

(For Website)



Delhi Metro Rail Corporation Ltd.

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

Licensing of Commercial Spaces at New Delhi Metro Station on Delhi Airport Metro Express Line through Open e-Tender

Notice Inviting Bids

(NIT No. 118A0004)

- 1.) DMRC invites E-Tenders from suitable Bidders who may be a sole proprietorship firm, a partnership firm or a company having registered office in India & incorporated under the companies act 1956/2013 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 New Delhi Metro Station on Airport Express Line** on “*as is where is basis*” for commercial activities except 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 & incorporated under the 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

the Interest Free Security Deposit/ Performance Security 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 severally 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 shall undertake that they have not been banned from Business, as on date of Tender submission as per following:
- (i) 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/ debarred business with the bidder/s (including any member in case of JV/ Consortium) as on the date of tender submission. The tenderer shall submit an undertaking to this effect, as per Annexure -9 of tender document.
 - (ii) Also no contract of bidder/s / tenderer executed in either individually or in a JV/ Consortium, should have been rescinded/ terminated by DMRC after award during last 3 (three) years (from the last day of previous month of tender submission) due to non-performance of the bidder/s / tenderer or any of JV/ Consortium members. The bidder/s should submit undertaking to this as per Annexure -9 of tender document.
- e) In case at a subsequent date the successful bidder/licensee is found to have been banned for business as given above, DMRC shall be at liberty to and have full rights to cancel the allotment of commercial spaces and forfeit the Interest Free Security Deposit after adjusting any dues payable by the successful bidder/ licensee.
- f) The bidders shall enclose with their application an undertaking stating/providing the necessary supporting documents, including duly certified audited accounts and financial statements.
- 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. Bidders shall upload their 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 two packet bidding process for selection of a suitable highest bidder to grant Licensing Rights of pre-identified commercial spaces at New Delhi metro station on Airport Express Line of DMRC, as detailed in Annexure -1 of tender document.
- b) The bidder/s may participate & bid for any one or more or all of the schedules. The bidder/s shall submit the separate bid security for each of the bid schedule for which bid has been submitted along with the Bid Application as mentioned below:

S.No.	Schedule	Location	Area (in sqm)	Tenure (in years)	Bid Security (in ₹)
1	I	First Floor	624	21	1033000
2	II	Ground Floor	868	21	1289000
3	III	Concourse Floor	1535	24	1283000
4	IV		1522	24	1278000

The aforementioned bid security amount shall be paid 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 Application shall be summarily rejected if it is not accompanied with valid / appropriate bid security of respective schedule.** The bid security of the successful bidder/s 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 after award of contract, without considering any interest, thereon. If the bidder withdraws his bid at any stage, his Bid Security amount shall be forfeited by DMRC.

- c) 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 Three Thousand Six Hundred only (₹ 23,600/-) (including 18% GST) per schedule. However if a bidder desires to participate in more than one schedule, tender document cost will be required to be submitted only once.
- d) Tender Document Cost and Bid Security/ EMD shall only be submitted in the form of RTGS, NEFT & IMPS in the following bank of DMRC:

Name of Bank	Bank's Address	Account Name & No.	Account Type	IFSC Code
Punjab National Bank	ECE House Branch, Connaught Place, New Delhi -110001	DMRC Limited, O&M Expenditure Account No. 1120005800000032	Current Account	PUNB0112000

No other mode of payment will be accepted. The bidders will be required to upload scanned copies of transaction of payment of tender cost at the time of bid submission. To avoid any discrepancies in reconciliation of GST, the tender cost, bid security/ EMD may be submitted by separate RTGS/ NEFT/IMPS. The tender no. and name of the tender should be mentioned in details while submitting payments.

- e) 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.
- f) Schedule of Bidding Process for tender:

Start of sale of Tender Document to Bidders	From 09/07/2018 to 08/08/2018 (upto 1530hrs) on e-Tendering website https://eprocure.gov.in/eprocure/app For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534777), For technical queries related to Central Procurement Portal, Help Desk No: 0120-4200462, 0120-4001002
Cost of Tender Document (Non-refundable)	Non – Refundable Tender Document Cost of Rs. 23,600/- (inclusive of 18% GST) shall only be accepted in form of NEFT/RTGS/IMPS on or before 1530 hours on 08/08/2018 and receipt and details of Tender Document Cost paid have to be uploaded on the web-site upto 1530 hours on 08/08/2018 .
Bid Security	Bid Security as indicating in clause No. 2.3 (b) shall only be accepted in form of NEFT/RTGS/IMPS on or before 1530 hours on 08/08/2018 and receipt and details of Bid Security submitted have to be uploaded on the web-site upto 1530 hours on 08/08/2018 .
Site Visit	19/07/2018 at 1000 hrs. at Customer Care, New Delhi metro station of Airport Express Line.
Pre-Bid Conference	19/07/2018 at 1530 hrs. in Conference hall, 7th floor, Metro Bhawan, Barakhamba Road, New Delhi- 110001
Last date of receiving queries	1730hrs on 20/07/2018
DMRC's response to queries by	27/07/2018
Date & Time of Submission of Bids	Latest by 1530hrs of 08/08/2018
Date & Time of Opening of Bids	1530hrs on 09/08/2018
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 to DMRC by Successful Bidder.	Within 30 days of date of issue of Letter of Acceptance
Vacant space to be handed over to Selected Bidder	Within 7 days of signing of License Agreement..
Payment of Advance Quarterly License Fee for 1 st Quarter	Within 180 days of date of handing over of the commercial space of respective schedule.
Signing of License Agreement	Within 30 days of receipt of payments as per Letter of Acceptance.
Commencement of License Fee	Immediately after 180 days fitment period of respective schedule i.e. 181 st day of handing over of space.
Registration of License Agreement	Within 30 days of signing of License Agreement.

- g.) Registration of License Agreement: The registration of License Agreement of respective schedule should be done within 30 (thirty) days of signing of License Agreement of respective schedule by the successful bidder/ licensee (registration fees, stamp duty etc to be fully borne by the successful bidder/ licensee) and the duly registered documents are to be submitted to DMRC individually for records. Any amendment in the Contract /License Agreement, if required to be registered, shall also be registered within 30 (thirty) days from the date of amendment and duly registered documents shall be submitted to DMRC for records. In case the registration of the License Agreement/ Amendment is not done within the 30 (thirty) days for signing of License Agreement/ Amendment, it shall be treated as “Material Breach of Contract” in terms of Clause No. 12.2(p) of Draft License Agreement. The Successful Bidder/ Licensee will be given 30 (thirty) days time to cure the default in terms of Clauses No. 12.3 of Draft License Agreement. In case Successful Bidder/ Licensee fail to remedies the default to the satisfaction of the DMRC within the cure period, DMRC may terminate the License Agreement of respective schedule after the expiry of cure period duly forfeiting the Interest Free Security Deposit/Performance Security and any other amount paid by the Successful Bidder/ Licensee.
- 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 out rightly rejected.**
- 5.) DMRC has adopted a single stage **two packet** Bidding Process to select suitable highest Bidder for licensing of commercial spaces at New Delhi Metro Station of Airport Express Line of DMRC network.
- 6.) The Bidder may obtain further information/ clarification, if any, in respect of Tender

documents from the office of Dy.GM/PB, DMRC, 3rd floor, A-Wing, 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>. Those 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 and tender bid security such as RTGS/ NEFT/IMPS for the respective schedule for which bid is submitted as stated in the Tender document.
- 10.) Late bids (received after last date and time stipulated for 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 processing of tender, 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.) General Manager (Property Business)
DMRC 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
DMRC Limited,

1st Floor,
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>

General Manager
(Property Business)
Delhi Metro Rail Corporation Limited