

NOTICE INVITING TENDER: DMRC/PB/319M0044/09

Exclusive Co-branding through Expression of Interest at selected metro stations of DMRC Network

- 1.1. The National Capital Region (NCR) which comprises of the Indian Capital New Delhi along with its satellite towns is the most populous urban agglomeration in India. Delhi with a total population nearing 17 million residents is the 10th most populous city in the world and is the 7th biggest urban agglomeration in the world with a population of 23 million people. Delhi Metro Rail Corporation Limited (DMRC) was incorporated on 03-05-1995 under the Companies Act, 1956. DMRC undertook the construction activities to provide a world class MRTS for Delhi and the neighboring satellite towns, the first section of Phase-I was made operational on 25-12-2002. DMRC has since completed the construction of Phase-I, Phase-II, and partially Phase-III network comprising of 208 stations and a network of around 288 km and has already put them under operation. Stations which are yet to be operational are also included. As of today, DMRC network comprises of eight operational lines, along with the Airport Express Line with a ridership of more than 3.2 million commuters per day.
- 1.2. DMRC invites E-Tenders on two packet system from interested parties which may be a sole proprietorship firm, a partnership firm or a company having registered office in India and incorporated under the company act 1956/2013, or a combination of above in the form of Joint Venture (JV)/consortium for selection of Licensee for granting the license for exclusive co-Branding at Selected DMRC Metro Stations including some of Phase-III network of DMRC Ltd. DMRC shall receive E- Bids pursuant to this RFP document, in accordance with the terms set forth herein as modified, altered, amended and clarified from time to time by DMRC. Bidders shall submit **Expression of interest/bids** in accordance with such terms and conditions on or before the date specified in this document. Bidders are advised to visit the DMRC premises at the respective stations / site and familiarise themselves with various arrangements and all activities necessary in this regard.
- 1.3. Request for Proposal Document (non-transferable) can be downloaded from the web site <https://eprocure.gov.in/eprocure/app>. Cost of RFP Document (Non-refundable) is **Rupees Twenty Three Thousand Six Hundred only (Rs.23,600/-) (including 18% GST)**. RFP Document cost shall be submitted through online mode only i.e. **RTGS/NEFT/ECS**. DMRC's authorized bank name and account no. to which payments to be made – **Punjab National Bank, ECE House Branch, Connaught Place, New Delhi-110001, IFSC code – PUNB0112000, A/c No. – 1120005800000032.**
- 1.4. Bidder shall submit bid document along with bid document cost and Bid Security. The bidder shall specifically quote the name of the station / stations for which the bidder is submitting the bid document as per format at **Annexure- 3**. However, **bid document cost amounting to Rs. 23,600/- (including 18% GST)** shall only be payable irrespective of

whether the bidder submits the bid for one or more station. EMD /Bid security for each station is Rs. 10 lakhs for each station, bidders submitting bids/expression of interest for more than one station shall be required to submit **bid security/EMD of Rs. (10) Ten lakhs for each station for which bid is submitted.**

Expression of Interest: The **Expression of Interest** has to be submitted vide Annexure-3. EMD has to be submitted for each station, in case the bidder wants the station name to be included in the tender. In case the total no. of EMDs submitted is not proportionate to the proposed station names for inclusion in the tender, the station names would be selected as per order mentioned in table at **Sr.no. 3 of Annexure-3**. E.g. If a bidder pays 30 lakhs while inadvertently requests for insertion of 4 station names in Annexure-3, then the first three names as per table at Sr.no.3 at Annexure-3 would be selected for the tender.

1.5. Addendum/Corrigendum, if any, will be placed on our website only time to time. RFP/DLA 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 RFP bids along with bids for each station. *Late/ delayed RFP received after the stipulated date and time of submission of RFP shall be rejected out rightly.*

1.6. Schedule of Bidding Process for RFP

1.	Sale of Tender Document	<p>From 15.11.2019 to 26.12.2019 till 1600 Hrs. on e-Tendering website https://eprocure.gov.in/eprocure/app</p> <p>For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534776), For technical queries related to Central Procurement Portal, Help Desk No: 0120-4200462, 0120-4001002, 011-23417910/12, Extn. No. 534981</p>
2.	Cost of Tender Document (Non-Refundable)	<p>Non-refundable Rs. 23,600/- (Rs.20,000/- + 18% GST).Cost of Tender Document shall be acceptable through online mode only i.e RTGS/NEFT/ECS. DMRC's authorized bank name and account No. to which payments to be made —<u>Punjab National Bank, ECE House Branch, Connaught Place, New Delhi-110001., IFSC code – PUNB0112000, A/c No. – 1120005800000032.</u>(to be submitted along with EOI for each stations).</p>

3.	EMD/Bid Security	Rs. 10,00,000/- (Rupees Ten Lakhs only)for each station for which bid/expression of interest is submitted, payment shall be paid through online mode only i.e. RTGS/NEFT/ECS. DMRC's authorized bank name and account No. to which payments to be made- <u>Punjab National Bank, ECE House Branch, Connaught Place, New Delhi-110001., IFSC code – PUNB0112000, A/c No. – 1120005800000032.</u> (to be submitted along with EOI for each stations).
4.	<p>i) Authority and place for details of submission of receipt for Cost of Tender Document and Bid Security in physical form</p> <p>ii) A. Due date & Time for submission of (i) above</p> <p>ii) B. EMD for selected stations names</p>	<p>i) Office of GM/ Property Business, 3rd Floor, A-Wing, Metro Bhawan, Fire Bridge Lane, Barakhamba Road, New Delhi-110001.</p> <p>ii) A. till 09.12.2019 at 1500 Hrs(for expression of interest(EOI) only, along with hard copy of Annexure-3 of RFP)</p> <p>ii) B. till 1600 Hrs. on 26.12.2019 for stations selected for tender after EOI</p>
5	Last date of submission of Expression of interest (details as per Annexure-3) with receipt of EMD payment (Rs. 10 lakhs for each proposed station)	On or before 09.12.2019 at 15:00 hrs in the office of GM/PB. (through hardcopy only)
6	Uploading of selected stations from EOI in BoQ/Annexure-1 of RFP	12.12.2019 at 1700 Hrs.
7	Pre-Bid meeting	22.11.2019 at 11:00 hrs at 3 th floor, Conference Hall, Metro Bhawan
8	Last Date of receipt of written queries(if any) by DMRC	22.11.2019 (till 17:30 hrs), can be e-mailed to: chandanjauhar@dmrc.org krkrishnan.3706@dmrc.org vivek_12660@dmrc.org
9	DMRC's response to queries by	03.12.2019 till 1730 Hrs.
10	Time of submission of Bid at e-portal	From 20.12.2019 (09:30 hrs.) to 26.12.2019 (till 1600 hrs)
11	Date & Time of Opening of Technical Bids online	27.12.2019 at 1600 hrs
12	Validity of Bid	Up to 180 days from the last date of submission of tender.

1.7. **Schedule of Various Stages:** The License shall follow the following time lines:

SN	Stage of Activity	Time Period
1	Payment of Interest Free Security Deposit/ Performance Security i.e. 12 (Twelve) month License Fee to DMRC by Licensee.	Within 30 days of issue of Letter of Acceptance.
2	Stations to be handed over to Selected Bidder.	Within 7 days of making the due payments in accordance with LOA.
3	Signing of License Agreement	Within 30 days after date of handing over of the Station(s).

3.8 Eligibility Criteria:-

(a) Bidders shall have a minimum annual average Gross turnover of **Rs. 1,60,00,000/-** (i.e. aggregate of **Rs. 4,80,00,000/-**) in last 3 (three) audited financial statements/years [i.e. 2016-2017, 2017-2018 & 2018-2019] certified by a Chartered Accountant with stamp and signature. Here, gross turnover shall mean turnover from all sectors(s) of business(es). The bidder shall upload audited financial statements including profit-loss account of above mentioned last three financial years.

In case audited balance sheet of the last financial year is not made available by the bidder, they have to submit an affidavit along with certificate from chartered accountant certifying that 'The balance sheet for 2018-2019 has actually not been audited so far'. In such a case the financial data audited of financial year 2015-2016 may be submitted, which will be taken into consideration for evaluation. If audited balance sheets of last three preceding years (other than the last financial year) are not submitted, the bid shall be considered as non-responsive and shall not be evaluated.

In case of a Bid by a JV/Consortium of firms, following shall be abided by their members:

- (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. (Illustration: Say If 'A' and 'B' are two members of JV/Consortium. 'A' is having 70% equity holding in JV and 'B' is having 30% equity holding in JV. In such a condition, 70% of 'A''s total turnover and 30% of 'B''s total turnover will be taken into consideration for evaluation of eligibility of the JV).
- (ii) The Lead Member of the JV/Consortium shall maintain a minimum percentage share 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 Licensee's

Event of Default entitling DMRC to encash Security Deposit/Performance Security and /or to terminate the License Agreement after 30 day 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 severally liable for the due performance of License agreement.

1.8.(b) The Bidders shall submit along with the RFP Application a bid security of **Rs. 10,00,000/- (Rs. Ten lakhs only)** for each station for which bid is being submitted as detailed under clause document. The payment shall be made through online mode only i.e. RTGS/NEFT/ECS. DMRC's authorized bank name and account No. to which payments to be made — **Punjab National Bank, ECE House Branch, Connaught Place, New Delhi-110001, IFSC code – PUNB0112000, A/c No. – 1120005800000032.**

The Bid shall be summarily rejected if it is not accompanied **with receipt of valid bid security of appropriate amount**. The bid security/EMD in original physical form must invariably be submitted to DMRC by the stipulated time frame as given in clause 3.6 (4) of RFP, failing which the bid is likely to be rejected. The bid security of the selected Bidder shall be adjusted against the first Advance License Fee. **The bid security (submitted towards the bid/expression of interest) of unsuccessful bidders/tenderers, shall be refunded after award of contract, without considering any interest, thereof.** If the bidder withdraws its bid at any stage, the Bid Security amount of the bidder shall be forfeited by DMRC.

c). **Undertaking For not being banned from Business:**

As on date of Tender submission:

- (i) DMRC/ any other metro organisations (100% owned by govt.)/Ministry of Housing & Urban Affairs/Order of Ministry of Commerce, applicable for all Ministries must not have banned/debarred business with the tenderer (including any member in case of JV/consortium) as on the date of tender submission. The tenderer should submit undertaking to this effect in **Annexure 8 of Tender Document**.
- (ii) Also no contract of the tendered executed in either individually or in a JV/Consortium, should have been rescinded/ terminated by DMRC after award during last 03 years (from the last day of the previous month of a tender submission) due to non-performance of the tenderer or any of JV/Consortium members. The tenderer should submit undertaking to this effect in **Annexure 8** of Tender Document.

d) **Undertaking for 90 days due as per Annexure-9:** Licensee has to give undertaking that no dues are pending on his account for more than 90 days in any of the agreement(s)

with DMRC either as a single entity or as a member of JV/consortium or SPV of JV/consortium/single entity.

- e) The tenderers may obtain further information/ clarification, if any, in respect of these tender documents from the office of GM/PB, 3rd floor, A-wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001.
- f) The intending tenderers must be registered on e-tendering portal <https://eprocure.gov.in/eprocure/app>. Those who are not registered on the e-tendering portal shall be required to get registered beforehand. If needed they can be imparted training on 'online tendering process'. After registration the tenderer will get user id and password. On login tenderer can participate in tendering process and can witness various activities of the process. Tender Document can also be downloaded from DMRC's website www.delhimetrorail.com under tab 'Tenders' and subhead 'Property Development & Property Business Tenders' **and has to be submitted online through e-tendering portal <https://eprocure.gov.in/eprocure/app> only.**
- g) The authorized signatory of intending tenderer, as per Power of Attorney (POA), must have valid *class-III* digital signature. The tender document can only be downloaded or uploaded using Class-III digital signature of the authorized signatory.
- h) Tender submissions will be made online after uploading the mandatory scanned documents towards cost of tender documents such as details of online payment details i.e. RTGS/NEFT/ECS receipts Delhi, and other documents as stated in the tender document.
- i) Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
- j) DMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No tenderer shall have any cause of action or claim against the DMRC for rejection of his proposal.
- k) Bidder shall note that the maximum number of files can be uploaded is seven. 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.
- l) The bidders are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for updates.
- m) 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. LOA would also be E-mailed to the successful bidder.
- n) 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.

o) In case of any grievances/complaints regarding this tender, please contact:

1.) General Manager/ Property Business

Delhi Metro Rail Corporation Limited

3rd 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>

Note: The Hindi version of NIT is also available on DMRC website. In case of any discrepancy between the English and Hindi versions, the English version shall prevail.

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