

**M/s HLL Infra Tech Services Ltd. (HITES)**  
**(Subsidiary of HLL Lifecare Ltd, A Government of India Enterprise)**

HITES/IDN/NIV-JAMMU/2023-24 /Amendment-04

07.03.2024

**Name of the work:** Construction of ICMR, BSL-3 Laboratories and Other Infrastructure Facilities at Village Jagti, Jammu on Design, Engineering, Procurement and Construction on (EPC) basis.

**Ref:** Tender No. HITES/IDN/NIV-JAMMU/2023-24 dated 09.02.2024  
 Amendment-01 HITES/IDN/NIV-JAMMU/2023-24 /Amendment-01 dated 20.02.2024  
 Amendment-02 HITES/IDN/NIV-JAMMU/2023-24/Amendment-02 dated 28.02.2024  
 Amendment-03 HITES/IDN/NIV-JAMMU/2023-24 /Amendment-03 dated 05.03.2024

**The Amendment 04 shall be treated as part of e-tender to be uploaded online duly signed and stamped along with e-tender:**

**A. Amendment -04 to Existing e-Tender Clauses:**

S. No.	Tender Document/ Section No.	Clause/ Sub Clause/Page no.	Existing Clause/Tender Provision	Amended Clause/Provision
1.	Notice Inviting E-Tender , Section I	Vol. I, 1.4. Eligibility Criteria,  Clause 1.4.1 Page No-14  Clause 1.4.2 Page No-15 & 16	1.4.1 The Tenderer should meet the following minimum eligibility criteria: ..... .....  1.4.2 The following shall also be considered while assessing the eligibility of the bidder: ..... .....	Please refer amended clause 1.4.1 and 1.4.2 as Annexure- A
2.	Notice Inviting E-Tender , Section I	Vol. I, Clause 1.2  a) Construction work Page No-19	a. CONSTRUCTION WORKS:  a) Should have satisfactorily completed any building works with RCC Framed Structure including civil, electrical, plumbing works all executed under one agreement during the last 7 years ending last day of the month previous to the one in which tenders are invited. This work may be a part of the above given eligible works or as a separate work, as follows:	The clause is stand deleted.

S. No.	Tender Document/ Section No.	Clause/ Sub Clause/Page no.	Existing Clause/Tender Provision	Amended Clause/Provision
			<p>Three completed work costing not less than Rs. 17.70 Crores</p> <p style="text-align: center;">Or</p> <p>Two completed work costing not less than Rs. 22.12 Crores</p> <p style="text-align: center;">Or</p> <p>One completed work costing not less than Rs. 35.40 Crores</p> <p style="text-align: center;">AND</p> <p>b) Turnover: Average annual financial turnover should be Rs. 13.27 Crores during the immediate last three consecutive financial year ending 31st March, 2023.</p> <p>The turnover should be of the Bidding Company and not for Group Company or subsidiary company etc. ITRs for the last three years to be submitted.</p> <p>The multiplication factor of 7% per annum simple interest is applicable on the Annual financial turnover figures.</p> <p>Note: If the Bidder does not have the above required experience of having completed any building works with RCC Framed Structure as stated above, the Bidder shall associate with and engage a Construction company who shall meet the above requirement. A joint undertaking (MOU) by the parties shall be submitted. The bidder shall also submit the credentials of Construction Company meeting above eligibility criteria.</p>	
3.	Notice Inviting E-Tender , Section I	<p>FORM – H UNDERTAKING (FOR SPECIALIZED AGENCY), Clause a. For engaging contractor for construction works:</p>	<p>For engaging contractor for construction works: Should have satisfactorily completed any building works with RCC Framed Structure including civil, electrical, plumbing works all executed under one agreement during the last 7 years ending last day of the month previous to the one in which tenders are invited. This work may be a part of the above given eligible works or as a separate work, as follows:</p> <p>Three completed work costing not less than Rs. 17.70 Crores</p> <p style="text-align: center;">Or</p> <p>Two completed work costing not less than Rs. 22.12 Crores</p> <p style="text-align: center;">Or</p> <p>One completed work costing not less than Rs. 35.40 Crores</p>	The clause is stand deleted.

S. No.	Tender Document/ Section No.	Clause/ Sub Clause/Page no.	Existing Clause/Tender Provision	Amended Clause/Provision
			AND Turnover: Average annual financial turnover should be Rs. 13.27 Crores during the immediate last three consecutive financial year ending 31st March, 2023. The turnover should be of the Bidding Company and not for Group Company or subsidiary company etc. ITRs for the last three years to be submitted. The multiplication factor of 7% per annum simple interest is applicable on the Annual financial turnover figures.	
4.	Notice Inviting E-Tender , Section I	Vol. I, Page No-4	Last Date & time of Submission of Bids is 13.03.2024 at 11.00 a.m.	Last Date & time of Submission of Bids is 27.03.2024 at 11.00 a.m.
5.	Notice Inviting E-Tender, Section I	Clause 1.2 table 1, Sl. No. 12 & 13, Vol. I, Page No-14	Last Date & time of Submission of Bids is 13.03.2024 at 11.00 a.m.	Last Date & time of Submission of Bids is 27.03.2024 at 11.00 a.m.
			Date & time of opening of Technical Bids through e-tender portal 14.03.2024 at 3:00 pm	Date & time of opening of Technical Bids through e-tender portal 28.03.2024 at 3:00 pm

**Important Note:**

1. The above Amendment -04 shall form part of the Tender Document and is to be submitted duly stamped signed by the applicants along with their Application.
2. All other terms & condition of Tender document remains unchanged.
3. For Corrigendum/amendments etc. please refer websites [www.hllhites.com](http://www.hllhites.com), e-Procurement System at NIC's (CPP Portal) <https://etenders.gov.in>. Regularly, separate advertisement will not be made for the same.

Vice President (ID)  
M/s HLL Infra Tech Services Ltd. (HITES)

**END OF AMENDMENT -04**

## 1.4 Eligibility Criteria

### 1.4.1 The Tenderer should meet the following minimum eligibility criteria:

a) **Experience:**

- a.1) Should have satisfactorily completed building works with RCC Framed Structure of at least G+2 including civil, electrical, plumbing works all executed under one agreement during the last 7 years ending last day of the month previous to the one in which tenders are invited, as follows:

Three completed work costing not less than **Rs. 17.70 Crore**

Or

Two completed work costing not less than **Rs. 22.12 Crore**

Or

One completed work costing not less than **Rs. 35.40 Crore**

**AND**

- a.2) Experience of having successfully completed setting up of High Containment Laboratory (BSL-3 or BSL-4) during the last seven years ending last day of the month previous to the one in which tenders are invited, as follows:

Three BSL-3 or BSL-4 works each having laboratory area of not less than **60 SqM.**

Or

Two BSL-3 or BSL-4 works each having laboratory area of not less than **90 SqM.**

Or

One BSL-3 or BSL-4 work having laboratory area of not less than **120 SqM.**

The completed High Containment Laboratory (BSL-3 or BSL-4) laboratory work shall include specialized internal walls, ceiling and finishing works, HVAC works, Electrical Works, HEPA filters in containment housing, Containment barrier double door autoclave with bio-seal, Effluent decontamination system, Building management system, CCTV system, Access Control system, Walk-thru-shower system and associated works. Only fully completed, validated and functional BSL-3 or BSL-4 laboratory works shall be considered.

Note: For the purpose of area calculations of completed BSL-3 or BSL-4 Laboratories, only the containment including Effluent decontamination plant area shall be considered. Areas outside containment space like AC plant room, external corridors, AHU rooms, electrical rooms etc. shall not be considered. If required, physical verification of the facility shall be done by HITES/Client.

- b) In this Tender **Joint Venture/Consortium is allowed (Joint Venture/Consortium to have maximum of 2 members only)**. The Lead Member of the Joint Venture shall be and have Experience as specified at Sl. No. a.2 above.
- c) **Turnover:** Average annual financial turnover should be Rs. 13.27 Crore during the immediate last three consecutive financial year ending 31st March, 2023. The turnover should be of the Bidding Company and not for Group Company or subsidiary company etc. ITRs for the last three years to be submitted.

The multiplication factor of 7% per annum simple interest is applicable on the Annual financial turnover figures.

Duly filled Form T-1 certified by CA to be submitted. Turnover shall be duly audited & certified by a Chartered Accountant with his seal / signatures and registration number with UDIN.

- d) **Profit/loss:** The bidder should not have incurred any loss (Profit After Tax should be positive) in more than two years during the last Five years ending FY 2022-23. This should be duly certified by the Chartered Accountant with his seal / signatures and firm registration number.
- e) **Credit Limit:** Should have an available credit limit of at least Rs. 4.42 Crores, certified by his bankers for this work. Banker's certificates (as prescribed in Form T-1 B) in the current financial year, should be on letter head of the Bank, addressed to tender inviting authority issued after publication of tender.
- f) The bidder or the associate agency shall have at-least one completed work of BSL-3 Laboratory certified by Department of Bio-Technology (DBT).
- g) The bidder shall submit an affidavit that 'The work, if awarded to us, subcontractors / specialized agencies will be employed for specialized works only after getting the concurrence/approval of HITES' as per prescribed format (Form "H").

**1.4.2 (A) The following shall also be considered while assessing the eligibility of the bidder:**

- (i) The bidder should be an Indian firm
- (ii) Experience should be in the name of the bidding company and not in subsidiary/ associate company/ Group Company etc.
- (iii) Similar work executed in any Joint Venture / Consortium will also be considered in proportion to the value of work of the partner as per JV / Consortium agreement.
- (iv) Work of specialized E&M services (to be specified), if executed under a separate contract by the applicant may also be considered for the purpose of assessing the technical competence only without adding its monetary value for determining the eligibility criteria.
- (v) The value of executed works shall be brought to current costing level by enhancing the actual executed value of work at simple interest rate of 7% per annum; calculated from the date of completion to previous day of last date of submission for bids.
- (vi) If there are number of buildings in a similar work, then minimum one building should satisfy the definition of similar work.
- (vii) For the purpose of no. of stories- each basement, stilt constructed in the building shall be construed as a storey. Mumty and Machine room shall not be considered as a storey for this purpose.
- (viii) Own works / work under the same management / own certification of the bidder shall not be considered.

- (ix) In case the work experience is of Private sector the completion certificate shall be supported with copies of Corresponding TDS Certificates.
- (x) For the purpose of similar works, works executed in India only shall be considered. For foreign work, the bidder shall submit the completion certificate duly certified by concerned embassy in India.
- (xi) The value of executed work shall be brought to current costing level by enhancing the actual value of the work at simple rate of 7% per annum, calculated from the date of completion to previous day of last date of submission of bid.
- (xii) The value of annual turnover figures shall be brought to current value by enhancing the annual turnover figure at simple rate of 7% per annum.

#### **1.4.2 (B) Norms for JV/ Consortium**

In cases where the Bidders are consortium, they shall have to comply with the following additional requirements:

- i. The members of the JV/consortium shall enter into a JV/consortium agreement among themselves expressing their intention to act as joint bidders for submission of bid and to enter into contract with HITES and to carry out all the obligation under the contract. The JV/consortium agreement amongst others shall specifically mention the responsibility of members, the member who will act as Lead member and both the members of consortium shall be jointly and severally liable for the performance of the contract. The consortium agreement shall be governed by the laws of India and shall be subject to the jurisdiction of Indian Court only.
- ii. Duly notarized copy on a non-judicial stamp paper of appropriate value of consortium agreement shall be submitted along with the /Proposal/Bid failing which, the /Proposal/Bid shall be declared as non-responsive and summarily rejected.
- iii. The Members of the JV/Consortium shall nominate one member as the Lead Member. The nomination shall be supported by a duly notarized Power of Attorney as per format given below and should be signed by all the members on a non-judicial stamp paper of appropriate value.
- iv. All the members of the JV/Consortium shall be jointly and severally liable for the execution of the Project
- v. Consortium to have maximum of TWO members only
- vi. In case of a consortium/JV, each member of the consortium should not have incurred any loss in more than two years during the available last five consecutive financial years ending 31st March, 2023. The standalone Balance sheets, Statement of Profit & Loss Account and Notes to Accounts should be duly audited and certified by a Chartered Accountant with his seal / signatures and firm registration number.
- vii. **Turnover:** In case of a consortium, **turnover** of each member are to be shown. Turnover shall be duly certified by a Chartered Accountant with his seal / signatures and registration number.

Cumulative average annual financial turnover of Consortium/JV should be as per clause no. 1.4.1 c) above

- viii. In case of a consortium, Credit Limit of Consortium/JV combined should be as per clause no. 1.4.1 e) above.
- ix. No bidder either individually or as part of a JV/Consortium shall submit more than one proposal for the proposed work. A bidder, applying either individually or as part of a Consortium shall not be entitled to submit another proposal either individually or as a member of any consortium, as the case may be.
- x. In case of a JV, the BG towards performance security shall be provided by all partners in proportion to their participation in the project.
- xi. If JV is successful in the Bid, the Contract will be awarded in the name of JV. The JV agreement should be executed within 15 days of receipt of Letter of Acceptance and the JV Agreement duly registered in accordance with law so as to be legally valid and binding on the members. The JV shall also open a Bank account in the name of JV and all payments due to the JV shall be credited by the Employer to that account only. To facilitate statutory deductions such as towards Income Tax, etc. made from the amounts due to the JV being credited to the concerned Government Departments, the JV shall arrange to obtain in the name of JV, PAN/TIN etc. as required.
- xii. Bid submitted by a Joint Venture of two or more firms as Partners/Members shall be accompanied by the following documents: A copy of Joint Venture MOU/Agreement duly notarized so as to be legally valid and binding on all the Partners/Members and incorporating the following provisions should be uploaded:
  - a. The Bid and, in case of a successful Bid, the Agreement shall be signed so as to be legally binding on all Partners/Members.
  - b. One of Partners/Members shall be nominated as being in charge and this authorization shall be evidenced by submitting Power of Attorney signed by legally authorized signatories of all the Partners/Members.
  - c. The Partner-in-charge/Lead Member shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners/members of the Joint Venture and entire execution of the Contract, shall be done exclusively with the Partner in charge.
  - d. All the partners of the Joint Venture shall be liable jointly and severally for the execution of the contract in accordance with the Contract terms and a statement to this effect shall be included in the authorization through a Power of Attorney in favour of the Partner-in-charge/Lead Member as well as in the Bid and in the Agreement (in case of a successful bid).
  - e. Indication of the precise responsibility of all the Partners/Members of the Joint Venture in respect of planning, design, construction equipment, key personnel, work execution and financing of the Project duly indicating the percentage in financing of JV by each Partner.
  - f. All partners/members of the JV shall comply with the provisions in the Integrity Pact and any violation of the Pact by any partner/member shall be construed as a violation by the JV.

**Format for Declaration of the Lead Member**

WHEREAS M/s HLL Infra Tech Services Ltd. (HITES) has invited Bids from the interested parties for providing -----.

ANDWHEREAS, the members of the Joint Venture/ Consortium are interested in bidding for the Project and implementing the Project in accordance with the terms and conditions of the Tender document, Notice Inviting e-Tenders (NIT) & Instructions to Bidders (ITB)), General Conditions of Contract, Specific Conditions of Contract, Design Basis Report, Technical Specifications, Tender Drawings and Financial Bid and other connected documents in respect of the Project, and

ANDWHEREAS, it is necessary under the Tender document for the members of the Joint Venture/ Consortium Bidder to designate one of them as the Lead Member with all necessary power and authority to do for and on behalf of the Joint Venture/ Consortium bidder, all acts, deeds and things as may be necessary in connection with the Consortium Bidder's proposal for the Project.

NOW THIS DELARATION WITNESSETH THAT;

We, M/s. -----, M/s ----- M/s. -----and

M/s..... (the respective names and addresses of the registered office) do hereby designate M/s.....being one of the members of the Joint Venture/ Consortium, as the Lead Member of the Joint Venture/ Consortium, to do on behalf of the Joint Venture/ Consortium, all or any of the acts, deeds or things necessary or incidental to the Consortium's Application/ Bid for the Project, including submission of Application/ Bid, participating in conferences, responding to queries, submission of information/ documents and generally to represent the Joint Venture/ Consortium in all its dealings with HITES, any other Government Agency or any person, in connection with the Project until culmination of the process of bidding and thereafter till the completion of the Contract.

We hereby agree to ratify all acts, deeds and things lawfully done by Lead Member, pursuant to this Power of Attorney and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us/Consortium.

Dated this the .....Day of .....2024

..... (Executants)

(To be executed by all the members of the Joint Venture/ Consortium Bidder)

Note:

- ◆ *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.*
- ◆ *This Power of Attorney should be provided on non-judicial stamp paper duly notarized of appropriate value.*