NIT No. *DMRC/PB/41630011/DM* Dated: 21.02.2017

Tender for licensing of exclusive advertisement rights through digital media inside Akshardham, Botanical garden and Noida Sec-16 metro station on "as is where is basis" for a period of 6 years

Chapter 2 of RFP

2.0 The proposed Metro stations lies on the DMRC metro line-3. At present, its operational section starts from Dwarka Sector 21 to Noida City Centre (Blue Line). The advertisement spaces/sites proposed will be given on license basis through open e-tender. The advertising spaces inside selected Metro station owing to its strategic location give a unique opportunity for promoting a brands value.

2.1. DMRC invites E-Tenders from suitable participants for selection of Licensee to grant advertising rights at Selected Metro station through digital media on "*as is where is basis*" for advertising operations.

a) The Bidders 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.

2.2. DMRC shall receive Bids pursuant of this tender document, in accordance with the terms set forth herein and as modified, altered, amended and clarified from time to time. Bidders shall submit bids in accordance with terms and conditions on or before the date specified. The Bidders are advised to visit the advertisements site/spaces and familiarise themselves to have proper evaluation before bidding.

2.3. Salient features of Bidding Process:

a) Schedule of Bidding Process

Start of sale of tender Document to Bidders	From **21.02.2017 to 22.03.2017** (up to 1600 hrs.)on e-tendering website https://eprocure.gov.in/eprocure/app Tender document can only be obtained after registration of tenderer on the website https://eprocure.gov.in/eprocure/app For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534776/543778), For technical queries related to Central Procurement Portal, Help Desk No: 0120-4200462, 0120-4001002, **011-23417910/12, Extn. No. 534318**
Cost of tender Document (Non-refundable) And	**a.) INR 21,000/- (inclusive of 5% DVAT) Non-Refundable** **b.) Bid Security/ EMD of Rs.460000/-** (Demand Draft /Banker's cheque) in favour of "Delhi Metro Rail Corporation Ltd" payable at New Delhi & drawn on a scheduled commercial Bank) Cost of tender documents and Bid security has to be submitted latest by **1600 hours on 22.03.2017** in the office

EMD/Bid Security payable by (Demand Draft /Banker's cheque). Authority & place for submission of cost of tender document & EMD/Bid Security in physical form before opening of tender	of DY.CE/PB-II Delhi Metro Rail Corporation, 4th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001, failing which, the tender will not be considered.
Last date of receiving queries	02.03.2017 (till 1730 hrs), can be e-mailed to: chandanjauhar@dmrc.org pallavi_15289@dmrc.org rajiv-kumar@dmrc.org
Pre-Bid Conference	02.03.2017 at 1500 hours in Conference Hall, 7th Floor, Metro Bhawan, Barakhamba Road, New Delhi- 110001.
DMRC's response to queries by	07.03.2017
Date & Time of Submission of tender Bids on E-portal	From 01.03.17 (9:00 hrs) to 1600 hrs on 22.03.2017
Date & Time of Opening of Technical Bids	1600 hrs on 23.03.2017
Date & Time of Opening of Financial Bids	Shall be notified separately to the qualified and selected bidders only
Validity of Bids	180 days from bid submission date

b) **Schedule of Various Stages after the bidding process** : The Selected Bidder shall follow the following time lines, consequent of selection of the licensee, who qualifies the eligibility criteria & finical bid , LOA would be issued to the successful bidder/licensee.

Stage of Activity	**Time Period**
Payment of Interest Free Security Deposit/ Performance Security to DMRC by Licensee.	Within 30 days of issue of Letter of Acceptance.
Licensing space to be handed over to Selected Bidder.	Within 10 days of making the payments of Interest Free Security Deposit/ Performance Security.
Signing of License Agreement.	Within 30 days after handing over of the licensed space.
Payment of Advance License Fee for 1st Quarter to DMRC by Licensee.	Within 75 days after handing over of licensed space without consideration of any interest
Period of License	The tenure of license shall be for a period of 6 (six) years from date of handing over of the first advertisement space with a lock-in period of

	18 months and/with a rent free fitment period of 75 days for preparation of the sites. The license agreement may be extended for further 3 years based on mutually agreed terms & condition & negotiated rates.

c. The successful bidder will also have to deposit the Interest Free Security Deposit within 30 days from the date of issue of Letter of Acceptance and take over the possession of sites. In case the bidder failed to deposit the requisite amount as per letter of acceptance (LOA) within 30 days from date of issuance of LOA, an extended period to honour LOA with penal surcharge, for late payment, shall be applicable as under:

Days from date of issue of LOA	Rate of penal surcharge
Up to 30 days	NIL
31st to 45th day	@ 3% flat on LOA amount
Interest for Late payment would be accepted in DD/PO only.	

d. If selected Bidder fails to comply with the terms and conditions of the LOA within 45 days of the date of issue of LOA, the LOA may stand cancelled and Earnest Money/Bid Security Deposit submitted may be forfeited in favour of "DMRC Ltd". No further request for extension to make payment of the LOA amount, beyond 45 days may be considered. The bidder voluntarily and unequivocally agrees not to seek any Claim, Compensation, Damages or any other Consideration whatsoever on this account.

e. The successful bidder will be required to deposit the advance license fee within 45 days of handing over of the first advertisement site/station without consideration of any interest and upto 75 days with 2% flat interest on the balance amount that remain unpaid after 45 days. After 75 days the license agreement may be canceled if licensee fails to deposit the advance fee and the interest free security deposit shall be forfeited to DMRC as per provision of the contract.

2.4 Eligibility Criteria:-

a) Bidders shall have a minimum annual average turnover of Rs. 1.25 crores /- (i.e gross aggregate Turnover of Rs. 3,75,00,000/- in last 3 (three) audited financial statements/years[i.e. 2013-2014, 2014-2015, 2015-2016] certified by a Chartered Accountant with stamp and signature. Here, gross turnover shall mean turnover from Advertisement sectors(s) of business(es). The bidder shall upload audited financial statements including profit-loss account of above mentioned last three financial years.

b) 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 2015-2016 has actually not been audited so far'. In such a case the financial data audited of financial year 2012-2013 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.

c) 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 a 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 severely liable for the due performance of License agreement.

d) **Undertaking For not being banned from Business:** As on date of Tender submission (i) DMRC/MOUD/Delhi-Govt. must not have banned business with the tenderer (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 tenderer (any member in case of JV) which is applicable to all ministries (approved by the committee of economic secretaries, Ministry of Commerce). The tenderer should submit undertaking to this effect as per **Annexure-11**.

e) The Bidders shall submit along with the tender document, a bid security amounting to Rs. 4,60,000/- (Four lakh Sixty thousand only). The payment of the same shall be made in the form of Demand Draft/ Pay Order drawn on any Scheduled commercial bank in favour of "Delhi Metro Rail Corporation Ltd" payable at New Delhi. The Bid shall be summarily rejected if it is not accompanied ***with valid bid security for appropriate amount.*** The bid security of the selected Bidder shall be subsequently adjusted against the Interest Free Security Deposit/Performance Security. The bid security of unsuccessful bidders shall be refunded after award of contract, without considering any interest, thereof. If the bidder withdraws his bid at any stage, his Bid Security amount shall be forfeited by DMRC.

f) DMRC has adopted a two packet Bidding Process to select suitable highest Bidder to grant Licensing Rights for Advertisement inside Selected Metro station through digital media after evaluation of the bids.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 assistance to the prospective Bidders in this regard.

g) The tenderers may obtain further information/clarification, if any, in respect of the tender documents from the office of DGM/PB, Delhi Metro Rail Corporation, B Wing, 4th floor, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi–110 001.

h) 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.

i) 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.

j) Tender submissions will be made online after uploading the mandatory scanned documents towards cost of tender documents and Bid Security shall be submitted in the form of Demand Draft or Pay Order or Banker's Cheque from a Scheduled commercial bank based in India.

k) Late tenders (received after date and time of submission of bid) shall be out rightly rejected.

l) 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.

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

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

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