

**NOTICE INVITING TENDER (NIT)****1.1 GENERAL****(e-Tender)****1.1.1 Name of Work:**

Delhi Metro Rail Corporation (DMRC) Ltd. Invites online open e-tenders from eligible applicants, who fulfil qualification criteria as stipulated in Clause 1.2 of NIT, for the work “ **Contract: CPD-P-01R1/2019 “Licensing of parking rights at Huda city Centre Metro Station”**”

**1.1.2 Key details :**

a	Approximate cost of work	<b>INR 7.69 Crores (Excluding GST)</b>
b	Tender Security (Earnest Money Deposit)	<p>Amount of Tender Security : <b>INR 7.69 Lakhs</b>  <b>Payment of tender security is to be done only by RTGS, NEFT &amp; IMPS. No other mode of payment will be accepted.</b></p> <p>The detail of Bank account of DMRC to facilitate the payment is mentioned below this table. The bidders shall upload the scanned copies of transaction of payment of tender security / EMD including e-receipt (clearly indicating UTR No. and tender reference i.e. <b>CPD-P-01R1/2019</b> must be entered in remarks at the time of online transaction of payment, failing which payment may not be considered) to be uploaded in online bid submission.</p> <p>Note: Bidders to note that the payment of tender security shall be made from the account of bidder only, however, in case of JV/ Consortium the tender security can either be paid from JV/Consortium account or one of the constituent member of JV/Consortium.</p> <p>If tender security has been made from other than the account mentioned above, same shall not be accepted and all such bids shall be considered ineligible and summarily rejected.</p>
c	Period of the Work	48 (Forty Eight) months further extendable by one year at the sole discretion of DMRC.
d	Tender documents on sale	From 21.02.2020 to 13.03.2020 upto 15:00 hrs on e-tendering website <a href="https://eprocure.gov.in/eprocure/app">https://eprocure.gov.in/eprocure/app</a>

e	Cost of Tender documents	<p>INR 23,600/- (inclusive of 18% GST) <b>Non-Refundable</b></p> <p><b>Payment of tender fee/ tender document cost is to be done only by RTGS, NEFT &amp; IMPS. No other mode of payment will be accepted.</b> The detail of Bank account of DMRC to facilitate the payment is mentioned below this table. The bidders will be required to upload scanned copies of transaction of payment of tender fee/tender document cost including e-receipt (clearly indicating UTR No. and tender reference i.e. <b>CPD-P-01R1/2019</b> must be entered in remarks at the time of online transaction of payment, failing which payment may not be considered) to be uploaded in online bid submission. No copies of transaction of payment are required to be sent to the office of Sr.GM/Contracts.</p> <p>Note: The payment of the tender cost is acceptable from any account. However, tenderer shall submit such transaction details along with their tender submission on e-portal. If the same transaction reference number has been submitted for more than one bids. All such bids shall be considered ineligible and summarily rejected.</p> <p>GST registration no also be provided along with tender cost.</p>		
f	Last date of Seeking Clarification	28.02.2020 upto 15:00 Hrs (Queries from bidders after due date shall not be acknowledged)		
g	Pre-bid Meeting	02.03.2020 at 11:00 Hrs.		
h	Last date of issuing addendum , if any	04.03.2020		
i	Date & time of Submission of Tender online	Tender submission start date : 07.03.2020 (09:00 Hrs) Tender submission end date : 13.03.2020 (15:00 Hrs)		
j	Date & time of opening of Technical Bid online	16.03.2020 at 1500 hrs.		
k	Authority, seeking clarifications on tender documents and pre-bid meeting	<p><b>Sr.GM/Contract,</b> Delhi Metro Rail Corporation Ltd., 5<sup>th</sup> 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
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*Tender Cost and Tender Security is exempted for bidders (Micro & Small Enterprises (MSEs)) registered with District Industries Centre or Khadi & Village Industries Commission or Khadi & Village Industries Board or Coir Board or National Small Industries Corporation or Dte. Of Handicraft & Handloom or any other bodies specified by Ministry of Micro, small & medium Enterprises for appropriate category “**Car/Motorcycle Parking**”, and have valid registration certificate as on date of tender submission.*

*The MSEs would not be eligible for exemption of Tender Cost and Tender Security if;*

- *either they are not registered for “**Car/Motorcycle Parking**” category.*
- *or they do not have valid registration as on the date of tender submission.*

*The tenderers seeking exemption from ‘Tender Cost and Tender Security’, being MSEs, shall ensure their eligibility w.r.t. above and submit registration certificate issued by the body under which they are registered which clearly mentions category of registration i.e. “**Car/Motorcycle Parking**”, and Terminal Validity of registration.*

*In absence of any of the above requirements no exemption for ‘Tender Cost and Tender Security’ will be allowed and tenderers eligibility shall be dealt as if they are not registered with MSEs.*

No further clarification shall be sought on the above.

**Notes:**

1. In case bidder is a JV/Consortium, then registration of bidder with the bodies mentioned above must be in the name of JV/Consortium.
2. In case the bidder who has been exempted Tender Cost/Tender Security being Micro & Small Enterprise, and;
  - (i) withdraws his Tender during the period of Tender validity; or
  - (ii) becomes the successful bidder, but fails to commence the work (for whatsoever reasons) as per terms & conditions of Tender; or
  - (iii) refuses or neglects to execute the contract; or
  - (iv) fails to furnish the required Performance Security/ any other amount mentioned in LOA within the specified time,

The bidder shall be debarred from participating in future tenders for a period of 1 year from the date of discharge of tender/date of cancellation of LOA/annulment of award of contract as the case may be. Thereafter, on expiry of period of debarment, the bidder may be permitted to participate in the procurement process only on submission of required Tender Cost/ Tender Security. Further the Employer may advise the authority

responsible for issuing the exemption certificate to take suitable actions against the bidder such as cancellation of enlistment certificate etc.

## **1.2 QUALIFICATION CRITERIA**

### **1.2.1 Eligible Applicant**

- i. The tenders for this contract will be considered only from those tenderers {proprietorship firms, partnership firms, companies incorporated under the companies Act 1956/2013 & having their Registered office in India or a combination of these in the form of a consortia or joint venture (JV/Consortium hereinafter)} who meet requisite eligibility criteria prescribed in the sub-clauses of Clause 1.2.2 of NIT. In the case of a JV/Consortium, all members of the JV/Consortium shall be jointly and severally liable for the performance of the entire contract/License Agreement.
- ii. A tenderer shall submit only one bid in the same tendering process, either individually as a tenderer or as a member of a JV/Consortium. A tenderer who submits or participates in, more than one bid will cause all of the proposals in which the tenderer has participated to be disqualified. No tenderer can be a subcontractor while submitting a bid individually or as a member of a JV/Consortium in the same bidding process. A tenderer, if acting in the capacity of subcontractor in any bid, may participate in more than one bid, but only in that capacity.
- iii. Tenderers shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers shall be considered to have a conflict of interest with one or more parties in this bidding process, if:
  - (a) a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
  - (b) a tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
  - (c) a tenderer lends, or temporarily seconds its personnel to firms or organisations which are engaged in consulting services for the preparation related to procurement for on implementation of the project, if the personnel would be involved in any capacity on the same project.
- iv. A firm, who has purchased the tender document in their name, can submit the tender either as individual firm or in joint venture/Consortium. However, the lead member in case of JV/Consortium shall be one who has experience of similar work as mentioned in clause 1.2.1 of NIT.

- v. (a). DMRC/ any other Metro Organisation (100% owned by Govt.) / Ministry of Housing & Urban Affairs / Order of Ministry of Commerce, applicable for all Ministries must not have banned 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 Appendix-5 of Form of Tender.
- (b). Also no contract of the tenderer, executed either individually or in a JV/Consortium, should have been rescinded / terminated by DMRC / any other Metro Organisation (100% owned by Govt.) after award during last 03 years (from the last day of the previous month of tender submission) due to non-performance of the tenderer or any of JV/Consortium members. The tenderer should submit undertaking to this effect in Appendix-5 of Form of Tender.
- (c). If the tenderer or any of the constituent 'substantial member(s)' of JV/Consortium does not meet the criteria stated in the Appendix 5, the tenderer including the constituent 'substantial member(s)' of JV/Consortium shall be considered ineligible for participation in tender process and they shall be considered ineligible applicants in terms Clause 1.2.1 of NIT.
- (d). If there is any misrepresentation of facts with regards to undertaking submitted vide Appendix-5, the same will be considered as "fraudulent practice".
- vi. Tenderer (any member in case of JV/consortium) must not have suffered bankruptcy/ insolvency during the last 5 years. The tenderer should submit undertaking to this effect in the Appendix-5 of Form of Tender.
- vii. Bidder/SPV (either as single entity or as a member of JV/consortium) having lease/license agreement of DMRC property will be considered ineligible to participate in the bid are as under:
- a) If the lessee/ licensee have any dues pending for more than 90 days as on date of submissions of bid.
  - b) If the lessee/ licensee has failed to vacate the leased / licensed space/ premises within the grace period (if provided) after completion of the tenure of license/ pre- mature terminated/ surrender.
  - c) If the lessee/ licensee failed to take over the space with due date & time.
  - d) If the lessee/ licensee has encroached on the common areas/ circulating areas or any other space which is not leased/ licensed and not vacated the area as per the notice issued to him to do so.
  - e) If the lessee/ licensee having lease/ license agreement of DMRC in which there is a provision of opening Escrow account, have not opened the Escrow account or having opened it, did not ensure that sub licensee make all the

payments whatsoever through escrow account or do not remit DMRC dues through escrow account.

The bidder should submit as undertaking to effect as per Appendix 13A & 13B.

viii. If there is any misrepresentation of facts by the bidder in their bid submission the same will be considered as fraudulent practice and the bid submission of such bidder will be summarily rejected and also further action shall be taken as per terms of contracts or other applicable laws/rules.

**ix. LEAD MEMBER/ NON SUBSTANTIAL MEMBERS/ CHANGE IN JV/CONSORTIUM**

- a. For evaluation purposes of the consortium, each member's contribution towards the turnover shall be considered in the same ratio of their equal participation in the consortium.
- b. Lead member of JV/Consortium must have a minimum of 51% participation in the JV/Consortium which shall be maintained during the full tenure of consortium.
- c. Partners having less than 26% participation will be termed as non-substantial partner and will not be considered for evaluation which means that their financial soundness and work experience shall not be considered for evaluation of JV/Consortium.

Minimum participation of any member in JV consortium shall be not be less than 15%.

- d. In case of JV/Consortium, change in constitution or percentage participation in JV shall not be permitted at any stage after their submission of application otherwise or shall be treated as a material breach of contract and licensee's event of default entitling DMRC to terminate the contract & encash the Interest free security Deposit.
- e. The tenderer, in case of JV/Consortium, shall clearly and unambiguously define the role and responsibilities for each substantial/non-substantial partner in the JV agreement/ MOU submitted vide foot note (d) of appendix 4 of FOT, providing clearly that any abrogation /subsequent re-assignment of any responsibility by any substantive/non-substantive partner of JV/Consortium in favour of other JV/Consortium partner or any change in constitution of partners of JV/Consortium (without written approval of Employer) from the one given in JV agreement/MOU at tender stage, will be treated, as 'breach of contract condition'
- f. In case the Selected Bidder is a Consortium/ JV, such Consortium/ JV shall be required to incorporate a company under Companies Act, 2013 which shall be a special purpose company ("**SPC**") within 30 days of issuance of the LOA and the SPC shall enter into Lease Agreement with DMRC for implementation of the

Project. The members of Consortium/ JV shall be required to maintain 100% of the equity of the SPC throughout the subsistence of the Lease Agreement. In case company is not incorporated within 30 days of issuance of LOA, then the LOA will stand cancelled and the amount deposited by the selected bidders (i.e. tender security, Security Deposit, Upfront amount etc.) shall be forfeited.

- g. In case selected bidder is other than a consortium/ JV, special purpose company (SPC), may be formed within 30 days of issuance of the LOA under intimation to DMRC and the SPC shall enter into Lease Agreement with DMRC for implementation of the project. The bidder shall be required to maintain 100% of equity of the SPC throughout the subsistence of the Lease Agreement.

### 1.2.2 Minimum Eligibility Criteria

- (a) Work Experience :** The tenderers will be qualified only if they have successfully operated similar parking work(s) during last 5 years ending last day of the month previous to the month of tender submission should be as given below:

The tenderer should have experience of at least one of the following similar work.

**(A)**

- (i) At least one “similar work” \*\* of value of **Rs. 1.54 Crores**  
OR  
(ii) Two “similar works” \*\* each of value of **Rs. 0.96 Crores**  
OR  
(iii) Three “similar works” \*\* each of value of **Rs 0.77 Crores**

**\*\* “ similar work” for this contract shall be operating the parking lots with Government Departments/ Public Sector/ 5 & 4 star Hotel/ Hospital/ Municipal Corporation/ Airport/ Sea Port/ Railways/ Bus Terminals etc.**

**OR**

**(B)**

- (i) The tenderer should have experience of similar work\*\*\* with digitalised smart parking solutions,  
**\*\*\*“Similar Work” for this contract shall be operating the parking lots with Government Departments/ Public Sector/ 5 & 4 star Hotel/ Hospital/ Municipal Corporation/ Airport/ Sea Port/ Railways/ bus Terminals/ etc. with digitalised smart parking of Rs 0.96 Crores.**

And

- (ii) Having tie up with national or international technology and fully automatic boom barrier. (Supporting documents to be submitted)

**Note: -**

- The tenderer shall upload details of work executed by them in the prescribed format as per Appendix-8 of Form of Tender for the works to be considered for qualification of work experience criteria. Documentary proof such as completion certificates from the client clearly indicating the nature/scope of work, LOA/ Contract No., actual start and completion date and actual license fee paid under the contract should be uploaded. In case of work done for any private entity, the work experience certificate will be considered if issued only by duly incorporated entities under the companies Act 1956/2013, duly supported by copies of TDS Certificates issued by such entity or referring to Form 26 AS of the bidder and copy of work order. The offers submitted without this documentary proof shall not be evaluated.
- Value of successfully completed portion of any ongoing work up to the last day of the previous month of tender submission will also be considered for qualification of work experience criteria.
- For completed works, value of work done shall be updated to last day of the month previous to the month of tender submission price level assuming 5% inflation for Indian Rupees every year
- In case of joint venture/ Consortium, full value of the work, if done by the same joint venture shall be considered. However, if the qualifying work(s) were done by them in JV/Consortium having different constituents, then the value of work as per their percentage participation in such JV/Consortium shall be considered.
- Where a work is undertaken by a group, only that portion of the contract which is undertaken by the concerned applicant/member should be indicated and the remaining done by the other members of the group be excluded. This is to be substantiated with documentary evidence

**(b) Financial Standing:** The tenderers will be qualified only if they have minimum financial capabilities as below :-

**Annual turnover-** The minimum average annual turnover of a Bidder should be **Rs. 1.92 Crores** for the preceding three financial years as per the audited balance sheets of the Bidders starting from the financial year 2018-2019. The average annual turnover of JV/Consortium will be based on percentage participation of each member.

Example: Let Member-1 has percentage participation = M and Member - 2 has =N. Let the average annual turnover of Member-1 is 'A' and that of Member-2 is 'B', then the average annual turnover of JV/Consortium will be 
$$\frac{AM+BN}{100}$$

100

NOTES :



Financial data for latest last three audited financial years has to be submitted by the tenderer in Appendix-3 along with audited balance sheets. The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature in original. In case audited balance sheet of the last financial year is not made available by the bidder, he has to submit an affidavit [as per format provided in Appendix-3A of FOT] certifying that 'the balance sheet has actually not been audited so far'. In such a case the financial data of previous '3' audited financial years will be taken into consideration for evaluation. Further, in such case, bidder must attach Annual Audited Balance Sheets and IT Returns Certificate for previous 3 (Three) audited financial years. If audited balance sheet of any year other than the last year is not submitted, the tender may be considered as non-responsive.

In case of mismatch in financial data in the submitted documents i.e. in Chartered Accountant certified documents and data in audited balance sheets, the data from audited balance sheet shall prevail.

### **Notes:**

- The tender submission of tenderers, who do not qualify the minimum eligibility criteria stipulated in the clauses 1.2.2 (a) to 1.2.2 (b) above, shall not be considered for further evaluation and therefore rejected. The mere fact that the tenderer is qualified as mentioned in sub clause 1.2.2 (a) to 1.2.2 (b) shall not imply that his bid shall automatically be accepted. The same should contain all technical data as required for consideration of tender prescribed in the ITT.

### **1.3 Tender documents consists of the following:**

- a. Notice Inviting Tender
- b. Instructions to Tenderers
- c. Form of Tender (Including Appendices)
- d. General Terms and Conditions.
- e. Employers Requirement
- f. Bill of Quantities/Pricing Documents

1.3.1 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. 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.

1.3.2 The authorized signatory of intending tenderer, as per Power of Attorney (POA), must have valid **class-II** or **class-III** digital signature. The tender document can only be downloaded from e-tendering portal using class-II or class-III digital signature. However, the tenderer shall upload their tender on <https://eprocure.gov.in/eprocure/app> using class-II or class-III digital signature of the authorized signatory only.

- 1.3.3 Tender submissions shall be done online on <https://eprocure.gov.in/eprocure/app> after uploading the mandatory scanned documents towards cost of tender documents (In the form of RTGS/NEFT/IMPS only in DMRC's account as mentioned in ITT) and towards Tender Security/EMD (In the form of RTGS/NEFT/IMPS only in DMRC's account as mentioned in clause no. D1.2 of ITT) and other documents as stated in the tender document. Instructions for on-line bid submission are furnished hereinafter.
- 1.3.4 Submission of Tenders shall be closed on e-tendering website of DMRC at the date & time of submission prescribed in NIT after which no tender shall be accepted. It shall be the responsibility of the bidder / tenderer to ensure that his tender is uploaded online on e-tendering website <https://eprocure.gov.in/eprocure/app> before the deadline of submission. DMRC will not be responsible for non-receipt of tender documents due to any delay and/or loss etc.
- 1.3.5 Tenders shall be valid for a period of **180 days** (both days inclusive i.e. the date of submission of tenders and the last date of period of validity of the tender) from the latest Date of Submission of Tender and shall be accompanied with a tender security of the requisite amount as per clause 1.1.2 (b) of NIT.
- 1.3.6 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.
- 1.3.7 Tenderers are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for updates.
- 1.3.8 Letter of acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder shall submit unconditional acceptance within 7 days after uploading of **LOA**.
- 1.3.9 For any complaint, tenderer may contract CVO (email- [cvodmrc@gmail.com](mailto:cvodmrc@gmail.com) Ph.011-23418406

**Sr.GM/Contract**  
**Delhi Metro Rail Corporation Limited.**