

MAHARASHTRA METRO RAIL CORPORATION LIMITED

Name of Work : Providing Man Power Services to Maharashtra Metro Rail Corporation Limited

Tender No. N1-HR-05/2022

Date: 22-Feb-2022

Corrigendum - I

S.No.	Clause No./ Page No.	Clause Description	Query	Maha-Metro Reply
1	Section 3: Eligibility Criteria 3.2 – Minimum Eligibility Criteria	“The bidder will be qualified only if it has experience of executing ***Similar Work qualifying either of the following:.... ***Similar Work: “Providing of qualified & skilled manpower for Technical/ Clerical/Office Support work for any department of the Government of India/ Any State Government/ Statutory Bodies/ PSUs/Companies listed in Stock Markets during the period of 5 years ending last day of the month previous to the one in which the bids are invited (i.e. during the last 5 years ending 31.01.2022).”	(a). Please specify the minimum number of manpower supplied under single order. (b). Also, please consider excluding experience of providing manpower to the companies listed on stock market as there is scope for getting forged certificates from such entities.	(a) Tender Condition prevail (b) Experience certificate issued by a Private Corporate listed in BSE/NSE, should accompany TDS Certificate / GST paid statement against the work done, duly certified by Chartered Accountant with UDIN.
2	Section 4: Evaluation Criteria Stage I - Technical evaluation of Proposals: (Maximum Marks=100)	Point D – “Number of qualified man power on roll, Number of qualified manpower on roll, in Skilled and Qualified category”	Corresponding clause is not included in “Eligibility criteria”. Please include the requirement of minimum manpower on roll in the “Eligibility Criteria” along with documentary evidence required to prove such manpower onroll. Accordingly, Section 8 – List of Documents of the Tender Document should be altered to include documents such as latest EPF challan/ ESI Challan/ Declaration from HR etc. in support of number of manpower on roll.	No change in eligibility criteria, however following added in Evaluation criteria under Stage-I : D In support of this, the bidder shall submit relevant Paid PF ECR (Electronic Challan cum Return) or Any relevant statutory evidence This criterion will help in evaluating the Capability of the bidder to provide the manpower readily and management of the human resources.
3	Section 4: Evaluation Criteria Stage I - Technical evaluation of Proposals: (Maximum Marks=100)	Point E –“Facilities (infrastructure with qualified and expert manpower) for testing / screening, recruitment and training & skill development of personnel, (Proof of such facilities in terms of Photographs, List of experts engaged by the bidders shall be enclosed with the Technical Bid)”	This criterion is vague. Please clarify the exact expectation and categorically specify the document required for the same.	Provisions in bid document are self explanatory. Tenders for similar nature of work have been successfully concluded in past using the same criteria
4	Section 4: Evaluation Criteria Stage I - Technical evaluation of Proposals: (Maximum Marks=100)	Point F –“Power Point Presentation a) Infrastructure with qualified and expert manpower (Max. 2 Marks) b) Client Base (Max. 2 Marks) c) Track Record (Max. 2 Marks) d) General Administration (Max. 2 Marks) e) Training Module (Max. 2 Marks)”	This criterion gives ample scope for manipulation. Further, it makes the evaluation process more subjective. Hence, we request you to exclude this clause and carry evaluation purely on the basis of standard documentation.	Tender condition prevails Tenders for similar nature of work have been successfully concluded in past using the same criteria



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5	Section 4: Evaluation Criteria Stage I - Technical evaluation of Proposals: (Maximum Marks=100) Break up of	"Marks for S.No. F and F above will be awarded based on the bidder's submission."	It should be S.No. E and F. These points make the evaluation process subjective and opaque.	Typo error corrected as under: "Marks for S.No. E and F above will be awarded based on the bidder's submission"
6	Section 4: Evaluation Criteria Stage II - Financial evaluation of Proposals: (Maximum Marks=100)	"The bidder may quote different % for categories of manpower (NS-I, NS-II A, NS-II, NS III, NS-IV, NS-V & NS-VI) described in Financial Bid."	This clause contradicts with the summary sheet of the financial bid. Corresponding space for quoting separately for each category has not been provided in the financial bid. Request you either alter the financial bid document or delete this clause.	Example given in the bid document is for illustration purpose only. Bidders shall quote a single % as per provision of Financial Bid.
7	Section 4: Evaluation Criteria Stage II - Financial evaluation of Proposals: (Maximum Marks=100)	"The agency will be finally ranked as per Combined and final weighted score & the agency which scores highest marks shall be proposed for award of the work."	We request that financial evaluation be done solely on the basis of quoted percentage instead of combining estimated cost + quoted percentage. This is because, when the gross quoted amount is converted to 30% (of the combined weightage), the bidder who scores less in "technical evaluation" but has the lowest financial bid, will not score well if 70-30 are taken combined. Besides, as mentioned earlier S. No. E and F of the Technical Evaluation Criteria makes evaluation process subjective, which may adversely impact the healthy competition amongst serious and deserving bidders.	Tender condition prevails Tenders for similar nature of work have been successfully concluded in past using the same criteria
8	Cl. 3.1/ Pg 51	The tenders for this contract will be considered only from those firms, partnership firms, companies, corporations)	To limit the liability of risk of project, kindly allow only Private Limited /Limited companies to bid. Proprietorships and partnerships to be banned because they are non - legal entities.	Tender condition prevails
9	Cl. 3.2 C/ Pg 51	Similar Work: "Providing of qualified & skilled manpower for Technical/ Clerical/ Office Support work for any department of the Government of India/ Any State Government / Statutory Bodies/PSUs/ Companies listed in Stock Markets during the period of 5 years' ending last day of the month previous to the one in which the bids are invited (i.e. during the last 5 years ending 31.01.2022)	Kindly do not allow manpower experience from Housekeeping and Security services since these services are purely of unskilled/ semi - skilled category and do not come under 'qualified & skilled manpower for Technical/ Clerical/ Office Support work'. Requesting you to kindly amend the definition of similar services suitably.	Defination of ***Similar Work is self explanatory



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10			Request the blacklisting clause mentioned in the tender is contradictory. Please request to amend the clause where the bidder should not be blacklisted in last 05 years and remove the line 'such blacklisting should not be effective on the date of Bid Submission.'	It is further clarified that only those bidders are eligible who have not been blacklisted by any Govt. Department/PSU/Local Bodies/ Autonomous Bodies etc. during last 5 years irrespective of tenure of blacklisting.
11			Request to remove this clause of Discounts from tender Under Financial Bid. quote not to be 'zero percent'. However, this point is contradictory with discounts clause, since any bidder will quote service charges more than zero and under quote with providing discount on the entire contract value, thus affecting the overall contract	Please refer ITB Clause No. 14.1 of Bid Data Sheet. & Note No. 3 at Summary Sheet of Financial Bid. It is reiterated again that quoted price shall not be negative or zero. Any quote below 1 % shall be treated as one percent.
12			Taking into account the scope of work, request for capping of service charges @ 5% which will help to maintain the standard of the contract and avoid dilution of services.	Tender condition prevails
13			As per tender document, stamp duty & registration of contract is with the Contractor But, this is a huge financial burden and request this cost as part of the estimated cost of tender.	Tender condition prevails
14			We are registered under MSME policy and as per govt. notification, MSME firms have the benefit of exemption from Tender cost & EMD payments. In tender document, MSME exemption is provided only for EMD payment. Please clarify	Please refer ITB Clause No. 19.2 of Bid Data Sheet. No exemption is admissible for Cost of Bid Document
15			Penalties: This request is to modify the clause that instead of replacement, the contractor should take care that the due to leave / absence of the concerned personnel, work should not be affected.	Tender condition prevail
16			Form B - Please consider latest ITR in place of latest income tax clearance certificate	Bidder may submit latest ITR
17			Also we request to pay bonus to staff on monthly basis which will help the personnel to have increased net salary every month	Tender condition prevails (Refer Clause No. 8 of 6.1 : General of Section-6



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18			The termination of the contract to be on mutually discussed basis.	Tender condition prevails
19			In Evaluation criteria point B. we request to consider completed as well as ongoing contracts experience	Tender condition prevails. It is further clarified that LOA /Work Order or R/A bills or Final Bills are not acceptable as valid experience certificate.
20			In Evaluation criteria, point E & F. it is observed that the marks for quality related points are on the lower side, please request to consider 20 marks for each points	Tender condition prevails
21			We request for an extension of time period for 15-18 working days from the last date of submission of bid (i.e., 15-18 working days from 16.02.2022) which will help the bidders to prepare & submit a competitive bid / the most optimal proposal.	Any change in bid schedule (if any) shall be notified through separate Corrigendum on eTender Portal of the Maha Metro.
22	Tender document; Page No. 51; Section 3 – Eligibility Criteria; Clause 4; Blacklisting:		We request the Authority to please amend the criteria since the clause mentions that ‘no bidder should be blacklisted for 05 years and if blacklisted, the blacklisting should not be in effect at the time of submission of bid’ which is contradictory and implies that any bidder blacklisted in past 05 years can bid. We request to amend the clause as follows: ‘The Tenderer must not have been blacklisted or deregistered by any Metro Rail Organization/ Government departments/ Public Sector/ Municipal Corporations / Government Educational institutes during last 5 years’	It is further clarified that only those bidders are eligible who have not been blacklisted by any Govt. Department/PSU/Local Bodies/ Autonomous Bodies etc. during last 5 years irrespective of tenure of blacklisting.



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23	Tender document; Page No. 31; Section 2 – ITB; Clause No. 14.7; Stamp duty towards registration of Contract agreement:		The cost of stamp duty will be a financial strain on the contractor and will affect the overall performance / quality of the contract and also taking into account the current COVID situation and the overall slowdown. Hence, we request your esteemed authority to kindly consider the stamp duty & registration of contract agreement under the estimated cost of the tender before service charges and not to be part of the administrative charges, taking into account the overall overhead costs of the contract.	Tender condition prevails.
24	Tender document; Page No. 54; Section 4 – Evaluation Criteria; Clause B:	Similar Work Experience in single contract during last five (05) years as per Minimum Eligibility Criteria given in Clause 3.2 of Section 3 (Eligibility Criteria): 'Value of single completed contract'	We request to consider & insert the ongoing contracts along with the completed contract experience as well in the above criteria.	Tender condition prevails.
25	Tender document; Page No. 53; Section 4 – Evaluation Criteria; Clauses E & F – Training Infrastructure & Presentation:		Reference above clauses, we request to kindly consider 20 marks for each of the clauses (E & F) since both the above clauses give an insight into the quality of the bidder and his alignment to the services as enumerated in this contract.	Tender condition prevails.
26	Tender document; Page No. 11; Section 2 – ITB; Clause No. 14; Bid Prices & Discounts:		We would like to direct your attention to – Tender document – Financial Bid; Notes (Clause 3) states that – 'The quote cannot be Zero or Minus (Negative).' Taking the above into account, bidders will quote service margin more than zero percent, however there is a margin of abnormally low quotes / underquote by using the discount clause on the overall cost of the contract. This will lead to abnormally low quotes and will further damage the integrity of the contract through under performance and non-compliance in terms of contractual obligations. Hence, we request your esteemed authority to delete this clause.	Please refer ITB Clause No. 14.1 of Bid Data Sheet & Note No. 3 at Summary Sheet of Financial Bid. It is reiterated that the quoted price shall not be negative or zero. Any quote "below 1 %" shall be treated as "one percent".



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27	Tender document; Page No. 61; Section 6 – Conditions of Contract; Clause No. 5; Termination of the Contract:		<p>The termination of the contract should not be with immediate effect. In case of any acts / reasons falling for termination of contract, we request the authority to kindly incorporate the following:</p> <p>a. There should be a formation of SIT. b. The causes for termination to be presented to SIT. c. The Contractor should be given a fair chance of presenting the facts. d. Taking into account the magnitude of contract, due consideration should be given before termination.</p>	Tender condition prevails.
28	Financial Bid; GST:		<p>This is to bring to your kind information that the GST @ 18% has been loaded on the cost excluding administrative charges. Kindly request to amend the same.</p>	Tender condition prevails.
29	Tender document; Page No. 52; Section 3 – Eligibility Criteria; Clause 3.7 – Other Criteria:		<p>The bidder should have valid ISO 9001:2008 and OHSAS 18001.</p> <p>We would like to bring to your kind attention that the OHSAS 18001 certification has been replaced by ISO 45001:2018. Kindly request to change the same.</p>	Any relevant & valid certificates equivalent to certificates mentioned in tender document shall be considered for evaluation purpose.
30	Tender document; Page No. 62; Section 6 – Conditions of Contract; Clause No. 8; Payment of Bonus:		<p>Please request to make the payment of bonus on monthly basis.</p>	Tender condition prevails (Refer Clause No. 8 of 6.1 : General of Section-6



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31	Payment of Salary by Service Provider, Pg.61 (Conditions of Contract)	Payment of salary by Service Provider: The Service Provider shall ensure that the salary to the persons so employed is made by 7th day of the succeeding month at least @ Minimum wages (As described in Section-2 ITB & Section-9 Financial Bid), including the Dearness Allowance, notified by the Government of Maharashtra from time to time. The payments shall be made by bank transfer or in the respective premises of the Maha Metro, if need be. Evidence of payment shall be submitted at HR department of Maha- Metro every month.	Which Minimum wages will be applicable? Will it be Central, State or Both? Please clarify.	Wages shall be as per Minimum Wages Act & OM of Government of Maharashtra (Refere clause no. ii of 6.4 : Financial of Section -6)
32	Satutory Obligations, Pg. 61 (Conditions of Contract)	Point 7: Statutory Obligations: The Service Provider is required to deposit a valid license from the competent licensing authority under the provisions of Contract Labor (Regulation and Abolition) Act 1970 and Contract Labor (Regulation and Abolition) Central Rules, 1971 as applicable for State of Maharashtra and enacted and amended time to time by Govt. of Maharashtra, within 30 days of the date of the award of the contract. If the Service Provider refuses to provide license for any reason whatsoever or fails to deposit the license within the stipulated period of 30 days, the contract shall automatically stand terminated unless condoned by Maha-Metro and the Maha-Metro shall be at liberty to recover: losses, if any, from the Service Provider	We have office set-up in Mumbai, Can we manage this contract with shops and establishment registration. Please clarify.	i. Bidder registered under shop & estalishment act can also participate in this bid. ii. As per ITB 1.1 (Bid Data Sheet) successful bidder has to establish office at Nagpur iii. Successful bidder has to obtain all statutory licesnce pertaining to this work and as per the Law/Act & directives of Govt. Of Maharashtra.
33	pg. 62 (Conditions of Contract)	Point 12: For interview and skill test, the Service Provider has to send a list of candidates three times of the requirements (3x1) within a week's time from the date of placement of the requisition	One Week's time is less, Please consider time of two months.	Tender condition prevail
34	pg. 63 (Conditions of Contract)	Point 15: The copies of appointment letter issued to the personnel deployed in the Maha-Metro shall be provided to the Maha-Metro	In how many Days we have to Submit the appointment Letter to Maha-Metro?	Within three days



(Handwritten signature)

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35	6.4 Financial, Pg. 67 (Conditions of Contract)	Point 6.4 (iii): The successful bidder will have to deposit a Performance Security @ 3% (Three Percent) of the awarded value of the work within 15 days of the receipt of the formal order/LOA before the signing of contract agreement. The performance security will be furnished in the form of Bank Guarantee Of Scheduled Commercial Bank having business office in India & drawn in favour of Maharashtra Metro Rail Corporation Ltd. The performance security should remain valid for a period of 60 days beyond the date of completion of all the contractual obligations of the supplier	Please consider One Month for depositing performance security	Tender condition prevails
36	5.4 Work description of outsourced Man Power, Pg. 60 (Scope of Work)	The outsourced staff provided by successful bidder (Service provider) under the categories described above shall be deployed at any office of Maha-Metro or any site of Maha Metro as per requirement & discretion of Maha-Metro. The outsourced staff or service provides shall not have any claim or preference of place of deployment.	Point 5.5: Place of deployment - Only Nagpur or Pune. Also. Please confirm, cost for trasporation & other charges (Stay & Allowances), if any staff transferring from one place to other place can be claimed to MAHA Metro with overhead charges.	Please refer sub clause 5.3 & Clause No. 5.5 of Section-5 of the Bid Document. The outsourced staff is for Nagpur and for Pune Location only and no intercity transfer is permitted. However in special circumstances the outsourced staff may be tranfered to other city at the descretion of Maha-Metro. In this circumstances the travel expenses (mode & class decided by Maha-Metro) shall be reimbursed.
37	5.3 The successful has to supply the services of following manpower, pg 58 (Scope of Work)	The Service Provider should have an office in Nagpur or shall established an office at Nagpur within 15 days from date of issue of LOA in the event of award of the work. The office shall be headed by a senior & competent person for better & efficient coordination.	We have office set-up in Mumbai, Can we manage this contract from Mumbai , Please clarify	Tender condition prevails



NAGPUR METRO

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38	ITB 35.5, Pg. 39 (BDS)	<p>As per OM No, F 9/4/2020-PPD, Dt. 12.11.2020, Ministry of Finance, Department of Expenditure, Procurement Policy Division, Government Of India. (No provision should be kept in Bid Document regarding Additional Security Deposit / Bank Guarantee (BG) in case of Abnormally Low Bid) Hence following pertains to ABG is not applicable to this tender.-</p> <p>If bidder's quoted price is lower than the 10% of the estimated cost of the proposed work, Additional Bank Guarantee (APG) at the rate of 10% of the difference of the lowest allowable limit of quoting and quoted price by the bidders is to be furnished along with the normal performance bank guarantee (PBG). Additional Performance Guarantee (APG) shall be calculated as under:-</p> <p>A=Estimated cost of the work; B=Quoted price by the bidder; Difference of cost, C=A-B, if $C > (10\%A)$, then $APG = (C-10\%A) \times 10/100$</p> <p>However, such bid may be accepted by employer solely at their discretion, after going through the cost analysis submitted by the bidder and finding it workable.</p>	Please clarify this point in detail	Additional Bank Guarentee (ABG) is not applicable to this Tender



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39	3.2 Minimum Eligibility Criteria, Pg. 51 (Eligibility Criteria)	<p>The bidder will be qualified only if it has experience of executing ***Similar Work qualifying either of the following:</p> <p>a) Bidder must have experience of executing at least One ***Similar Work for a minimum period of one year, with annual receipts not less than Rs. 5.89 Crore (excluding GST/Service Tax) form this work. Or</p> <p>b) Bidder must have experience of executing at least Two ***Similar Works for a minimum period of one year each, each with annual receipts not less than Rs. 3.68 Crore (excluding GST/Service Tax). Or</p> <p>c) Bidder must have experience of executing at least Three ***Similar Works for a minimum period of one year each, each with annual receipts not less than Rs. 2.94 Crore (excluding GST/Service Tax)</p> <p>***Similar Work: "Providing of qualified & skilled manpower for Technical/ Clerical/ Office Support work for any department of the Government of India/ Any State Government / Statutory Bodies/PSUs/ Companies listed in Stock Markets during the period of 5 years' ending last day of the month previous to the one in which the bids are invited (i.e. during the last 5 years ending 31.01.2022). An experience certificate should contain type of Manpower and total amount of the work done along with contact address of the Employer.</p>	<p>We have supplied Train Operational Staff for State Government , Please clarify are we considered eligible for this contract.</p>	<p>Please refer the defination of *** Similar Works in Section-3, which is self explanatory</p>
40			<p>MSME exemption is provided only for EMD payment, but applies to both cost of tender & EMDpayments. Please clarify</p>	<p>Tender condition prevails</p>



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41			Request the Blacklisting point to be revised since it is conflicting. Please standardise / fix the clause that no bidder should be blacklisted in last 05 years otherwise blacklisted bidders will be able to participate.	It is further clarified that only those bidders are eligible who have not been blacklisted by any Govt. Department/PSU/Local Bodies/ Autonomous Bodies etc. during last 5 years irrespective of tenure of blacklisting.
42			Discount clause is not relevant for this tender taking into account the overall tender scope. Request to remove this clause which will give margin for underperformance of the contract.	Please refer ITB Clause No. 14.1 of Bid Data Sheet & Note No. 3 at Summary Sheet of Financial Bid. It is reiterated that the quoted price shall not be negative or zero. Any quote "below 1 %" shall be treated as "one percent".
43			Request to keep the Admin. Charges ceiling to be between 5 – 8% taking into account the overheadcost involved in the tender.	Tender condition prevails
44			Request to keep stamp duty & registration of contract value as part of the tender final cost before admin charges as this is a financial burden to contractor or reimburse the amount.	Tender condition prevails
45			We request to consider bonus monthly instead of annual payment.	Tender condition prevails (Refer Clause No. 8 of 6.1 : General of Section-6
46			We request to modify the termination clause with mutual discussion between the parties.	Tender condition prevails
47			Please request to consider latest ITR / Income tax clearance certificate in Form B-1.	Bidder may submit latest ITR
48			Request to change the points for Evaluation criteria – Point E & F – Training Infrastructure & PPT to 20 marks each. The given marks are insufficient taking into account the overall company experience & quality.	Tender condition prevails
49			Please consider Leave with Wages & Gratuity in the estimated cost of contract.	Cannot be acceded to.
50			Please request to consider completed /ongoing contracts in Evaluation criteria – Point B & value to consider till 31.01.2022 for ongoing contracts.	Tender condition prevails. It is further clarified that LOA /Work Order or R/A bills or Final Bills are not acceptable as valid experience certificate



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51			We request to provide an extension of 15-18 days from the date of submission for submitting a proper proposal.	Any change in bid schedule (if any) shall be notified through separate Corrigendum on eTender Portal of the Maha Metro.
52	SECTION 3: Clause No. 3.7 -	The bidder should have valid ISO 9001:2008 and OHSAS 18001,	but ISO 9001:2008 is closed and have to consider ISO 9001:2015.	Any relevant & valid certificates equivalent to certificates mentioned in tender document shall be considered for evaluation purpose.
53	SECTION 4: Breakup of Marks for Stage-1 Evaluation. Clause C:	Number of years in business in manpower supply	It Should Be Consider 1 to 10 Years	Tender condition prevails

