

REQUEST FOR EXPRESSIONS OF INTEREST (CONSULTING SERVICES – FIRMS SELECTION)

No.HORC-48/REOI/2020/01

Date: 20 July, 2020

Country: INDIA

Name of Project: HARYANA ORBITAL RAIL CORRIDOR PROJECT

Project No: 000370

**Assignment Title: General Consultancy Services for Haryana Orbital Rail Corridor (HORC)
From Palwal to Sonipat via Sohna, Manesar and Kharkhoda in the State of
Haryana.**

Reference No: HORC/GC/2020/01

The Government of Haryana (GoH) has applied for financing from the Asian Infrastructure Investment Bank (AIIB) towards the cost of the Haryana Orbital Rail Corridor Project and intends to apply part of the proceeds for the consulting services. The project is being implemented by Haryana Rail Infrastructure Development Corporation Limited (HRIDC), JV Company of Ministry of Railways (MoR) and Govt. of Haryana (GoH).

The objective of the consulting services (the “Services”) is to provide General Consultancy Services for successful planning, basic & detailed designs, preparation of specifications, preparation of proposal documents and tender assistance, checking designs, project management and supervision including construction supervision, safety, quality and environmental management, interface management, testing and commissioning of the Haryana Orbital Rail Corridor (HORC) (the “Project”). The planning shall include O&M phase as well. The draft Terms of Reference (TOR) is available at www.hridc.co.in and E-procurement portal of Government of Haryana <https://etenders.hry.nic.in>.

HRIDC now invites eligible consulting firms (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The minimum eligibility criteria are:

A. Experience of similar assignments: The Consultant must have completed/ substantially completed following “Eligible work(s)” during the last Ten (10) years, ending last day of month previous to the one in which tender is invited:

- i) At least one “Eligible Composite Work” (i.e. work including components of Civil Engineering, Electrical & OHE works and Signaling & Telecommunication (S&T) works) of value not less than equivalent INR 420 million (Civil Engg - INR 315 million, Electrical & OHE - INR 63 million and S&T - INR 42 million),

OR

- ii) At least two “Eligible Composite Works” (i.e. works including components of Civil Engineering, Electrical & OHE works and Signalling & Telecommunication (S&T)

works) each of value not less than equivalent INR 280 million (Civil Engg - INR 210 million, Electrical & OHE - INR 42 million and S&T - INR 28 million),

OR

- iii) At least three “Eligible Composite Works” (i.e. works including components of Civil Engineering, Electrical & OHE works and Signalling & Telecommunication (S&T) works) each of value not less than equivalent INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million)

AND

- B.** The consultant must have experience of at least two MDB financed projects.

AND

- C. Financial Performance:** Submission of audited financial data for the last five (5) years to demonstrate the current soundness of the Consultant’s financial position and its prospective long term profitability with the following as minimum criteria: *Profit after tax (PAT) during any two (2) years out of last five (5) years should be positive.*

AND

- D. Average Annual Turnover from Consultancy related Activities:** Average annual turnover should be at least INR 350 million as total certified payments received from contracts in progress or completed within last Five (5) Financial Years.

AND

- E. Net worth:** The Consultant should have a positive Net worth. This will be judged from the audited balance sheet data of the last financial year ending on a date not prior to 18 months from the date of submission of REOI.

Notes for ‘A’:

- i. *“Eligible Works” shall mean: Consultancy work as “Project Management Consultant/ General Consultant” for a new railway line or gauge conversion of a railway line or doubling / tripling / quadrupling of a railway line or modern rail-based mass rapid transit system excluding LRT/ TRAM/ Monorail Systems”.*
- ii. *Substantially completed work(s) shall mean: The work(s) where the Consultant has completed 90% of the work in the scope which shall be supported by Client’s Certificate.*
- iii. *Separate Completed/Substantially completed works of minimum required values for each component shall also be considered for fulfillment of experience of similar assignments*
- iv. *The Completed works/ Substantially completed works shall include detailed design experience and Construction supervision experience covering all the three components i.e. Civil Engineering (Earthwork, Bridges, Tunnels, Track works), Electrical & OHE (SCADA, OCS, TPS) and S&T.*
- v. *In case of a foreign consultant (either as a single entity or as a Lead Member in a JV/Consortium), the foreign consultant must have completed/substantially completed at least one “Eligible Composite Work” (i.e. work including components of Civil Engineering, Electrical & OHE works and Signalling & Telecommunication (S&T) works) of value not less than equivalent*

INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million) outside his country of origin during the last ten years, ending last day of month previous to the one in which tender is invited, in addition to the above requirement.

- vi. *Only work executed as consultant to the Employer shall be considered/ evaluated. Works executed as sub-consultant to a consultant shall not be considered.*
- vii. *Where the work in fulfilment of criteria at 'A' above, is undertaken by a group (Joint Venture or Consortium), only that portion of the work which is undertaken by the concerned consultant shall be considered and the remaining done by the other members of the group shall be excluded. This is to be substantiated with documentary evidence such as JV/ Consortium agreement clearly giving the scope of work of each member of JV/ Consortium or a Completion Certificate issued by the client.*

Expression of Interest (EOI) submitted by the Consultant must include the following:

- a) Introductory letter on the letter head (with complete contact details – name of contact person, mailing address, telephone, fax, e-mail etc.) explaining how the Consultant is best suited to deliver the task;
- b) Consultant's Information Sheet as per **Annexure-C**
- c) Organization profile of the Consultant;
- d) Details of relevant similar projects undertaken in the past ten (10) years as per **Annexure-D**
- e) Annual reports for the last five (5) financial years as per **Annexure-E**;
- f) Short note on the similar projects implemented by the Consultant pertaining to the eligibility criteria indicated above; and
- g) Power of Attorney for Authorized Signatory of Single Entity/Joint Venture/Consortium Members as per **Annexure-F**
- h) Affidavit for Blacklisting/Banning as per **Annexure-G**
- i) Joint Venture/Consortium forms (if applicable) as per **Annexure-H**

The EOI should contain sufficient supporting documents to substantiate the claim of the Consultant towards their qualification as per the shortlisting criteria.

The attention of interested Consultants is drawn to Section II, paragraph 4.4, and paragraph 4.9 of the AIIB's "Procurement Instructions for Recipients" June 2, 2016, setting forth the AIIB's policy on conflict of interest and eligibility. A copy of this document can be downloaded from the website of AIIB (www.aiib.org).

Consultants may be a single entity or a Joint Venture (JV) with not more than five (5) JV partners and with minimum of 10% participation of each. Consultants may associate with other firms to enhance their qualifications but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected. In case of JV/ Consortium, change in constitution or percentage participation shall not be permitted at any stage after the EOI submission,

otherwise the Consultant shall be treated as non-responsive. The eligibility Criteria for JV/Consortium is detailed out in **Annexure-A**.

A Consultant will be selected in accordance with the Quality-Cost Based Selection (QCBS) method set out in the Procurement Instructions for Recipients.

Expression of Interest (EOI) must be uploaded online on the E-procurement portal of Government of Haryana <https://etenders.hry.nic.in> not later than 15:00 hrs on 17 August, 2020. Scanned copy of the EOI, uploaded by the Consultant, shall be clear & readable. However, Authority reserves the right to ask for the hard copy/clarification on the documents/credentials already submitted by the Consultant which he has to submit within 7 days of receipt of letter.

The submitted EOIs by the Consultants will be evaluated based on the shortlisting criteria as detailed out in **Annexure B**. Top six (6) Consultants will get shortlisted based on the maximum score gained in their respective EOIs.

Further information can be obtained through correspondences at the address below during office hours i.e. 09:30 to 18:00 hours:

Deputy General Manager (Projects)

Haryana Rail Infrastructure Development Corporation Limited,

SCO 17-18-19, 3rd Floor,

Sector-17A, Chandigarh - 160017, India

Tel: 0172-2715644

E-mail: hridc2017@gmail.com

Website: www.hridc.co.in

Eligibility Criteria for JV/ Consortium

1. Experience of similar assignments

- (i) The technical eligibility (i.e. experience of similar assignments) for each component of work as per para ‘A’ above, shall be satisfied by either the ‘JV in its own name & style’ or ‘lead member of the JV’. Each other member of JV shall have technical capacity of minimum 10% of the cost of any component of work i.e., each JV member must have satisfactorily completed during the last Ten (10) years, ending last day of month previous to the one in which tender is invited, one similar single work for a minimum of 10% of cost of any component of work.

OR

- (ii) The technical eligibility (i.e. experience of similar assignments) for major component of work (i.e Civil Engineering works) as per para ‘A’ above, shall be satisfied by either the ‘JV in its own name & style’ or ‘lead member of the JV’ and technical eligibility for other components of work as per para ‘A’ above, shall be satisfied by either the ‘JV in its own name & style’ or ‘any member of the JV’. Each other member of JV shall have technical capacity of minimum 10% of the cost of any component of work. i.e., each JV member must have satisfactorily completed during the last Ten (10) years, ending last day of month previous to the one in which tender is invited, one similar single work for a minimum of 10% of cost of any component of work.

AND

- (iii) The experience of at least two MDB financed projects as per para ‘B’ above shall be satisfied by either the ‘JV in its own name & style’ or ‘lead member of the JV’.

Note:

- (a) *The Major component of the work for this purpose shall be the component of work having highest value (i.e. Civil Engineering works).*
- (b) *Value of a completed work done by a Member in an earlier JV shall be reckoned only to the extent of the concerned member's share in that JV for the purpose of satisfying his/her compliance to the above-mentioned technical eligibility criteria in the REOI under consideration.*
- (c) *For Scoring, experience in similar assignments shall be jointly applicable to all the members of Joint Venture/ Consortium.*

2. Financial Eligibility Criteria

Each member of the JV/ Consortium shall satisfy the requirement of “Financial Eligibility” mentioned at para ‘C & E’ above. In case, if any member of Joint Venture/ Consortium fails to meet these requirements, the EOI shall not be evaluated further for scoring.

For average annual turnover mentioned at Para ‘D’ above, the individual “financial capacity” of all the members of JV/ consortium shall be reckoned based on percentage participation of each member to satisfy this requirement.

Example: Suppose a JV/ Consortium has 3 members – Member-1, Member-2 and Member-3. Let Member-1 has percentage participation = X%, Member-2 has percentage participation = Y% and Member-3 has percentage participation = Z%. Let the average annual turnover from Consultancy in last Five (5) Financial Years of Member-1 is ‘A’, that of Member-2 is ‘B’ and that of Member-3 is ‘C’, then the average annual turnover of JV/Consortium as a whole will be calculated as per the formula $\{(A*X) + (B*Y) + (C*Z)\}/100$.

Note:

- (a) Contractual payment received by a Member in an earlier JV shall be reckoned only to the extent of the concerned member's share in that JV for the purpose of satisfying compliance of the above mentioned financial eligibility criteria in the REOI under consideration.*
- (b) Scoring against financial capacity shall be arrived based on the above formula.*

Shortlisting Criteria

S.No.	Criteria	Marks
	Requirement	
1	Experience in providing Project Management Consulting/ General Consulting Services for Railway Projects of at least 5 years	Yes/No
2	Profit after tax (PAT) during any two (2) years out of last five (5) years should be positive	Yes/No
3	The Consultant should have a positive Net worth during the last financial year ending on a date not prior to 18 months from the date of submission of REOI	Yes/No
4	Experience in Similar Assignments (Highest attainable score 70 marks)	
i.	At least one Substantially completed “Eligible Composite Work” of value not less than equivalent INR 420 million (Civil Engg - INR 315 million, Electrical & OHE - INR 63 million and S&T - INR 42 million) Or At least two Substantially completed “Eligible Composite Works” each of value not less than equivalent INR 280 million (Civil Engg - INR 210 million, Electrical & OHE - INR 42 million and S&T - INR 28 million), Or At least three Substantially completed “Eligible Composite Works” each of value not less than equivalent INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million)	35
ii.	At least one Completed “Eligible Composite Work” of value not less than equivalent INR 420 million (Civil Engg - INR 315 million, Electrical & OHE - INR 63 million and S&T - INR 42 million) Or At least two Completed “Eligible Composite Works” each of value not less than equivalent INR 280 million (Civil Engg - INR 210 million, Electrical & OHE - INR 42 million and S&T - INR 28 million), Or At least three Completed “Eligible Composite Works” each of value not less than equivalent INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million)	39
iii.	For every additional one Substantially completed “Eligible Composite Work” of value not less than equivalent INR 420 million (Civil Engg - INR 315 million, Electrical & OHE - INR 63 million and S&T - INR 42 million)	9
iv.	For every additional one Completed “Eligible Composite Work” of	10

	value not less than equivalent INR 420 million (Civil Engg - INR 315 million, Electrical & OHE - INR 63 million and S&T - INR 42 million)	
v.	For every additional one Substantially completed “Eligible Composite Works” of value not less than equivalent INR 280 million (Civil Engg - INR 210 million, Electrical & OHE - INR 42 million and S&T - INR 28 million),	4.5
vi.	For every additional one Completed “Eligible Composite Works” of value not less than equivalent INR 280 million (Civil Engg - INR 210 million, Electrical & OHE - INR 42 million and S&T - INR 28 million),	5
vii.	For every additional one Substantially completed “Eligible Composite Works” of value not less than equivalent INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million)	3
viii.	For every additional one Completed “Eligible Composite Works” of value not less than equivalent INR 210 million (Civil Engg - INR 157.5 million, Electrical & OHE - INR 31.5 million and S&T - INR 21 million)	3.33
5	Financial Capacity (Average Annual turnover from Consultancy in last Five (5) Financial Years) (Highest attainable score 30 marks)	
i.	Having Average Annual Consultancy Turnover \geq INR 350 million and upto INR 400 million	15
ii.	For every additional INR 50 million of Average Annual Consultancy Turnover above INR 400 million	1
	Total	100

**A consultant is required to obtain minimum score of 50 for being considered for next stages*

Form CIS (1): Consultant's Information Sheet

Consultant's Information		
Consultant's legal name		
Consultant's country of constitution		
Consultant's year of constitution		
In case of JV/ Consortium, state the countries and year of constitution of each member)		
Status of the Consultant	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company / Joint Venture / Consortium (Please tick one)	
In case of JV/Consortium, Legal name of each partner with percentage participation (also provide information of each member in separate sheet)	Legal name of JV/Consortium member	% participation
	1	
	2	
	3	
	4	
	5	
Name of Lead Member of JV/Consortium		
Consultant's legal address in country of constitution and in India		
Consultant's authorized representative (name, address, telephone numbers, fax numbers, e-mail address)		

SIGNATURE OF AUTHORIZED SIGNATORY
ON BEHALF OF CONSULTANT

The following documents shall be submitted with this form: (by each member in case of JV/consortium):

- a) Affidavit in case of Proprietary firm.
- b) Partnership Deed in case of partnership firm.
- c) Memorandum & Article of Association in case of a Public/Private limited company.
- d) In case of JV/Consortium, MoU (duly notarized) entered into by the joint venture/ consortium members, containing intended percentage participation, nomination of Lead Member and division of responsibility to clearly define the work of each member etc.
- e) Authorization/ POA in favour of authorized signatory of Consultant to sign the EOI and also in favour of authorized representative of each member in case of JV/Consortium.

Note: Consultant's authorized representative shall be deemed to have authority of the Consultant to receive and deliver any correspondence and attend meetings with the Employer related to the REOI.

FORM – CIS (1.1) JV/ CONSORTIUM MEMBER INFORMATION	
MEMBER – 1	
JV/Consortium Member's Legal Name	
Legal status of the Member	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company (Tick any one)
Member's country of constitution	
Member's legal address, telephone numbers, fax numbers, email address)	
Member's authorized representative (name, designation, address)	
MEMBER – 2	
JV/Consortium Member's Legal Name	
Legal status of the Member	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company (Tick any one)
Member's country of constitution	

Member's legal address, telephone numbers, fax numbers, email address)	
Member's authorized representative (name, designation, address)	
MEMBER – 3	
JV/Consortium Member's Legal Name	
Legal status of the Member	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company (Tick any one)
Member's country of constitution	
Member's legal address, telephone numbers, fax numbers, email address)	
Member's authorized representative (name, designation, address)	
MEMBER – 4	
JV/Consortium Member's Legal Name	
Legal status of the Member	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company (Tick any one)
Member's country of constitution	
Member's legal address, telephone numbers, fax numbers, email address)	
Member's authorized representative (name, designation, address)	
MEMBER – 5	
JV/Consortium Member's Legal Name	
Legal status of the Member	Sole Proprietorship Firm / Partnership Firm / Private Limited Company / Public Limited Company (Tick any one)
Member's country of constitution	

Member's legal address, telephone numbers, fax numbers, email address)	
Member's authorized representative (name, designation, address)	

SIGNATURE OF AUTHORIZED SIGNATORY
ON BEHALF OF CONSULTANT

FORM 1 (A): Summary of “Eligible Works” Experience

Consultants legal name..... Date.....

Group Member’s legal name.....Page of pages

Name of Consultant (each member in case of JV/ Consortium)	Name of Work	Name of Client, address, telephone no, email address	Date of Award of Contract	Date of Completion	Value of Contract

**Details of each Eligible Work shall be submitted as per Form 1(C)*

SIGNATURE OF AUTHORIZED SIGNATORY
ON BEHALF OF CONSULTANT

FORM 1 (B): Summary of works in hand (on going) with the Consultant/ JV/Consortium

Consultants legal name..... Date.....

Group Member's legal name.....Page of pages

Name of Consultant (each member in case of JV/ Consortium)	Name of Work	Name of Client, address, telephone no, email address	Date of Award of Contract	Value of Contract	Completion Period	Percentage of completion

SIGNATURE OF AUTHORIZED SIGNATORY
ON BEHALF OF CONSULTANT

FORM 1 (C): Specific Work Experience

Fill up one form per contract of similar size and nature			
Contract No.		Contract Identification	
Award Date		Completion Date	
Role in Contract	<input type="checkbox"/> Consultant <input type="checkbox"/> Member of JV/ Consortium <input type="checkbox"/> Sub-Consultant		
Type of Project (New line/Gauge Conversion/Doubling/Tripling/Quadrupling/Metro)	<i><To be selected only from definition of eligible works></i>		
Total Contract Value (INR Cr)			
Component wise Value (INR Cr)	Civil Works:		
	OHE and General Electrical works:		
	Signal & Telecommunication works:		
Work undertaken in the project	<input type="checkbox"/> Civil works <input type="checkbox"/> OHE and General Electrical works <input type="checkbox"/> Signal & Telecommunication works		
Location of the Services			
Total length of railway line built	Route Km:	Track Km:	
No. of bridges built and their length	Major:	Minor:	Rail Flyover:
Total Length of Tunnel, if any (Km)			
Earthwork done in m³	In cutting:	In filling:	
Total length of OHE works	Route Km:	Track Km:	

No of Stations in which Signal and Telecommunication works were carried out		
If partner in a JV or consortium specify participation in total contract value	Percentage of Total:	Amount (INR):
Employer's Name, Current Address and Current Telephone/Fax Number, E-mail		
Description of the similarity with "Eligible Works" in accordance with Notes for criteria 'A' defined above		

Notes:

1. The Consultant shall attach a copy of the Certificate(s) issued by the Employer in support of the information being furnished in each Form 1 (C). In case the work is executed for private client, copy of work order, bill of quantities, bill wise details of payment received certified by Chartered Accountant, T.D.S certificates for all payments received and copy of final/ last bill paid by client shall also be submitted.

SIGNATURE OF AUTHORIZED SIGNATORY
ON BEHALF OF CONSULTANT

Form FIN-1: Financial Situation

NAME OF CONSULTANT: _____

(To be submitted by single entity/ each partner in case of Joint Venture/ Consortium)

	Financial Data for Last 5 Years [Indian Rupees]				
	Year 1	Year 2	Year 3	Year 4	Year 5
1.Total Assets					
2. Current Assets					
3. Total Liabilities					
4. Current Liabilities					
5. Net Worth [= 1 – 3]					
6. Working Capital [= 2 - 4]					
7. Profit After Tax (PAT)					

SEAL AND SIGNATURE OF THE CONSULTANT

Certified that all figures and facts submitted in this form have been furnished after full consideration of all observations/notes in Auditor's reports.

(Signature of CA/Auditor)

Name of CA/Auditor: _____

Registration No: _____

(Seal)

1. The Consultant shall note following:

- All such documents reflect the financial situation of the Consultant and not sister or parent companies.
- Historic financial statements must be audited by a certified accountant.
- Historic financial statements must be complete, including all notes to the financial statements.
- Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

2 The above format duly filled in to be submitted in respect of each partner in case of JV/ Consortium.

3. If the above figures in an individual year are in a currency other than INR, then the same shall be converted to INR.

FORM FIN-2- Annual Turnover for the last 5 years

Each Consultant or each member of a JV/Consortium must fill in this form separately:

NAME OF CONSULTANT/JV/CONSORTIUM PARTNER:

Annual Turnover Data for the Last 5 Years (consultancy related activities only)			
Year	Amount Currency	Exchange Rate	Indian Rupees Equivalent

1. Contents of this form should be certified by a Chartered Accountant/Auditor.

FORMAT FOR POWER OF ATTORNEY FOR AUTHORISED SIGNATORY OF SINGLE ENTITY/JOINT VENTURE /CONSORTIUM MEMBERS

POWER OF ATTORNEY*

(To be executed on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper to be in the name of the company who is issuing the power of Attorney)

Know all men by these presents, we..... do hereby constitute, appoint and authorise Mr/Ms. who is presently employed with us and holding the position ofas our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our EOI for the work of(name of work) Including signing and submission of all documents, withdrawal, substitution and modification of EOI and providing information/ responses to Haryana Rail Infrastructure Development Corporation Ltd., representing us in all matters, dealing with Haryana Rail Infrastructure Development Corporation Ltd. in all matters in connection with our EOI for the said project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney 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.

Dated this the day of 20..

(Signature of authorised Signatory)

.....

(Signature and Name in Block letters of Signatory)

Seal of Company

Witness

Witness 1:

Name:

Address:

Occupation:

Witness 2:

Name:

Address:

Occupation:

*Notes:

- i) To be executed by single entity and all the partners/members individually, in case of a Joint Venture/ Consortium.

- ii) 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 executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.

**FORMAT FOR AFFIDAVIT TO BE SUBMITTED BY CONSULTANT
ALONG WITH THE EOI***

*(To be executed in presence of Public Notary on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper has to be in the name of the consultant)***

I **(Name and designation)****..... appointed as the attorney/authorized signatory of the consultant (including its constituents), M/s. _____ (hereinafter called the consultant) for the purpose of the EOI for the work of _____ as per the REOI No. _____ of HRIDC, do hereby solemnly affirm and state on behalf of the consultant including its constituents as under:

1. We understand that Employer requires that consultants, sub-consultants and Contractors must observe the highest standard of ethics during the procurement and execution of such contracts. We confirm and undertake that we including our constituents, any subconsultants for any part of the contract directly or otherwise have not been/ shall not be engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract.

We understand that the Employer will reject our EOI at any stage if it determines that we have directly or otherwise, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the contract and will sanction a party or its successor, including declaring ineligible, either indefinitely or for a stated period of time, to participate in Employer's activities, if it at any time determines that the firm has, directly or otherwise, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing a contract of the Employer;

2. That the consultant or any of its constituents and/ or subconsultant included in the EOI has not been Blacklisted/ banned for business dealings for with Ministry of Railways (MoR) and/or State Government of Haryana (GoH) along with any of its attached and subordinate offices or by any Government Joint Venture rail infrastructure organizations in India through an order issued by MoR and/ or GoH or by any of the attached and subordinate offices or by any Government Joint Venture rail infrastructure organizations in India or by Ministry of Commerce at any time and/or no such blacklisting is in force as on the deadline for submission of EOI.
3. That none of the previous contracts of the consultant or any of its constituents had been terminated for the consultant's failure by MoR and/ or GoH along with any of its attached and subordinate offices or by any Government Joint Venture rail infrastructure organizations in India at any time starting from 2 years before the deadline for submission of EOI.
4. That the Consultant or any of its constituents is neither Bankrupt/ Insolvent nor is in the process of winding-up nor such a case is pending before any Court on the deadline of submission of the EOI.
5. That the name of the Consultant or any of its constituents is not on the list of "Poor Performer" of MoR and/ or GoH along with any of its attached and subordinate offices or by any Government Joint Venture rail infrastructure organizations in India, as on the deadline for submission of EOI.
- 6.# We declare that financial data for last five financial years including that for the latest concluded financial year are being submitted duly certified by Chartered Accountant / Company Auditor.

OR

We declare and certify that financial data for the latest concluded financial year has not been finalized till date and that is why we are furnishing financial data for last 04 financial years ignoring the latest concluded financial year.

(# - Delete whichever is not applicable)**.

7. We declare and certify that we have not made any misleading or false representation in the forms, statements and attachments in proof of the qualification requirements.
8. We declare that the information and documents submitted along with the EOI by us are correct and we are fully responsible for the correctness of the information and documents, submitted by us.
9. We understand that in case we cease to fulfill the requirements of qualifying and eligibility criteria at any time after opening of EOI and till shortlisting of Consultant, it will be our bounden duty to inform the Employer of our changed status immediately and in case of our failure to do so, our EOI shall be rejected. In case such failure comes to the notice of Employer at any time after award of the contract, it will lead to termination of the contract and forfeiture of EOI. We shall also be liable for Banning of Business dealings by the Employer up to a period of five years.
10. We understand that if the contents of the affidavit are found to be false at any stage during EOI evaluation, it will lead to rejection of our EOI. Further, we *[insert name of the consultant]*** _____ and all our constituents understand that we shall be liable for banning of business dealings up to a period of five years by the Employer.
11. We also understand that if the contents of the affidavit are found to be false at any time after the shortlisting of the consultant, it will lead to termination, forfeiture of EOI and Banning of Business dealings of the Consultant and all its constituents for a period of upto five years by the Employer.

(DEPONENT)

SEAL AND SIGNATURE OF THE CONSULTANT

Verification:

Verified on _____ day of _____ at _____ that the contents of the above-mentioned affidavit are true and correct and nothing material has been concealed there from.

(DEPONENT)

SEAL AND SIGNATURE OF THE CONSULTANT

* *To be executed by single entity and each member in case of JV/Consortium.*

** *The contents in Italics are only for guidance purpose and details as appropriate, are to be filled in suitably by Consultant.*

Attestation before Magistrate/Public Notary

Form JV-1

PROFORMA LETTER OF PARTICIPATION FROM EACH MEMBER OF JOINT VENTURE /CONSORTIUM

(On each Partner’s Letter Head)

No....

Dated

From:

.....

To:

Deputy General Manager (Projects)
Haryana Rail Infrastructure Development Corporation Limited (HRIDC),
SCO 17-18-19, 3rd Floor,
Sector-17A, Chandigarh, India
Tel: 0172-2715644
E-mail: hridc2017@gmail.com

Dear Sir,

Re: ...“[Insert name of work].....”.

Ref: Your Request for Expressions of Interest

- 1. We wish to confirm that our company/ firm (delete as appropriate) has formed a Joint Venture/Consortium by name of for the purposes associated with REOI.

(Members who are not the lead member of the JV /Consortium should add the following paragraph)*.

- 2. ‘The JV/Consortium is led by whom we hereby authorise to act on our behalf for the purposes of submission of EOI for (name of work) and authorise to incur liabilities and receive instructions for and on behalf of any and all the members or constituents of the Joint Venture/Consortium.’

OR

(Member(s) being the lead member of the group should add the following paragraph)*

- 3. ‘In this group we act as lead partner and, for the purposes of applying for qualification, represent the Joint Venture/Consortium:’

4. In the event of our group being awarded the contract, we agree to be jointly with (names of other members of our JV/Consortium)..... and severally liable to the Haryana Rail Infrastructure Development Corporation Ltd., its successors and assigns for all obligations, duties and responsibilities arising from or imposed by the contract subsequently entered into between Haryana Rail Infrastructure Development Corporation Ltd. and our JV/Consortium.
5. I/We, further agree that entire execution of the contract shall be carried out exclusively through the authorised representative of the JV/Consortium.

Yours faithfully,

(Signature)

(Name of Signatory)

(Capacity of Signatory)

Seal

Form JV-2

**FORMAT FOR POWER OF ATTORNEY TO
LEAD MEMBER AND AUTHORISED REPRESENTATIVE OF JOINT
VENTURE / CONSORTIUM**

(To be executed on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper to be in the name of the company who is issuing the power of Attorney)

POWER OF ATTORNEY¹

Whereas Haryana Rail Infrastructure Development Corporation Ltd. has invited EOIs for the work of

Whereas, the members of the Joint Venture/Consortium comprising of

1. M/s.,
 2. M/s.,
 3. M/s,
 4. M/s.
- and
5. M/s.....

are interested in submission of EOI for the work of[Insert name of work]

Whereas, it is necessary for the members of the Joint Venture/ Consortium to designate one of them as the Lead Member as the authorized representative, with all necessary power and authority to do, for and on behalf of the Joint Venture/ Consortium, all acts, deeds and things as may be necessary in connection with the Joint Venture/Consortium's EOI for the project.

NOW THIS POWER OF ATTORNEY WITNESSETH THAT:

We, M/s. (Lead Member), M/s _____, and M/s _____ hereby designate M/s., being one of the members of the Joint Venture/ Consortium, as the Lead Member of the Joint Venture/Consortium and designate Mr/Ms. _____ being authorized representative 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 Joint Venture/Consortium's EOI for the above work, including submission of EOI, withdrawal, substitution and modification of EOI, participating in conferences, responding to queries, submission of information/ documents and generally to represent the Joint Venture/ Consortium in all its dealings with the Employer or any other Government Agency or any person, in connection with the REOI for the said work until culmination of the process.

We hereby agree to ratify all acts, deeds and things lawfully done by Lead Member, our said attorney, 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/ Joint Venture/ Consortium.

Dated this the Day of 20.....

(Signature) (Signature)

(Signature)

(Signature)

.....

(Name in Block letters of all Executants with Seal of Company)

Witness 1:

Witness 2:

Name:

Name:

Address:

Address:

Occupation:

Occupation:

Notes:

1. To be executed by all the Members of the JV/Consortium.
2. 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 executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.