

No. MPMRCL/BH-07-EIB/2023/LOA/ 98

Date: - 16 Jan 2023

**LETTER OF ACCEPTANCE (LOA)**

To,

**M/s LARSEN & TOUBRO LIMITED**

Railway Business, Vatika Mindscape Building, Tower A, 8th Floor

Delhi Mathura Road, Near Sarai Khawaja Metro Station,

Faridabad-121003, Haryana, India.

Contact No. +91 95605 14515

E-mail: sunil.khattar@Intecc.com

**Kind Attention:** Shri. Sunil Khattar Vice President & Head – Metro Business Unit, Authorized Signatory

**Name of Work:** - Design, Supply, Installation, Testing and Commissioning of Ballastless Track of Standard Gauge, including Supply of Fastening System for Purple Line from AIIMS to Karond and Red Line from Bhadhbhada Square to Ratnagiri Tiraha, including Elevated and Underground sections along with Ballasted/Ballastless Track in Depot cum Workshop at Subhash Nagar” for Bhopal Metro Rail Project.

Tender Notification No: 258/MPMRCL/2022/Package BH-07-EIB, Date: 24 Feb 2022

Tender ID: 2022\_MPMRC\_107303\_1

E-Tender Portal Reg. ID of Bidder: 446235

**References:**

- (i) Tender Notification No. 258/MPMRCL/2022/Package BH-07-EIB, dated 24 Feb 2022
- (ii) Corrigendum No. 1 to 16 along with Clarifications – 1 to 3 issued by MPMRCL
- (iii) Bid Documents duly accepted and submitted by M/s Larsen & Toubro Limited on or before 21 Jul 2022 at 16: 00 Hrs.
- (iv) Financial Bid opened at 16:00 Hrs on 22 Oct 2022
- (v) MPMRCL Letter No. 1290/MPMRCL/2022 dated 26 08 2022 seeking post-bid clarifications on submitted bid
- (vi) Your letter MPMRCL/Package BH-07/L&T/Post-bid/SK/01 dated: 05 Sep 2022 regarding clarification on the submitted bid
- (vii) Your letter MPMRCL/Package BH-07/L&T/SK/PB/001 dated 17 Sep 2022 regarding clarification on the submitted bid

Dear Sir,

1. We are pleased to inform you that your Bid-proposal along with various documents submitted by you i.e., **M/s Larsen & Toubro Limited** as referred to above; as per all terms and conditions as defined in tender/bid documents of Tender No. 258/MPMRCL/2022/Package BH-07-EIB for the subject contract of “*Design, Supply, Installation, Testing and Commissioning of Ballastless Track of Standard Gauge, including Supply of Fastening System for Purple Line from AIIMS to Karond and Red Line from Bhadhbhada Square to Ratnagiri Tiraha, including Elevated and Underground sections along with Ballasted/Ballastless Track in Depot cum Workshop at Subhash Nagar*” for



*Satya Kumar*

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Bhopal Metro Rail Project" has been accepted by Madhya Pradesh Metro Rail Corporation Limited. The AWARDED CONTRACT PRICE is INR 2,38,52,50,153/- (Rupees Two Hundred Thirty-Eight Crore Fifty-Two Lakh Fifty Thousand One Hundred Fifty-Three Only) as mentioned below:

- 1.1 Grand Summary of Price Bid (Collection of Bills) submitted by you is attached as **Annexure - I**.
- 1.2 The Awarded Contract Price is inclusive of all central, state, and local taxes, fees, duties, levies, cess, GST, and all other incidental charges required to fulfil the tender conditions including statutory deduction viz., TDS towards Income Tax, GST, Labour cess etc.
- 1.3 This tender is allotted with Contract Identification Number (CIN) as BH-07-EIB/2022 and the same shall be invariably mentioned for all communications with stakeholders throughout this work.
2. It may also please be noted that the Technical Specifications of MPMRCL as specified in the Tender Document shall prevail over the Letter of Tender (LOT) wherever they are in variance.
3. **Commencement and completion of Work:**
  - 3.1 Pursuant Sub- Clause 8.1 of General Conditions of Contract read with Particular Conditions of Contract, the Date for the Commencement of Works for this Contract shall be **07 (seven) days** from the date of issue of "Letter of Acceptance" and therefore you are required to commence the work hereafter considering the date of commencement as mentioned above.
  - 3.2 The Works shall be completed within **1274 days (i.e., 182 weeks) as per the time schedule given in the tender/bid documents.**
4. The **performance security** will be 03 % (three per cent) of the awarded Contract Amount; you are required to furnish the Performance Security in the form of a bank guarantee for an amount of 03% (Three per cent) on the awarded Contract Price i.e. INR 7,15,57,505 /- (Rupees Seven Crore Fifteen Lakh Fifty-Seven Thousand Five Hundred Five Only) **within fourteen (14) days** of receipt of the Letter of Acceptance in accordance with terms of General Conditions of Contract read with clause 4.2 of Volume – II Conditions of Contract of bid documents. The format of Performance Security as provided in Annexure – 4 to ITT of Volume-I is also attached as **Annexure II**.
5. **Advance Payments** shall be governed in terms of contract conditions as outlined by incumbents and amended by tender addenda/corrigenda (if any). The format of the Bank Guarantee for Mobilization Advance is attached as **Annexure-III**.
6. The following documents shall constitute part and parcel of the Contract Agreement: -
  - a. The Contract Agreement (as per GCC 1.5 Priority of Documents)
  - b. Letter of Acceptance along with all attached Annexures
  - c. Corrigendum's along with Clarifications to the CIN: BH-07-EIB/2022
  - d. The Tender including entire bid documents covering Technical Package and Financial Package along with Tender Clarifications, confirmations, and other compliances,

- e. The Contractor's Proposal (Tender/Bid Submission) including any additional Proposal in the Bid to the extent not contrary to the conditions of Bid documents,
  - f. Any other admitted correspondence document between MPMRCL and the bidder with committed acceptance of MPMRCL.
7. Pursuant to the requirement of Clause 7.4 of the NIT, ITT, EQC and LOT (Volume I of Bid Documents), you are required to execute the **Contract Agreement within 35 (Thirty-five) days** from the date of issue of the Letter of Acceptance. However, this Letter of Acceptance along with your written acknowledgement shall constitute the contract between **the Contractor (M/s Larsen & Toubro Limited)** and **the Employer (Madhya Pradesh Metro Rail Corporation Ltd, MPMRCL)**, till the Signing of the formal Contract Agreement.
  8. You shall ensure full compliance with the relevant tax laws about 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., whichever may arise.
  9. **Jurisdiction of Court:** The Courts at Bhopal, Madhya Pradesh (India) shall have exclusive jurisdiction to try all disputes arising out of this agreement between the parties.
  10. It is hereby brought on record that you i.e., **M/s Larsen & Toubro Limited** have submitted the aforesaid bid documents in the name and style of M/s Larsen & Toubro Limited at all the stages of the bidding process by Authorized Signatories viz. Shri. Sunil Khattar Vice President & Head – Metro Business Unit and Shri. Satya Kumar Vuppala Joint General Manager & Head – Proposals (Railway Business). Further, you are directed to submit the Power of Attorney (s) and Board Resolution (to be duly notarised by the notary public) in case of any change of authorised personnel since submitted along with the tender submittals.
  11. **Appointment of the Engineer:** The General Consultant to the Employer will act as **“the Engineer”** for this Contract. You are directed to contact **Mr Simon Fourie Project Director** of the General Consultant, a Consortium of DB Engineering & Consulting GmbH, Geo-data Engineering S.p.A and Louis Berger SAS.
  12. This Letter of Acceptance is issued with the approval of the Competent Authority of Madhya Pradesh Metro Rail Corporation Limited (MPMRCL).





## Madhya Pradesh Metro Rail Corporation Limited

CIN: U75100MP2015SGC034434

2<sup>nd</sup> Floor, Smart City Development Corporation Office Building, Kalibadi Road,  
BHEL, Sector A, Barkheda, Bhopal – 462022

☎: 0755-2475607

✉: metrorail@mpurban.gov.in

🌐: www.mpmetrarail.com

This Letter of Acceptance is sent to you in duplicate. You are required to return one copy to MPMRCL duly acknowledged and signed within one week of receipt of the same as an affirmation that all the parts of this Letter of Acceptance including all enclosures attached herewith, have been read, fully understood, and unconditionally accepted thereof, by you.

Thanking You,

*Ajay Sharma*  
16.01.2023

**Ajay Sharma,**  
**Director (Projects),**

For & on Behalf of Madhya Pradesh Metro Rail Corporation Ltd.

We hereby confirm unconditional acceptance of this Letter of Acceptance for Contract BH-07-EIB/2022 received from Madhya Pradesh Metro Rail Corporation Ltd.

*V-Satyaj Kumar*  
*JGM & Head Proposals*  
*Railway Business*

**Sunil Khattar,**  
(Vice President & Head – Authorized Signatory),  
For and on behalf of M/s Larsen & Toubro Limited

### Documents Attached:

1. **Annexure – I :** Grand Summary of Quoted Price Bid (Collection of Bills) – 01 Page
2. **Annexure – II:** Format for Performance Security – 03 Pages
3. **Annexure – III:** Format for Mobilisation Advance – 02 Pages

### **Copy to:**

1. Managing Director, MPMRCL for kind information please,
2. Director (Finance), MPMRCL for kind information please,
3. Director (System), MPMRCL for kind information please,
4. GM (Contracts), MPMRCL for information and necessary action please,
5. GM (Civil), MPMRCL for information and necessary action please,
6. Project Director, GC to MPMRCL for information and necessary action please,
7. Document Controller to GC for records.

