



By Speed Post with Ack.Due
Office of the
Chief Administrative Officer
(Construction)
South Central Railway
Secunderabad-500 071

No. W.Con.496/A/MACU-JNPD/5502 /WC.3

Date: 19-11-2012.

M/s.Essvy Constructions India Pvt Ltd,
Plot No.68, First Floor,
Radhaswamy Colony,
Sikh Raod, Sikh Village, Secunderabad – 500 009.
Sir(s)

Sub: Secunderabad Division - Construction of new BG line between Mellacheruvu and Janpahad stations - Proposed execution of Earth work in formation, Construction of Minor Bridges, Road Under Bridges and other connected works from Ch:27320m to Ch:30600m in Reach-III between Mellacheruvu and proposed Mathampalli stations (including Mathampalli yard but excluding Major bridge gaps).

Tender Notice No.07/CAO/C/SC/2012 dated: 13.02.2012 (Item No.3)
Tenders opened on 21-03-2012.

Ref: Your negotiated offer dated 14-08-2012.

* * * * *

Your negotiated offer submitted on 14-08-2012 in connection with the subject work is here by accepted at a total value of ₹7,92,59,760.57 ps (₹ Seven Crores, Ninety two lakhs, Fifty nine thousand, Seven hundred sixty and paise Fifty seven only) with rates quoted for different schedules as given under:

Schedule	Base value in ₹	Accepted Rate & Value		
		% Rate		Value in ₹
Schedule - A	7,42,45,980.00	(-) 33%	(Thirty three percent below)	4,97,44,806.60
Schedule - B	36,53,400.00	(-) 33%	(Thirty three percent below)	24,47,778.00
Schedule - C	97,76,006.00	(+) 8.29%	(Eight point two nine percent above)	1,05,86,436.89
Schedule - D	55,87,310.08	(-) 1%	(One percent below)	55,31,436.98
Schedule - E	26,39,911.00	(+)10%	(Ten percent above)	29,03,902.10
Schedule - F	75,90,000.00	(+) 6%	(Six percent above)	80,45,400.00
Total ₹	10,34,92,607.08			7,92,59,760.57

2. Please note that all the works included in this contract shall be completed within the period of **9 (Nine)** months inclusive of the intervening monsoon period from the date of issue of this acceptance letter as per the Mile Stone chart stipulated in the tender document, which is agreed/ signed by you. Further, you are expected to adhere to the progress of work as per the Mile Stone chart (copy enclosed). In case you fail, in achieving the first 2 mile – stones, the contract would be liable for termination under clause 62 of the GCC.

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3. You shall maintain all the works covered under this contract for a period of 6 (Six) calendar months from the certified date of completion of the whole work as covered by the contract. During the maintenance period, the contractor shall bear the responsibility and be liable for maintenance as envisaged in Clause 47 of the General Conditions of Contract.

4. Please also note that an amount of ₹ 39,62,990/- (i.e., 5% of contract value) is payable towards **Performance Guarantee** for the due and faithful fulfillment of the work within 30 (thirty) days from the date of issue of this letter of acceptance. Extension of time for submission of Performance Guarantee beyond 30 (thirty) days and up to 60 (sixty) days from the date of issue of letter of acceptance will be given with a penal interest of 15% p.a. shall be charged for the delay beyond 30 (thirty) days, i.e., from 31st day after the date of issue of letter of acceptance. In case you fail to submit the requisite Performance Guarantee even after 60 (sixty) days from the date of issue of letter of acceptance, the contract shall be terminated duly forfeiting EMD and other dues, if any payable against the contract. You shall be debarred from participating in re-tender for this work. This guarantee shall be initially valid up to the stipulated date of completion plus 60 days beyond that. In case, the time for completion of work gets extended you shall get the validity of Performance Guarantee extended to cover such extended time for completion of work plus 60 days.

The above said Performance Guarantee shall be furnished either in Cash **or** Irrevocable Bank Guarantee **or** Government Securities including State Loan Bonds at 5 percent below the market value **or** Deposit receipts, Pay orders, Demand drafts and Guarantee Bonds these forms of Performance Guarantee could be either of the State Bank of India or any of the Nationalized Banks **or** Guarantee Bonds executed or Deposits receipts tendered by all Scheduled Banks **or** a Deposit in the Post Office Savings Bank **or** a deposit in the National Savings Certificates **or** Twelve years National Defence Certificates **or** Ten years Defence Deposits **or** National Defence Bonds **or** Unit Trust Certificates at 5 per cent below market value or at the face value whichever is less **or** FDR in favour of FA&CAO/C/ S.C.Railway/ Secunderabad, (free from any encumbrance) will be accepted. The Performance Guarantee shall be released only after physical completion of the work based on the 'Completion Certificate' issued by the competent authority stating that the contractor has completed the work in all respects satisfactorily.

5. If you are interested to furnish the Performance Guarantee as called for in para No.4 above in cash the same shall be lodged with the Chief Cashier/S.C.Rly/ Sec'bad and money receipt issued by him on this account should be forwarded to this office, so that arrangements will be made for execution of necessary agreement.

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6. In addition to the above, an amount of ₹39,62,990/- is also payable towards full Security Deposit for the due and faithful fulfillment of the work. The EMD amount furnished along with your offer in the form of TDR No.208456 (A/c. No.32900300000793) dated 17-02-2011 for ₹51,832/- TDR No.208457 (A/c. No.32900300000794) Dt.17-02-2011 for ₹51,832/- issued by Bank of Baroda, A.S. Rao Nagar Branch, Hyderabad and TDR No.553206 (A/c.No.247303/11937) Dt.05-12-2011 for ₹5,00,000/-, TDR No.553211 (A/c. No.247303/11941) Dt.05-12-2011 for ₹1,00,000/- issued by Bank of Baroda, Boinpally Branch, Secunderabad totaling to ₹7,03,664/- is adjusted towards part security deposit and the balance Security Deposit amount of ₹32,59,326/- will be recovered from your running bills at the rate of 10% till the balance S.D amount is fully recovered. The security deposit shall be released only after the expiry of the maintenance period and after passing the final bill based on an 'Unconditional and Unequivocal No Claim Certificate' submitted by you.

7. Please note that no interest will be payable on the Security Deposit/Performance Guarantee. But the Govt. Securities detailed above will be payable with interest accrued thereon, if they carry any interest.

8. It may please be noted that until a formal agreement is executed, this acceptance letter shall constitute a binding contract between you and the Railway subject to modification as may be mutually agreed to. The agreement for this work should be executed within 7(Seven) days from the date of receipt of notice from this office that such documents are ready, failing which action will be taken in terms of Clause12 of the regulations of tenders and Contracts without prejudice to any further right or remedies.

Please acknowledge the receipt.

Encl: One

Yours faithfully,

-Sd-

(K.V. Sivaprasad)

Chief Engineer/Con-III/SC

For and on behalf of President of India.

Copy to:

- 1.FA & CAO/C/SC for information together with a copy of TCP dated 23-07-2012 & NTCP dated 14-08-2012. The EMD of the unsuccessful tenderers may be returned to this office duly discharged for returning the same to the unsuccessful tenderers. (Encl: Two).
- 2.Dy.CE/C/GNT for information and necessary action together with a copy of TCP dated 23-07-2012 & NTCP dated 14-08-2012. (Encl: Two).
- 3.Labour Enforcement Officer, Central Excise Colony, Shivam Road, Hyderabad for information.
- 4.Chief Cashier/SCR/Secunderabad for information.

-Sd-

for Chief Admin. Officer/Con/SC

MILE STONES CHART

Name of Work: Secunderabad Division - Construction of new BG line between Mellacheruvu and Janpahad stations - Proposed execution of Earth work in formation, Construction of Minor Bridges, Road Under Bridges and other connected works from Ch:27320m to Ch:30600m in Reach-III between Mellacheruvu and proposed Mathampalli stations (including Mathampalli yard but excluding Major bridge gaps).

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Tenders opened on 21-03-2012.

Sl. No	Description of Work	Schedule
1	Preliminary works and mobilization of men and machinery etc.,	D + 15
2	Completion of earth work and minor bridges from Ch:27320m to Ch:28320.0m.	D15 to 105
3	Completion of earth work and minor bridges from Ch:28320.0m to Ch:29320.0m	D105 to 180
4	Completion of earth work and minor bridges from Ch: 29320.0m to Ch:30600.0m	D180 to 270
5	Completing miscellaneous works and handing over to Railways in fully completed shape and clearing site.	D105 to 270

D- stands for the date on which railway has given the site/drawings as relevant.

-Sd-

(K.V. Sivaprasad)

**Chief Engineer/Con-III/SC
for Chief Admin. Officer/Con/SC.**