

GOVERNMENT OF BIHAR
CABINET SECRETARIAT DEPARTMENT

Patna

Letter No:- CBN (Misc.) – 15/2016 – 229

Patna, Dated:- 29.07.16

TENDER NOTICE

Sealed offers under TWO BID SYSTEM are hereby invited by the Govt. of Bihar from eligible commercial permit holders (Non-scheduled category) under DGCA, India, for WET LEASE of one **Brand New (2015-16 make) Twin Engine Jet Aircraft** for VVIP/VIP operation in Bihar and entire Territory of India, for an initial period of 5 (five) years. Specification of aircraft is appended below:-

THE DESIRED SPECIFICATIONS OF THE AIRCRAFT ARE AS FOLLOWS:-

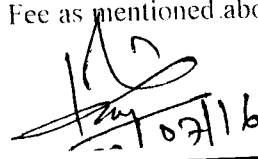
1. The aircraft should be certified vide FAR 25 or CS 25 certification standards
2. Twin engine
3. Minimum Range 2000 NM with AFW at 35 degree centigrade OAT as sea level.
4. Minimum cruising speed 450 knots.
5. Preferably glass cockpit with dual FMS.
6. Dual flight control with six axis Auto Pilot.
7. IFR capability.
8. Pressurized cabin.
9. RVSM compliant
10. CVR/FDR, EGPWS and other essential equipment installed as per applicable DGCA Civil Aviation Requirements (CARs)
11. Seating capacity as per Type certificate data sheet.
12. Minimum endurance of 4 hours 30 mins.
13. Service Ceiling to be more than 30,000 ft.
14. The aircraft and its engine to be type accepted by DGCA
15. Aircraft should be in VVIP/VIP configuration.
16. 12+2 (Passengers + Pilot) seating capacity.
17. Capable of night flying in all weather.
18. Capable to land on runway having minimum length of 5500 ft.

Terms and Conditions

1. One in number Twin Engine Jet Aircraft 12+2 (Passenger + Pilot) seater for VVIP/VIP operation in Bihar and all airports in India. Approximate utilization of flying hours will be 240 hrs per year (i.e. 20 hrs per month).
2. Bidder has to deposit Bid Bond (Earnest Money) of Rs.20.00 (Twenty) lakh in the form of Bank Guarantee as specified in the Detailed Tender Documents.

Other terms and conditions and technical parameters required for the Aircraft are specified in the Detailed Tender Documents.

3. Detail Tender Documents may be procured from the Office of the Director (Civil Aviation), Govt. of Bihar, Patna from **01.08.2016 to 31.08.2016** during office hours from 1000 hours (IST) to 1600 hours (IST) against a request/authority letter, on payment of Tender Fee of Rs.15,000/- (Rupees Fifteen Thousand) (non-refundable) only per bid document by Demand Draft in favour of the Director cum chief pilot, Govt. of Bihar, Patna, payable at Patna, Bihar.
4. Detail Tender Documents may also be collected by post by sending a self-addressed stamped envelope along with requisite Tender Fee as mentioned above. The Government of Bihar will however not be responsible for non-reaching of the Tender Documents due to postal delay or misplacement etc.
5. Tender Documents can also be downloaded from the website www.csd.bih.nic.in/ www.prdbihar.gov.in/ www.tenders.bih.nic.in. The Downloaded Tender Form must be accompanied by the Demand Draft of requisite Tender Fee as mentioned above while submitting Bid failing which the bid shall be rejected forthwith.


29/07/16

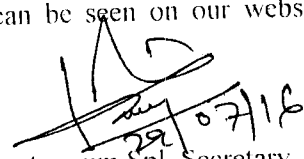
6. Last date and time of receipt of Tender by post or by hand is 1530 hours (IST) on 01.09.2016 in the office of Principal Secretary, Cabinet Secretariat Department Govt. of Bihar, Patna.
- a) Sealed Tenders will be opened in the office chamber of The Principal Secretary (Cabinet Secretariat Department), Govt. of Bihar, Patna at 1700 hours (IST) on 01.09.2016 by a committee constituted by the Government of Bihar. If intervened by a holiday, Tenders will be received /opened at the same time on next working day.
- b) After opening of Sealed Packets of Tenders, only the Technical Bids shall be opened on 01.09.2016 at 1730 hrs for scrutiny of the bid documents and technical data etc. The schedule of events for different activities is given below:-

Schedule of Events:-

DETAIL OF EVENTS	DATE
i Request for Proposal	01.08.2016
ii Pre-bid meeting	16.08.2016
iii Reply to queries	22.08.2016
iv Last date for submission of proposals & Technical bid opening	01.09.2016
v Presentation by Bidding organisations	09.09.2016
vi Opening of Financial Bid	16.09.2016
vii Award of Contract	22.09.2016
viii Positioning of Aircraft	Before March, 2017

However, if Technical Bid of any bidder is found incomplete, not supported by requisite Bid Bond and/or required documents or deficient of any technical parameters as specified in the Detailed Tender Documents, their Financial Bid shall not be opened and same will be returned to the bidder in sealed condition as submitted by the bidder.

7. The Government of Bihar reserves the right to reject any or all the bids offer without assigning any reasons thereof.
8. The detailed information in concern with Wet-Lease of Jet Aircraft can be seen on our websites www.esd.bih.nic.in/ www.prdbihar.gov.in/ [www.tenders.bih.nic.in.](http://www.tenders.bih.nic.in)


 Director cum Spl. Secretary,
 Civil Aviation Directorate
 Cabinet Secretariat Department,
 Govt. of Bihar, Patna

GOVERNMENT OF BIHAR
CABINET SECRETARIAT DEPARTMENT
PATNA (BIHAR)

TENDER DOCUMENTS FOR
WET LEASE OF ONE BRAND NEW TWIN
JET ENGINE AIRCRAFT
(2015/2016 MAKE)

GOVERNMENT OF BIHAR
CABINET SECRETARIAT DEPARTMENT

NOTICE INVITING BID

Sealed offers under TWO BID SYSTEM are hereby invited by the Govt. of Bihar from eligible commercial permit holders (Non-scheduled category) under DGCA, India, for WET LEASE of one **Brand New (2015-16 make) Twin Engine Jet Aircraft** for VVIP/VIP operation in Bihar and entire Territory of India, for an initial period of 5 (five) years. Specification of aircraft is appended below:-

THE DESIRED SPECIFICATIONS OF THE AIRCRAFT ARE AS FOLLOWS:-

1. The aircraft should be certified vide FAR 25 or CS 25 certification standards
 2. Twin engine
 3. Minimum Range 2000 NM with AWW at 35 degree centigrade OAT as sea level.
 4. Minimum cruising speed 450 knots.
 5. Preferably glass cockpit with dual FMS.
 6. Dual flight control with six axis Auto Pilot.
 7. IFR capability.
 8. Pressurized cabin.
 9. RVSM compliant
 10. CVR/FDR, EGPWS and other essential equipment installed as per applicable DGCA Civil Aviation Requirements (CARs)
 11. Seating capacity as per Type certificate data sheet.
 12. Minimum endurance of 4 hours 30 mins.
 13. Service Ceiling to be more than 30,000 ft.
 14. The aircraft and its engine to be type accepted by DGCA
 15. Aircraft should be in VVIP/VIP configuration.
 16. 12+2 (Passengers + Pilot) seating capacity.
 17. Capable of night flying in all weather.
 18. Capable to land on runway having minimum length of 5500 ft.
- One in number Twin Engine Jet Aircraft 12+2 (Passenger + Pilot) seater for VVIP/VIP operation in Bihar and all airports in India. Approximate utilization of flying hours will be 240 hrs per year (i.e. 20 hrs per month).
 - Bidder has to deposit Bid Bond (Earnest Money) of Rs.20.00 (Twenty) lakh in the form of Bank Guarantee as specified in the Detailed Tender Documents.
Other terms and conditions and technical parameters required for the Aircraft are specified in the Detailed Tender Documents.
 - Detail Tender Documents may be procured from the Office of the Director (Civil Aviation), Govt. of Bihar, Patna from **01.08.2016 to 31.08.2016** during office hours from 1000 hours (IST) to 1600 hours (IST) against a request/authority letter, on payment of Tender Fee of Rs.15,000/- (Rupees Fifteen Thousand) (non-refundable) only per bid document by Demand Draft in favour of the Director cum chief pilot, Govt. of Bihar, Patna, payable at Patna, Bihar.
 - Detail Tender Documents may also be collected by post by sending a self-addressed stamped envelope along with requisite Tender Fee as mentioned above. The Government of Bihar will however not be responsible for non-reaching of the Tender Documents due to postal delay or misplacement etc.

- Tender Documents can also be downloaded from the website www.csd.bih.nic.in/ www.prdbihar.gov.in/ www.tenders.bih.nic.in. The Downloaded Tender Form must be accompanied by the Demand Draft of requisite Tender Fee as mentioned above while submitting Bid failing which the bid shall be rejected forthwith.
- Last date and time of receipt of Tender by post or by hand is 1530 hours (IST) on **01.09.2016** in the office of Principal Secretary, Cabinet Secretariat Department Govt. of Bihar, Patna.
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- b) After opening of Sealed Packets of Tenders, only the Technical Bids shall be opened on **01.09.2016** at 1730 hrs for scrutiny of the bid documents and technical data etc. The schedule of events for different activities is given below:-

SL. No.	Schedule of Events	Date
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2.	Pre-bid meeting	16.08.2016
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4.	Last date for submission of proposals & Technical bid opening	01.09.2016
5.	Presentation by Bidding organisations	09.09.2016
6.	Opening of Financial Bid	16.09.2016
7.	Award of Contract	22.09.2016
8.	Positioning of Aircraft	Before March, 2017

However, if Technical Bid of any bidder is found incomplete, not supported by requisite Bid Bond and/or required documents or deficient of any technical parameters as specified in the Detailed Tender Documents, their Financial Bid shall not be opened and same will be returned to the bidder in sealed condition as submitted by the bidder.

- The Government of Bihar reserves the right to reject any or all the bids offer without assigning any reasons thereof.

Date: -----

Director cum Spl. Secretary,
Civil Aviation Directorate
Cabinet Secretariat Department,
Govt. of Bihar, Patna

GOVERNMENT OF BIHAR
CABINET SECRETARIAT DEPARTMENT

PATNA

Telephone No.0612 2223905

Fax No. 0612 2224614

To. _____

INVITATION OF BID (IOB)

Dear Sirs,

Sealed offers under TWO BID SYSTEM are invited by GOVT. OF BIHAR from Non-scheduled Operators Permit Holder registered under DGCA, India, for WET lease of 01 (ONE) no. **Brand New (2015/2016 make) Twin Engine**, 12+2 (Passenger + Pilot) seating configuration Jet engine Aircraft for VIP/VVIP flight services in Bihar and adjoining areas for an **period of 05 (five) years** in the prescribed bid form and the proforma attached to this bid package. The details of the tender are given below:-

1. **Tender No:** :-
2. **Period of initial Contract** :- **From date of positioning of aircraft up to 5 (five) years**
3. Wet lease of **one in number Brand New (2015-16 make) twin jet engine aircraft of desired specification as mentioned in the bid document** and complying with the mandatory modifications issued by manufacturer and modifications as prescribed by DGCA India and other modifications as applicable, for an initial Period of **5 (five) years**. The aircraft is to be utilized mainly for VIP/VVIP flights in Bihar and other locations in India. **Flying hour utilization of the aircraft will be approximately 240 hrs per year i.e. 20 hrs per month.**
4. **Delivery period** :- Bidder to mobilize the aircraft at Patna Airport, Patna, Bihar, within 180 days from the date of issue of letter of intent (LoI).
5. **Tender submission - date and time**
All the tender will submitted to the office of The Principal Secretary, Cabinet Secretariat Department, Bihar, Patna on or before 1530 hrs. (IST) on **01.09.2016** and Tenders will be opened 1730 hrs (IST) on **01.09.2016** for Technical Bids.

Bidder(s), whose Technical Bids are found not qualified, their Financial Bids shall not be opened and shall be returned to the bidder in sealed condition as submitted by them after the finalisation of the bidding process.

6. Schedule of Events:-

SL.No	Schedule of Events	Date
1.	Request for Proposal	01.08.2016
2.	Pre-bid meeting	16.08.2016
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5.	Presentation by Bidding organisations	09.09.2016
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7.	Award of Contract	22.09.2016
8.	Positioning of Aircraft	Before March, 2017

Note : Any change in above mentioned dates will be duly notified in the website. Hence bidders are requested to daily update themselves from the website mentioned above from any changes in the tender document.

7. **Bid Bond (Bank Guarantee)** :- **Rs. 20 lakh (Rupees twenty lakh only) against Aircraft** in the form of irrevocable Bank Guarantee from any Nationalized or Scheduled Bank of India.

8. **Tender Bid Validity up to** :- **12 (Twelve) months** from the tender opening date i.e. **up to 30th September, 2017.**

9. **Bid Bond Validity up to** :- **12 (Twelve) months** from the tender opening date i.e. **up to 30th September, 2017.**

10. **Performance Bank Guarantee**

i) **Amount**

:- **Initially 2% of the total contract value** computed for five years **to be furnished by the successful bidder** in the form of Bank Draft from any Nationalized or Scheduled Bank of India and thereafter 8% from each monthly bill will be deducted.

ii) **Validity**

:- **2 (Two) months beyond the initial five years period** of the contract and extendable thereafter.

Correspondence Address

:- Director cum Spl. Secretary,
Civil Aviation Directorate,
Cabinet Secretariat Department, Bihar
Phone No. 0612 2223905
Fax No. 06112 2224614

The tender will be governed by the instructions to bidder as per Chapter-I, General Terms & Conditions as per Chapter-II and Standard Terms and Conditions (not all inclusive) placed at Chapter-III and Specimen "Deed of Wet Lease Agreement" as per Chapter-IV and Annexure-I, II and Schedule-I & II.

"TWO BID SYSTEM" shall be followed for this Tender. Bidder should take due care to submit tenders in accordance with requirement in sealed covers. **GOVT. OF BIHAR shall have the right to accept/reject or prefer any Bid without assigning any reason whatsoever including rejecting the lowest quoted bid.**

Yours faithfully,

Director cum Spl. Secretary,
Civil Aviation Directorate
Cabinet Secretariat Department,
Govt. of Bihar, Patna

INSTRUCTION TO THE BIDDERS.

1. Please go through the enclosed Bid Documents before submission of bids.
2. Tender documents will be available for downloading from our Website, www.csd.bih.nic.in/ www.prdbihar.gov.in/ www.tenders.bih.nic.in. from **01.08.2016** onwards. The Tender documents can also be collected from **01.08.2016** onwards from the office of the Director cum Spl. Secretary, Cabinet Secretariat (Civil Aviation) Department, Govt. of Bihar, Patna Phone No.0612- 2223905 Fax No. 0612- 2224614 with a request/authority letter and requisite **Tender Fee of Rs.15,000/- (Rupees Fifteen Thousand) only per set of Tender Document, by Demand Draft in favour of "Director cum Chief Pilot, Directorate of Civil Aviation, Bihar, Patna", payable at Patna.** Bidders using/submitted down-loaded Tender Documents from website must furnish the Demand Draft of Tender Fee along with the Technical Bid otherwise the Bid shall be rejected outright. Tender Documents can also be purchased by post by sending a self addressed stamped file size envelope with a request letter along with requisite Tender Fee as mentioned above. However, the State Government shall not be responsible for non-receipt of Tender Documents sent by post due to postal delay or whatsoever reason.
3. **BEFORE SUBMISSION OF BIDS, THE BIDDERS SHOULD FREQUENTLY/DAILY VISIT WEBSITE www.csd.bih.nic.in/ www.prdbihar.gov.in/ www.tenders.bih.nic.in. FOR FINAL AMENDMENTS, CLARIFICATIONS, UPDATES, IF ANY, WHICH WOULD FORM PART OF THE TENDER AND WHICH WOULD BE AVAILIABLE AT THESE SITE TILL THE LAST DAY OF BID SUBMISSION.**
4. Please ensure that all documents are submitted in English language.
5. Please ensure that the **sealed bids** are submitted under "Two Bid System" viz (a) "**Technical Bid**" and (b) "**Financial Bid**".
6. **Schedule of Events :-**

SL. No.	Schedule of Events	Date
1.	Issue of Request for Proposal	01.08.2016
2.	Pre-bid meeting	16.08.2016
3.	Reply to queries	22.08.2016
4.	Last date for submission of proposals & Technical bid opening	01.09.2016
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6.	Opening of Financial Bid	16.09.2016
7.	Award of Contract	22.09.2016
8.	Positioning of Aircraft	Before March. 2017

Please ensure that your bid reaches the Office of the Principal Secretary, Cabinet Secretariat Department), Govt. of Bihar, Patna before 1530 hrs on **01.09.2016** and should be sent by Registered Mail, Courier or Hand delivered. **GOVT. OF BIHAR shall not be responsible if the Bid documents are misplaced /delayed in transit and not received at the above office by the prescribed date and time.**

GENERAL TERMS AND CONDITIONS.

1. REQUIREMENT

Wet lease of 1 (ONE) twin jet engine aircraft (**2015/2016 Make**), 12+2 (Passenger + Pilot) seater for VIP/VVIP flight service for an initial period of 5 (five) years. Bidder is required to keep back up support for replacement of aircraft with similar type in case of non-availability of the contracted aircraft due to any reason whatsoever.

1.1 Desired specification of the Aircraft are as follows:-

1. The aircraft should be certified vide FAR 25 or CS 25 certification standards
2. Twin engine
3. Minimum Range 2000 NM with AUW at 35 degree centigrade OAT as sea level.
4. Minimum cruising speed 450 knots.
5. Preferably glass cockpit with dual FMS.
6. Dual flight control with six axis Auto Pilot.
7. IFR capability.
8. Pressurized cabin.
9. RVSM compliant
10. CVR/FDR, EGPWS and other essential equipment installed as per applicable DGCA Civil Aviation Requirements (CARs)
11. Seating capacity as per Type certificate data sheet.
12. Minimum endurance of 4 hours 30 mins.
13. Service Ceiling to be more than 30,000 ft.
14. The aircraft and its engine to be type accepted by DGCA
15. Aircraft should be in VVIP/VIP configuration.
16. 12+2 (Passengers + Pilot) seating capacity.
17. Capable of night flying in all weather.
18. Capable to land on runway having minimum length of 5500 ft.

1.2 Other Requirements :-

(a) Mission Profile :-

The Aircraft should have certification of manufacturing company and the same should be accepted by DGCA, Ministry of Civil Aviation, Government of India. The pilots and air-crews to be deployed on the Aircraft should also be technically qualified and professionally competent. Technical specification of the machine indicating safety parameters may also be given. The Pilots and air-crews should be Indian national/or as per guidelines of Govt. of India while conducting flight programme in international border areas and the bidder shall comply with all required formalities of obtaining permission etc. in this regard.

(b) Passenger Capabilities: -

Under the above conditions (Mission Profile) the Aircraft offered should be able to carry minimum 12 passengers (excluding crews) @ 85 kg each.

2. AVAILABILITY/BASE OF OPERATION

The Aircraft should be mobilized/ positioned at Patna Airport, Bihar which will be the base of operation, within 180 days from the date of issue of letter of Intent (LOI). The expected utilization of the Aircraft will be 240 hrs per year i.e. 20 hrs per month.

The above flying hour utilization may increase or decrease to some extent as per actual requirement/VIP/VVIP/weather condition to which the bidder shall agree to carry out at the same terms & conditions.

Limited rooms for office/stores at the Patna Airport State Hangar will be provided to the

successful bidder as per availability. A hangar which can accommodate the Aircraft is available at Patna Airport for housing of the Aircraft. If any additional rooms are required to any bidder, same shall be arranged by them outside the airport at their own cost and arrangements. Office/store rooms and hangar at Patna Airport shall be provided free of charge, but furnishings of office equipment, other accessories like telephone, Air Conditioner etc. and bills for electricity/telephone/water supply etc. shall be arranged/borne by the successful bidder. Arrangement of other required infrastructures along with accommodation and transport for Pilots, crew etc. for the base shall be made by the successful bidder at their own cost and arrangements.

3. DURATION OF LEASE

The lease will be initially for a period of **5 (five) years from positioning of Aircraft after the contract agreement is signed**

4. VALIDITY OF BIDS

Bids shall be valid for **12 (twelve) months** from the date of opening of the tender i.e. up to **30th September, 2017.**

GOVT. OF BIHAR may seek induction of Aircraft against issue of conditional letter of Intent (LOI), pending finalization/signing of formal contract Agreement.

5.1 REQUIREMENT OF BIDDER – ELIGIBILITY CRITERIA: -

Based on all of the following requirements being met by Bidders, eligible bidders shall be short listed: -

- (a) The Bidder should be a Company in corporate registered under the Indian company act 2013 or 1956 or a limited liability partnership registered under LLP Act, 2008. The Bidder as a Company must be currently in the business of operating Aircraft services under **valid Non-Scheduled Operator's Permit (NSOP) of DGCA, India valid up to date (supporting documents of NSOP to be enclosed in Technical bid).**
- (b) **The Aircraft offered must be Brand new (2015/2016 make) as on the date of Positioning.**
- (c) The bidder must have 2 sets of qualified **pilots duly trained to fly the offered Aircraft**, as on date of positioning of Aircraft and the pilots should be in the direct employment of the bidder.
- (d) The bidder may preferably have ISO Certification.
- (e) Copies of currently valid C of A, C of R, Weight Schedule etc. issued by DGCA and other competent authorities, for the operation of the tendered Aircraft must be furnished along with the Technical Bid. The bidder will furnish Call Sign (Registration Number) of each Aircraft offered in this bid which must be endorsed on their NSOP. If the offered Aircraft is intended to be taken on lease from outside, the successful bidder must register the same under DGCA India and obtain C of A, C of R etc. from DGCA India well in time before positioning the same for State Govt. service. An undertaking to this effect must be invariably enclosed with Technical bid.
- (f) The Bidder should be in Aircraft flying/Operations business for at least 5 years calculated backwards from 2016 (excluding 2016) and **must have 1 (one) additional Aircraft of the similar type offered against the bid to serve as back up or may have contractual arrangement with some other NSOP**
- (g) The bidder should have PAN / TAN of Income Tax. (copy to be furnished in Technical bid).
- (h) The bidder should have Service Tax Registration number. (Copy to be furnished in Technical bid).

- (i) Preference will be given to bidder having VVIP/VIP operation experience of Central Govt/ State Govt./Govt. PSU.
- (j) A certificate should be given by the bidder that they are not blacklisted by any State Govt. or Central Govt/PSU.
- (k) The bidder shall have to submit Annual Safety Audit Reports for the last three years conducted by a reputed and certified Safety Auditor, authorized as per norms prescribed under the BCAS/DGCA guidelines.

All the requirements are to be met individually.

5.2 REJECTION CRITERIA: -

- (A) Non-submission of bid as per terms & conditions of this tender.
- (B) Bid not meeting the minimum financial criteria with regard to:-
 - i) Turnover
 - ii) Solvency (With amount blank in technical bid).
 - iii) Certificate of financial capability from statutory auditor.
- (C) Unsigned, unstamped and unsealed bids.
- (D) Bids having/seeking deviations from the tender.
- (E) Price bids not submitted as per the specified format of tender.
- (F) Non-submission of solvency certificate (in original) along with Financial bid.

All the requirements are to be met individually.

6. Schedule of Events :-

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1.	Request for Proposal	01.08.2016
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7. EVALUATION OF BIDS

- i) Bidder/Bid (Technical and Financial bids) should pass the stipulated requirements as per “**Rejection Criteria**” as specified at para-5.2 above and also to meet the stipulated requirements as per “**Requirement of Bidder-Eligibility Criteria**” at para-5.1 above. The aircraft(s) offered by the bidder should also meet the technical & operational requirements as specified in the tender **at para-1, 1.1 and 1.2** thereafter the Financial bids of shortlisted bidders would be evaluated. **Bidders whose Technical bids are found unqualified, their Financial bids shall not be opened and shall be returned in sealed condition.**
- ii) For the purpose of financial evaluation of bid an average flying hours shall be taken as 20 hours/per month. The formula for calculation is given below:-
 (Fixed monthly charges) + (Hourly charge x 20) = Monthly charge.
 Total Cost = Monthly Charge x 12 (Months) x 5 (Years).
 The lowest cost will be selected as successful bidder.
- iii) **Financial information to be submitted by bidders:**
 - Turnover of bidders (in aviation business) : 30% of annualized bid value or more
 - Solvency Certificate : 30% of annualized bid value or more

Note:-

- (a) The solvency certificate will be accepted **not older than six months** from the date of Technical bid submission. The Bidder will have to submit Solvency Certificate from any Nationalized or Scheduled Bank of India.
- (b) For the purpose of ascertaining parameter of Turnover of the Bidder, average turnover of the Bidder for the previous consecutive three financial years in aviation business shall be considered.
- (c) The Bidder shall provide a copy of each audited Annual Accounts of previous consecutive three financial years i.e. FY 2014-15, 2013-14 & 2012-13 (to be submitted with Technical Bids) for ascertaining their turnover.
- (d) Basis of bid price for the purpose of Solvency Certificate and Turnover:- The basis of bid price for the purpose of ascertaining Financial Capacity shall be the price quoted by the bidder including duty and taxes, if any, which is taken in to consideration for evaluation.
- (e) Submission of Solvency Certificate under Two bid System:
 - (i) The Solvency Certificate should be kept in the sealed envelope containing the **Financial Bid**. A copy of the Solvency Certificate with the amount **blanked out** must also be kept in the Technical bid.
 - (ii) The bidder must confirm in their **Technical Bid** the following:
 - (a) The Solvency limit specified in the certificate is equal to or more than 30% of their annualized bid value.
 - (b) The Turnover of the Bidder is equal to or more than 30% of the Annualized bid value.

Note: In case the above information is found to be incorrect later on after opening of Financial bids then their bids will be rejected, bid guarantee seized and the bidder will be debarred for next three years.

- (f) The bidder should also furnish a Certificate (to be submitted with Technical Bid) from their statutory auditor engaged by them for their annual accounts and not by a practicing Chartered Accountant, confirming their financial capability to execute the charter hire contract for quoted Aircraft in addition to their present jobs and planned jobs on hand in the aviation business.

8. SUBMISSION OF BIDS

The bidders are requested to submit their bid(s) under **two bid system** in a Sealed envelope in the **Office of Principal Secretary, Cabinet Secretariat Department, Government of Bihar, Patna**, on or before closing date & time.

Each "**Bid**" should contain the following:- "**Technical Bid**"

- a) Details of Company and Aircraft offered, eligibility criteria and desired specification details as per **Scheduled-II** with supporting documents as mentioned therein.
- b) Bid Bond(s) of the requisite value and validity mentioned herein before as per **Annexure-I**
- c) Proforma Tender letter as per **Annexure-II**.
- d) **Undertaking** regarding availability of fully airworthy back up Aircraft of the similar type with full set of crew to be provided to the State Govt. within 48 hours of the operating aircraft becomes unserviceable /grounded.
- e) Documentary evidence of flying experience and list of Pilots and their flying experience as mentioned in **Para-5** above of **Chapter-II**.
- f) Copy of Solvency Certificate with amount blank.
- g) Price Proforma with amount blank
- h) Certificate from Statutory Auditor.
- i) Copies of each of audited Annual Accounts of previous consecutive three financial

years i.e. FY- 2014-15; 2013-14 & 2012-13.

- j) Other required & relevant documents such as re-validated Non-Scheduled Operator's Permit, Airworthiness Certificate, Certificate of Registration, Insurance Certificate, etc. and Lease agreement of taking aircraft on long term lease by bidder (if not owned) and undertaking to obtain DGCA India's registration & C of A within stipulated period, as mentioned in the Tender.
- k) Specimen "Deed of Wet Lease Agreement" as at **Chapter-IV duly accepted/signed with seal in each page.**

"Financial Bid"

Schedule of rates duly filled in and signed with seal as per **Schedule -I** attached. Solvency certificate in original. Other required & relevant documents as mentioned in the Tender.

Both the Technical & Financial bids are to be kept in separate sealed envelopes with proper marking at the top corner of the envelop as under:-

"Financial Bid"- Tender No.....

For 12+2 (Passenger + Pilot) seater Aircraft

"Technical Bid"- Tender No.....

Both the Financial & Technical bids after sealing in separate envelopes should be put together in a third sealed envelope indicating the tender reference as under and bidder's name bold written on the top of the envelop **"Tender for Wet Lease of 12+2 (Passenger + Pilot) Seater Aircraft against NIT No. dated2016"**

(All amounts/payment shall be made in Indian currency- Financial Bid should be in Indian Currency).

The bid should be addressed to -

To,

**Director cum Spl. Secretary,
Civil Aviation Directorate
Cabinet Secretariat Department,
Govt. of Bihar, Patna**

Please ensure that your bid reaches the above office of Govt. of Bihar before **1530 hrs on 01.09.2016** and should be sent by Registered Mail, courier or hand delivered.

GOVERNMENT OF BIHAR shall not be responsible if the Bid documents are misplaced /delayed in transit and not received by the prescribed date and time.

9. NO CHANGE IN THE FORMAT ATTACHED.

The bidder should strictly adhere to the prescribed format so as to facilitate GOVERNMENT, OF BIHAR to consider and evaluate them properly. **Any change in the format may cause rejection of the bid.**

10. MODIFICATION OF BID AFTER CLOSING DATE

In case certain clarifications are sought by GOVT. OF BIHAR after opening of tenders, then the reply of the bidder should be restricted to the clarifications sought.

11. PRICES :-

The prices quoted in Bid must be firm and final. Any modifications to the offer after opening of the tender will not be considered. The prices quoted by the bidders must remain firm for the entire duration of the contract. Bidders must quote in **Indian Rupees** their prices/amounts in Financial Bid in accordance with the Schedule-I

12. BID VALIDITY EXTENSION- GOVT. OF BIHAR shall have right for extension(s) of Bid validity at its sole discretion. In case bidder/bidders do not agree to the extension(s), the bid bond would be returned to those bidder/bidders.

13. BID GUARANTEE(EARNEST MONEY)

i) The bidders shall submit **bid bond in original** along with their **Technical Bid**. The Bid bond shall be for a sum of **Indian Rs.20 (twenty) lakh in the form of an irrevocable Bank Guarantee** issued by any Nationalized Bank or Scheduled Bank in India. The Bid Bond shall be kept initially for a period of **2 (Two) months** beyond validity period of the offer which is Twelve months from the Tender closing date, as per the **Bid Bond proforma at Annexure-I**. The bid bond which shall be in the form of an irrevocable Bank Guarantee for the said amount shall specifically bind the bidder to keep their offer valid for acceptance up to **12 months** and **to abide by all the conditions of GOVERNMENT. OF BIHAR** bid package in the event of GOVT. OF BIHAR desiring to award the work to the said bidder. The bid bond shall also specifically include an undertaking by the issuing banker that the validity of the bid bond will be extended suitably at the option of Performance Guarantee in the form of GOVERNMENT OF BIHAR until the Bidder furnishes to GOVERNMENT OF BIHAR a Bank Draft of 02% of the total contract value, towards performance of contract, **valid for 2 months beyond the date of initial five years period of contract in the event of the Bidder becoming the successful bidder.**

The Bid Bond in respect of the successful bidder shall be released after receipt of the Performance Guarantee.

ii) GOVERNMENT OF BIHAR shall have an unqualified option to forfeit the bid bond amount in the event of following :-

- a) If the tender is withdrawn during the bid validity period or any extension thereof agreed by the bidder.
- b) If the tender is varied or modified in a manner not acceptable to GOVERNMENT OF

BIHAR during the validity or agreed extension of the validity or after issue of Letter of Intent (LoI) by GOVERNMENT OF BIHAR and prior to signing of contract.

- c) If the successful bidder seeks modifications to the agreed terms and conditions.
- d) If the successful bidder refuses to satisfactorily carry out /undertake operations at any time of operations for whatsoever reasons till a valid Performance Bank Guarantee is given to GOVERNMENT OF BIHAR.

iii) GOVERNMENT OF BIHAR shall, however, arrange to release the bid bond in respect of unsuccessful bidders as soon as possible after a decision is taken on the successful bidder.

14. **Bids received without bid bonds (in Technical Bid) will be rejected outright.** The original bid bond must be enclosed with the "Technical Bid". **Photocopy/Fax copy of bid bond will not be acceptable.**

15. **PERFORMANCE GUARANTEE AND PENALTY**

i) The Selected Bidder shall furnish the following as the Performance Security for the contract period.

a) 2% of the Total Financial Bid calculated for five years contract value in the form of a Bank Draft issued by a scheduled/Nationalized Bank in India. Drawn in favour of **The Director cum Chief Pilot, Directorate of Civil Aviation, Govt. of Bihar** payable at Patna at the time of signing of agreement.

b) The Director cum Chief Pilot, Directorate of Civil Aviation, Govt. of Bihar shall deduct 8% of the amount from each subsequent bill raised by the successful bidder during the whole period of contract as performance guarantee.

c) Performance guarantee shall be released after successful completion of the contract.

ii) Civil Aviation Directorate, Govt. of Bihar shall not be liable to pay any interest on the Performance Guarantee deposit so made and the same shall be interest free. Performance Guarantee shall be forfeited and appropriated by the Civil Aviation Department, Govt. of Bihar, hereunder or otherwise, under the following conditions:

a) If the Selected Bidder engages in a corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice.

b) If the Selected Bidder refuses to provide services towards successful completion of its duties and responsibilities as per the expectations, mentioned in the Bid Document/Agreement.

iii) The Selected Bidder would be subjected to penalty deduction from the Performance Security or from subsequent bills raised by the bidder in case of unsatisfactory output mentioned in the bid document.

16. Late bids will not be accepted or considered.

17. **RATES**

The rates quoted by the bidder shall include all taxes, levies, duties, costs etc. excluding service tax (payable to the Government of India), VAT as applicable, leviable under the contract including personal tax liabilities of the Bidder and their sub-bidders and associates. The Service Tax at the prevailing rate shall be paid to the operator(s) by the State Government on their bills. The bidder shall, therefore, confirm this aspect in their bid categorically.

18. SIGNING OF THE CONTRACT

The successful bidder, after receipt of Letter of Intent (LoI) shall have to sign a **Deed of Wet Lease Agreement** with the State Government. A Specimen Deed of Wet Lease Agreement is placed in **Chapter-IV** of the Tender Documents **which shall have to be submitted along with the Technical Bid duly accepted and signed by the bidder with seal in each page.** The Government of Bihar shall be at liberty to add any more clause/conditions in the Specimen Deed of Wet Lease Agreement at Chapter-IV as per requirement according to the terms and conditions of the tender and the bidder shall accept the same.

19. Only those bidders who own/possess the title to the Aircraft offered (including the back-up Aircraft) or having lease agreement with the owner of the Aircraft, on the date of their offer are eligible to quote. Proof of ownership or possession of the title Aircraft such as Copy of bidder's NSOP with the offered Aircraft duly endorsed on its NSOP revalidated up to date and / or lease agreement of not less than 05 (Five) years period from the date of issue of tender along with copies of updated airworthiness certificate of competent authority for such lease Aircraft shall be invariably enclosed with Technical Bid. For such lease Aircraft, successful bidder(s) shall have to obtain C of A & C of R from DGCA India, well in time before positioning of the aircraft (s) for State Govt. service by delivery time.
20. While quoting the fixed and firm rates, the bidder must quote the following:-
 - a) Fixed Monthly Charges for the aircraft.
 - b) Hourly Flying Charges
 - c) Mobilization/Demobilization charges (lump-sum amount) for mobilizing the Aircraft at Patna Airport, Bihar at the commencement of the contractual service and at the end of the contractual service.
21. The bidder must ensure that the offered **Aircraft** should have adequate maintenance support with necessary ground support equipment and spares to sustain the required flying commitments per month as mentioned hereinbefore during the period of contract. Bidder shall also confirm that the Aircraft will not require to be exported out of India for maintenance during the contract period.

Under this tender for wet lease, the successful bidder shall be responsible for supply of aircraft at Patna base, Bihar and for arrangement of infrastructural facilities for inspection & maintenance of their Aircraft with spare parts, full strength of Pilots & crew along with their accommodation and transportation, fuel, insurance, etc. with regard to operation of the Aircraft. Limited rooms for office/store and a big hangar that can accommodate one Aircraft shall be made available by the Government of Bihar for the tendered Aircraft. Cost of furnishings, payment of electricity, water charges and telephone bills including installation of telephones, air conditioner etc. shall be the responsibility of the successful bidder. If any successful bidder requires additional rooms, same shall be arranged by them outside the State Hangar at their own cost and arrangements. Arrangement of accommodation, transport etc. of bidder's personnel shall be made by the bidder at their own cost and arrangements.

22. Bidder must furnish the present location of the offered **New Aircraft (2015/2016 make)** in India and time required for mobilization at Patna Airport, Bihar if already acquired. If it has to be acquired subsequent to the finalisation of the bid, then time required for positioning of the same at Patna.
23. Current /Revalidated copy of Airworthiness Certificate of the Aircraft (main and back-up Aircraft) offered must accompany the Technical bid.

24. GOVT. OF BIHAR shall have the right to accept/reject or prefer any bid without assigning any reason whatsoever including rejection of the lowest quoted bid.
25. GOVT. OF BIHAR shall not entertain any third party involvement in the contract nor shall any commission/brokerage be allowed to be paid to any third party within or outside India.
26. The offered aircraft must also meet following requirements laid down by Civil Aviation Regulatory Authority in India i.e. DGCA.
 - a) Requirement of operations of Leased aircraft in India as per CAR Section 3. Series C Part-I.
 - b) Requirement for installation of Aircraft equipments and Instructions as per CAR Section-II. series I, Part II.
 - c) Requirement for installation of flight Data Recorders as per CAR Section II Series I Part-V
 - d) Requirement for installation of Cockpit voice Recorders as per CAR Section-II. series I. Part VI and other relevant rules & regulations.
27. The offered **Aircraft** must comply with mandatory modifications issued by manufactures. Mandatory modifications prescribed by DGCA, India and miscellaneous modifications which are applicable, must be complied with.
28. The CARs referred above and other relevant details required may be down loaded from DGCA, India web site: WWW.dgca.nic.in or collected from DGCA office.
29. The bidder shall provide all documents like Non Scheduled Operator's Permit, C of A, and certificate of Registration etc. issued by DGCA, India. Weight schedule etc. or any other documents required by Govt. of Bihar or Regulatory Authority in India.
30. The selected bidder(s), at the time of delivery of **Aircraft** shall provide all aircraft documents like aircraft log books, engine log books, component history cards/log cards, flight manual and maintenance manuals for inspections/examination, if so desired by the Government of Bihar
31. The Aircraft will operate under Bidders valid Non-Scheduled Operators Permit issued by DGCA India and copy of valid NSOP shall be enclosed in the Technical Bid invariably.

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**STANDARD TERMS & CONDITIONS FOR WET LEASE CONTRACT AGREEMENT
OF AIRCRAFT WITH SUCCESSFUL BIDDER**

- 1.1 The Agreement shall be deemed to have come into effect from the effective date after mobilization of the Aircraft by the successful bidder as per LOI issued to him for a period of 05 (five) years (after signing of contract agreement and positioning of Aircraft) from the date it is ready to fly after fulfilling all legal and DGCA requirements.
- 1.2 Bidder shall provide the **Aircraft** instrumented for flights as required with **currently valid Certificate of Airworthiness form DGCA, India** with necessary spare parts, equipments, crew and personnel **for exclusive use by the Govt. of Bihar in its operations in India as may be agreed once between the parties.** The bidder agrees that the **Aircraft** would be utilized (i) @ 240 hrs per year (i.e. 20 hrs per month) which may increase or decrease depending upon actual requirement/availability of VVIP/VIP/weather condition etc. to which the bidder(s) shall agree at same terms & conditions.

2. DEFINITION

The following words and phrases shall have the meanings hereby assigned to them except where the context otherwise stipulates.

- a. **“Base station”** means **Patna Airport, Bihar** from where the **Aircraft** shall normally be operated, managed, maintained, parked and stationed.
- b. **“Bidder’s Representative”** means person or persons as the Bidder designates having authority to act on behalf of the Bidder.
- c. **“Effective date”** means the date from which this contract comes into effect, i.e. after positioning of the aircraft at Patna Airport and is ready in all respects to fly after fulfilling all legal and DGCA requirements.
- d. **“Initial Period of Contract”** means the period beginning from the Effective Date and ending within up to **5(five) years** from the effective date counted from Gregorian calendar basis.
- e. **“Emergency”** means any situation which in the opinion of Bidders authorized representative of Govt. of Bihar is a matter of life and death of any person and/or a matter of serious threat of injury/damage to any person or property of Govt. of Bihar.
- f. **“Month”** means the calendar month by the Gregorian calendar.
- g. **“Out Station”** means any station other than the Base station.
- h. **“Party” or “Parties”** means party or parties to the contract.
- i. **“Scheduled/Unscheduled Maintenance”** means maintenance required for **Aircraft** as per DGCA’s regulations and as prescribed by manufacturer and defect rectification etc.
- j. **“Areas of Operation”** means State of Bihar and related areas across India.
- k. **“Regulatory Authority”** means any Govt. Body or Bodies having responsibility for aviation matters in the area of operation.
- l. **“Watch Hours”** means the time notified by the Airport Authority of India from time to time for normal operation of different airports.
- m. **“Programme”** means a written requisition of the **Aircraft** for a day indicating time of departure, destination, and approximate flight time.

- n. **"Force Majeure"** would mean fire, flood, industrial action, bad weather, acts of God (like earthquake, landslide, lightning, tempest, tornado), war (whether declared or undeclared), Civil disturbance, sabotage, epidemic, any Governmental restraint and any such other cause which is not reasonably within the control of either party claiming, force majeure. Financial distress would, however, not constitute Force Majeure.
- o. **"Total contract Value"** means the total charges for 5 (five) years initial contract period against the fixed monthly charges and average hourly flying charges (@ 20 hrs per month plus Mobilization Charges & Demobilization Charges.
- p. **"Delivery Date"** means the date by which the Bidder is to mobilize the **Aircraft** at the designated base for operation in ready to fly condition.
- q. **"Services"** mean **Aircraft** services carried out by the Bidder and its personnel under this agreement.
- r. **"Operational Day"** for a **Aircraft** would mean time commencing from first sorties as per daily flight schedule to the estimated time of landing of last sorties of the day.
- s. **"Flying Time"** with respect to a **Aircraft** would mean the time from "Choke out to Choke in" of Aircraft.

3. **DELIVERY OF AIRCRAFT**

The Bidder undertakes to deliver the Aircraft at **Patna Airport, Bihar, India** on or before the Delivery date. The date of delivery and starting of operations shall be the essence of the Agreement. The successful Bidder shall ensure that their **Aircraft** shall be ready for operations at **Patna Airport** within **180 days** from the date of Letter of Intent (LOI)/signing of contract whichever is earlier. Should the **Aircraft** not inducted at the designated base by the Delivery Date, the Govt. of Bihar shall have the right to act as under:-

"Accept the aircraft on any subsequent date after issuing notice of levy of liquidated damages (and not by way of penalty) equivalent to 0.5% of one year's total contract value for each day of delay or part thereof up to 15 days, after which the Government of Bihar shall have the right to terminate the contract without being liable to pay any charges whatsoever to the Bidder and forfeit the Bid Bond and the Performance Guarantee"

4. **PERIOD OF CONTRACT**

The Contract shall be deemed to have come into effect from the effective date after mobilization of the Aircraft by the successful bidder at Patna Airport, Bihar as per LOI issued to him for a period of 05 (five) years after signing of contract agreement, positioning of Aircraft and from the date it is ready to fly after fulfilling all legal and DGCA requirements.

5. **INDEMNITY**

The Bidder(s) shall indemnify and bond harmless the State Govt. and/or its clients from and against all claims, costs, demands, actions, including legal fees and costs, however, arising out of the use of the **Aircraft**(including damage or loss of **Aircraft** and third party liability) during the period herein mentioned.

6. **INSURANCE**

- 6.1 The Bidder(s) shall maintain throughout the period of lease Agreement at its own expense, full liability insurance/self-insurance of the aircraft. The Bidder shall also maintain throughout the period of Lease **at its own expenses, insurance/self-insurance against war risk and hijacking.**