



Delhi Metro Rail Corporation Ltd.

A joint venture of Govt. of India and Govt. of Delhi

Licensing of Commercial Space at Concourse Level of Shivaji Stadium Metro Station on Airport Express Line of DMRC through open e-Tender

NOTICE INVITING BID (NIT No. 0716A0005)

1. DMRC invites open E - Tenders from suitable bidder(s) who may be a sole proprietorship firm, a partnership firm or a company having registered office in India or a combination of above in the form of Joint Venture (JV) or consortium for selection of a Licensee to grant **Licensing Rights of Commercial Spaces at Concourse Level of Shivaji Stadium Metro Station on “as is where is basis” for commercial activities** except for banned list of usages as detailed in Annexure-11 of tender document.
 - a) The bidder may be any entity which is a sole proprietorship firm, a partnership firm or a company having registered office in India an incorporated under companies act 1956/2013 or a combination of above in the form of Joint Venture (JV) or Consortium.
 - b) Bid by a JV/Consortium of firms: In case of a bid by a JV/Consortium of firms, following shall be abide by the participant/s.-
 - i. For the purpose of evaluation of the consortium, each member’s contribution towards the turnover shall be considered in the same ratio of their equity participation in the consortium.
 - ii. The Lead Member of the JV/Consortium shall maintain a minimum equity stake of 51% of the aggregate shareholding of the JV/Consortium during full tenure of License Agreement.
 - iii. Any change in percentage stake of JV/ Consortium members without prior written approval of DMRC shall be treated as Material Breach of Contract and Successful Bidder/ Licensee’s event of default entitling DMRC to encash Security Deposit and or to terminate the License Agreement after 30 (thirty) days notice.
 - iv. Minimum percentage stake of any member in JV/ Consortium during license period (including lock-in period) shall not be less than 15%.
 - v. Partners having less than 26% participation shall be considered as non-substantial partner and shall not be considered for evaluation which means that their eligibility shall not be considered for evaluation of JV/Consortium.
 - vi. All members of such entity shall be jointly and severely liable for the performance of license agreement.

- c) A bidder shall not have a conflict of interest that affects the bidding process. Any bidder found to have conflict of interest shall be disqualified. A bidder shall be deemed to have a conflict of interest affecting bidding process if a constituent of one bidder is also a constituent of another bidder.
- d) Bidder/s shall undertake that they have not been banned from Business, as on date of Tender submission as per following:
 - (i) DMRC/MoUD/Delhi Govt. must not have banned business with the bidder (any member in case of JV) or
 - (ii) Any Central/State Government Department/PSU/Other Government entity or local body must not have banned business with the bidder (any member in case of JV) which is applicable to all ministries (approved by the Committee of Economic Secretaries, Ministry of Commerce). The bidder should submit undertaking to this effect as per Annexure-8 of tender document.
- e) The bidders shall enclose with their application an undertaking stating/providing the necessary supporting documents, including audited accounts and financial statements.
- f) First Right of Refusal: DMRC reserves the right to give “First Right of Refusal” to their existing licensee at the Shivaji Stadium metro station.

DMRC may ask their existing licensee to match highest rate received in the tender provided:

- 1.) Existing licensee shall be a participant in this tender for “Licensing of commercial spaces at concourse level of Shivaji stadium metro station”.
 - 2.) Existing licensee should have good performance history in the running contracts with DMRC at the above metro station.
 - 3.) Existing licensee at Shivaji Stadium metro station shall submit an undertaking w.r.t. the first right of refusal as per Annexure -12 of tender document, along with their bid.
 - 4.) In case existing licensee fails to match the competing highest bid for this tender or does not submit their acceptance within stipulated time period, existing licensee shall lose their first right of refusal.
2. DMRC shall receive Bids pursuant to this tender document, in accordance with the terms set forth herein as modified, altered, amended and clarified from time to time by DMRC. Bidder(s) shall upload bids in accordance with such terms on or before the date specified in this document. The bidders are advised to visit the DMRC premises at the site and familiarise themselves with the proposed arrangements and all activities necessary in this regard.
3. Salient features of Bidding Process:
- a) DMRC has adopted a single stage Bidding Process for selection of a successful bidder/ licensee to grant Licensing Rights for commercial activities inside commercial spaces admeasuring approximately 578 sqm available at Concourse Level of Shivaji Stadium Metro Station of Airport Express Line of DMRC. The reserve price per sqm/ month for the offered space is Rs. 1379/-. Bidder/s has to quote their bid more than or equal to the aforementioned reserve price. Any bid received below than reserve price as given herein shall be summarily rejected.

- b) Tender Document (non-transferable) can be downloaded from the web site <https://eprocure.gov.in/eprocure/app>. Cost of Tender Document (Non-refundable) is Rupee Twenty One Thousand only (Rs.21,000/-) (including 5% DVAT). Tender Document cost shall be submitted in the form of Demand Draft / Pay Order drawn on any Indian Scheduled bank/ Indian Branch of foreign bank in favour of “Delhi Metro Rail Corporation Ltd” payable at New Delhi.
- c) The Bidder shall submit along with the Bid Application a bid security, amounting to **Rs. 12,52,000/- (Rupees Twelve Lakh Fifty Two Thousand Only) only**. The payment shall be made in the form of Demand Draft/ Pay Order drawn on any Indian Scheduled Commercial bank/ Indian Branch of foreign bank in favour of “Delhi Metro Rail Corporation Ltd” payable at New Delhi. ***The Application shall be summarily rejected if it is not accompanied with bid security.*** The bid security of the selected Bidder shall be adjusted against the Interest Free Security Deposit amount as per the License Agreement. The bid security of unsuccessful bidder/s shall be refunded within 90 (ninety) days after award of contract, without considering any interest, thereon. If the bidder/s withdraw their bid after submission at any stage, their Bid Security amount shall be forfeited by DMRC.
- d) Bidders are expected to carry out extensive survey of DMRC premises and analysis at their own cost, before submitting their respective Bids for award of the License Agreement. DMRC shall provide necessary permission and assistance to the prospective Bidders in this regard.
- e) Schedule of bidding process for tender:

Start of sale of Tender Document to Bidders	From 17/04/2017 to 23/05/2017 (upto 1530hrs) on e-Tendering website https://eprocure.gov.in/eprocure/app Tender document can only be obtained after registration of Bidder on the website https://eprocure.gov.in/eprocure/app . For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534763), Help Tender wizard Desk No: 011-49424365
Cost of Tender Document (Non-refundable)	Non – Refundable Tender Document Cost of Rs. 21,000/- (inclusive of 5% DVAT) shall only be accepted in form of Demand Draft /Banker’s cheque in favour of “Delhi Metro Rail Corporation Ltd” payable at New Delhi. The said Tender Document Cost needs to be submitted in original in physical form in the office of Dy.GM/PB –I, Delhi Metro Rail Corporation, 4th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001 on or before 1530 hours on 23/05/2017 and details have to be uploaded on the web-site upto 1530 hours on 23/05/2017.
Bid Security	Bid Security of Rs. 12,52,000/- shall only be accepted in form of Demand Draft /Banker’s cheque in favour of “Delhi Metro Rail Corporation Ltd” payable at New Delhi. The said Bid Security needs to be submitted in original in physical form in the office of Dy.GM/PB –I, Delhi Metro Rail Corporation, 4th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001 on or before 1530 hours on 23/05/2017 and details have to be uploaded on the web-site upto 1530 hours on 23/05/2017.

Site Visit	27/04/2017 at 1000 hrs. at Shivaji Stadium Metro Station
Pre-Bid Conference	27/04/2017 at 1500 hrs. in Conference hall, 7th floor, Metro Bhawan, Barakhamba Road, New Delhi- 110001
Last date of receiving queries	1730 hrs on 28/04/2017
DMRC's response to queries by	12/05/2017
Date & Time of Submission of Bids	Latest by 1530hrs of 23/05/2017
Date & Time of Opening of Bids	1530hrs on 24/05/2017
Validity of Bids	180 days from bid submission date

f) Schedule of Various Stages: The selected bidder shall follow the following time lines:

Stage of Activity	Time Period
Payment of Interest Free Security Deposit/ Performance Security to DMRC by Licensee.	Within 30 days of date of issuance of Letter of Acceptance
Payment of First Advance Quarterly License Fees	Within 180 days from date of handing over of licensed premises
Vacant space to be handed over to Selected Bidder	Within 7 days of making the due payments in accordance with LOA.
Signing of License Agreement	Within 30 days of due handing over of space.

4. Addendum/Corrigendum, if any, will be placed on DMRC website only, from time to time. Tender document can also be downloaded from the website <https://eprocure.gov.in/eprocure/app> and may be submitted along with document cost at the time of submission of bids. ***Late / delayed bid received after the stipulated date and time of submission of tender shall be rejected out rightly.***
5. DMRC has adopted a **two packet** bidding process to select suitable highest bidder to grant licensing of commercial space.
6. The bidder may obtain further information/ clarification, if any, in respect of tender documents from the office of Dy.GM/PB, Delhi Metro Rail Corporation, 4th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi.
7. The intending Bidder must be registered on e-Tendering portal <https://eprocure.gov.in/eprocure/app>. Bidders who are not registered on the e-Tendering portal required to be registered beforehand. After registration the Bidder will get user id and password. On login, Bidder can participate in Tendering process and can witness various activities of the process.
8. The authorized signatory of intending Bidder, as per Power of Attorney (POA), must have valid *Class II or Class III Certificates with signing key usage* digital signature. The bid document can only be downloaded or uploaded using *Class II or Class III Certificates with signing key usage* digital signature of the authorized signatory.
9. Bid submissions will be made online after uploading the mandatory scanned documents towards cost of Tender documents such as Demand Draft or Pay Order or Banker's Cheque from a

Scheduled commercial bank based in India and towards Tender Security such as Bank Guarantee or Demand Draft or Pay Order or Banker's Cheque from a Scheduled commercial bank based in India and other documents as stated in the tender document.

10. Late bids (received after due date and time of submission of bid) shall not be accepted under any circumstances.
11. DMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No Bidder shall have any cause of action or claim against the DMRC for rejection of their bids.
12. All the uploaded files in tender submission should be named properly and arrange systematically. No special character/space should be there in the uploaded file name.
13. After successful completion of tender processing, the Letter of Acceptance to the successful bidder shall be uploaded on the e-Tendering portal <https://eprocure.gov.in/eprocure/app> which can be downloaded by successful bidder.
14. The bidders are advised to keep in touch with e-Tendering portal <https://eprocure.gov.in/eprocure/app> and www.delhimetrorail.com/tenders.aspx for updates.
15. In case of any grievances/ complaints regarding this tender, the bidders are advised to contact:
 - 1.) Chief General Manager/ Property Business
Delhi Metro Rail Corporation Limited
2nd Floor, A-Wing,
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi -110001
Email Id: gmpb@dmrc.org
Phone No: 011-23418417
 - 2.) Chief Vigilance Officer
Delhi Metro Rail Corporation Limited
1st Floor, A-Wing,
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi -110001
Email Id: cvodmrc@gmail.com
Phone No: 011-23418406
Website: <http://www.delhimetrorail.com/vigilance.aspx>

**Chief General Manager/Property Business
Delhi Metro Rail Corporation Limited**