The contract shall be governed by the documents listed in Para 1.1.4 above.
- 1.1.6 The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of Chief Project Manager, National High Speed Rail Corporation Limited, 1105-1106, Eleventh Floor, P.L Lokhande Marg, Chembur (west), Mumbai 400 043
- 1.1.7 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in Clause E 4.0 of "Instructions to Tenderers" shall be considered as non-responsive and is liable to be rejected.
- 1.1.8 The intending tenderers must be registered on e-tendering portal https://etenders.gov.in/eprocure/app. Those who are not registered on the e-tendering portal shall be required to get registered beforehand. After registration, the tenderer will get user id and password. On login, tenderer can participate in tendering process and can witness various activities of the process.

Bids shall be submitted online only at CPP website: https://etenders.gov.in/eprocure/app.

Tenderer/Contractor are advised to follow "Instructions To Bidder for Online Bid Submission" provided below.

Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.

- 1.1.9 The authorized signatory of intending tenderer, as per Power of Attorney (POA), must have valid Class-II or Class-III digital signature. The tender document can only be downloaded or uploaded using Class-II or Class-III digital signature. However, the tenderer shall upload their tender on https://etenders.gov.in/eprocure/app using class-II or class-III digital signature of the authorized signatory only.
- 1.1.10 Tenders /Offers submissions shall be done online on https://etenders.gov.in/eprocure/app after uploading the mandatory scanned documents towards cost of tender documents such as scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS and towards Tender Security such as Bank Guarantee or Demand Draft or Pay Order or Banker's Cheque from a Scheduled commercial bank based in India or scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS OR Bid Security declaration (and other documents as stated in the tender document). Instructions for online bid submission are furnished hereinafter.
- 1.1.11 Submission of Tenders /Offers shall be closed on e-tendering website https://etenders.gov.in/eprocure/app at 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 online on e-tendering website https://etenders.com/income/capp before the deadline of submission.

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- NHSRCL will not be responsible for non-receipt of tender documents due to any delay and/or loss etc.
- 1.1.12 Tenders /Offers shall be valid for a period of 90 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.
- 1.1.13 NHSRCL 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 NHSRCL for rejection of his proposal.
- 1.1.14 Tenderers are advised to regularly visit e-tendering portal https://etenders.gov.in/eprocure/app for updates.
- 1.1.15 For any complaints, tenderers may contact Chief Project Manager, Mumbai.
- 1.1.16 Courts Mumbai, Maharashtra, alone shall have the jurisdiction to entertain any application or other proceedings in accordance with Laws of India in respect of anything arising under this Bid.

Chief Project Manager NHSRCL, Mumbai



Instructions for Online Bid Submission

The bidders are required to submit soft copies of their bids electronically on the e-procurement portal (CPP Portal), using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: https://etenders.gov.in/eprocure/app

REGISTRATION

- Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: https://etenders.gov.in/eprocure/app) by clicking on the link "Online bidder Enrolment" on the CPP Portal which is free of charge.
- 2) As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
- 3) 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 CPP Portal.
- 4) Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (Class II or 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.
- 5) 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.
- 6) 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.

SEARCHING FOR TENDER DOCUMENTS

- 1) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.
- 2) Once the bidders have selected the tenders they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective 'My Tenders' folder. This would enable the CPP Portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.
- 3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

PREPARATION OF BIDS

- 1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.
- 2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.
- 3) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR / DWF/JPG formats. Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.
- 4) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, GST certificate copy annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use "My Space" of ther Important Documents" area available

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to them to upload such documents. These documents may be directly submitted from the "My Space" area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS

- Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.
- The Bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
- 3) Bidder has to select the payment option as "offline" to pay the tender fee / EMD as applicable and enter details of the instrument.
- 4) Bidder should prepare the EMD as per the instructions specified in the tender document. The original should be posted/couriered/given in person to the concerned official, latest by the last date of bid submission or as specified in the tender documents. The details of the DD/any other accepted instrument, physically sent, should tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise the uploaded bid will be rejected.
 - In case of Bid Security Declaration in lieu of EMD, Bids must be accompanied with scanned copy of Bid Security Declaration in prescribed format. Bidders will be required to submit only scanned copy of the signed & stamped Bid Security Declaration by authorised Signatory along with the bid submission on https://etenders.gov.in/eprocure/app. The Bid shall be considered as non-responsive in case on Non-Submission of Scanned copy of Bid Security Declaration in the e-bidding portal of NIC along with their bid submission. Any bid received without Bid Security Declaration form shall be rejected.
- 5) Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the bidders. Bidders are required to download the BOQ file, open it and complete the coloured (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the bidder, the bid shall be rejected.
- 6) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.
- 7) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The confidentiality of the bids is maintained using the secured Socket Layer 128-bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- 8) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- 9) Upon the successful and timely submission of bids (i.e. after Clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.
- 10) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

ASSISTANCE TO BIDDERS

1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in

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the tender.

- 2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.
- 3) For any Technical queries related to Operation of the Central Public Procurement Portal Contact at: Tel: The 24 x 7 Help Desk Number 0120-4200 462, 0120- 4001 002/5, 0120-6277 787.

E-Mail: support-eproc@nic.in



NATIONAL HIGH-SPEED RAIL CORPORATION LIMITED

Name of Work

PROVIDING OFFICE SPACE ON LEASE BASIS IN MUMBAI FOR NATIONAL HIGH-SPEED RAIL CORPORATION LTD.

CONTRACT NO:

NHSRCL/MA/CPM/MUMBAI/OFFICE SPACE/23-24/02

TENDER DOCUMENTS

VOLUME 1

INSTRUCTIONS TO TENDERER (ITT)

NATIONAL HIGH-SPEED RAIL CORPORATION LTD.

1105-1106, Eleventh Floor, Universal Majestic Building, P.L Lokhande Marg, Chembur (West), Mumbai - 400 043.

