

Inland Waterways Authority Of India Jal Marg Vikas Project			
Tender Ref No:- IN-IWAI – 336119 -CW-RFB		Amendment –4. Dated 22.06.2023	
CPPP Tender ID : 2023_JMVP_ 751033_1			
Tender title :- Fairway Maintenance on Quantity Based Dredging of Majhaua- Ghazipur (115 km) on National Waterway – 1			
Subsequent to the pre-bid meeting of Majhaua- Ghazipur (115 km) stretch, following clarifications & amendments are incorporated and will form an integral part of the Bid Document.			
Sl.	Document ref	Existing Text	To be Read as
1	Section-III Evaluation & QR	Section-III. Evaluation Qualification, Criteria & Qualification Sl.no 2-0 to 2.4 – Annexure-A – uploaded with Amendment no 2	Section-III. Evaluation Qualification, Criteria & Qualification Sl.no 2-0 to 2.4 has been modified and is replaced with Annexure-C (attached)
2	All other terms & Conditions of the Tender documents remains Un-altered		
OFFICER INVITING BIDS :- Vice – Chairman Project Director (JMVP) ; Inland Waterways Authority of India. : A – 13, Sector – 1, Noida – 201301, Uttar Pradesh – INDIA - Telephone No. : (91) 0120-2424544 Email. : vc.iwai@nic.in			

Annexure -C

2. Qualification		
2.0 Nature of Bidder	Bidder to indicate whether they are presenting a Single Entity bid Or Joint Venture Bid Or Intend to Sub Contract on Later date	In the event of Subcontracting, the details of the Sub-contractor likely to be deployed be identified in the proposal (max 25% work) Details & Profile of Sub-contracting firms to be submitted
<ul style="list-style-type: none"> • Format provided in Section-IV. 		

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
2.1 Eligibility							
2.1.1	Nationality	Nationality in accordance with ITB Sub-Clause 4.3.	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Forms ELI –1.1 and ELI-1.2
2.1.2	Conflict of Interest	No conflicts of interest in accordance with ITB Sub-Clause 4.2.	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.3	Bank eligibility	Not having been declared ineligible by the Bank, as described in ITB Sub-Clause 4.4.& 4.7.	Must meet requirement	Existing JV must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.4	Government Owned Entity	Bidder to meet conditions of ITB Sub-Clause 4.5. The entity should not be a dependent agency of the borrower or sub-borrower or Employer.	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2
2.1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of prohibition in the Borrower's country laws or official regulations against commercial relations with the Bidder's country, or by an act of compliance with UN Security Council resolution, both in accordance with ITB 4.7 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2

2.2 Historical Contract Non-Performance

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
				All Parties Combined	Each Member	One Member	Requirements
2.2.1	History of Non-Performing Contracts	Non-performance of a contract ¹ did not occur as contractor since 1 January 2016	Must meet requirement	Must meet the requirement	Must meet requirement or as member to past or existing JV	N / A	Form CON - 2
2.2.2	Suspension due to withdrawal of the Bid within Bid validity	Not under suspension based on execution of a Bid Securing Declaration pursuant to ITB 4.6 or withdrawal of the Bid pursuant ITB 19.9.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Letter of Bid
2.2.3	Pending Litigation	Bidder's financial position and prospective long term profitability sound according to criteria established in 2.3.1 below and assuming that all pending litigation will be resolved against the Bidder	<i>Must meet requirement</i>	<i>Must meet requirement by itself or as member to past or existing JV</i>	Must meet requirement by itself or as member to past or existing JV	N/A	<i>Form CON - 2</i>
2.2.4	Litigation History	No consistent history of court/arbitral award decisions against the Bidder ² since 1st January 2016	Must meet requirement	Must meet requirement		N/A	Form CON - 2
2.2.5	Declaration: Environmental, Social, Health, and Safety (ESHS) past performance	Declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social, (including sexual exploitation and abuse (SEA) and gender based violence (GBV)), or health or safety requirements or safeguard in the past five years ³ (ending 2021-22)	Must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration.	N/A	Each must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration.	N/A	Form CON-3 ESHS Performance Declaration

2.3 Financial Situation and Performance

¹ Non-performance, as decided by the Employer, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

² The Bidder shall provide accurate information on the letter of Bid about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years.

A consistent history of court/arbitral awards against the Bidder or any member of a joint venture may result in disqualifying the Bidder.

³ The Employer may use this information to seek further information or clarifications in carrying out its due diligence.

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2.3.1	Financial Capabilities	(a) The Bidder shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as INR 12.36 Crores (Twelve Crore & thirty Sixty Lac only) (about 6 six months cash flow at peak dredging / construction period) for the subject contract(s) net of the Bidders other commitments	Must meet requirement	Must meet 100% requirement	Each member Must meet at least 15% of the requirement as a minimum such that all partners combined meet 100% of the requirement	Must meet at least 50% of the requirement as a minimum	Form FIN – 3.1,
		(b) The Bidder shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.	Must meet requirement	must meet requirement.	N / A	must meet requirement	Form FIN – 3.1,
		(c) The audited balance sheets or, if not required by the laws of the Bidder’s country, other financial statements acceptable to the Employer, for the last 5 years (ending FY 2021-22) shall be submitted and must demonstrate the current soundness of the Bidder’s financial position and indicate its prospective long-term profitability.	Must meet requirement	Must meet 100% of the requirement	must meet requirement	N/A	Form FIN – 3.1,
2.3.2	Annual Average Turnover	Minimum average annual turnover of INR 27.810 Crs (Twenty seven Crores eighty one Lacs) , calculated as total certified payments received for contracts in progress and/or completed within the last five financial years, divided by five years. ending 31 st march 2021-22	Must meet requirement	Must meet 100% requirement	Must meet at least 15% of the requirement as a minimum such that all partners combined meet 100% of the requirement.	Must meet at least (50%) as a minimum	Form FIN - 3.2

2.4 Experience

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture where permitted			Submission
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2.4.1	General Dredging Experience	<p>Experience under construction contracts for similar works such as those pertaining to General Dredging Experience in Ports / River / Lakes/ Canals/ Water Bodies / River Management of Vessel, Manning of Vessel or Vessel related Marine Works or Wet excavation in Dams</p> <p>a.River Dredging and management of dredging materials.</p> <p>b.Dredged material used in reclamation of port / harbour will also be considered.</p> <p>in the role of contractor, JV / consortium member, sub-contractor, or management contractor during at least the last seven [7] years ending last day of month prior to the bid submission deadline (FY 2021-22)</p>	Must meet requirement	Must meet requirement	Must meet at requirement	N/A	Form EXP – 4.1
2.4.2 (a)	Specific Dredging Experience	<p>Bidder should have successfully completed as a prime contractor, JV member⁴, management contractor or sub-contractor, minimum</p> <p>a) Three similar works each costing not less than INR 12,36,02,368.00 Or Dredged Quantity of 3,41,764.00 cum OR</p> <p>b) Two similar works each costing not less than INR 15,45,02,960.00 Or Dredged Quantity of 4,27,205.00 cum OR</p> <p>c) One similar work costing not less than INR 24,72,04,736.00 Or Dredged Quantity of 6,83,528.00 cum</p> <p>For the purpose of completed works, The value of the completed contract for similar works should not be less than 80% of the contract value. A certificate</p>	Must meet requirement	Must meet requirement	Must meet balance requirement in such a way that all partners combined together shall meet 100% of requirement.	Must meet requirement for one contract of 50%	Form EXP 4.2(a). The contractor should have borne responsibility for execution of works to the extent he claims experience. A contractor should not claim experience for the works he has never executed.

⁴ For contracts under which the Bidder participated as a joint venture member or sub-contractor, only the Bidderr's share, by value, shall be considered to meet this requirement

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		for on going works from the employer stating the Value ⁵ of the work & 80 % completion has been achieved shall be considered as completed and certificate of employer in this regard stating percentage of completion shall be submitted.					
2.4.2 (b)	The value of the similar work where 80% of contract value is paid will be considered for evaluation purposes as Complete. <i>In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated</i>						
2.4.2 (c)	Specific Experience in managing ES aspects	For the contracts in 2.4.2 (a) above and/or any other contracts [substantially completed and under implementation] as prime contractor, joint venture member, or Subcontractor between 1st January [insert year] and Application submission deadline, experience in managing ES risks and impacts in the following aspects: [Based on the ES assessment,]	Desirable	Desirable	Desirable	Desirable	Form EXP – 4.2 (c)
2.4.2 d	<p><i>Bidders who meet the minimum qualification criteria will be qualified only if their available bid capacity for construction work is equal to or more than the total bid value of the work. The available bid capacity will be calculated as :- Assessed Available bid capacity⁶ = (A*N*1.5-B)</i></p> <p><i>Where,</i></p> <p><i>A = Maximum value of civil engineering works executed in any one year during the last five years (updated to the price level of the financial year 31 March2022 (end of Gol's Financial Year) at the rate of 5% per year), taking into account the completed as well as works in progress).</i></p> <p><i>N = Number of years prescribed for completion of the works for which bids are invited (period up to 6 months to be taken as half-year and more than 6 months as one year).</i></p> <p><i>B = Value, at the current price level, of existing commitments on on-going works to be completed during the period of completion of the works for which bids are invited.</i></p> <p><i>Note: the statements in Section IV showing the value of existing commitments of on-going works as well as the stipulated period of completion remaining for each of the works listed should be countersigned by the Engineer in charge, not below the rank of an Executive Engineer or equivalent.</i></p>						
2.4.3 Quality Requirements							
2.4.3 a	ISO 9001-2008/2015 quality Management system requirement	Valid - Quality Management Certificate issued by the International Organization for Standardization	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid ISO 9001 Certification. Form

⁵ At FY 2021-22 price level. Cost of completed works of previous years shall be given weightage @5% per year based on rupees value to bring them to the price level of the financial year in which bids are received.

⁶ During technical evaluation, the available bid capacity will be calculated and compared with the estimated cost. After opening of the Financial bids (Part – II) and during the financial evaluation, the bid capacity will be further validated with discovered price.

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2.4.3 b	OHSAS 18001 - Occupational Health and Safety Assessment Series or Equivalent	Valid - Relevant OHSAS certificate and Experience in occupational health and safety management	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid OHSAS certificate. Or Equivalent
2.4.3 c	ISO 14001: 2004 / 2015 Environmental Management System	Valid - Relevant Environmental management certificate and experience with environmental management systems.	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Valid ISO 14001:2004/2015 certificate.