

**Notice Inviting Tender**

**Licensing of Spaces for Telecom Tower/Masts for Provision & Enhancement of Mobile (Cellular) Network (2G/3G/4G) at 21 Selected Metro Stations in DMRC Network**

- 1.1 The National Capital Region (NCR) comprises of the Indian Capital New Delhi, along with its satellite towns and is the most populous urban agglomeration in India. DMRC undertook the construction for MRTS and the first section of Phase-I was made operational on 25-12-2002. Presently, the Delhi Metro network consists of about 218 km with 164 stations along with six more stations of the Airport Express Link. The network has now crossed the boundaries of Delhi to reach NOIDA and Ghaziabad in Uttar Pradesh, Gurgaon and Faridabad in Haryana. The Phase 3 network is also nearing completion & is likely to be fully operational by June 2018
- 1.2 DMRC invites Bids (through e-tendering process) through RFP document from eligible Bidder(s), who may be a sole proprietorship firm, a partnership firm or a company incorporated under Companies Act 1956/2013 and having registered office in India, or a combination of above in the form of Joint Venture (JV) or Consortium, for selection of Licensee for Licensing of space for Placement and Operation of telecommunication equipment including erection of Telecom Mast/Towers for providing and enhancement of Mobile Signals (2G/3G/4G)at 21 Selected Metro Stations/locations in DMRC Network as per Annexure-1 of RFP.
- 1.3 DMRC shall receive online 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 online bids in accordance with such terms on or before the date specified in this document. Bidders are advised to visit the DMRC stations and familiarise themselves with the proposed arrangements and all activities necessary in this regard.
- 1.4 Salient features of Bidding Process:
- a). DMRC has adopted two packets bidding system for selection of a suitable highest bidder for granting License.
  - b). For participation in e-tendering process, the Bidder(s) has to be registered on DMRC's e-tendering portal <https://eprocure.gov.in/eprocure/app>. On registration they will be provided with a User ID and a password enabling them to submit their Bids online using Digital System Certificate (DSC) and can witness various activities of the process. The authorized signatory of intending Bidder, as per Power of Attorney (POA), must have valid Class-II or Class-III digital signature. The Bid/RFP Document can only be downloaded or uploaded using Class-II or Class-III digital signature of the authorized signatory. If needed prospective Bidder can be imparted training on "online tendering process".
  - c). Schedule of Bidding Process-

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| 1. | Cost of RFP Document (Non-Refundable) | Rs. 23,600/- (including + 18% GST as application rates)<br>Cost of RFP Document shall be acceptable in the form |
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|    |   | of Demand Draft / Banker's Cheque in favour of "Delhi Metro Rail Corporation Ltd." payable at New Delhi.  |
| 2. | Bid Security/EMD  | Rs 100,000/- per location. (as per annexure-A)<br>Rs 21,00,000/- for all 21 offered locations.(As per annexure-A)   |
| 3. | Sale of RFP Document                                    | From 24.04.2018 to 23.05.2018 (upto 15:00hrs) on e-Tendering website <a href="https://eprocure.gov.in/eprocure/app">https://eprocure.gov.in/eprocure/app</a><br>For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534387), For technical queries related to Central Procurement Portal, Help Desk No: 0120-4200462, 0120-4001002 |
| 4. | Pre-Bid Conference                                      | 01.05.2018 at 15:00 Hrs. at Metro Bhawan  |
| 5. | Last Date of receiving written queries by DMRC          | 03.05.2018  |
| 6. | DMRC's response to queries by                           | 08.05.2018  |
| 7. | Last Date & Time of Submission (e-tender) of Bid online | 23.05.2018 up to 15:00Hrs   |
| 8. | Date & Time of Opening of Technical Bids online         | 24.05.2018@ 15:00 Hrs   |
| 9. | Validity of Bid   | Up to 180 days from the last date of submission of Bid.   |

- d). Bid Security: The Bidders shall bear liberty to quote for any or all of the locations listed out in Annexure-1. Bidder shall be required to deposit refundable Bid Security as per details available against each location, indicated at Annexure-1. If a bidder bids for multiple locations, the respective Bid Security for each location will be required to be submitted in aggregate for each of these locations for which its Bid is offered/submitted. The bidder shall also submit details of the locations for which bid is offered for reconciliation of bid value in technical bid.
- e). The Cost of RFP Document in physical form and Bid Security shall be accepted in the form of Demand Draft/ Pay Order/ Banker's Cheque in favour of "Delhi Metro Rail Corporation Ltd." payable at New Delhi & drawn on a scheduled commercial Bank for which bids are submitted. The Cost of Bid Document and the Bid Security must be submitted, in original, physical form on or before 1500 Hrs of last date of Bid submission to Dy. General Manager/ Property Business, 3<sup>rd</sup> Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi-110001. Bidder(s) who fails to submit the Cost of Bid Document and the Bid Security in original physical form on or before the prescribed date and time shall be declared as ineligible and the Bid submitted by them shall be summarily rejected. The Bid shall be valid for a period not less than 180 days from last date of submission of the Bid.

- f). Eligibility Criteria: Bidder must have Access Service License/IP Registration Certificate issued from Department of Telecom Govt of India..
- g). Financial Eligibility: :Bidders shall have a minimum annual average turnover of Rs. 2.70 Crore in last 3 (three) audited financial statements/years [i.e. 2015-2016, 2016-2017 & 2017-2018 i.e gross turn over of Rs. 8.10 crore within last three financial years duly certified by a statutory Auditor 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 of JV consortium each relevant member of the JV shall upload & submit the relevant audited financial statement. 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 statutory auditor certifying that 'The balance sheet for 2017-2018 has actually not been audited so far'. In such a case the financial data audited of financial year 2014-2015 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 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
- h). 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-3.

- i). DMRC/any other metro organization (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 7 A as Form of Tender.
- j). Also no contract of the tenderer executed in either individually or in the JV/Consortium, should have been rescinded/terminated by DMRC/any other metro organization (100% owned by Govt. ) after award during last 03 years (from the last day of previous month of tender submission) due to non performance of the tenderer or any of JV/Consortium member. The tenderer should submit undertaking to this effect in annexure 7A of Tender Form
- k). Bidders are expected to carry out extensive survey of DMRC authorised network and analysis at their own cost, before submitting their respective Bids for award of the License Agreement. DMRC shall provide necessary permission and assistance for the prospective Bidders in this regard.
- l). The Bid submissions must be made online after uploading the mandatory scanned documents towards Cost of Bid Document, Bid Security and other documents as stated in Bid Document.
- m). Bids received after Last Date & Time of Submission (e-tender) of Bid online shall not be accepted under any circumstances.
- n). In case of a Bid by a JV/Consortium of firms, following shall be abide by its 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.
  - 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 interest free Security Deposit/Performance Security and - 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 of the JV/Consortium 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.

vii).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.

2.1 The Bidders are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app>for updates.

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

1.) **General Manager/ Property Business**

Delhi Metro Rail Corporation Limited 3<sup>rd</sup> Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, RFP for Exclusive Advertising Rights Inside Selected Metro Stations on Line No. 3&4 in DMRC Network 11 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>

