



**THE KINGDOM OF THAILAND
MINISTRY OF TRANSPORT
STATE RAILWAY OF THAILAND
INVITATION TO TENDER**

CONSTRUCTION OF MASS TRANSIT SYSTEM PROJECT IN BANGKOK (RED LINE) (I)

Funded by the Japan International Cooperation Agency (JICA)

LOAN No. TXXXI-1 dated 30th March, 2009

1. The Ministry of Finance (MOF), the Kingdom of Thailand has received an ODA Loan from Japan International Cooperation Agency (hereinafter referred to as "JICA") in the amount of 63,018 (sixty three thousand and eighteen) Million Yen toward the cost for the Construction of Mass Transit System Project in Bangkok (Red Line) (I) (hereinafter referred to as "the Project"), the Loan Agreement has been signed on March 30, 2009, and the State Railway of Thailand, as the Executing Agency, intends to apply the proceeds of the loan to payments under the contracts for which this Invitation to Tender is issued. Disbursement of an ODA Loan by JICA will be made only at the request of the Employer and will be subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the "Guidelines for Procurement under Japanese ODA Loans" ¹. No party other than the State Railway of Thailand shall derive any rights from the Loan Agreement or have any claim to loan proceeds. The above Loan Agreement will cover only a part of the Project cost. As the remaining portion, the Ministry of Finance will take appropriate measures for finance.
2. JICA requires that tenderers and contractors, as well as the State Railway of Thailand, under contracts funded with Japanese ODA loans and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy JICA:
 - (a) will reject a proposal for award if it determines that the Tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.
 - (b) will recognize a contractor as ineligible, for a period determined by JICA, to be awarded a contract funded with Japanese ODA Loans if it at any time determines that the contractor has engaged in corrupt or fraudulent practices in competing for, or in executing, another contract funded with Japanese ODA Loans or other Japanese ODA.

¹ Download at www.jica.go.jp

3. The State Railway of Thailand (hereinafter referred to as “the Employer”) invites sealed tenders for the following contracts under the Project:

A. Contract 1: Civil Works for Bang Sue Grand Station and Depots

The Works include the construction of 1) Bang Sue Grand Station with building services comprising a) 4 platforms for Commuter Train and 8 future platforms on third floor, b) 12 platforms for Long Distance Train on second floor, c) passenger concourse with MRTA System connecting structure on first floor and d) car-parking area in basement, 2) Chatuchak Station with building services along railway line, 3) elevated railway on precast segmental box girder over concrete piers or portal frames and at-grade railway from Sta. 6+000 to Sta. 12+201.700, 4) Commuter Train Depot, Long Distance Train Depot, Stabling Yards (excluding Trackworks) and other related train operation control buildings, 5) roads, flyover and drainage system and 6) modification or removal of Hopewell Project's structures.

B. Contract 2: Civil Works for Bang Sue – Rangsit Railway

The Works include the construction of 1) 6 stations with building services along railway line (namely; Bang Khen, Thung Song Hong, Lak Si, Kan Kheha, Don Muang and Rangsit), 2) elevated railway on precast segmental box girder over concrete piers or portal frames and at-grade railway on pile foundation from Sta.12+201.700 to Sta. 32+350.000, 3) local road and drainage system and 4) modification or removal of Hopewell Project's structures and basic structure for future extension of Wat Samian Nari Station and Lak Hok Station.

4. Tendering is open to firms and voluntarily formed joint ventures from all eligible countries and meeting the following qualifications. The Contracts shall be tendered on an international competitive bidding (ICB) basis in accordance with the “Guidelines for Procurement under Japanese ODA Loans”. Domestic and foreign firms may submit tenders independently or in joint venture with domestic or foreign firms. However, the foreign firms are encouraged (with no obligation and/or no preferential treatment) to associate with domestic firms for submitting tenders in joint venture.

Minimum requirements for qualification of the tenderer is to have the following:

- (a) have fully paid-up capital, prior to Tender Submission Date in the following equivalent amounts:

- (i) in the case of an individual firm:

Contract 1: not less than 1,000 MB (one thousand million Baht)

Contract 2: not less than 1,000 MB (one thousand million Baht)

- (ii) in the case of joint venture:

Contract 1: total amount not less than 1,000 MB (one thousand million Baht)

- lead partner shall have the amount of fully paid-up capital not less than 400 MB (four hundred million Baht).
- each of other partners shall have the amount of fully paid-up capital not less than 200 MB (two hundred million Baht).

Contract 2: total amount not less than 1,000 MB (one thousand million Baht)

- lead partner shall have the amount of fully paid-up capital not less than 400 MB (four hundred million Baht).
- each of other partners shall have the amount of fully paid-up capital not less than 200 MB (two hundred million Baht)

Exchange rate shall be the selling rate of the Bank of Thailand on June 1, 2010.

- (b) **General Experience:** have average annual construction turnover(defined as billing for works in progress and completed) as a prime contractor over the last 3 (three) years for the following equivalent amounts:

Contract 1: not less than 10,000 MB (ten thousand million Baht)

Contract 2: not less than 7,100 MB (seven thousand one hundred million Baht)

- (c) **Particular Experience Record:** have at least the following experience:

Contract 1: successful or in progress experience as a prime contractor in the execution of at least three projects and at least one of these three projects shall be successful or in progress experience executed in Thailand, of a nature and complexity comparable to the proposed Contract at the value of the contract not less than 1,000 million Baht/contract. Such experience shall be box girder viaduct or railway bridge or highway bridge or expressway or bus terminal or airport terminal or railway terminal or underground mass transit tunnel, within the last 10 (ten) years prior to the Tender Submission Date. If the cost of construction is in foreign currencies, the rate of exchange shall be the rate on the date that the work had been completed.

Contract 2: successful or in progress experience as a prime contractor in the execution of at least three projects and at least one of these three projects shall be successful or in progress experience executed in Thailand, of a nature and complexity comparable to the proposed Contract at the value of the contract not less than 1,000 million Baht/contract. Such experience shall be box girder viaduct or railway bridge or highway bridge or expressway or bus terminal or airport terminal or railway terminal or underground mass transit tunnel, within the last 10 (ten) years prior to the Tender Submission Date. If the cost of construction is in foreign currencies, the rate of exchange shall be the rate on the date that the work had been completed.

In consideration of performance records, the following criteria shall be applied:

- In the case of completed contracts, those works shall be completed and taken over by the employers within 10 (ten) years counting up to the Tender Submission Date. Certified copies of completion certificates issued by the employers shall be attached. It is preferable that the certified copies of contract agreements are also attached, if possible.
- In the case of in progress contracts, the required performance record and the value of the works to be applied shall be only the portion that has been handed over to the employers. The value of the works of such portion shall not be less than the requirements of each Contract given above. Certified copies of certificates of handed over portions indicating the values of handed over works issued by the employers shall be attached. It is preferable that the certified copies of contract agreements are also attached, if possible.
- In the case of being a joint venture or a consortium executing the referred performance records, certified copies of completion certificates issued by the employers (in the case of completed contracts), certified copies of certificates of handed over portions issued by the employers (in the case of in progress contracts) indicating values of handed over works, and certified copies of joint venture or consortium agreement or the evidence indicating the portion of responsibility shall be attached. Should the exact portion be not specified, the Employer's judgment will prevail. It is preferable that the certified copies of contract agreements are also attached, if possible.

(d) **Financial Position:**

- (i) have liquid assets or unencumbered real assets or line of credit or other financial means sufficient to meet the construction cash flow for a period of 4 months in the following amounts:

Contract 1: not less than 2,200 MB (two thousand two hundred million Baht)

Contract 2: not less than 1,686 MB (one thousand six hundred eighty six million Baht)

- (ii) have average net worth over the last 3 (three) years in the following amounts:

Contract 1: not less than 2,500 MB (two thousand five hundred million Baht)

Contract 2: not less than 2,000 MB (two thousand million Baht)

Net Worth = Total Assets – (minus) Total Liabilities

In the case of joint venture, each partner shall be calculated for its own net worth and the total net worth of the joint venture shall be prorated by the percentage of participation in the joint venture.

- (e) **Litigation History:** have no consistent history of awards against the Tenderer or any partner of a joint venture/consortium regarding litigation or arbitration resulting from contracts executed in the last 5 (five) years or currently under execution.

In the case of joint venture, tenderers shall comply with the above-mentioned requirements of each Contract for which they intend to tender and the following:

- (f) The lead partner shall meet not less than 40 (forty) percent of the qualifying criteria in Sub-Clause 4(b) and Sub-Clause 4(d)(i) of the Contract(s) intended to tender and shall have at least 2 (two) successful or in progress experiences given in Sub-Clause 4(c) of the Contract(s) for which they intend to tender.
- (g) The other partners shall meet individually not less than 25 (twenty five) percent of the qualifying criteria in Sub-Clause 4(b) and Sub-Clause 4(d)(i) of the Contract(s) intended to tender and at least one of the other partners shall have at least 1 (one) successful or in progress experience given in Sub-Clause 4(c) of the Contract(s) intended to tender.
- (h) The joint venture shall satisfy collectively the criteria in Sub-Clause 4(b), 4(c), 4(d)(i) and 4(d)(ii) of Contract(s) for which they intend to tender.

Tenderers may tender for more than one Contract provided that the Successful Tenderer to be awarded more than one Contract (or in the case of joint venture, all partners of the joint venture either they are in the same joint venture or they are in the different joint venture if they tender for more than one Contract) shall satisfy the total combination of qualifications criteria (except Sub-Clause 4(d)(ii)) of the Contracts to be awarded as specified in Tender Documents.

5. Tender Submission Date are:

Contract 1: December 1, 2010 not later than 02.00 pm. (local time)

Contract 2: December 2, 2010 not later than 02.00 pm. (local time)

The time aforesaid shall be based on the clock time of the Tendering room. The tenderers are required to deposit a Tender Security in the following amounts:

Contract 1: 1,330 MB (one thousand three hundred thirty million Baht)

Contract 2: 950 MB (nine hundred fifty million Baht)

Tenders will be opened immediately thereafter in the presence of the tenderers' representative who choose to attend.

6. A complete set of Tender Documents may be purchased by interested tenderers at:

The Special Project and Construction Department

State Railway of Thailand

1 Rong Muang Road, Pathumwan District,

Bangkok 10330

THAILAND

Tel : (662) 220-4773, (662) 220-4774, (662) 220-4775

Fax : (662) 220-4776

Email: redline_rangsit@railway.co.th

Attn: Mr. Jaray Roongthane

Project Director

Tender Documents are available for purchase on August 2 – August 17, 2010 from 9 am. to 12 noon and 1 pm. to 3 pm. (local time) on SRT's working days and upon payment of a nonrefundable fee in the following amounts:

Contract 1 : Baht 120,000 (one hundred twenty thousand) inclusive of VAT

Contract 2 : Baht 120,000 (one hundred twenty thousand) inclusive of VAT

Payment for Tender Documents purchase will be either cash or cashier cheque payable to State Railway of Thailand. Tenderers may obtain further information from, and inspect and acquire the Tender Documents at, the above office.

7. Only the tenderers or in the case of joint venture at least one partner of the joint venture, in the Tender Documents purchasing list are entitled to submit the tender.
8. The estimated date of award is in June 2011.

Remark:

1. Tenderers are strongly advised to study the scope of the Works and its own qualifications in this Invitation to Tender before purchasing Tender Documents.
2. Employer reserves the right to amend the Contract or Conditions of Contract before signing of the Contract according to the comments (if any) of the Office of the Attorney General.
3. Those persons who purchase the Tender Documents or attend the Site Visit and Pre-tender Meeting shall be the authorized representatives of individual firm or corporate firms. In case of authority assignment, a power of attorney including copy of ID card of both assignor and assignee shall be attached.