



दिल्ली मेट्रो रेल कॉर्पोरेशन लि० DELHI METRO RAIL CORPORATION LTD.

(भारत सरकार एवं दिल्ली सरकार का संयुक्त उपक्रम)

(A JOINT VENTURE OF GOVERNMENT OF INDIA AND GOVT. OF DELHI)

No.DMRC/Tender(O&M)/OEW-843/2020/884/ 2368

Date:01-01-2021

LETTER OF ACCEPTANCE

M/s Vimal Fire Controls Pvt. Ltd.
HO:19/20, Vardhman Complex, L B S Marg,
Behind P & S Bank, Vikhroli
West Mumbai-400083, Maharashtra (India)
Mob:-8879310361

Sub: Contract: OEW-843: Supply, installation, testing & commissioning of Panel Gas flooding System with NOVEC-1230 at various elevated metro stations of line-3 and Najafgarh Depot.

Ref :(i) Online Open Tender submission on e-tendering portal on 29.10.2020
(ii) Your reply to post bid query submitted on 02.12.2020
(iii) Financial bid opened on 22.12.2020

Dear Sir,

1. With reference to above, Letter of Acceptance (LOA) is hereby issued to you for the above mentioned work at total cost of **INR 65,29,883.43 (Rupees Sixty Five Lakhs Twenty Nine Thousand Eight Hundred Eighty Three and Fourty Three Paise only) including all taxes, duties, octroi, royalties etc.**
2. This 'Letter of Acceptance' is sent herewith to you in duplicate. You are required to return one copy of it duly signed by you on all pages indicating "Unconditional Acceptance" thereof so as to reach the undersigned within seven days of the receipt of this letter.
3. This "Letter of acceptance" shall be treated as "Notice to Proceed" as defined in clause 8.1 of GCC and the completion period for this work is **06 (Six) Months** from the stipulated date of commencement of work.
4. You shall ensure full compliance with Tax Laws of India with regard to this contract and shall be solely responsible for the same. You shall keep the employer fully indemnified against your liability of tax, interest, penalty etc. in respect thereof which may arise.
5. Sr.AGM/E&M of this organization will be the Engineer for this contract.
6. You are requested to contact the Sr.AGM/E&M immediately for further necessary action in this matter and to start the work within 7 days from the date of issue of this L.O.A. or as per the instructions of Engineer.

नवल किशोर झा / Nawal Kishore Jha
जुनियर इंजीनियर/निर्देशक, एम एंड ओ/CE/Tender&M
दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड
Delhi Metro Rail Corporation Ltd.
मेट्रो भवन, बाराखम्बा रोड, नई दिल्ली-110001
Metro Bhawan, Barakhamba Road, New Delhi-110001

Page 1 of 2 (OEW-843)

(मेट्रो भवन, फायर ब्रिगेड लेन, बाराखम्बा रोड, नई दिल्ली-110001)

Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi-110001

7. All the works shall be executed in accordance with the specifications stipulated in Tender.
8. It may please be noted that until a formal agreement is executed, this letter will constitute a binding Contract between you and DMRC. Please take necessary action as required vide Clause Nos. F4 and F5 of Instructions to Tenderers (ITT) regarding signing of agreement within 45 days from the issue of Letter of Acceptance and submission of performance security within 30 days from the date of receipt of LOA. Further, it is pertinent to mention that delay in submission of performance security shall attract penal interest/lead to termination as per clause 4.2 of GCC.
9. The amount of performance security for this contract has been reduced from 10% to 3% of the value of contract due to COVID-19 pandemic. Accordingly, the revised clause F5.1 of ITT is attached herewith.

Thanking you,

Yours sincerely,
For Delhi Metro Rail Corporation Limited

(N.K. Jha)

Dy.CE/Tender (O&M)

नवल किशोर झा / Nawal Kishore Jha
उप मुख्य अभियंता/निर्देशा/जो. एन्ड एम./Dy. CE/Tender O&M
दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड
Delhi Metro Rail Corporation Ltd.
मेट्रो भवन, बाराखम्बा रोड, नई दिल्ली-01
Metro Bhawan, Barakhamba Road, New Delhi-01

- Encl: 1) One copy of this letter in duplicate.
2) Copy of revised clause F5.1 of ITT.

F4 Signing of Agreement

F4.1 The Tenderer should note that in the event of acceptance of the Tender, the Tenderer will be required to execute the Contract Agreement. The Employer shall prepare the Agreement in the Performa (Annexure-7) included in this Document, duly incorporating all the terms of agreement between the two parties. Within 45 days from the date of issue of the letter of acceptance, the successful tenderer will be required to execute the Contract Agreement. The performance guarantee (Security) should be submitted immediately after issue of letter of acceptance but not later than the agreement is signed between the parties. One copy of the Agreement duly signed by the Employer and the contractor through their authorized signatories will be supplied by the Employer to the Contractor.

F4.2 Prior to signing of the Contract Agreement, the successful tenderer shall also submit the following documents within a period of 30 days from the issue of the Letter of Acceptance:

- Performance Guarantee
- Power of Attorney
- Detailed Consortium or Joint Venture Agreement (duly signed and executed) incorporating :
 - Percentage Participation of each member/partner
 - Joint and several liability of the partners

F5 Performance Security

F5.1 The Performance Security required in accordance with Clause 4.2 of the GCC shall be for 10% ~~3%~~ of the Contract Price from the Scheduled commercial Bank (including Scheduled Commercial Foreign Banks) in India in the currency in which the Contract Price is payable which may be reduced for balance years on completion of each year. The Performance Security shall be furnished to the Employer within 30 (thirty) from the date of issue of the Letter of Acceptance.

The required Performance Security for the sum mentioned above may be submitted in any one of the following forms:

- Irrevocable bank guarantee in the prescribed format, given in Annexure-6A of Instruction to Tenderers (ITT), issued by a Scheduled Commercial Bank based in India or from a branch in India of a Scheduled foreign Bank payable at New Delhi. **The Bank Guarantee must be issued on the Structured Financial Messaging System (SFMS) platform** and the following codes are to be used by the issuing bank for the purpose mentioned below:

Issuance & Amendment of Bank Guarantee

Code	Purpose
MT760/IFN760	Bank Guarantee Issuance
MT767/IFN767	Bank Guarantee Amendment

Confirmation of Issuance & Amendment Bank Guarantee

Code	Purpose
IFN760 COV	Confirmation of Bank Guarantee Issuance
IFN767 COV	Confirmation of Amendment in Bank Guarantee

- A separate invoice of the BG will invariably be sent by the issuing bank to the Employer's bank through SFMS. The details of Employer's bank are as under:

ICICI BANK LTD

9A, Phelps Building, Connaught Place, New Delhi-110001, IFSC Code: ICIC0000007

The bank guarantee issued on the SFMS platform shall only be acceptable to the Employer.

- Bank Draft in favour of Delhi Metro Rail Corporation Ltd. payable at New Delhi from a Scheduled Commercial Bank based in India, or
- Fixed Deposit Receipt of a Scheduled Commercial Bank/ Post offices based in India duly pledged in favour of Delhi Metro Rail Corporation Ltd.A/c.....(Name of the Tenderer).....along with letter issued by bank as per Annexure-6B of ITT. **The bidder should duly discharge the FDR by signing on reverse side (on revenue stamp) and the signature should be verified by the issuing bank.**

In case of joint venture/consortium, the Performance Security is to be submitted in the name of the JV / Consortium. However, splitting of the performance security (while ensuring the