

## INSTRUCTIONS TO BIDERS FOR PRE-QUALIFICATION

### CHAPTER-2

2.1. Throughout these documents, the terms “bid” and “tender” and their derivatives (bidder/ tenderer, bid/ tender, bidding/ tendering, etc.) are synonymous.

2.1.1. The term "Contract", in relation to pre-qualification of bidders, shall mean an Agreement and/or work-orders.

2.2. This document relates to pre-qualification for the work under bid with a defect liability period of 12 months from date of handing over of works. Responsibility for handing over of completed works shall lie with the bidder.

#### 2.3. **Prohibition from Bidding:**

2.3.1. Bidders shall not be under a declaration of ineligibility for corrupt and fraudulent practices by the Central Government, the State Government or any public undertaking, autonomous body, authority by whatever name called under Central or the State Government.

2.3.2. Any bidders having **criminal record** is not allowed to participate in the bidding process. Any person who is having criminal cases against him or involved in the **organised crime or gangster activities or Mafia or Goonda or Anti-social activity** are strictly prohibited to participate in the bidding process. If it is established that any bidder has **criminal record, his bid shall be automatically cancelled.**

2.3.3. Any agency / firm against which any investigating authority has instituted any vigilance enquiry or there are criminal proceedings in any Court of law or has been debarred or blacklisted during the last 5 years from the last date of bid submission, by any Govt. / Semi Govt. /Board/ Corporation / private organizations shall not be considered. An affidavit of this effect shall be submitted by the participating agencies / firms.

2.3.4. Any bidder who is an Advocate and/or Registered with any State Bar Council/Bar Council shall not be allowed to participate in the bidding. If it is established that the contractor is registered with the state bar council, **his bid shall be treated as automatically cancelled.**

2.4. The bidder has to upload and produce for execution of agreement, original copies of Form- I to VIII and Capability Statement etc. Rest of the documents shall be retained for execution of

- 2.5. The Pre-qualification of the agencies / firms is confined to invitation of such firms who have earlier demonstrated their capability and capacity in executing similar projects in a time bound, prestigious & professional manner with high standards of workmanship within specified cost. The pre-qualification will be made on basis of the past record and successful completion of such projects in the stipulated time with good quality, proven technical competence, experience of handling works of comparable magnitude and complexity, expertise and know-how in the relevant field, financial resources, technical manpower and construction equipment owned by Bidders and other requirements laid down in the prescribed Pre-qualification document.
- 2.6. The Bidder intending to submit pre-qualification documents will have to be experienced in executing similar type of works as defined in **Para 3.2.**
- 2.7. Should bidders have any queries regarding the pre-qualification document, this should be submitted to the Tender inviting authority in writing at least 7 days before the scheduled date of bid submission. Any query received after scheduled date would not be entertained and will be treated as void.
- 2.8. Pre-qualification document contains various formats and the same are to be used for furnishing the required information. The enclosed formats should be filled in completely and legibly and response must be provided for each item included in Appendices. In the event that a Bidder considers it inappropriate to respond to a particular item; this shall be filled as **not applicable**. If necessary, pages containing additional information may be attached to buttress the eligibility of bidder. ***Bidder should note that all the formats prescribed, need to be filled even if such information is Nil. It should be clearly indicated, failing which the bid may be treated as non-responsive.***
- 2.9. All information requested shall be provided in English language, type written. Each page of the Pre-qualification document shall be duly signed and page numbered by the Bidder or his authorized representative, **over writing should be avoided**. Correction, if any, should be made by neatly crossing out, initialing, dating and re-writing.
- 2.10. Supporting documents shall be uploaded after scanning original or photocopy, as may be applicable, duly attested by a Gazetted Officer / Magistrate/Notary as prescribed in NIT. Document generated by the firm can be self-attested. The **Bidder shall have to submit original documents as and when demanded.**
- 2.11. Failure to provide information which is essential to judge Bidder's qualifications or to provide timely clarifications or substantiation of the information supplied may result in disqualification of the Bidder for the particular bid.
- 2.12. All documents submitted within due time and date, by the Bidders will be treated as Confidential and will not be returned.
- 2.13. Construction & Design Services U.P. Jal Nigam may not necessarily inform all Bidders of the result of their applications. Construction & Design Services U.P. Jal Nigam reserves the right to accept or reject any or all applications and to annul the pre-qualification process and there by reject all Bidders without incurring any liability to the affected Bidders or any

obligation to inform the Bidder of the ground for the action of Construction & Design Services, U.P.Jal Nigam.

- 2.14. The intending bidders who desire to see the site may visit at their own cost.
- 2.15. Construction & Design Services U.P. Jal Nigam will not reimburse any costs involved in the preparation and submission of pre-qualification document or in connection with any site visit made.
- 2.16. **Suppression of Facts:** Any information furnished by the Bidder found (immediately or at a later stage) to be forged or incorrect or concealment of any information, would render him liable to be debarred from tendering / taking up of works. Further action shall be taken as per tender conditions **including forfeiture of earnest money deposited.**
- 2.17. Information regarding litigation in past five years which the bidder is involved in, has to be submitted in prescribed format. The name of the parties' concerned, and disputed amount, should also be given in the enclosed format.
- 2.18. **Solvency Certificate of minimum 40% of the tender value will be required to be submitted.**

**It should not be more than one year old from the date of issue of NIT.**

- solvency Certificate issued by any Scheduled Commercial Bank shall be accepted, which will be valid for a period of six calendar months from the date of issue unless otherwise mentioned.

**or**

- Solvency certificate issued by the District Magistrate will also be Accepted, which will have a validity of one year from date of issue unless otherwise mentioned.

**2.19. Nature of Firm/Bidder:**

- 2.19.1. The Bidder may be individual, propriety firm, firm in partnership, limited company-public or private or corporation. In case of individual/proprietorship firm the bid is required to be signed by sole proprietor with his full name and current address, while **in case of partnership firm the bid should be signed by all those partners in the firm** with full name and current address, an affidavit to this effect and certified copy of partnership deed **(as registered with registering authorities) is required to be attached with bid.** However, in case of limited firms / companies, the bid is required to be signed by the authorized signatory, a power of attorney in his favour **to submit the tender, sign the agreement, receive money, witness measurements, sign measurement books, compromise, settle, relinquish any claim(s) preferred by the firm and sign "No Claim Certificate" and refer all or any disputes to arbitration** along with a copy of Memorandum of Articles of Association **(as registered with registering authorities)** duly notarized by a Public Notary should be attached with the bid. Employer will not be bound by any power of attorney granted by the tenderer or by changes in the composition of the firm made subsequent to the execution of the contract. It may, however recognize such power of attorney and changes after obtaining proper legal advice, the cost of which will be chargeable to the contractor.

- 2.19.2. Deleted

- 2.20. The Contract shall be for the composite works, as described in Chapter-1 based on the priced Bill of Quantities/percentage rates submitted by the Bidder. The tender for composite work includes/may include, in addition to building work, all other works such as sanitary and water supply installations, drainage installation, internal & electrical work, fire-fighting works, installation of Lifts, networking of computers, horticulture work, roads and paths etc as the case may be.
- 2.20.1. The tenderer apart from being eligible for award of contract, **must within a month of award of contract associate him (if not having his own demonstrable experience) with agencies of appropriate classes which are eligible to tender** specialized works in composite tender.
- 2.20.2. Following works shall be treated as Specialized work for which the bidder must, with the approval of Engineer, associate himself with Specialised Agencies/Distributors for their installation testing and commissioning. **(Please see Clause 7 of Special Conditions of Contract):-**
- i. ....
- ii. ....
- iii. ....
- 2.20.3. The Bidder should note that above list may not be exhaustive. The Engineer may, at his discretion, add further items of work which in his opinion may be of specialized nature requiring expertise of Specialized Agencies for their execution.
- 2.21. The Bidder shall adopt the Percentage Rate Method and quote the same in e-tender portal as specified in the excel sheet for the purpose; only the same option is allowed to all the Bidders. Percentage Rate Method requires the bidder to quote a percentage above / below/ at par of the schedule of rates.
- a. In case the lowest tendered amount (cost of work put to bid + amount worked on the basis of percentage above/below) of two or more contractors is same, such lowest contractors will be asked to submit sealed revised offer in the form of letter mentioning percentage above/below on cost of work put to bid including all sub sections/sub heads as the case may be, but the revised percentage quoted above/below on cost of work put to bid or on each sub section/sub head should not be higher than the percentage quoted at the time of submission of tender. The lowest tender shall be decided on the basis of revised offers.
- In case any of such contractors refuses to submit revised offer, then it shall be treated as withdrawal of his tender before acceptance and 50% of earnest money shall be forfeited.
- If the revised tendered amount of two more contractors received in revised offer is again found to be equal, the lowest tender, among such contractors, shall be decided by draw of lots in the presence of General Manager concerned.
- In case all the lowest contractors those who have quoted same tendered amount, refuse to submit revised offers, then tenders will be recalled after forfeiting 50% of EMD of

each contractor.

Contractor(s), whose earnest money is forfeited because of non-submission of revised offer, shall not be allowed to participate in the re-tendering process of the work.

- b. In Percentage Rate Tender, the tenderer shall quote percentage below/above (in figures as well as in words) at which he will be willing to execute the work.

2.22. The Bidder will furnish the following mandatory information on e-tender portal, failing which the bidder may get disqualified. Additional pages can be added to give complete desired information. **Nil information is also required to be indicated as such and submitted. Omission of any format shall be taken as 'Nil' information and will be evaluated accordingly.**

- a. Proof of submission of Tender Fee and EMD.
- b. General information in Form-I
- c. Declaration on Form - I A. (Earnest Money)
- d. Declaration on Form - I B. (Affidavit of Bid Validity)
- e. Standard Affidavit on Form- I-C. *(Substance of the contents should not be altered)*
- f. Financial information in Form- II (A).
- g. Bank Solvency Certificate issued by any Scheduled Commercial Bank on Form II- B or The District Magistrate.
- h. List of similar works executed during last 10 years generally as per Form-III along with supporting documents such as performance certificate issued by the client department/construction agency not below the rank of Executive Engineer/ Project Manager. (See clause 3.2 of this section). The performance certificate should be clear and exhaustive enough to establish similarity with the work under Bid.
- i. Details of technical personnel with bidder in Form-IV.
- j. Format for performance report in Form-V(A&B). Ambiguous Performance Certificates will not be considered for evaluation.
- k. Details of construction plants and equipments with the bidder in Form-VI.
- l. Litigation history on Form- VII.
- m. Letter Comprising Bid- Form-VIII.
- n. All other documents required for Partnership/Limited firms as described in relevant paras.
- o. Capability Statement duly filled.

2.23. The tender shall be submitted in two bid system in accordance with the procedures detailed.

2.24. It is mandatory that each application shall contain the following:-

- a. **Technical Bid-** Information called for in the “Forms I to VIII, Capability Statement” and Declaration I-A, I-B, I-C and audited balance sheets of Bidder / Contractor for last five consecutive financial years duly certified by Statutory

Auditor of the Bidder as prescribed in NIT and bid Document must be digitally signed and uploaded on eprocurement portal.

b. **Financial Bid**- Must be quoted in excel sheet for financial bid on etender portal.

- 2.25. *The bidder must submit acknowledgement of Income Tax return submitted online along with relevant 26AS for the last 3 years ending 31.03.2020. The demand status as displayed on Income Tax portal is to be enclosed for verification of Tax demand.*
- 2.26. Bidders are particularly advised to fill and upload the details strictly as per the enclosed forms. Tenders are liable to rejection if relevant details are not furnished in prescribed formats and also which do not meet the qualification requirement given in the paragraphs that follow. The Bidder may furnish any additional information, along with his application which in his opinion will highlight his capacity to perform.
- 2.27. *Firm should have valid registration in GST, EPFO/ESI etc.(as applicable) and they have to submit **attested copies of the registration certificates**. Contractor will have to register in labour cess deptt. within a week of award of the works.*
- 2.28. *Original copy / attested copy of the partnership deed, if it is a partnership firm and attested copy of registration certificate / MOA (as registered with registered with registering authorities), in case of Company and authorized declaration in case of Sole Proprietorship Firm should be submitted with PQ document.*
- 2.29. General Power of Attorney / Special Power of Attorney substantially in format annexed, revalidated & notarized be submitted by firm / tenderer in favour of the person who has signed the tender/will sign the agreement as the case may be, the tender documents with telephone No. and complete postal address. **Affidavit as prescribed should be annexed on non-judicial stamp paper of Rs.100 (or as applicable) duly signed by notary.**
- 2.30. The Bidder shall extend his services free of charge, to the representative of the Construction & Design Services U.P.Jal Nigam to visit the project/works from any of his referred project works, if the C&DS desires so. While applications are under consideration, Bidders and their representatives, or other interested parties, are advised to refrain from contacting by any means, any personnel or representative on matters related to the applications under consideration.
- 2.31. The Employer or his authorized representative if necessary, will/ may obtain clarification of applications by requesting such information from any or all Bidders in writing. Bidders will not be permitted to change the substance of their applications after submission of tender. Non-compliance with this provision will be a cause of disqualification.
- 2.32. The Department reserves to itself the power to relax non-essential requirements of the bid which do not have material impact on eligibility of the bidder.
- 2.33. The credentials submitted in respect of pre-qualification of the bidder, particularly that of the lowest evaluated bidder shall be verified before award of work. Any information furnished by the bidder found to be incorrect either immediately or at a later date, suppression of information in forms, statements, enclosure and declarations **would render him liable to be disqualified and debarred from tendering of work in C&DS and forfeiture of his bid security/security**. If such bidder happens to be enlisted contractor of any class in C&DS, his name shall also be removed from, the approved list of contractors.
- 2.34. On acceptance of the tender, the name of the accredited representative(s) of the contractor

who would be responsible for taking instructions from the Engineer shall be communicated in writing to the Engineer.

## CHAPTER –3

### **ELIGIBILITY CRITERIA AND INFORMATION REQUIRED TO BE FURNISHED BY THE BIDDERS**

The qualification information is required to be furnished in the enclosed forms. The Bidders should have following minimum qualifying requirements.

3.1.		<b>Eligibility Requirements :</b> Minimum requirements for pre-qualification are as follows:								
	(a)	<b>Turnover:</b> The average annual turnover of the bidder during last three consecutive years ending 31.03.2020 (in all cases of civil engineering construction works only) should be at least 30% of the cost of work put to bid. The Financial documents signed by CA issued on or after 01/07/2019 shall mandatory bear Unique Documents Identification Number(UDIN) issued by ICAI.								
	(b)	<b>Solvency Certificate of minimum 40% of the tender value will be required to be submitted.</b> <b>It should not be more than one year old from the date of issue of NIT.</b> ➤ solvency Certificate issued by any Scheduled Commercial Bank shall be accepted, which will be valid for a period of six calendar months form the date of issue unless otherwise mentioned. <b>or</b> ➤ Solvency certificate issued by the District Magistrate will also be Accepted, which will have a validity of one year from date of issue unless otherwise mentioned.								
	(c)	<b>Profit/Loss</b> Net worth of the bidder should be positive on date of bidding								
	(d)	<b>Credit rating:</b> <i>The bidder must submit acknowledgement of Income Tax return submitted online along with relevant 26AS for the last 3 years <b>ending 31.03.2020</b>. The demand status as displayed on Income Tax portal is to be enclosed for verification of Tax demand.</i>								
3.2.		<b>PAST EXPERIENCE:</b> The Bidders should have experience of execution of works of similar nature including construction, supply, installation, testing & successful commissioning and other related associated / allied appurtenant works as applicable. The value of executed works/turnover shall be brought to current cost level by enhancing the actual value at the rate of 7% per annum at simple rate as per following factor. It will be calculated from the last date of completion of work and date of submission of bid. A typical illustration is as below. <table><tr><td>Financial Year</td><td>Escalation/Enhance factor</td></tr><tr><td>2019-2020</td><td>1.00</td></tr><tr><td>2018-2019</td><td>1.07</td></tr><tr><td>2017-2018</td><td>1.14</td></tr></table>	Financial Year	Escalation/Enhance factor	2019-2020	1.00	2018-2019	1.07	2017-2018	1.14
Financial Year	Escalation/Enhance factor									
2019-2020	1.00									
2018-2019	1.07									
2017-2018	1.14									

		<table><tr><td>2016-2017</td><td>1.21</td></tr><tr><td>2015-2016</td><td>1.28</td></tr></table> <p>Cost of work shall mean:-</p> <p><b>Gross value of the completed work by single/multiple contracts/orders of a single project- satisfactorily completed (including cost of material issued/provided/supplied by the department/client).</b></p> <p>This should be certified by an officer not below the rank of Executive Engineer/ Project Manager or equivalent.</p> <p>Firm should have successfully completed <i>similar works</i> (by single/multiple contracts/orders of a particular project) during last Ten years ending last day of the month previous to the one in which applications are invited satisfying either of following :-</p>	2016-2017	1.21	2015-2016	1.28
2016-2017	1.21					
2015-2016	1.28					
		<p>a. Three similar works each costing not less than <b>30%</b> of cost of work put to bid or,</p> <p>b. Two similar works costing not less than <b>40%</b> of cost of work put to bid or,</p> <p>c. One similar completed work costing not less than <b>60%</b> of cost of work put to bid,</p> <p><b>Provided</b>, at least one completed work of similar nature (either part of a or b or c) costing not less than the amount equal to <b>30%</b> of the estimated cost put to tender should have been executed with some Central/ State Government Organisation/ Central Autonomous Body/ Central/ State Public Sector undertaking/Nigam and remaining work experience should satisfy the requirements of a, b or c above with works successfully executed for reputed private organisation.</p> <p><i>Certificates issued by private organisations must be supported by Form 26AS/TDS certificate. The certificate should clearly indicate scope of work, date of completion, completed value, name of work, agreement/order no., date of start etc. in Form VI-B to verify eligibility/similarity wherever required, the Certificate should also be supported by schedule/ final bill (certified).</i></p> <p>Similar work shall mean construction of “Construction of R.C.C. Framed Structure and Steel Structure Work/ Pre Engineered Building (PEB)” as described in Instructions to Bidder.</p> <p>" Bidder can submit composite experience certificate(s) of R.C.C. Framed Structure and Steel Structure Work/Pre Engineered Buliding (PEB) of the values detailed in “i) a”, “i) b” and “i) c” above.</p> <p style="text-align: center;">or</p> <p>Bidder can submit separate experience certificates of R.C.C. Framed Structure and Steel Structure Work/Pre Engineered Buliding (PEB) of the values detailed in “i) a” and “i) b” above. In case of separate experience certificates the value of Steel Structure Work/Pre Engineered Buliding (PEB) work shall not be less than 30% of cost of works put to bid."</p>				
3.3.		<p><b>Personnel Capabilities:</b></p> <p>The Bidders must have qualified employed personnel to fill the following</p>				

		<p>positions. The Bidders shall supply information on a prime candidate and an alternate for each position; both of whom shall meet the minimum experience requirements specified below:</p> <table><tr><th rowspan="2">Sl. No.</th><th rowspan="2">Technical Personnel</th><th colspan="3">No. of Technical Persons Required for project cost</th><th rowspan="2">Experience in similar works</th></tr><tr><th>&lt; 5 Cr</th><th>5-25 Cr</th><th>25-50 Cr</th></tr><tr><td>1</td><td>Graduate Engr Civil</td><td>-</td><td>1</td><td>2</td><td>2</td></tr><tr><td>2</td><td>Diploma Engr Civil</td><td>1</td><td>2</td><td>2</td><td>5</td></tr><tr><td>3</td><td>Diploma Engr Electrical</td><td>-</td><td>1</td><td>1</td><td>5</td></tr><tr><td>4</td><td>Work Supervisor</td><td>1</td><td>2</td><td>4</td><td>5</td></tr></table> <p>The requisite information shall be furnished in <u>Form – IV</u></p>	Sl. No.	Technical Personnel	No. of Technical Persons Required for project cost			Experience in similar works	< 5 Cr	5-25 Cr	25-50 Cr	1	Graduate Engr Civil	-	1	2	2	2	Diploma Engr Civil	1	2	2	5	3	Diploma Engr Electrical	-	1	1	5	4	Work Supervisor	1	2	4	5
Sl. No.	Technical Personnel	No. of Technical Persons Required for project cost			Experience in similar works																														
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1	Graduate Engr Civil	-	1	2	2																														
2	Diploma Engr Civil	1	2	2	5																														
3	Diploma Engr Electrical	-	1	1	5																														
4	Work Supervisor	1	2	4	5																														
3.4.		<p><b>Equipment Capabilities:</b></p> <p>Bidders should own or have assured access (through Hire, Lease,Purchase Agreement, availability of manufacturing equipments or other means) to the equipment/machines listed here under and in full working order and must demonstrate that based on known commitments, they will be available for use in the proposed Contract. The Bidders may also list additional equipments that they would propose for the Contract together with an explanation of the Proposal. Form-VI</p> <table><tr><th rowspan="2">Sl. No.</th><th rowspan="2">Equipment Type &amp; Characteristics</th><th colspan="3">Minimum Numbers Required for project cost Rs.</th></tr><tr><th>&lt; 5 Cr</th><th>5-25 Cr</th><th>25-50 Cr</th></tr><tr><td>1</td><td>Conc. Mixture</td><td>1</td><td>2</td><td>1</td></tr><tr><td>2</td><td>Water tanker</td><td>-</td><td>-</td><td>1</td></tr><tr><td>4</td><td>JCB</td><td>-</td><td>-</td><td>1</td></tr><tr><td>5</td><td>Batch Mix. 15 to 30 M³ per Hr.</td><td>-</td><td>-</td><td>1</td></tr><tr><td>6</td><td>Generator Set 25 kVA</td><td>-</td><td>1</td><td>1</td></tr></table>	Sl. No.	Equipment Type & Characteristics	Minimum Numbers Required for project cost Rs.			< 5 Cr	5-25 Cr	25-50 Cr	1	Conc. Mixture	1	2	1	2	Water tanker	-	-	1	4	JCB	-	-	1	5	Batch Mix. 15 to 30 M³ per Hr.	-	-	1	6	Generator Set 25 kVA	-	1	1
Sl. No.	Equipment Type & Characteristics	Minimum Numbers Required for project cost Rs.																																	
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2	Water tanker	-	-	1																															
4	JCB	-	-	1																															
5	Batch Mix. 15 to 30 M³ per Hr.	-	-	1																															
6	Generator Set 25 kVA	-	1	1																															
3.5.		<p><b>Litigation History:</b></p> <p>The Bidders shall provide accurate information on any litigation or arbitration resulting from Contracts completed or under its execution over the last 5 years in <u>Form –VII</u></p>																																	
3.6.		<p><b>Deleted</b></p>																																	