



## **Prequalification Document For**

### **Procurement Of**

DESIGN AND CONSTRUCTION OF CIVIL, STRUCTURES AND TRACK WORKS FOR DOUBLE LINE RAILWAY INVOLVING FORMATION IN EMBANKMENTS/CUTTINGS, BALLAST ON FORMATION, TRACK WORKS, BRIDGES, STRUCTURES, BUILDINGS, YARDS, INTEGRATION WITH IR EXISTING RAILWAY SYSTEM AND TESTING & COMMISSIONING ON DESIGN-BUILD LUMP SUM BASIS FOR MUGHALSARAI – NEW BHAUPUR SECTION (APPROX. 402 ROUTE KMS) OF EASTERN DEDICATED FREIGHT CORRIDOR.

### **Invitation for Prequalification No**

**ICB No.: HQ/EN/EC/D-B/Mughalsarai– New Bhaupur  
Dated : 11.04.2013**

**CONTRACT PACKAGES - 201 & 202**

### **Employer:**

**DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED**

**(A GOVERNMENT OF INDIA ENTERPRISE)**

**MINISTRY OF RAILWAYS**

**COUNTRY: INDIA**

**Issued on: 11.04.2013**

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# Section I. Instructions to Applicants

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## Section I. Instructions to Applicants

### A. General

- 1. Scope of Application**

1.1 In connection with the Invitation for Prequalification<sup>1</sup> indicated in Section II, Prequalification Data Sheet (PDS), the Employer, as defined in the **PDS**, issues this Prequalification Document (“Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to bid for the Works described in Section VII, Scope of Works. In case the Works are to be bid as individual contracts (i.e. the slice and package procedure), these are listed in the PDS. The International Competitive Bidding (“ICB”) number corresponding to this prequalification is also provided in the **PDS**.
- 2. Source of Funds**

2.1 The Borrower or Recipient (hereinafter called “Borrower”) indicated in the **PDS** has applied for or received financing (hereinafter called “funds”) from the International Bank for Reconstruction and Development or the International Development Association (hereinafter called “the Bank”) towards the cost of the project named in the **PDS**. The Borrower intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted. Payment by the Bank will be made only at the request of the Borrower and upon approval by the Bank, and will be subject, in all respects, to the terms and conditions of the loan (or financing) agreement. The loan (or financing) agreement prohibits a withdrawal from the loan (or credit) account for the purpose of any payment to persons or entities, or for any import of goods, if such payment or import, to the knowledge of the Bank, is prohibited by a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations. No party other than the Borrower shall derive any rights from the loan (or financing) agreement or have any claim to the proceeds of the loan (or credit).
- 3. Corrupt and Fraudulent Practices**

3.1 The Bank requires compliance with its policy in regard to corrupt and fraudulent practices as set forth in Section VI.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause its agents to permit the Bank to inspect all accounts, records and other documents relating to the submission of the Application, bid submission (in case prequalified), and contract performance (in the case of award), and to have them audited by auditors appointed by the Bank.
- 4. Eligible Applicants**

4.1 Applicants shall meet the eligibility criteria as per clause 5.1. For the purpose of applying the eligibility criteria listed in this Clause 4 and 5, references to the “Applicant” include all entities involved or

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<sup>1</sup> The Invitation for Prequalification (IFP) provided information for potential bidders to decide whether to participate, including the essential items listed in the Standard Prequalification Document and also any important or specialized prequalification requirements requested to qualify for the prequalification.

intended to be involved with the proposed Works (including all partners and any of their affiliates that directly or indirectly control, or are controlled by or are under common control with the firm), specialized sub-contractors, consultants, manufacturers or suppliers (as mentioned in Form ELI-1.2 Applicant's Party Information Form), and the personnel of each, for any part of the contract including related services.

- 4.2 An Applicant may be a firm that is a private entity, a government-owned entity—subject to ITA 4.9 - or a combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a bid) and during contract execution (in the event the JV is awarded the Contract). Unless specified in the **PDS**, there is no limit on the number of members in a JV.
- 4.3 A firm may apply for prequalification both individually, and as part of a joint venture, or as a sub-contractor. If prequalified, it will not be permitted to bid for the same contract both as an individual firm and as a part of the joint venture or as a sub-contractor. However, a firm may participate as a sub-contractor in more than one bid, but only in that capacity. Bids submitted in violation of this procedure will be rejected.
- 4.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a sub-contractor among them for the same contract. However, if prequalified only one prequalified applicant will be allowed to bid for the same contract. All bids submitted in violation of this procedure will be rejected.
- 4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. This criterion also shall apply to the determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services.
- 4.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications



or have been hired or proposed to be hired by the Employer or Borrower as Engineer for contract implementation of the works that are the subject of this prequalification.

- 4.7 An Applicant that has been sanctioned by the Bank in accordance with the above ITA 3.1, including in accordance with the Bank's Guidelines on Preventing and Combating Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants ("Anti-Corruption Guidelines"), shall be ineligible to be prequalified, to bid for, awarded a Bank-financed contract or benefit from a Bank-financed contract, financially or otherwise, during such period of time as the Bank shall have determined.
- 4.8 The list of debarred firms and individuals is available at the electronic address specified in the **PDS**.
- 4.9 Government-owned enterprises or institutions in the Employer's Country may participate only if they can establish that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not dependent agencies of the Employer<sup>2</sup>. To be eligible, a government-owned enterprise or institution shall establish to the Bank's satisfaction, through all relevant documents, including its Charter and other information the Bank may request, that it: (i) is a legal entity separate from the government (ii) does not currently receive substantial subsidies or budget support; (iii) operates like any commercial enterprise, and, inter alia, is not obliged to pass on its surplus to the government, can acquire rights and liabilities, borrow funds and be liable for repayment of its debts, and can be declared bankrupt; and (iv) is not bidding for a contract to be awarded by the department or agency of the government which under their applicable laws or regulations is the reporting or supervisory authority of the enterprise or has the ability to exercise influence or control over the enterprise or institution.
- 4.10 An Applicant shall not be under suspension from bidding by the Employer as the result of the execution of a Bid-Securing Declaration.
- 4.11 An Applicant shall provide such evidence of eligibility satisfactory to the Employer, as the Employer shall reasonably request.

## 5. Eligibility

- 5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible if (a) as a matter of law or official regulations, the Borrower's country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works or services required; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any import of goods or contracting of works or services from that country, or any payments to any country,

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<sup>2</sup> Other than Force Account units, as permitted under paragraph 3.9 of the Procurement Guidelines

person, or entity in that country.

## **B. Contents of the Prequalification Document**

### **6. Sections of Prequalification Document**

6.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 8.

#### **PART 1 Prequalification Procedures**

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. Eligible Countries
  
- Section VI. Bank Policy – Corrupt and Fraudulent practices

#### **PART 2 Works Requirements**

- Section VII. Scope of Works

6.2 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Employer shall prevail.

6.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

### **7. Clarification of Prequalification Document and Pre-Application Meeting**

7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer's address indicated in the **PDS**. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Employer shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Employer, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Employer shall also promptly publish its response at the web page identified in the **PDS**. Should the Employer deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.

7.2 If indicated in the **PDS**, the prospective Applicant's designated

representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned in the **PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Document.

- 7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Document. Any modification to the Prequalification Document that may become necessary as a result of the pre-Application meeting shall be made by the Employer exclusively through the use of an Addendum pursuant to ITA 8. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

**8. Amendment of Prequalification Document**

- 8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing an Addendum.
- 8.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all prospective Applicants who have obtained the Prequalification Document from the Employer. The Employer shall promptly publish the Addendum at the Employer's web page identified in the **PDS**.
- 8.3 To give prospective Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

### **C. Preparation of Applications**

- 9. Cost of Applications**
- 9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
- 10. Language of Application**
- 10.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the **PDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the **PDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.
- 11. Documents Comprising the Application**
- 11.1 The Application shall comprise the following:
- (a) Application Submission Form, in accordance with ITA 12.1;
  - (b) documentary evidence establishing the Applicant's eligibility, in accordance with ITA 13.1;
  - (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and
  - (d) any other document required as specified in the **PDS**.
- 11.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application
- 12. Application Submission Form**
- 12.1 The Applicant shall complete an Application Submission Form as provided in Section IV, Application Forms. This Form must be completed without any alteration to its format.
- 13. Documents Establishing the Eligibility of the Applicant**
- 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms).
- 14. Documents Establishing the Qualifications of the Applicant**
- 14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.
- 14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:
- For construction turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted) was

originally established.

Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified in the **PDS**. Any error in determining the exchange rates in the Application may be corrected by the Employer.

**15. Signing of the Application and Number of Copies**

- 15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.
- 15.2 The Applicant shall submit copies of the signed original Application, in the number specified in the **PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

**D. Submission of Applications**

**16. Sealing and Identification of Applications**

- 16.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- (a) bear the name and address of the Applicant;
  - (b) be addressed to the Employer, in accordance with ITA 17.1; and
  - (c) bear the specific identification of this prequalification process indicated in the PDS 1.1.
- 16.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

**17. Deadline for Submission of Applications**

- 17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline indicated in the **PDS**. When so specified in the **PDS**, Applicants have the option of submitting their Applications electronically, in accordance with electronic application submission procedures specified in the **PDS**.
- 17.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

**18. Late Applications**

- 18.1 The Employer reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**.

- 19. Opening of Applications**
- 19.1 The Employer shall open all Applications at the date, time and place specified in the **PDS**. Late Applications shall be treated in accordance with ITA 18.1.
- 19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS**.
- 19.3 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

### **E. Procedures for Evaluation of Applications**

- 20. Confidentiality**
- 20.1 Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.
- 20.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Employer on any matter related to the prequalification process (except as specified in 20.1 above), may do so only in writing.
- 21. Clarification of Applications**
- 21.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing.
- 21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Employer's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.
- 22. Responsiveness of Applications**
- 22.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.
- 23. Domestic Bidder Price**
- 23.1 Unless otherwise specified in the **PDS**, a margin of preference for domestic bidders<sup>3</sup> shall not apply in the bidding process resulting from

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<sup>3</sup> An individual firm is considered a domestic bidder for purposes of the margin of preference if it is registered in the country of the Employer, has more than 50 percent ownership by nationals of the country of the Employer, and if it does not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign contractors. JVs are considered as domestic bidders and eligible for domestic preference only if the individual member firms are registered in the country of the Employer, have more than 50 percent ownership by nationals of the country of the Employer, and the JV shall be registered in the country of the Borrower. The JV shall not subcontract more than 10

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**Preference** this prequalification.

- 24. Sub-contractors**
- 24.1 Unless otherwise stated in the **PDS**, the Employer does not intend to execute any specific elements of the Works by sub-contractors selected in advance by the Employer.
- 24.2 The Employer may decide to permit subcontracting for certain specialized works as indicated in Section III 4.2, Experience. The Employer may do so at its own initiative or at the request of the Applicants during the prequalification process (if justified). When subcontracting is permitted by the Employer, the specialized sub-contractors experience shall be considered for evaluation. Section III describes the qualification criteria for sub-contractors.
- 24.3 Applicants may propose subcontracting to the percentage of the total value of the contract or the volume of works mentioned in the **PDS** and as further described in ITA 25.2.

## **F. Evaluation of Applications and Prequalification of Applicants**

- 25. Evaluation of Applications**
- 25.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.
- 25.2 Applicants planning to subcontract more than 10% of total volume of work shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete details of the sub-contractors and their qualification and experience. The sub-contractors proposed shall be fully qualified for their work proposed, and meet the specified criteria in Section III, failing which such sub-contractors will not be permitted to participate. The qualification and experience of sub-contractors proposed by the Applicant under ITA 24.3 will not be considered for evaluation of the Applicant. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria.
- 25.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Employer shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements. The Qualification Criteria and Requirements are mentioned in Section III. However, with

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percent of the contract price, excluding provisional sums, to foreign firms. JVs between foreign and national firms will not be eligible for domestic preference.

respect to the specific experience under item 4.2 (a) of Section III, the Employer will select any one or more of the options as identified below:

N is the minimum number of contracts

V is the minimum value of a single contract

**(a) Prequalification for one Contract:**

Option 1: (i) N contracts, each of minimum value V;

Or

Option 2: (i) N contracts, each of minimum value V, Or

(ii) Less than or equal to N contracts, each of minimum value V, but with total value of all contracts equal or more than  $N \times V$ ;

**(b) Prequalification for multiple Contracts**

Option 1: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc.

Or

Option 2: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc, Or

(ii) Lot 1: N1 contracts, each of minimum value V1; or number of contracts less than or equal to N1, each of minimum value V1, but with total value of all contracts equal or more than  $N1 \times V1$

Lot 2: N2 contracts, each of minimum value V2; or number of contracts less than or equal to N2, each



of minimum value V2, but with total value of all contracts equal or more than  $N2 \times V2$

Lot 3: N3 contracts, each of minimum value V3; or number of contracts less than or equal to N3, each of minimum value V3, but with total value of all contracts equal or more than  $N3 \times V3$

----etc.

Or

Option 3: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1,N2,N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc, Or

(ii) Lot 1: N1 contracts, each of minimum value V1; or number of contracts less than or equal to N1, each of minimum value V1, but with total value of all contracts equal or more than  $N1 \times V1$

Lot 2: N2 contracts, each of minimum value V2; or number of contracts less than or equal to N2, each of minimum value V2, but with total value of all contracts equal or more than  $N2 \times V2$

Lot 3: N3 contracts, each of minimum value V3; or number of contracts less than or equal to N3, each of minimum value V3, but with total value of all contracts equal or more than  $N3 \times V3$

----etc, Or

(iii) Subject to compliance as per (ii) above with respect to minimum value of single contract for each lot, total number of contracts is equal or less than  $N1 + N2 + N3$  ---but the total value of all such contracts is equal or more than  $N1 \times V1 + N2 \times V2 + N3 \times V3$  +---.

25.4 Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under a JV in accordance with ITA 4.2 (or participating as a sub-contractor as per ITA 25.2) shall not be considered.

- 26. Employer's Right to Accept or Reject Applications**
- 26.1 The Employer reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.
- 27. Prequalification of Applicants**
- 27.1 All Applicants who's Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Employer.
- 27.2 An Applicant may be "conditionally prequalified," that is, qualified subject to the Applicant submitting or correcting certain specified nonmaterial documents or deficiencies to the satisfaction of the Employer.
- 27.3 Applicants that are conditionally prequalified will be so informed along with the statement of the condition(s) which must be met to the satisfaction of the Employer before or at the time of submitting their bids.
- 28. Notification of Prequalification**
- 28.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 28.2 Applicants that have not been prequalified may write to the Employer to request, in writing, the grounds on which they were disqualified.
- 29. Invitation for Bids**
- 29.1 Promptly after the notification of the results of the prequalification, the Employer shall invite bids from all the Applicants that have been prequalified or conditionally prequalified.
- 29.2 Bidders may be required to provide a Bid Security or a Bid-Securing Declaration acceptable to the Employer in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security as specified in the Bidding Documents.

**30. Changes in  
Qualifications  
of Applicants**

30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to the written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements; or (iii) in the opinion of the Employer, the change may result in a substantial reduction in competition. Any such change should be submitted to the Employer not later than fourteen (14) days after the date of the Invitation for Bids.

## Section II. Prequalification Data Sheet

### A. General

ITA 1.1

The identification of the Invitation for Prequalification is: ICB No. : HQ/EN/EC/D-B/Mughalsarai – New Bhaupur Dated 11.04.2013

The Employer for the Project is:

**Dedicated Freight Corridor Corporation of India Limited  
(A Government of India Enterprise)**

Project Officer: **Mr. Ajay Kumar, GGM/Procurement/EC**

Applications are invited from interested Applicants for Prequalification of Bidders for Design and Construction of approximately 402 Route Km Double Line Railway between Mughalsarai – New Bhaupur Station (situated near the existing Bhaupur station of Indian Railways) of Eastern Dedicated Freight Corridor split in two Contract Slices on Design-Build Lump Sum basis.

The name and identification of each of the two Contract Slices is :

**Civil, Structures and Track Works Contract 201:**

Design and Construction of Civil, Structures and Track Works for Double Line Railway involving Formation in Embankments/Cuttings, Ballast on Formation, Track Works, Bridges, Structures, Buildings, Yards, Integration with IR existing Railway System and Testing & Commissioning on Design-Build Lump Sum Basis for Mughalsarai – New Karchana Station (including) (Approx. 172 Route Kms) of Eastern Dedicated Freight Corridor.

**Civil, Structures and Track Works Contract 202:**

Design and Construction of Civil, Structures and Track Works for Double Line Railway involving Formation in Embankments/Cuttings, Ballast on Formation, Track Works, Bridges, Structures, Buildings, Yards, Integration with IR Existing Railway System and Testing & Commissioning on Design-Build Lump Sum Basis for New Karchana Station (excluding) – New Bhaupur station (excluding) (Approx. 229 Route Kms) of Eastern Dedicated Freight Corridor.

The Applicants can seek prequalification for multiple contracts.

The Employer will evaluate the Applications received and Pre-qualify the Applicants for one or two contract slices as per the specific requirements provided in the Section III- Qualification Criteria & Requirement for one & two contracts.

ICB name and number are:

Design and Construction of Civil, Structures and Track Works for Double Line Railway involving Formation in Embankments/Cuttings, Ballast on Formation, Track Works, Bridges, Structures, Buildings, Yards, Integration with IR existing Railway System and Testing & Commissioning on Design-Build Lump Sum Basis for Mughalsari – New Bhaupur Section of Eastern Dedicated Freight Corridor

ICB No.: HQ/EN/EC/D-B/Mughalsarai – New Bhaupur Dated 11.04.2013



<p><b>ITA 11.1 (d)</b></p>	<p>The Applicant shall submit with its application, additional documents demonstrating access to the following Key Construction Equipment and the design software required for the Project:</p> <p>Equipment: Heavy Earth Moving &amp; Compaction Equipment, Track Laying, Tamping &amp; Compaction, Flash Butt Welding Machines, Concrete Batching &amp; Mixing Plants, Concrete Pumps, Cranes for Girder Launching etc. to complete the work in the defined timeframe.</p> <p>Software: Embankment - Design access to specialized design software indicate the software likely to be used in embankment designs.</p> <p>Software: Track Work Design – Alignment - access to specialized design software likely to be used in alignment designs.</p> <p>Following document should be submitted to demonstrate access to the Key Construction Equipment and the design software required for the project.</p> <p>Details of ownership/leasing arrangement.</p>
<p><b>ITA 14.1</b></p>	<p>The applicant shall submit certificates from the clients for each contract included in Section IV: Form EXP – 4.1, 4.2 (a), 4.2 (b), 4.3 (a) and 4.3 (b). These certificates should be self-attested by the applicant.</p>
<p><b>ITA 14.2</b></p>	<p>For the purposes of conversion of foreign currency to Indian Rupees (INR) use the Bank Currency (BC) selling exchange rate as published by State Bank of India shall be considered. For few of the currencies where BC selling rates are not published by SBI, the exchange rate may be obtained from the web site – <a href="http://www.oanda.com/currency/historical-rates">http://www.oanda.com/currency/historical-rates</a> or <a href="http://www.xe.com/ict/">http://www.xe.com/ict/</a></p>
<p><b>ITA 15.2</b></p>	<p>In addition to the original, the number of copies to be submitted with the application is : 3 (Three)</p> <p>One copy in digital - Read Only Diskette/CD shall also be submitted.</p>
<p><b>D. Submission of Applications</b></p>	
<p><b>ITA 17.1</b></p>	<p>Applicants shall not have the option of submitting their applications electronically.</p> <p>Applications submitted electronically will not be accepted and shall be rejected by the Employer.</p> <p>For application submission purposes only, the Employer's address is the same as that indicated as per ITA 7.1 above.</p> <p>The deadline for application submission is:</p> <p><b>Date: 29 May, 2013                      Time: 15:00 hrs</b></p>
<p><b>ITA 18.1</b></p>	<p>Applications received late shall not be accepted and will be returned unopened to the Applicants.</p>

<p><b>ITA 19.1</b></p>	<p>The applications shall be opened on date, time and venue as mentioned below:</p> <p><b>Date: 29 May, 2013                      Time: 15:30 hrs</b></p> <p>Venue: Conference Room, Dedicated Freight Corridor Corporation of India Limited, 4th Floor, Pragati Maidan Metro Station Building Complex, New Delhi -110001, India</p>
<p><b>E. Procedures for Evaluation of Applications</b></p>	
<p><b>ITA 23.1</b></p>	<p>A margin of preference shall not apply for eligible domestic bidders.</p>
<p><b>ITA 24.1</b></p>	<p>At this time the Employer does not intend to execute certain specific parts of the Works by sub-contractors selected in advance.</p>
<p><b>ITA 24.2</b></p>	<p>Consent letter from the participating sub-contractor will be required as per details in the form ELI 1.3.</p>
<p><b>ITA 24.3</b></p>	<p>The percentage of work permitted to be subcontracted in addition to the activities highlighted in para 4.2 (a), 4.2 (b), 4.3 (a) and 4.3 (b), will be detailed in the Bid documents.</p>
<p><b>ITA 25.1</b></p>	<p>The Financial Situation and Experience of Associates, Parent Companies or Sister Companies shall not be considered unless they are part of JV.</p>
<p><b>ITA 29.1</b></p>	<p>Applicants are advised that the following description of the Two-Stage Bidding Process is only a summary for information. Prequalified bidders shall be guided by the detailed provisions of the bidding documents, after they have been made available to them.</p> <p><b>First Stage Bid:</b> The bid process will involve asking the Pre-qualified Applicants to submit their First Stage Technical proposals in response to the performance / technical specifications for the project included in the bid document. First Stage Technical proposals are un-priced proposals and shall contain no prices or price schedules or other reference to rates and prices for completing the works. The Employer may ask the Pre-qualified Bidders to update the data submitted at the time of pre-qualification to assess their meeting the pre-qualification criteria during the bidding stage.</p> <p><b>Evaluation of First Stage Bids:</b> The Employer will examine the first stage technical proposals to determine whether they are complete, whether the documents have been properly signed and whether the bids are generally in order and respond adequately to the performance / technical specifications. Any bids found to be non- responsive or not meeting the minimum levels of the performance or other criteria specified in the bidding document will be rejected by the Employer and not included for further consideration. The Employer will then carry out a detailed evaluation of the first stage technical proposals in order to determine whether the technical aspects are in compliance with the Bidding Document.</p> <p><b>Clarification Meetings:</b> The Employer may conduct clarification meetings with each or any Bidder to clarify any aspects of its First Stage</p>

	<p>technical proposal that require explanation and to review any reservations to the commercial or contractual provisions of the bidding documents. The Employer may bring to the attention of the Bidder any amendments or changes which the Employer may require to be made to the First Stage Technical Proposal; however the Employer may not require amendments or changes at variance from the Employers' requirements unless the Employer intends to amend the Bidding Document in accordance with the relevant provision of the Bid Documents.</p> <p>The Employer will issue a Memorandum titled "Changes Required Pursuant to First Stage Evaluation," documenting the clarifications made in writing and/or in a meeting, if any, and including an Annex listing all decisions, and required amendments or changes resulting from the clarification of the First Stage technical proposal. The Memorandum will be communicated to the Bidder as part of the invitation to submit the Second Stage bid.</p> <p><b>Second Stage Bid:</b> The Employer will invite the Bidders to submit a final updated Technical and a Commercial Second Stage bid based on its First Stage Technical Proposal taking into account the Bidding Document, if and as amended, and any other modifications as recorded in the Annex to the Memorandum titled "Changes Required Pursuant to First Stage Evaluation". Bidders will be allowed to submit only one Second Stage Bid.</p>
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## **Section III. Qualification Criteria and Requirements**

This Section contains all the methods, criteria, and requirements that the Employer shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

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Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
<b>1. Eligibility</b>							
1.1	<b>Nationality</b>	Nationality in accordance with ITA 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	<b>Conflict of Interest</b>	No conflicts of interest in accordance with ITA 4.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
1.3	<b>Bank Eligibility</b>	Not having been declared ineligible by the Bank, as described in ITA 4.7 and 5.1	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
1.4	<b>Government Owned Entity of the Borrower country</b>	Meet conditions of ITA 4.9	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	<b>United Nations resolution or Borrower's country law</b>	Not having been excluded as a result of prohibition in the Borrower's country laws or official regulations against commercial relations with the Applicant's country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
<b>2. Historical Contract Non-Performance</b>							
2.1	<b>History of Non-Performing</b>	Non-performance of a contract <sup>4</sup> did not occur as a result of	Must meet requirement <sup>5</sup>	Must meet requirements	Must meet requirement <sup>5</sup>	N/A	Form CON-2

<sup>4</sup> 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 applicant have been exhausted.

<sup>5</sup> This requirement also applies to contracts executed by the Applicant as JV member.

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
	<b>Contracts</b>	contractor's default since 1 <sup>st</sup> January 2010.					
2.2	<b>Suspension Based on Execution of Bid Securing Declaration by the Employer</b>	Not under suspension based on execution of a Bid Securing Declaration pursuant to ITA 4.10.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
2.3	<b>Pending Litigation</b>	Applicant's financial position and prospective long term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant	Must meet requirement	N/A	Must meet requirement	N/A	Form CON – 2
2.4	<b>Litigation History</b>	No consistent history of court/arbitral award decisions against the Applicant <sup>6</sup> since 1 <sup>st</sup> January 2008.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON – 2
<b>3. Financial Situation and Performance</b>							
3.1	<b>Financial Capabilities</b>	(i) The Applicant 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	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN – 3.1, with attachments

<sup>6</sup> The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in failure of the application.



Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		its prospective long-term profitability.  *Note: The information submitted by the Applicant must mention Total Assets; Current Assets; Total Liabilities; Current Liabilities; Profit Before taxes; Profit After taxes.					
3.2	<b>Average Annual Construction Turnover</b>	Minimum average annual construction turnover calculated as total certified payments received for contracts in progress and/or completed within the last <i>five (5) financial</i> years, divided by <i>five (5)</i> .  <b>For Single Contract Slice</b> <i>US \$ 150 million (US \$ One hundred and fifty million) to be eligible for one contract slice,</i>  <b>For Both Contract Slices</b> <i>US\$ 225 million (US \$ two hundred and Twenty five million) to be eligible for 2 (two) contract slices</i>	Must meet requirement	Must meet requirement	Must meet 25 %, ( <i>twenty five percent</i> ) of the requirement	Must meet 50 %, ( <i>fifty percent</i> ) of the requirement	Form FIN – 3.2
<b>4. Experience</b>							
4.1 (a)	<b>General Construction Experience</b>	Experience under construction contracts in the role of prime contractor, JV member, sub-contractor, or management contractor for at least the last	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		<i>five (5) years, starting 1<sup>st</sup> January 2008.</i>					
4.2 (a)	<b>Specific Construction &amp; Contract Management Experience</b>	<p>A minimum number of similar<sup>7</sup> contracts specified below that have been satisfactorily and substantially<sup>8</sup> completed as a prime contractor, joint venture member<sup>9</sup>, management contractor or sub-contractor<sup>9</sup> between 1st January 2008 and application submission deadline:</p> <p><b>For Single Contract Slice</b></p> <p>(i) At least 1 (one) contract of minimum value 320 million US \$ (US \$ Three hundred and Twenty million only);</p> <p><b>For Both Contract Slices:</b></p> <p>Less than or equal to 2 (two) Contracts of minimum value US \$ 320 million each (US \$ Three</p>	Must meet requirement	Must meet requirement <sup>10</sup>	N/A	N/A	Form EXP 4.2(a)

<sup>7</sup> The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VI, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.

<sup>8</sup> Substantial completion shall be based on 80% or more works completed under the contract.

<sup>9</sup> For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's share, by value, shall be considered to meet this requirement.

<sup>10</sup> 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.

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		<p>hundred and Twenty million) but with the total value of all contracts equal to or more than US \$ 640 million (US \$ Six hundred and forty million).</p> <p><i>The works pertaining to Railway, Highway, Sea/Air Port, Dams/Hydroelectric Projects and Irrigation Canal Projects shall only be considered for each contract slice.</i></p>					
4.2 (b)		<p>For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor<sup>9</sup> between 1st January 2008 and application submission deadline, a minimum construction experience in the following key activities successfully completed<sup>11</sup>:</p>	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements for the key activities listed below <sup>12</sup>	Form EXP – 4.2 (b)
		(i) Earthwork in formation/cutting/blanketing	Must meet requirements	Must meet requirements	N/A	Must meet 60% requirements	Form EXP – 4.2 (b)

<sup>11</sup> Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period. The rate of production shall be the annual production rate for the key construction activity (or activities). For the rate of production, either the average during the entire period or in any one or more years during the period should be specified.

<sup>12</sup> The minimum experience requirement for multiple contracts will be the sum of the minimum requirements for respective individual contracts.

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		<p><b>For Single Contract Slice</b>                      6050 thousand Cubic Meters in any one financial year during the period stated in 4.2 (b).</p> <p><b>For Both Contract Slices</b>                      9075 thousand Cubic Meters in any one financial year during the period stated in 4.2 (b).</p>					
		<p>(ii) Concreting in Bridges and other Structures:</p> <p><b>For Single Contract Slice</b>                      100 thousand Cubic Meters in any one financial year during the period stated in 4.2 (b).</p> <p><b>For Both Contract Slices</b>                      150 thousand Cubic Meters in any one financial year during the period stated in 4.2 (b).</p>	Must meet requirements	Must meet requirements	N/A	Must meet 60% requirements	Form EXP – 4.2 (b)
		<p>(iii) Mechanized Track Laying Or Mechanized Track Relaying:</p> <p><b>For Single Contract Slice</b>                      150 Kms track length in any one financial year during the period stated in 4.2 (b).</p> <p><b>For Both Contract Slices</b>                      225 Kms track length in any one financial year during the period stated in 4.2 (b).</p>	Must meet requirements or can be a specialist sub-contractor	Must meet requirements or can be a specialist sub-contractor	N/A	Must meet requirements or can be a specialist sub-contractor	Form EXP – 4.2 (b)



Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		Mechanized track laying or relaying means the following; “Laying or relaying of rail panels of 260 meters or more welded by mobile/ stationery/flash butt welding plant under control conditions in depots, Track Linking by use of portals, cranes, rail threader, track laying machines and use of tamping machines, dynamic track stabilizers, shoulder ballast compactors for making track fit for traffic movement.”					
		(iv) <i>Construction of Important bridge over perennial river during the period stated in 4.2 (b).</i> <b>For Single Contract Slice</b> Construction of single important bridge over perennial river/sea of minimum 350 linear meters <b>For Both Contract Slices</b> Construction of two (2) important bridges over perennial river/sea of minimum 350 linear meters each <b>Or</b> a single bridge of minimum length of 700 linear meter over	Must meet requirements or can be a specialist Sub-contractor	Must meet requirements or can be a specialist Sub-contractor	N/A	Must meet requirements or can be a specialist Sub-contractor	Form EXP – 4.2 (b)

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		<p><i>perennial river/sea</i></p> <p><i>For fulfillment of this criteria, completion of 350m length of the bridge on a perennial river as a part of a single longer bridge is also permissible. In such a case the Contractor should have a demonstrable ability of having completed the foundation, sub-structure and super-structure covering a length of 350 m for each of these items.</i></p> <p><i>On similar lines for fulfillment of criteria for two contract slices completion of 700m length of the bridge on a perennial river as a part of a single longer bridge is also permissible. In such a case the Contractor should have a demonstrable ability of having completed the foundation, sub-structure and super-structure covering a length of 700 m for each of these items.</i></p>					
4.3(a)	<b>General Design Experience</b>	Successful completion of at least one design consultancy project between 1 <sup>st</sup> January 2008 and application submission deadline of a magnitude of US \$ 1,000,000 (US \$ One million) pertaining to	Must meet requirements or can be a specialist Sub-contractor	Must meet requirements or can be a specialist Sub-contractor	N/A	Must meet requirements or can be a specialist Sub-contractor	Form EXP 4.3 (a)

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		Railway/Highway/Port/Airport/Dams and having collected out of all the design activities from the aforesaid domains of Railway/Highway/Port/Airport/Dams, a minimum fee of US \$ 2.0 million (US \$ Two million) in any single financial year in the last five financial years to be eligible for single or both contract slices.					
4.3 (b)	Specific Design Experience	<p>For the above or other contracts executed between 1<sup>st</sup> January 2008 and application submission deadline, a minimum design experience in the following key activities:</p> <ol style="list-style-type: none"> <li>1. Embankment – should have designed railway or highway embankment in last five (5) years.</li> <li>2. Should have designed more than 50 km railway / highway alignment in last five (5) years, using an specialized software</li> <li>3. Bridges &amp; Structures – Should have designed at least one (1) single bridge on perennial river of total span of 350 linear meters in last five (5) years.</li> </ol>	Must meet requirements or can be a specialist Sub-contractor	Must meet requirements or can be a specialist Sub-contractor	N/A	Must meet requirements or can be a specialist Sub-contractor	Form EXP – 4.3 (b)

## Section IV. Application Forms

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## Application Submission Form

Date: *[insert day, month, and year]*  
 ICB No. and title: *[insert ICB number and title]*

To: *[insert full name of Employer]*

We, the undersigned, apply to be prequalified for the referenced ICB and declare that:

- (a) We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s)., issued in accordance with Instructions to Applicants (ITA) 8: *[insert the number and issuing date of each addendum]*.
- (b) We have no conflict of interest in accordance with ITA 4.6;
- (c) We meet the eligibility requirements as stated ITA 4.1, we have not been suspended by the Employer based on execution of a Bid Securing Declaration in accordance with ITA 4.10;
- (d) We, in accordance with ITA 24.2, plan to subcontract the following key activities and/or parts of the works:

*[Insert any of the key activities identified in Section III- 4.2(a) or (b) which the Employer has permitted under the Prequalification document and which the Applicant intends to subcontract along with complete details of the sub-contractors, their qualification and experience]*

- (e) We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding bidding process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount, currency, value, exchange rate and US\$ equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

*[If no payments are made or promised, add the following statement: "No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application"]*

- (f) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract subject of this prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

- (g) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.
- (h) We are seeking pre-qualification for 1/2 Contract(s).

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant's Name *[insert full name of Applicant or the name of the*

*JV]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For an a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

## Form ELI -1.1

### Applicant Information Form

Date: *[insert day, month, year]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2. <input type="checkbox"/> In case of Government-owned enterprise or institution, in accordance with ITA 4.9 documents establishing: <ul style="list-style-type: none"><li>• Legal and financial autonomy</li><li>• Operation under commercial law</li><li>• Establishing that the Applicant is not dependent agency of the Employer</li></ul>
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Note: Refer ITA 14 for date and source of exchange rate.

## Form ELI -1.2

### Applicant's Party Information Form

*[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Sub-contractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]*

Date: *[insert day, month, year]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's Party name: <i>[insert full name of Applicant's Party]</i>
Applicant's Party country of registration: <i>[indicate country of registration]</i>
Applicant Party's year of constitution: <i>[indicate year of constitution]</i>
Applicant Party's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant Party's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of a Government-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and absence of dependent status, in accordance with ITA 4.9. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.



## Form ELI -1.3

### Letter of Consent

*(To be filled up by each Sub-contractor)*

Sub-contractor's Name: [insert full name]  
Applicant's Name:[insert full name]  
Date: [insert day, month, year]  
ICB No. and title: [insert ICB number and title]

Dear Sir,

The invitation for pre-qualification for [insert name of work] has been called for by *[insert name of employer]*.

In this regard, this is an undertaking that [insert name of Sub-contracting firm] having its office at *[insert address of the Sub-contracting firm]* is willing to participate as sub-contractor for *[insert brief work details for which sub-contractor will provide services]* with [insert name of applicant] for this project.

*[insert name, signature and seal of authorized representative of the Sub-contractor]*

## Form CON – 2

### Historical Contract Non-Performance, Pending Litigation and Litigation History

*[The following table shall be filled in for the Applicant and for each member of a Joint Venture]*

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Party Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

<b>Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements</b>			
<input type="checkbox"/> Contract non-performance did not occur since 1 <sup>st</sup> January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 <sup>st</sup> January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for non performance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below.			

Note: Refer ITA 14 for date and source of exchange rate.

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert amount]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Employer" or "Contractor"]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2. <input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Employer" or "Contractor"]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>

Note: Refer ITA 14 for date and source of exchange rate.

## Form FIN – 3.1

### Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: [insert full name]  
 year]

Date: [insert day, month, and

Applicant's Party Name:[insert full name]

ICB No. and title: [insert ICB number and title]

Page [insert page number] of [insert total number] pages

#### 1. Financial data

Type of Financial information in (currency)	Historic information for previous <i>[insert number]</i> financial years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1 (financial year to be indicated by Applicant)	Year 2 (financial year to be indicated by Applicant)	Year 3 (financial year to be indicated by Applicant)	Year4 (financial year to be indicated by Applicant)	Year 5 (financial year to be indicated by Applicant)
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information					
Cash Flow from Operating Activities					

\* Refer ITA 14 for the exchange rate

## 2. Sources of Finance

[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

No.	Source of finance	Amount (US\$ equivalent)
1		
2		
3		

## 3. Financial documents

The Applicant and its parties shall provide copies of financial statements for [number] years pursuant Section III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member , and not an affiliated entity (such as parent company or group member).
  - (b) be independently audited or certified in accordance with local legislation.
  - (c) be complete, including all notes to the financial statements.
  - (d) correspond to accounting periods already completed and audited.
- Attached are copies of financial statements<sup>13</sup> for the [number] years required above; and complying with the requirements

<sup>13</sup> If the most recent set of financial statements is for a period earlier than 12 months from the date of application, the reason for this should be justified.

## Form FIN - 3.2

### Average Annual Construction Turnover

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's/Joint Venture Member's Name: [insert full name]

Date: [insert day, month, year]

Applicant's Party Name: [insert full name]

ICB No. and title: [insert ICB number and title]

Page [insert page number] of [insert total number] pages

Annual turnover data (construction only)			
Year (financial year to be indicated by Applicant)	Amount Currency	Exchange rate*	USD equivalent
[indicate calendar year]	[insert amount and indicate currency]		
		Average Annual Construction Turnover **	

\* Refer ITA 14 for date and source of exchange rate.

\*\* Total USD equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, Clause 3.2.

## Form EXP - 4.1

### General Construction Experience

*[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]*

Applicant's/Joint Venture Member's Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant JV Party Name: *[insert full name]*

ICB No. and title: *[insert ICB number]*

Page *[insert page number]* of *[insert total number]* pages

*[Identify contracts that demonstrate continuous construction work over the past [number] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]*

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

		Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	
--	--	--	--

\* Refer ITA 14 for date and source of exchange rate.



## Form EXP - 4.2(a)

### Specific Construction and Contract Management Experience

*[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]*

Applicant's/Joint Venture Member's Name: *[insert full name]*

Date: *[insert day, month, year]*

JV Party Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

<b>Similar Contract No.</b> <i>[insert number] of [insert number of similar contracts required]</i>	<b>Information</b>			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		US\$ <i>[insert Exchange rate and total contract amount in US\$ equivalent]*</i>	
If member in a JV or sub-contractor, specify participation in total Contract amount	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>	
Employer's Name:	<i>[insert full name]</i>			
Address:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>			
E-mail:	<i>[insert e-mail address, if available]</i>			

\* Refer ITA 14 for date and source of exchange rate.

**Form EXP - 4.2(a) (cont.)**  
**Specific Construction and Contract Management Experience (cont.)**

<b>Similar Contract No.</b> <i>[insert number] of [insert number of similar contracts required]</i>	<b>Information</b>
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Amount	<i>[insert amount in local currency, exchange rate, US\$ in words and in Figures]</i>
2. Physical size of required works items	<i>[insert physical size of items]</i>
3. Complexity	<i>[insert description of complexity]</i>
4. Methods/Technology	<i>[insert specific aspects of the methods/technology involved in the contract]</i>
5. Construction rate for key activities	<i>[insert rates and items]</i>
6. Other Characteristics	<i>[insert other characteristics as described in Section VII, Scope of Works]</i>

## Form EXP - 4.2(b)

### Construction Experience in Key Activities

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's Party Name: *[insert full name]*

Sub-contractor's Name<sup>14</sup> (as per ITA 24.2 and 24.3): *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]*  
 pages

All Sub-contractors for key activities must complete the information in this form as per ITA 24.2 and 24.3 and Section III, Qualification Criteria and Requirements, Clause 4.2.

1. Key Activity No. One: *[insert brief description of the Activity, emphasizing its specificity]*

Total Quantity of Activity under the contract:

	<b>Information</b>			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in currency(ies)]</i>		US\$ <i>[insert exchange rate and total contract amount in US\$ equivalent]</i>	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year  <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)		Actual Quantity Performed (i) x (ii)
Year 1				
Year 2				
Year 3				
Year 4				

<sup>14</sup> If applicable

Employer's Name:	<i>[insert full name]</i>
Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert e-mail address, if available]</i>

2. Activity No. Two

3. ....

	<b>Information</b>
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	<i>[insert response to inquiry indicated in left column]</i>
1. Maximum volume of earth work in Formation in cubic meter in any one year in last 7 years.	
2. Maximum concreting in Bridges and other structures in cubic meter in any one year in last 7 years.	
3. Maximum Mechanized Track laying or Mechanized relaying in Track Km in any one year within last 7 years.	
4. Construction of bridge on perennial river/sea of total span in linear meters in any one year within last 7 years.	

## Form EXP - 4.3 (a)

### Similar Design Experience

*[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]*

Applicant's/Joint Venture Member's Name: *[insert full name]*

Date: *[insert day, month, year]*

JV Party Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information	
Contract Identification	<i>[insert contract name and number, if applicable]</i>	
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>	
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>	
Role in Contract <i>[check the appropriate box]</i>	Design Consultant <input type="checkbox"/>	Sub Design Consultant <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>	US\$ <i>[insert Exchange rate and total contract amount in US\$ equivalent]*</i>
If member in a JV or sub-contractor, specify participation in total Contract amount	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i> <i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>
Employer's Name:	<i>[insert full name]</i>	
Address:	<i>[indicate street / number / town or city / country]</i>	
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>	
E-mail:	<i>[insert e-mail address, if available]</i>	

\* Refer ITA 14 for date and source of exchange rate.

<b>Similar Contract No.</b> <i>[insert number] of [insert number of similar contracts required]</i> Description of the similarity in accordance with Sub-Factor 4.3(a) of Section III:	<b>Information</b>

## Form EXP - 4.3(b)

### Specific Design Experience

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's Party Name: *[insert full name]*

Nominated Sub-contractor's Legal Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]*  
 pages

Applicants or specialist Sub-contractors for key activities must complete the information in this form as per Section III, Qualification Criteria and Requirements, Sub-Factor 4.3 (b).

1. Key Activity No. One: *[insert brief description of the Activity, emphasizing its specificity]*

[Separately for each activity listed in 4.3 (b)]:

	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Design Consultant <input type="checkbox"/> Sub Design Consultant <input type="checkbox"/>			
Total Contract Amount	<i>[insert total contract amount in US\$ [insert exchange rate and total contract amount in US\$ equivalent]]</i>			
If party in a JV, specify participation of total contract amount	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-right: 1px solid black; text-align: center;"><i>[insert percentage amount]</i></td> <td style="width: 33%; border-right: 1px solid black; text-align: center;"><i>[insert total contract amount in the currencies as given in the Contract]</i></td> <td style="width: 33%; text-align: center;"><i>[insert exchange rate and total contract amount in US\$ equivalent]*</i></td> </tr> </table>	<i>[insert percentage amount]</i>	<i>[insert total contract amount in the currencies as given in the Contract]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>
<i>[insert percentage amount]</i>	<i>[insert total contract amount in the currencies as given in the Contract]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>		
Employer's Name:	<i>[insert full name]</i>			
Address:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>			
E-mail:	<i>[insert e-mail address, if available]</i>			

2. Key Activity No. 2

3. Key Activity No. 3

	<b>Information</b>
Description of the key activities in accordance with Sub-Factor 4.3(b) of Section III:	<i>[insert response to inquiry indicated in left column]</i>
1. Design capability for design of Embankment of Railway or Highway– Description of design work carried out in last 5 (five) years for embankment for Railway /Highway.	
2. Description of design work for design of Railway/ Highway alignment - software availability or access to and experience of using it for alignment design carried out in last 5 (five) years.	
3. Description of design work for design of Bridges* on perennial river/sea in linear meters carried out in last 5 (five) years.  * Every bridge on perennial river(s)/sea should be listed separately.	



## Section V. Eligible Countries

### Eligibility for the Provision of Goods, Works and Services in Bank-Financed Procurement

In reference to ITA 5.1, for the information of the Applicants, at the present time firms and individuals, supply of goods, or contracting of works or services, from the following countries are excluded from this prequalification process:

Under ITA 5.1 (a) *[insert a list of the countries following approval by the Bank to apply the restriction or state "none"]*

Under ITA 5.1 (b) *[list the countries or state "none"]*

## Section VI. Bank Policy - Corrupt and Fraudulent Practices

Guidelines for Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers, dated January 2011

### “Fraud and Corruption

1.16 It is the Bank’s policy to require that Borrowers (including beneficiaries of Bank loans), bidders, suppliers, contractors and their agents (whether declared or not), sub-contractors, sub-consultants, service providers or suppliers, and any personnel thereof, observe the highest standard of ethics during the procurement and execution of Bank-financed contracts.<sup>15</sup> In pursuance of this policy, the Bank:

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
  - (i) “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;<sup>16</sup>
  - (ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;<sup>17</sup>
  - (iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;<sup>18</sup>
  - (iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;<sup>19</sup>
  - (v) “obstructive practice” is
    - (aa) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or
    - (bb) acts intended to materially impede the exercise of the Bank’s inspection and audit rights provided for under paragraph 1.16(e) below.
- (b) will reject a proposal for award if it determines that the bidder recommended for award, or any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/or their employees, has, directly or indirectly, engaged in corrupt,

<sup>15</sup> In this context, any action to influence the procurement process or contract execution for undue advantage is improper.

<sup>16</sup> For the purpose of this sub-paragraph, “*another party*” refers to a public official acting in relation to the procurement process or contract execution. In this context, “*public official*” includes World Bank staff and employees of other organizations taking or reviewing procurement decisions.

<sup>17</sup> For the purpose of this sub-paragraph, “*party*” refers to a public official; the terms “*benefit*” and “*obligation*” relate to the procurement process or contract execution; and the “*act or omission*” is intended to influence the procurement process or contract execution.

<sup>18</sup> For the purpose of this sub-paragraph, “*parties*” refers to participants in the procurement process (including public officials) attempting either themselves, or through another person or entity not participating in the procurement or selection process, to simulate competition or to establish bid prices at artificial, non-competitive levels, or are privy to each other’s bid prices or other conditions.

<sup>19</sup> For the purpose of this sub-paragraph, “*party*” refers to a participant in the procurement process or contract execution.

- fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;
- (c) will declare misprocurement and cancel the portion of the loan allocated to a contract if it determines at any time that representatives of the Borrower or of a recipient of any part of the proceeds of the loan engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement or the implementation of the contract in question, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur, including by failing to inform the Bank in a timely manner at the time they knew of the practices;
  - (d) will sanction a firm or individual, at any time, in accordance with the prevailing Bank's sanctions procedures,<sup>20</sup> including by publicly declaring such firm or individual ineligible, either indefinitely or for a stated period of time: (i) to be awarded a Bank-financed contract; and (ii) to be a nominated<sup>21</sup>
  - (e) will require that a clause be included in bidding documents and in contracts financed by a Bank loan, requiring bidders, suppliers and contractors, and their sub-contractors, agents, personnel, consultants, service providers, or suppliers, to permit the Bank to inspect all accounts, records, and other documents relating to the submission of bids and contract performance, and to have them audited by auditors appointed by the Bank;"

---

<sup>20</sup> A firm or individual may be declared ineligible to be awarded a Bank financed contract upon: (i) completion of the Bank's sanctions proceedings as per its sanctions procedures, including, inter alia, cross-debarment as agreed with other International Financial Institutions, including Multilateral Development Banks, and through the application the World Bank Group corporate administrative procurement sanctions procedures for fraud and corruption; and (ii) as a result of temporary suspension or early temporary suspension in connection with an ongoing sanctions proceeding. See footnote 14 and paragraph 8 of Appendix 1 of these Guidelines.

<sup>21</sup> A nominated sub-contractor, consultant, manufacturer or supplier, or service provider (different names are used depending on the particular bidding document) is one which has either been: (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower.

## **PART 2 – Works Requirements**

## Section VII. Scope of Works

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## **1. Description of Works**

### **1.1 General**

#### **1.1.1 The Dedicated Freight Corridor (DFC) Project:**

Ministry of Railways (MOR), Government of India has planned to construct Dedicated High Axle Load Freight Corridor covering about 3363 kms on two corridors, Eastern Corridor from Ludhiana (Sahnawal) to Dankuni and Western Corridor from Jawaharlal Nehru Port, Mumbai to Tughlakabad/Dadri near Delhi along with inter-linking of the two corridors at Dadri.

The DFC Project entails construction of mostly double line railway tracks except single line between Khurja – Sahnawal (near Ludhiana). Up-gradation of transportation technology, increase in productivity and reduction in unit transportation costs have been taken as guiding principles for formulating the DFC project. Various operating systems, motive power, signalling and work processes are required to conform to this broad perspective.

### **1.2 Dedicated Freight Corridor Corporation of India Limited**

1.2.1 Dedicated Freight Corridor Corporation of India Ltd. (DFCC), a public sector company has been set up under the Indian Companies Act 1956 for implementation of Dedicated Freight Corridor Project. Government of India is the sole shareholder of the DFCC.

### **1.3 Eastern Dedicated Freight Corridor Alignment**

1.3.1 Eastern DFC Route will be approximately 1847 Km long from Dankuni to Ludhiana via Mughalsarai – Allahabad – Kanpur – Tundla – Aligarh and Khurja. Proposed alignment of DFC has been generally kept parallel to existing Indian Railway line except provision of detours at Mughalsarai, Mirzapur, Manda Road, Allahabad, Bharwari, Sirathu, Khaga, Fatehpur, Kanpur, Etawah, Tundla, Hathras, Aligarh, Hapur, Meerut, and Ambala.

1.3.2 The Eastern Dedicated Freight Corridor (EDFC) alignment passes through six States viz. West Bengal, Jharkhand, Bihar, Uttar Pradesh, Haryana and Punjab. It traverses Howrah, Hoogly, Bardhaman districts in West Bengal and Gaya, Aurangabad, Rohtas (Sasaram) and Kaimur (Bhabua) districts in Bihar, Chandauli, Varanasi, Mirzapur, Allahabad, Kausambi, Fatehpur, Kanpur (Urban), Kanpur (Rural), Auraiya, Etawah, Ferozabad, Agra, Hathras, Aligarh, Bulandsahr, Ghaziabad, Gautambudhnagar, Meerut, Muzaffar Nagar, Saharanpur districts in Uttar Pradesh, Yamuna Nagar, Ambala districts in Haryana and Patiala,

Fatehgarh Sahib, Ludhiana districts in Punjab.

#### **1.4 Project Phasing**

The project is planned in a phased manner. The first phase of the Project covers a length of 343 km from Bhaupur to Khurja-all double line.

The second phase (Phase-2) is for 402 Km Mughalsarai –New Bhaupur section double-line, 2x25 KV Electrified section with automatic signalling.. Phase 3 consists of about 404 Km single line, Khurja – Sanehwal (near Ludhiana), 2x25 Kv electrified, signalling with absolute block working. Eastern and Western Corridors of DFCC are connected to each other through a 43 Km double line link between Khurja and Dadri. It will also be, 2x25 KV Electrified section with automatic signaling. This link is also a part of Phase-3 of Eastern Corridor

#### **1.5 Funding of the Project**

- 1.5.1 Eastern DFC Project for 1183 Km including Phase 2 and 3 is to be funded by World Bank and for Phase-1 of Eastern DFC i.e. Khurja –Bhaupur Section, loan has already been sanctioned by World Bank vide Loan No. 8066 –IN.

#### **1.6 Alignment of Mughalsarai – New Bhaupur Section (Phase 2)**

- 1.6.1 Mughalsarai – New Bhaupur Section (Double line 402 Kms) of the Eastern Dedicated Freight Corridor project starts from near Howrah end of existing Mughalsarai station of Indian Railways (between Mughalsarai-Ganjkhwaja stations) to New Bhaupur station (situated near the existing Bhaupur station of Indian Railways) via Mirzapur - Allahabad - Fatehpur - Prempur - Kanpur. Alignment is generally parallel to the existing IR lines except in detours at Mirzapur, Manda Road, Allahabad, Bharwari, Sirathu, Khaga, Fatehpur & Kanpur. Approximate total length in detour is 130 Kms. Annexure – 2 gives a schematic diagram showing the detours of Phase – 2. It also comprises of about 8.5 Kms of single line section from New Karchana station to Iradatganj and another single line link with a length of about 4.8 Kms between New Karchana station to Chheoki.
- 1.6.2 Grade separators are planned over existing Indian Railway tracks for uninterrupted flow of both Indian Railways (IR) traffic and DFCC traffic at, Jeonathpur, Chunar, over Manikpur line near Naini & over Jhansi line near Panki. The phase-2 portion of the Eastern Corridor lies entirely in the state of Uttar Pradesh.

## 1.7 Major Components of the work for Phase – 2

1.7.1 The major components of the work for Phase – 2 are as under:

Item	Quantity	Remarks
Earthwork (thousand cum)	37,886	
Concreting for minor bridges including minor RUBs (thousand cum)*	305	
Concreting for major bridges including major RUBs, RFOs and Important bridges (thousand cum)*	324	
Important bridges (Nos.)*	2	
Total Track Length (Kms)	830	
Rail Flyovers (Nos.)	4	

\* As per the Indian Railway classification for Bridges:-

- (a) Important bridges are those having a linear waterway of 300 metres or a total waterway of 1000 Sqm or more and those classified as important by the Chief Engineer / Chief Bridge Engineer, depending on considerations such as depth of waterway, extent of river training works and maintenance problems.
- (b) Major bridges are those which have a total water way of 18 linear metres or more or which has a clear opening of 12 linear metres or more in any one span.
- (c) Bridges which do not fall in these classifications are termed as minor bridges.

1.7.2 The current Prequalification exercise is to identify suitable Bidders for the two Civil, Structures and Track Works Contracts designated as Contract 201, and Contract 202. The jurisdiction and important components of the work for both these contract slices are as under:-

Contract Slice No.	Approximate Route Length with Detour of DFC
201	172 Kms
202	229 Kms

1.7.3 The components of the major work for both the contract slices are as under:

Item	Quantity for 201	Quantity for 202
Earthwork (thousand cum)	19,423	18,463
Concreting for minor bridges including minor RUBs (thousand cum)*	103	202
Concreting for major bridges including major RUBs, RFOs and Important bridges (thousand cum)*	194	130
Important bridges (Nos.)*	1	1
Total Track Length (Kms)	355	475
Rail Flyovers (Nos.)	3	1



## **1.8 Scope of Works**

Scope of Work as included in this document is indicative. Detailed Scope of Work will be included in the Bid documents to be issued to pre qualified bidders.

- a) The Contractor shall undertake the design, construction, manufacture, supply, installation, testing and commissioning of the Civil, Structure, and Track works including construction of staff quarters, station buildings, rest houses, allied service buildings etc., the design, construction and removal of any Temporary Works and diversions of utility services both of IR and other impacted authorities as included in Employer's Requirement of Bid Document.
- b) In addition, the Contractor shall undertake the rectification of defects appearing in the Permanent Works in the manner and to the standards within the time stipulated by the Contract.
- c) In full recognition of these objectives and with full acceptance of the obligations, the Contractor shall execute the Works taking into account all liabilities and risks that may be involved.
- d) The system design and its installation will be carried out by OHE Contractor & Signalling Contractor and includes electrification of the line, new signaling and control systems, new telecommunication system, SCADA control system. As such, these works are excluded from the scope of this document.
- e) The design of all the works will be operationally compatible with the other Indian Railways (IR) sections connecting to the DFC.
- f) The Employer may decide to take over the constructed sections from the Contractor in a phased manner as per mutually agreed handing over plan.
- g) The Civil, structure and Track Works Contractor shall undertake interface co-ordination with the OHE Contractor & Signalling Contractors, who shall be carrying out works forming part of this Project. There will be a continuous requirement of coordination among the Contractors in respect of the following, but not limited to, design of cable trenching, masts for overhead electrification, interlocking of points and crossings, construction of facilities for maintenance, other allied structures and subsequently during the installation of signaling and traction power systems.

## **1.9 Permanent Works**

1.9.1 The permanent works shall comprise of but not limited to the design, construction, manufacture, supply, installation, testing and commissioning of:

- a) Track substructure including drainage, embankments, cuttings, blanketing, ballast, bridges (Important/major/minor), underpasses, rail flyovers etc.
- b) Track superstructure including but not limited to setting out, benchmarking, rail and sleepers with fastenings, rail slab where necessary, turnouts, buffer stops, expansion joints, track signage, etc.,.
- c) Road overpasses and underpasses including approach roads, substructures, surfacing, drainage facilities, guardrails etc. ;
- d) Road corrections for the roads affected by the railway line and relevant facilities;
- e) Remodeling of Level Crossing Gates and duty hut of Existing Indian Railways Network located on DFCC alignment;
- f) Platforms including drainage, fencing, pavement.
- g) Yard complexes including fencing, drainage, sewerage, craneage, and safety equipment;
- h) On-duty points for maintenance staff including fencing, buildings, drainage, sewerage, offices, stores, craneage, lighting, E&M services and car parking, office equipment and furniture, kitchenware, bathrooms, beds etc., installation and safety equipment;
- i) Noise barriers in urban areas;
- j) Fencing at stations;
- k) Utility diversions as applicable; and
- l) Any other activity connected with the construction and commissioning of railways.

## **1.10 Salient Engineering Features of the Project**

1.10.1 The indicative engineering features/performance specifications of the works are as given under:-

S. N.	Description	Details
1	<b>Gradient</b>	
	Ruling Gradient	1 : 200 (compensated)
	Desired Gradient in yards	1 : 1200
	Minimum Gradient in yards	1 : 600
2	<b>Formation width on straight tracks*</b>	
	Bank width for Double line (embankment)	14.1 metres
	Bank width for Double line (Cutting excluding Side drains)	13.5 metres
	Bank width for Single line (embankment)	8.1 metres
	Bank width for Single line (Cutting excluding Side drains)	7.5 metres
	Formation	As per GE-14 report of RDSO
3	<b>Curves</b>	
	Recommended Radii and degree of Curves	700 metres (2.5 degree)
	Curve Compensation	@ 0.04% per degree of curvature
4	<b>Minimum Vertical Clearance above Rail level</b>	
	i. For Light Overhead Structure like FOBs	6.53 metres
	ii. For Heavy Overhead Structure like ROB	6.05 metres
	iii. Heavy Overhead structures like ROB over turnouts	6.53 metres
5	<b>Track Centre</b>	
	Minimum distance between two tracks of DFC	6 metres
	Minimum distance between existing IR track and DFC	6.0 metres
6	<b>Bridges</b>	
	Standard of loading	<ul style="list-style-type: none"> <li>DFC loading as per Indian Railway Bridge Rules for 32.5T axle load.</li> </ul>
7	<b>Track Structures</b>	
	Gauge	1676 mm
	Rails	UIC 60 – 90 UTS – IRS T12-2009
	Sleepers	Mono-block Concrete, rail seat for 60/68 Kg/m rails conforming to the overall dimensions and specifications of RDSO design.
	Rail Length	Rolled section as per IRST – 12 – 2009
	Welding	Flash Butt Welded to 260 m or more. Further Welded to CWR in track using Mobile Flash Butt Welding Plant
	Turnouts	turnouts with 60 Kg thick web curved switches with CMS crossings (1:12 for main line and first loops; 1:8.5 is permissible only for take offs for

S. N.	Description	Details
		sidings)
	Level Crossings	DFC Track Level with Adjacent IR Track Assembly – IRS Design
	Yards	4 to 6 Running Lines 2 Hot Axle & 2 Machine Sidings of 150 meter each
	Other Components	SEJ – IRS/New Design Glued Insulating Joints- IRS/New Design
	Ballast	IRS GE-14 Specifications 350 mm Cushion laid over a suitably designed embankment with a blanketing layer of design thickness.
	Track Construction	Fully Mechanized with appropriate plant and machinery.
	Specifications	Design and Construction Conforming to Indian Railway Standards and DFCC Standards
8	<p><b>Track Construction</b></p> <p>Track Construction would be done to suit train speed upto 100 kmph. The track would consist of the main lines, loops, sidings and would involve laying of turnouts, switch expansion joints, the rail insulated joints, dead ends protected by buffer stops. Specialized track construction would be required at level crossings.</p> <p>The loops in general would be having a length of 750m with a provision for extension to 1500m. The track construction would be required to be done for bulk of the length in the vicinity of Indian Railway Tracks carrying a very high density of freight and passenger carrying trains. As such the construction of the proposed DFC tracks would be required to be done to cause least interference to the movement of Indian Railway Traffic.</p> <p>The DFC track would be required to be integrated with Indian Railway track at nominated locations.</p>	

\*The bank width would be suitably increased to cater for the increased ballast cushion on the outside of curve for the cant of the curve.

## 1.11 Technical Standards and Specifications

- 1.11.1 The general designs are based on Codes of Practice prescribed by the Indian Railways, Bureau of Indian Standards, and Indian Roads Congress etc. Where the standards and specifications are not available in the Indian Codes of Practice, International Codes of Practice/Specifications to be adopted with the approval of DFCC. Detailed specifications would be provided in the bidding documents.
- 1.11.2 Research Design and Standards Organization (RDSO), Lucknow, India, an organization of Ministry of Railways, Government of India has standardized the technical specifications for various components of railway systems in India as Indian Railway Standard (IRS) Specifications, which are generally based on International Specifications and adopted to Indian

conditions. The list of IRS Specifications issued by RDSO is available at the website of RDSO ([www.rdsogov.in](http://www.rdsogov.in)). The IRS Specifications can be purchased from RDSO.

- 1.11.3 The Employer's requirements would be spelt out in the bidding document and would be in general conformity to the IRS Specifications.
- 1.11.4 RDSO maintains approved list of suppliers/vendors for various equipments/items/components to be used on railway systems in India. Bidders shall be free to obtain equipments/items from the suppliers/vendors on approved list of RDSO or any other sources provided the equipment/item meets the technical requirements/acceptance criteria which will be indicated in the Bidding document.
- 1.11.5 The list of suppliers/vendors approved for various items are available at the website of RDSO ([www.rdsogov.in](http://www.rdsogov.in)). Procedures for registration of the new suppliers/vendors for railway equipments/items are also available at the website of RDSO. The bidders are advised to visit the website of RDSO for further information about the registration of new products.

## **1.12 Project Implementation**

- 1.12.1 The Project involves Design of Alignment, Track, Formation, Bridges & Structures including Flyovers/ROB/RUB followed by Construction, Integrated Testing and Commissioning and integration with existing IR System and maintaining the constructed railway during the defect liability period. The indicative parameters, axle load and speed potential of the proposed construction are defined in Para 1.10.1 above.
- 1.12.2 As a part of the Bid Documents, the Pre-qualified Bidders will be provided with Employers Requirements, Concept Design, Performance Specifications and the other available indicated field data e.g. (i) Alignment Survey, (ii) Geotechnical (iii) Hydrological Calculations for Discharge/HFL of Bridges.

The field data provided as a part of the Bid Documents by the Employer is based on the investigation carried out by the Employer and is for reference purposes only. The Bidder will have to satisfy himself with the field data furnished and make his own investigations, if required, for submitting his offer. The Bidder shall be deemed to have obtained all necessary information as to risks, contingencies and all other circumstances which may influence or affect his Bid. Costs associated with any change in design or construction methodology later during execution on account of any change will be borne by the Contractor.

- 1.12.3 The Employer's Requirements/Performance Specifications provided as a part of the Bid Documents, specify the procedural requirements for the

preparation of the design of the Permanent and Temporary Works.

- 1.12.4 The Contractor shall engage the Designer who will undertake and prepare the Design of the Permanent Works and Temporary Works. The principal requirements of the Design Phase are the production of the Preliminary Design, the Definitive Design and the Construction Reference Drawings.
- a) The Preliminary Design shall incorporate the Contractor's tender design developed to sufficiently define the main formation, permanent way, bridges including Flyovers/ROB/RUB and other structures. Upon approval by the Engineer, the Contractor shall, proceed to prepare the definitive Designs.
- 1.12.5 The Definitive Design shall incorporate the Contractor's Technical Proposals and shall be the design developed to the stage at which all elements of permanent way, structures including bridges are fully defined and specified. During the preparation of the Definitive Design, the Contractor shall complete all surveys, investigations and testing necessary to complete the design of the Permanent Works.
- 1.12.6 Upon issuance of the approval, or a deficiencies list, by the Engineer in respect of the Definitive Design Submission, normally within thirty days (30 days), the Contractor shall complete the design in all respects and produce the Construction Reference Drawings, the purpose of which is to illustrate all the Permanent Works and to be the drawings governing construction.

### **1.13 Utilities**

- 1.13.1 The utilities have generally been identified as part of the field data collection by the Employer. However, there is always a possibility of some the unidentified utilities being detected by the Contractor during the course of data collection or during the construction. Chartered utilities will be detailed in the Bid Document, the diversion of which, shall be the responsibility of the Contractor.

### **1.14 Interfacing with System Contractor**

- 1.14.1 Mughalsarai – New Bhaupur section shall be electrified with 2x25 KV Systems and provided with Automatic Signalling. The Civil, Structures and Track Works (CST) Contractor(s) appointed through this PQ exercise following the Two Stage Bidding process shall be required to interface, coordinate and cooperate with the project wide OHE Contractors & Signalling Contractors engaged to execute the Signalling, Telecommunications, Electrification and SCADA Works in such a way that complete Railway System is commissioned successfully in a time bound

manner by interfacing with the respective System Contractors.

## **1.15 Contract Strategy – Phase 2**

- 1.15.1 The work of constructing the double line electrified track - complete with signaling, communication and other systems would be done through adoption of best International practices with all the required changes to suit Indian circumstances.
- 1.15.2 It has been decided to implement Phase 2 of Eastern DFC by slicing the whole length into two Design & Build Contracts incorporating civil, structures and track works contracts.

## **2. Construction Period**

### **2.1 Construction & Defect Liability Period**

- 2.1.1 The Construction Period shall be 4 (four) years (including Design Period) from the date of commencement of the contract(s). The Design-Build Contractor shall be required to plan the various components of work in such a sequence that the complete work is commissioned in 4 (four) years from the date of award of contract. This will be followed by the Defect Liability Period of two years after commissioning of complete rail system by system contractor.

## **3. Site and Other Data**

### **3.1 Project Area**

- 3.1.1 The Works will be carried out between Mughalsarai and New Bhaupur in the state of Uttar Pradesh. The proposed alignment will pass across the almost flat Indo Gangetic plain and will mostly be parallel to the Delhi - Kanpur - Mughalsarai double line section of Indian Railways. There will be some deviations from this route to avoid stations and some urban areas.

A sketch showing the alignment is attached as Annexure 1.

### **3.2 Hydrology**

- 3.2.1 The project area is generally flat and is prone to flooding during the monsoon. Flooding is generally attributed to the high ground water table and silting of water courses coupled with rainfall intensity and low hydraulic gradients.

### **3.3 Climate**

- 3.3.1 The climate of the project is a Tropical Monsoon Climate Marked by three distinct seasons:
  - a) Summer (March-June): Hot & dry with average temperatures of 45°C

sometimes reaching 47-48°C with low relative humidity (20%) and dust laden winds.

- b) Monsoon (June-September): 85% of the average annual rainfall of 990 mm precipitates during this period and temperatures range from 40-45 °C on rainy days.
- c) Winter (October-February): Cold with temperatures in the range of 3-4°C sometimes dropping below freezing in elevated areas. Foggy conditions can occur in some tracts.