

SECTION 2: NOTICE INVITING BID

2.0 Notice Inviting Bids

2.1 The PD Area at the Project Site are proposed to be given on lease basis through this bidding process on “as is where is basis” as demarcated in the plans placed as Annexure – 6 of this document and are in form of built up areas for retail and commercial spaces, details of which are given below.

Built up approx. Areas (in Sqm) at Tughlakabad metro station	
Ground Floor	3168.00
Concourse Floor	1166.50
3 rd Floor	2334.00
4 th Floor	2334.00
5 th Floor	2334.00
Total area	11336.50 sqm

(Hereinafter individually referred to as “**Leased Space(s)**” or “Leased Area”)

2.2 DMRC invites Bids from suitable participants who may be a sole proprietorship firm or a partnership firm or a body corporate incorporated and registered in India under the Companies Act, 1956 /2013, duly registered under the law applicable to such company, either individually or in Joint Venture/Consortium under an existing agreement (the “**Bidders**”, which expression shall, unless repugnant to the context, include the members of the Consortium/ JV) for selection of Lessee(s) to grant rights under the Lease Agreement for the commercial utilization of the Lease Space(s) for various purposes, except banned list of usages as detailed in Annexure-9.

2.3 Deemed Knowledge and Disclaimer:-

2.3.1 DMRC shall receive 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 bids in accordance with such terms on or before the Proposal Due Date. The participating Bidders are expected to visit the Project Site to examine its precincts and the surroundings at the Bidder’s own expenses and ascertain on its own responsibility, information, technical data, traffic data, market study, etc. including actual condition of existing services.

2.3.2 The Bidder shall be deemed to have inspected the Project Site and be aware of the existing buildings, constructions, structures, installations etc., if any existing in the Leased Space(s) and shall not claim for any change on the Project Site after submitting its Bid. The Bidder hereby admits, agrees and acknowledges that DMRC has not made any representation to the Bidder or given any warranty of any nature

whatsoever in respect of the Project Site including in respect of its usefulness, utility etc. or the fulfillment of criteria or conditions for obtaining Applicable Permits by the Bidder for implementing the Project.

2.3.3 The Bidder shall be fully and exclusively responsible for, and shall bear the financial, technical, commercial, legal and other risks in relation to the development of the assets regardless of whatever risks, contingencies, circumstances and/or hazards may be encountered (foreseen or unforeseen) including underground utilities and notwithstanding any change(s) in any of such risks, contingencies, circumstances and/or hazards on exceptional grounds or otherwise and whether foreseen or unforeseen and the Bidder shall not have any right whether express or implied to bring any claim against, or to recover any compensation or other amount from DMRC in respect of the Project other than for those matters in respect of which express provision is made in the Lease Agreement.

2.4 **Salient features of Bidding Process:**

- a) DMRC has adopted a two packet bidding process for declaration of a Selected Bidder for each schedule to grant rights under the Lease Agreement for the Leased Space.
- b) The details of bidding process are provided in Section 3.
- c) Schedule of bidding process for RFP :

Start of sale of RFP Document to Bidders	From 14.06.2019 to 22.07.2019 (upto 15:00 hrs.) on e-tendering website https://eprocure.gov.in/eprocure/app .
Tender Security amount (Earnest Money Deposit)	<p>Amount of tender Security: INR 13.00 lakhs</p> <p>Validity of Tender Security in case of BG: - 17.03.2020</p> <p>Tender Security in case of BG, FDR, Demand Draft, Banker's Cheque (in original) as per clause 3.10 of RFP shall be accepted only up to 1500 hrs on 22.07.2019 in the office of Chief General Manager/Contracts at the address mentioned hereinafter.</p> <p>In case of RTGS/NEFT & IMPS transactions, bidders shall required to upload the scanned copies of transaction of payment of tender security / EMD including e-receipt (clearly indicating UTR number and tender reference i.e. CPD-64R must be entered in remarks at the time of online transaction payment, falling which payment may not be considered) to be uploaded in online bid submission. The detail of bank account of DMRC is mentioned below this table.</p>

	For further details, clause 3.10 of RFP may be referred.			
Cost of RFP Bid Document	<p>INR 23,600/- (inclusive of 18% GST) Non-Refundable</p> <p>Payment of tender document cost/ tender fee shall be made only by RTGS, NEFT & IMPS. No other mode of payment will be accepted.</p> <p>The detail of bank account of DMRC is mentioned below this table. The bidders are required to upload scanned copies of transaction of payment of tender document cost/tender fee including e-receipt (clearly indicating UTR No. & tender reference i.e. CPD-64R must be entered in the remarks at the time of online transaction of payment, failing which payment may not be considered) at the time of online bid submission.</p> <p>(Copy of GST registration No. shall also be provided along with the tender cost)</p>			
Last date of receiving queries	28.06.2019 upto 11:00 Hrs (Queries from bidders after due date shall not be acknowledged)			
Pre-Bid Meeting	03.07.2019 at 11.00 hrs			
DMRC's response to queries by	10.07.2019			
Tender Submission Start Date & Time	15.07.2019 from 09:00 Hrs.			
Tender Submission End Date & Time	22.07.2019 upto 15:00 Hrs.			
Date & Time of Opening of RFP Bids online	23.07.2019 @ 15:00 Hrs.			
Authority and place for submission of Tender Security & Pre Bid Meeting	<p>Chief General Manager/Contracts,</p> <p>Delhi Metro Rail Corporation, 5th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001</p>			
To facilitate payment of tender fee and tender Security through RTGS, NEFT & IMPS, the details of bank account of DMRC is mentioned below:				
Name of Bank	Bank's Address	Account Name & no.	Account Type	IFSC code
ICICI Bank	9A, Phelps Building, Connaught Place, New Delhi-110001	DMRC Ltd, Tender cell A/c, 000705045337	Current	ICIC0000007

- d) Schedule of Various Stages: The Selected Bidder shall follow the following time lines:

Stage of Activity	Time Period
-LOA payment:-	<p>Successful Bidder is required to deposit Interest free security Deposit/ Upfront amount/ Any other amount required within stipulated time period as mentioned in LOA. In case successful bidder fails to submit the same as advised in the LOA within 30 (thirty) days time period, same can also be submitted with interest as detailed below:-</p> <p>(a) Up to 30 days – Nil (b) 31st to 45th day -2% Flat (c) 46th to 60th day – 3% Flat</p> <p>The aforementioned interest is excluding GST and shall be charged on the balance amount remaining unpaid as per the LOA, This amount shall be submitted in the form of Demand Draft/ Pay order/ RTGS/NEFT only. In favour of DMRC Ltd,& payable at New Delhi.</p> <p>After 60th days of issue of LOA if the Lessee fails to comply with the terms and conditions of LOA, the LOA may be cancelled and EMD/any other amount submitted may be forfeited by DMRC.</p>
Signing of Lease Agreement	Within 30 days of receipt of LOA payment
Payment of Advance Lease Fee for 1 st Quarter to DMRC by Lessee.	Within 7 days after end of moratorium period i.e. 12 months after signing of the Lease Agreement without consideration of any interest. Delay in payment of advance lease fee shall attract interest @ 20% per annum on outstanding balance on due date

2.5 The bidders are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for updates. The Letter of Acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder. For any complaints tenderers may contact CVO DMRC at 1st floor A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110001, Tel:011-23418406, Email: cvodmrc@gmail.com.

Instructions for Online Bid Submission:

The bidders are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: <https://eprocure.gov.in/eprocure/app>.

REGISTRATION

- a. Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: <https://eprocure.gov.in/eprocure/app>) by clicking on the link "**Online bidder Enrolment**" on the CPP Portal which is free of charge.
- b. As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
- c. Bidders are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.
- d. Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.
- e. Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC's to others which may lead to misuse.
- f. Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

SEARCHING FOR TENDER DOCUMENTS

- 1) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.
- 2) Once the bidders have selected the tenders they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective 'My Tenders' folder. This would enable the CPP Portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.

- 3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

PREPARATION OF BIDS

- 1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.
- 2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.
- 3) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR / DWF/JPG formats. Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document. Bidder has to ensure that size of each file should not exceed 40MB before uploading.
- 4) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use “My Space” or “Other Important Documents” area available to them to upload such documents. These documents may be directly submitted from the “My Space” area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS

- a) Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.
- b) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
- c) **Tender fee / Tender document cost:** The instrument type for payment of tender cost/ tender fee is to be done only by RTGS, NEFT & IMPS. No other mode of payment will be accepted. The bidders will be required to upload scanned copies of transaction of payment of tender cost/tender fee at the time of bid submission.
- d) **Tender Security/ EMD:** Bidder should submit the EMD/Tender Security as per the instructions specified in Section 3 Clause 3.10 of RFP.

- e) Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the bidders. Bidders are required to download the BOQ file, open it and complete the white coloured (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the bidder, the bid will be rejected.
- f) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.
- g) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- h) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- i) Upon the successful and timely submission of bids (ie after Clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.
- j) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

ASSISTANCE TO BIDDERS

- 1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.
- 2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.
- 3) For any Technical queries related to Operation of the Central Public Procurement Portal Contact at :

Tel: The 24 x 7 Toll Free Telephonic Help Desk Number 0120-40010462, 0120-4001002.

E-Mail: **Technical - support-eproc(at)nic(dot)in**