

Contract NGNEGC:_General Consultant (GC) for Elevated Sections of Extension Projects of Aqua Line from Depot Station to Boraki (2.6 km) & Noida Sec-142 to Botanical Garden (12.513 km) including augmentation of existing depot and RSS works



NOIDA METRO RAIL CORPORATION LIMITED

CONTRACT NO: NMRC/Projects/NGNEGC/2026/454

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VOLUME-1

**Notice Inviting Tender (NIT)
Instructions to Tenderer (ITT)
Forms of Tender (FOT)**

**NOIDA METRO RAIL CORPORATION LTD.
Block-III, 3rd Floor, Ganga Shopping Complex,
Sector-29, Noida -201301,
District Gautam Budh Nagar, Uttar Pradesh, India**

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NOTICE INVITING TENDER (NIT)

1.1. General:

Noida Metro Rail Corporation (NMRC) Ltd. invites Open e-Tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.1.3 of NIT, clauses E4.10 & E5 of ITT and Annexure-01 of ITT, for the work, "Contract NGNEGC: General Consultant (GC) for Elevated Sections of Extension Projects of Aqua Line from from Depot station to Boraki MMTH (Greater Noida) of 2.6 km with 2 metro station & Noida Sec-142 to Botanical Garden of 12.513 km with 8 metro station including augmentation of existing depot and RSS works". The overall duration of the work shall be 48 months. .

1.1.1. The proposed extension corridors are briefly summarized as below

S.No.	Description of Corridor	Total Elevated Length (km)	Elevated Stations (no.)
1	Extension of Aqua Line from Noida Sector-142 to Botanical Garden (Noida)	12.513	8
2	Extension of Aqua Line from Depot Station to Boraki MTH	2.6	2
	Total	15.113	10

1.1.1.1. Extension of Aqua line from Noida Sector 51 to Char Murti Chowk (G.Noida Sector 4) - approx. 8.044 km elevated section with 5 metro stations corridors are in the process of sanction. If it gets sanctioned during the tenure of this contract, NMRC may assess the requirement of additional man month or Key expert, if any. Based on such assessment NMRC may modify the man-month under this contract with prior consent of the consultant. Any modification shall be effective through a written amendment to the contract duly signed by both the parties and shall be binding upon them.

However, if NMRC elects not to modify the man-month allocation and engages another consultant for consultancy services related to the additional corridor(s), the Consultant shall not raise any claim for additional charges, compensation, or damages on account of such engagement of other parties by NMRC.

1.1.2. Key Details:

NMRC 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 NMRC. 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 NMRC premises at the site and familiarize themselves with the proposed arrangements and all activities necessary in this regard.

This scope of work is detailed in Volume 03 – Scope of Works.

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Name of the Bid	General Consultant (GC) for Elevated Sections of Extension Projects of Aqua Line from Depot Station to Boraki (2.6 km) & Noida Sec-142 to Botanical Garden (12.513 km) including augmentation of existing depot and RSS works
Approximate Cost	INR 75.56 Crores approx
Time period of Work	04 years
Type of Bid	Single Stage Two Packet Tender
Method of Selection	QCBS Based Selection
Bid Processing Fee	INR 23,600/- (including GST) (Rupees Twenty-Three Thousand Six Hundred only) through RTGS/NEFT only payable in favour of Noida Metro Rail Corporation Limited
Earnest Money Deposit (EMD)/Tender Security	INR 75,56,000/- (Rupees seventy five lakhs fifty six thousands only) through RTGS/NEFT only payable in favour of Noida Metro Rail Corporation Limited
Name of the Corporation's official for addressing Queries, clarifications and Pre-Bid Meeting	General Manager (Project) Noida Metro Rail Corporation Ltd., Block-III, 3rd Floor, Ganga Shopping Complex, Sector-29, Noida 201301 Email: nmrprojects@gmail.com Website: www.nmrcnoida.com, E-procurement portal: http://etender.up.nic.in
Bid Validity	180 days
Bid Language	English
Bid Currency	INR
Start of sale of Tender Document to Bidders	From 28.04.2026 to 28.05.2026 (up to 15:00 Hrs.) on e-procurement portal.
Pre-Bid Conference	12.05.2026 at 11:30 Hrs.
Last date of seeking clarification, if any	13.05.2026 at 17:30 Hrs. (The queries must be sent only to Registered Email provided in the Tender Document)
Last date of issuing amendment, if any	20.05.2026 at 17:30 Hrs.
Start Date & Time of Submission of Bids	21.05.2026 at 10:00 Hrs.
Last Date & Time of Submission of Bids	28.05.2026 at 17:00 Hrs.
Date & Time of Opening of Technical Bids	28.05.2026 at 17:30 hrs.

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JV/Consortium to be allowed	Yes			
Bank Details for Making Payment				
Name of Bank	Bank's Address	Account Name & No.	Account Type	IFSC Code
State Bank of India (SBI)	State Bank of India (04077) – Sector 18, Noida, Gautam Budh Nagar, Uttar Pradesh - 201301	Noida Metro Rail Corporation Ltd. A/c No. - 37707840592	Current	SBIN0004077

1.1.3. QUALIFICATION CRITERIA:

1.1.3.1. Eligible Applicants:

- (i) The tender for this contract will be considered only from those tenderers (proprietorship firms, partnerships firms, LLP, companies, corporations) who meet requisite eligibility criteria prescribed in the sub-clauses of clause 1.1.3 of NIT, clauses E4.10 & E5 of ITT and Annexure-01 of ITT

In case of JV/ consortium, not more than 03 members are allowed. Further, 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. Also, each member shall be individually responsible for its duties as specified in MOU/JV agreement submitted by the Bidder in terms of clause 1.1.3.1 vii d.

Performance of each JV/Consortium partner shall also be judged on quarterly basis. In case, the performance of the partner(s) is not found satisfactory, actions as deemed appropriate by the Employer may be taken including termination of contract or termination of any of JV/Consortium member(s) from the contract i.e., Part Termination of the contract. In case of part termination of contract, the Performance Security(ies) submitted by the member(s) for their portion of work in contract as per their share in JV/Consortium shall be forfeited and the scope of the work/duties assigned to the defaulting JV/Consortium member(s) as per the MOU/agreement submitted, may be terminated, however, same may be done by the Employer only if other member(s) of JV/Consortium are ready to complete the entire scope of work. In such a case, remaining works pertaining to the scope of defaulting member of JV/Consortium, may be completed by other member(s) of JV/Consortium in the following manner:

- a. At their own, if they have adequate technical competence to the satisfaction of Employer.

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- b. By subcontracting such scope of work of defaulting member(s) to technically competent Agency with the consent of Employer & without any financial implication to the Employer. In such cases, the limit of subcontracting the works up to 50% of total scope of work shall not apply.
- c. By induction of new member having adequate technical competence and meeting the original tender eligibility conditions, acceptable to the Employer in JV/Consortium replacing the default members(s) & without any financial implication to the Employer. The new member(s) shall be jointly and severally liable for the performance of the whole contract and also shall submit the Performance Security from their bank account for an amount equivalent to the amount of forfeited amount of Performance Security of defaulting member.

In case of (a) and (b) above, forfeited amount of Performance Security(ies) of the defaulting member(s) shall be submitted by other member(s) of the JV/Consortium.

Further the performance of each of JV/Consortium member may also be specifically stated in the Work experience Certificate / performance Certificates which may be issued to the bidder during or after execution of Work for their Business Development purposes

In this regard, an undertaking by JV/Consortium members is required to be submitted as per the format Appendix-3A of Form of Tender.

- (ii) (a) A non-Indian bidder (not restricted as defined in clause 1.1.3.1 (x), below) is permitted to tender only in a joint venture or consortium arrangement with Indian Contractor or their wholly owned Indian subsidiary registered in India under Companies Act-2013. In such JV/Consortium, Indian Contractor/ Indian Subsidiary (owned by foreign bidder) shall have minimum 74% participation and non-Indian bidder shall have maximum 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 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 in the same bidding process. Subcontracting of tenderer for bid submission is not allowed in this tender.

- (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 an implementation of the project;

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- 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 preparation related to procurement of the project, if the personnel would be involved in any capacity on the same project.
 - d. A bidder has already been engaged as details design consultant related to the same project by NMRC and in the event that a conflict of interest is observed at any stage, the deliverables under the DDC Contract shall be subject to review, independent design check, or validation by an independent third party, duly approved by the Employer. The cost of such third-party scrutiny shall be borne entirely by the General Consultant, without any financial implication to the Employer
- (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, any partner shall be one who have experience of General Consultancy (GC) work as defined in clause 1.1.3.2 A of NIT.
- (v) (a) NMRC/ any other Metro Organization (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-17** of Form of Tender.
- (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 NMRC / any other Metro Organization (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-17** of Form of Tender
- (c) The overall performance of the tenderer (all members in case of JV/Consortium separately) shall be examined for all the ongoing GC/PMC works awarded by NMRC/ any other Metro Organization (100% owned by Govt.) of value more than 40% of NIT cost of work and also for all the completed GC/PMC works awarded by any NMRC/ other Metro Organization (100% owned by Govt.) 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-17A** of the

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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 (ongoing 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 - 17A. In case of performance certificate issued by the client, same should not be older than three months (from the last day of the previous month of tender submission) for the ongoing works.

(d) Tenderer (including any member in case of JV/consortium) for the works awarded by NMRC/ any other Metro Organization (100% owned by Govt.) must have been neither penalized 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 GC/PMC 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-18** of Form of Tender.

(e) Tenderer (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years (from the last day of the previous month of tender submission). The tenderer should submit undertaking to this effect in **Appendix-19** of Form of Tender.

(f) The tenderer (each individual member separately in case of JV/Consortium) shall not have total amount of dispute in their pending litigation more than Fifty percent (50%) of the tenderer's net worth(each individual member separately in case of JV/Consortium). The tenderer (each individual member separately in case of JV/Consortium) shall be examined for all pending litigation from all contracts completed or all ongoing contracts. The tenderer(each individual member separately in case of JV/Consortium) shall provide detailed information of all such pending litigations in the prescribed proforma given in **Appendix-26** of Form of Tender.

The details of all pending litigation shall comprise of all pending arbitration cases and also all pending court cases irrespective of whether these litigations have been initiated by the tenderer against their employer/client or by the client/employer against the tenderer. The amount of disputes shall also comprise of all the claim amount and also all counter-claim amount in such arbitration/court cases.

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(g) If the Tenderer or any of the constituent JV/consortium member is do not meet the criteria stated in the **Appendix-17** or **Appendix-17A** or **Appendix-18** or **Appendix-19** or pending litigation criteria as per Clause 1.1.3.1 v(f), the tenderer including the constituent JV/Consortium member(s) 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.

(vi) If there is any misrepresentation of facts with regards to undertaking submitted vide **Appendix- 17**, or performance in any of the works reported in the **Appendix 17A**, or undertaking submitted vide **Appendix-18** or **Appendix-19** or information submitted in **Appendix-26**, the same will be considered as “fraudulent practice” under Clause 40.1 a (ii) of GCC and the tender submission of such tenderers will be rejected besides taking further action as per Clause 40.1 (b) & 19.2 of GCC.

(vii) LEAD PARTNER/ NON-SUBSTANTIAL PARTNERS/ CHANGE IN JV/CONSORTIUM

- a. Indian Contractor/Indian Subsidiary of JV/Consortium must be the Lead Partner. Also lead partner must be substantial partner in the JV/Consortium i.e. it should have a minimum of 48% participation in JV/Consortium. Each substantial partner in case of JV/Consortium shall have experience of executing at least one work as mentioned in clause 1.1.3.2.A of NIT, which can either be a single composite GC Contract where value of all components combined is Rs 15.11 Crore or more or a GC work comprising one or more components where the value of such component(s) is/are Rs 15.11 Crore or more in last seven years. The tenderer shall submit details of above works in the Performa of Appendix-15 & 15A of FOT etc. as per Notes of Clause 1.1.3.2.A of NIT.
- 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 and will not be considered for evaluation which means that their financial soundness shall not be considered for evaluation of JV/Consortium. In the tender for GC work, a Joint Venture / Consortium to qualify, each of its non substantial partner must have experience of executing at least one GC work (which may not be similar to that mentioned in clause 1.1.3.2.A of NIT) of minimum 20% of the approximate cost of the work mentioned in the clause 1.1.2 (key details) in last seven years. The tenderer shall submit details of above works in the Performa of Appendix-15 & 15A of FOT etc. as per Notes b), c), d), & g) of Clause 1.1.3.2.A of NIT.
- 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.

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- d. The tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial partner particularly with reference to financial, technical and other obligation in the JV agreement/MOU submitted by footnote (d) of **Appendix 3A** 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 favor 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 39.1 [a (ii) and (iii)] and acted accordingly.

Note: The MOU may stipulate mandatory information to be provided. However, bidder can include additional details/arrangements finalized between the members in this MOU provided these additional details/arrangements should not be in contravention of Employer's interest as per terms and conditions of Contract. Bidder may further note that no separate MOU/JV agreement should be executed for the sake of working arrangement amongst the partners other than the MOU/JV agreement accepted by the Employer.

In case, it comes to notice of NMRC either during or even after completion of Work that JV/ Consortium members have either altered / modified the MOU / JV agreement w.r.t. to the MOU submitted at tendering stage or entered a separate MOU/agreement or made any other arrangement akin to a contract without the specific approval of Employer in writing, it shall be treated as a fraudulent practice under GCC clause 39.1 (a) (ii) of this tender for which every constituent of the JV/Consortia is liable to be debarred for a period upto three years along with such other legal actions as may be permissible under the law.

The JV/Consortium members shall submit undertaking to this effect in Appendix-3A of Form of Tender.

- e. The Employer in such cases, may in its sole discretion take action under clause 39.1(b) and/or under clause 39.1(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 NMRC or take action to terminate the contract in part or whole under clause 19.2 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

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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 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:

- i. 'Local content' means the amount of value added in India which shall, unless otherwise prescribed by the Nodal Ministry, be the total value of the item procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all custom duties) as a proportion of the total value, in percent.
- ii. 'Class-I local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 50%, as defined under the Order No. P-45021/2/2017-PP(BE-II) dated 04.06.2020 issued by Department for Promotion of Industry and Internal Trade (DPIIT). Minimum local content for 'Class- I local supplier' shall be 50% for the subject tender.
- iii. 'Class-II local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content more than 20% but less than 50%, as defined under the Order No. P-45021/2/2017-PP (BE-II) dated 04.06.2020 issued by Department for Promotion of Industry and Internal Trade (DPIIT).
- iv. 'Non-local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than or equal to 20%, as defined under the Order No. P-45021/2/2017-PP (BE-II) dated 04.06.2020 issued by DPIIT.
- v. 'L1' means the lowest tender or lowest bid or the lowest quotation received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per the tender or other procurement solicitation.
- vi. 'Margin of purchase preference' means the maximum extent to which the price quoted by a "Class-I local supplier" may be above the L1 for the purpose of purchase preference. Margin of purchase preference shall be 20% for the subject tender.

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b) Procedure for Purchase Preference to 'Class-I local supplier' in procurement of goods or works which are divisible in nature: NOT APPLICABLE FOR THE SUBJECT TENDER

- i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract for full quantity will be awarded to L1.
- ii. If L1 bid is not a 'Class-I local supplier', 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price for the remaining 50% quantity subject to the Class-I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.
- iii. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price or accepts less than the offered quantity, the next higher 'Class-I local supplier' within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly.
- iv. In case some quantity is still left uncovered on Class-I local suppliers, then such balance quantity may also be ordered on the L1 bidder.

c) Procedure for Purchase Preference to 'Class-I local supplier' in procurement of goods or works which are not divisible in nature and in procurement of services where the bid is evaluated on price alone: APPLICABLE FOR THE SUBJECT TENDER.

- i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.
- ii. If L1 is not 'Class-I local supplier', the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.
- iii. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly.
- iv. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder."

d) Minimum Local content and verification of local content:

- v. The 'Class-I local supplier' / 'Class-II local supplier' at the time of tender, bidding or solicitation shall be required to indicate percentage of minimum local content and provide self- certification that the item offered meets the minimum local content requirement for 'Class-I local supplier' / 'Class-II local supplier', as the case may be. They shall also give details of the location(s) at which the local value addition is made.

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- vi. In case of procurement for a value in excess of Rs. 10 crores, the 'Class-I local supplier'/ 'Class-II local supplier' shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content after completion of works to the Engineer.
- vii. If any false declaration regarding local content is found, the company shall be debarred for a period of three years from participating in tenders of all metro rail companies.
- viii. Supplier/bidder shall give the details of the local content in a format attached as **Appendix-22** and **Appendix-23** of FOT duly filled to be uploaded along with the technical bid. In case, bidder do not upload **Appendix-22** and **Appendix-23** of FOT duly filled along with their technical bid, supplier/bidder shall be considered as 'Non-local supplier' and will not be eligible to participate for estimated value of purchases up to Rs. 200 crores except Global tender enquiries in terms of Clause 3(b) of Order No. P-45021/2/2017- PP(BE-II) dated 04.06.2020 issued by Department for Promotion of Industry and Internal Trade (DPIIT).

e) Complaints relating to implementation of Purchase Preference

- i. Fees for such complaints shall be Rs. 2 Lakh or 1% of the value of the local item being procured (subject to maximum of Rs. 5 Lakh), whichever is higher. In case the complaint is found to be incorrect, the complaint fee shall be forfeited. In case, the complaint is upheld and found to be substantially correct, deposited fee of the complainant would be refunded without any interest.
- f) Only Class-I local supplier & Class-II local supplier is eligible to bid in this tender.**

(x) Restriction of Bidders from Countries sharing Land Borders with India:

. The Competent Authority for registration will be the Registration Committee constituted by the Department for Promotion of Industry and Internal trade (DPIIT). Political & Security clearance from the Ministries of External and Home Affairs respectively will be mandatory. However, above condition shall not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are given in the website of the Ministry of External Affairs. The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.

Certificate of Compliance

An undertaking shall be taken from bidders as per **Appendix-25** of FOT, certifying that the bidders fulfil all the requirements contained in the aforesaid clause.

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Definitions:

"Bidder" (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) means any person or firm or company, (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.

"Bidder from a country which shares a land border with India" means:

- a) An entity incorporated, established or registered in such a country; or
- b) A subsidiary of an entity incorporated, established or registered in such a country; or
- c) An entity substantially controlled through entities incorporated, established or registered in such a country; or
- d) An entity whose beneficial owner is situated in such a country; or
- e) An Indian (or other) agent of such an entity; or
- f) A natural person who is a citizen of such a country; or
- g) A consortium or joint venture where any member of the consortium or joint venture falls under any of the above

"Beneficial owner" will be as under:

- (i) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means.

Explanation—

"Controlling ownership interest" means ownership of, or entitlement to, more than twenty-five per cent of shares or capital or profits of the company;

"Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;

- (ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
- (iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;

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- (iv) Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
- (v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

"Agent" is a person employed to do any act for another, or to represent another in dealings with third persons

1.1.3.2. Minimum Eligibility Criteria:

A. Work Experience:

Tenderer's(either a single entity/ JV/ Consortium) will be qualified only if they have successfully completed similar work(s), during last seven (07) years ending last day of the month previous to the month of tender submission as given below -

a) Mandatory Eligible Works

- i. Should have Satisfactorily Completed similar consultancy work for minimum amount received towards the same shall be INR **60.45 Crore** in one Contract.

Or

- ii. Should have Satisfactorily Completed similar consultancy work for Minimum amount received towards the same shall be INR **37.78 Crore** in two different contracts each.

Or

- iii. Should have Satisfactory Completed ~~similar~~ similar consultancy work for Minimum amount received towards the same shall be INR **30.22 Crore** in three different contracts each.

Similar work: "General/Project consultancy works pertaining to Elevated/ Underground in MRTS/ RRTS project involving the work of preliminary /detailed designs, framing specifications, procurement assistance, drawing up contract documents, checking designs, project management and supervision including inspection, safety and quality, testing and commissioning. The works shall include both Civil and

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System.

- iv. In addition to above, tenderer as a single entity or any substantial member of JV/Consortium shall also have the experience of general consultancy/PMC of MRTS/ RRTS project of at least 6.1 km of Viaduct including stations in the above qualifying similar work or any other work(s).

Notes:

- a. Work experience of only substantial partner (partner with share of 26% or more in the JV/Consortium) shall be considered for evaluating of JV/Consortium.
- b. The tenderer shall submit details of works executed by them in the Performa prescribed in **Appendix-15 & 15A** 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/ value of actually executed works 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, in addition to above, 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 also be submitted. Any certification or document required to be provided by CA, must contain UDIN thereon and the particulars of certifications must be same as mentioned on document/ verification and submitted to ICAI on its website which can be verified online.
- c. In case of any composite work (work involving other than similar work also), value of successfully completed portion of similar work up to last day of the month previous to the month of tender submission shall be considered for qualification of work experience criteria. In case qualifying work involves General consultancy (GC)/Project management consultancy (PMC), value of only similar work in that work shall be considered.
- d. Deleted.
- e. 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 30 days before the submission date of tender and source of currency consideration may be mentioned.

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- f. If the above work(s) i.e. "Similar work" comprise other works, then client's certificate clearly indicating the amount of work done in respect of the "similar work" shall be furnished by the tenderer in support of work experience along-with their tender submissions.
- g. Only work experience certificate having stamp of Name and Designation of officer along with the Name of client shall be considered for evaluation.
- h. After opening of financial bids, the work experience credentials (work experience certificate along with other documents if any) of bidder having highest Total Score shall be sent for verification and certification to the concerned client(s). In case of any concealment or misrepresentation of facts, appropriate action(s) in accordance with Tender Conditions and Suspension/Banning Policy of NMRC shall be taken.
- i. Value of the work, if done by the joint venture shall be considered. However , the values of work as per their percentage participation in such JV/Consortium is considered.
- j. Work shall be considered as completed in case of completion of CMRS and operation of line.

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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. Net current assets (as per proforma given in **Appendix-12 of ITT**), should show that the applicant has access to or has available liquid assets, to meet cash flow of **INR 2.7 Cr.** for this contract, the aggregate of the Net current Assets will be considered for working out the Liquidity.

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

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

and

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

- ii. **T2 - Profitability:** Profit before Tax should be Positive in **at least 2 (two)** years, out of the last five audited financial years (, 2020-21, 2021-22, 2022-23, 2023-24,2024-25).

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 ending on 31st March 2025 should be **≥ INR 3.78 Cr.**

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 = (AM+BN)/100

- iv. **T4 - Annual Turnover:** The average annual turnover from consultancy works of last five Audited financial years ending on 31st March, 2025 should be **≥ INR 15.11 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

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

Notes:

- a) Financial data for latest last five audited financial years ending on 31st March, 2025 has to be submitted by the tenderer in **Appendix-12 & 13** 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 along with Membership number, FRN number and UDIN number. If audited balance sheet of any year is not submitted, the tender may be considered as non-responsive.
- b) Total value of general consultancy works done as per audited financial statements shall be provided in **Appendix-13 of FOT**.
- c) Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence.

1.1.3.3. Bid Capacity Criteria:

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

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

where,

- A = Maximum of the value of Consultancy work executed in any one year during the last five financial years (updated to **first day of the month of tender submission** 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(4 years)
- B = Value of existing commitments for on-going Consultancy work during period of **48 months w.e.f. first day of the month of tender submission**.

Notes:

- a) Financial data for latest last five financial years has to be submitted by the tenderer in **Appendix-12 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 along with UDIN number.

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- b) Value of existing commitments for on-going Consultancy work during period of **48 months** w.e.f. **first day of the month of tender submission** has to be submitted by the tenderer in **Appendix-14 of FOT**. These data shall be certified by the Chartered Accountant with his stamp and signature in original along with UDIN number.
- c) 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:

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

The tender submission of tenderers, who do not qualify the minimum eligibility criteria & bid capacity criteria stipulated in the clauses 1.1.3.1, 1.1.3.2 & 1.1.3.3 above, shall not be considered for further evaluation and will therefore be rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.1.3.1 & 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 & evaluation 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 Tender Document comprises of the following documents:

Volume 1

- a) Notice Inviting Tender (NIT)
- b) Instructions to Tenderer (ITT)
- c) Form of tender

Volume 2

- d) General Conditions of Contract (GCC)
- e) Special Condition of Contract (SCC)
- f) Contract Forms

Volume 3

- g) Scope of Work

Volume 4

- h) Pricing Document

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

- 1.1.5** Bidders are required to enroll on the e-Procurement module of the Uttar Pradesh Public Procurement Portal (URL: <http://etender.up.nic.in>).
- 1.1.6** As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts. 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.
- 1.1.7** 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 with their profile.
- 1.1.8** 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 DSCs to others which may lead to misuse.
- 1.1.9** 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.
- 1.1.10** 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.
- 1.1.11** Tenderers are advised to keep in touch with e-tendering portal: <http://etender.up.nic.in> and NMRC's website: www.nmrcnoida.com for updates.
- 1.1.12** For any complaint tenderer may contact Senior Vigilance Officer / Chief Vigilance Officer NMRC Limited, Block-III, 3rd Floor, Ganga Shopping Complex, Sector-29, Noida -201301, District Gautam Budh Nagar, Uttar Pradesh.
- 1.1.13** 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.
- 1.1.14** NMRC 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 NMRC for rejection of his proposal.
- 1.1.15** The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of **General Manager/(Project)**, NMRC

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Limited, Block-III, 3rd Floor, Ganga Shopping Complex, Sector-29, Noida -201301,
District Gautam Budh Nagar, Uttar Pradesh

1.1.16 All tenderers are hereby cautioned that tenders containing any material deviation or reservations as described in C 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.

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

**General Manager/(Project)
Noida Metro Rail Corporation Ltd.**

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Instructions for Online Bid Submission on E-Procurement Portal

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

More information useful for submitting online bids on the E-tendering portal may be obtained at www.etender.up.nic.in

REGISTRATION

- 1) Bidders are required to enroll on the e-Procurement module of the Uttar Pradesh Public Procurement Portal (URL: www.etender.up.nic.in) by clicking on the link “**Online Bidder Enrolment**” on the E-tendering 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 E-tendering portal.
- 4) 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, 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 DSCs 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 E-tendering 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 E-tendering 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 E-tendering portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.

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- 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.

SUBMISSION OF BIDS

- 1) 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.
- 2) 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.
- 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 white colored (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

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be modified by the bidder, the bid will 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 data entered cannot be viewed by unauthorized persons until the time of bid opening. 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 the tender.
- 2) Any queries relating to the process of online bid submission or queries relating to E-tendering portal in general may be directed to the 24x7 E-tendering portal Helpdesk.