

Reply to pre bid Queries in Respect of Tender for Awarding Exclusive Advertising Rights Inside selected Metro Stations from Majlis Park to Shiv Vihar (excluding Delhi Cantt, Sir Viswasvaraiya Moti Bagh, Bhikaji Cama Place, INA, South Extension, Ashram, IP Extension) on (Pink Line) Line-7 Tender No.DMRC/PB/4187-0003/ID March-2018.

Sr. No.	Reference to RFP Document	Contents of Provision	Query / Comments of TDI International India (P) Limited	
01	Short Term Promotions (STP)	There is no provision in RFP document to undertake Short Term Promotions to advertise/promote a product for a shorter period at Metro Stations of DMRC.	<p>There is no suitable provision in RFP document for any client likes to advertise/promote their product by erecting a canopy for a shorter period at the Metro Stations. Such STP activities will fetch additional revenue to both for DMRC as well as to the Advertiser. The matter was discussed in length in Pre-Bid meeting held on 02.04.2018 to make suitable amendments in the RFP provisions for the benefit of all.</p> <p>If the above submission is agreed/approved by DMRC; the same provision may also be extended to other similar existing advertisement contracts and may also be extended to Line-2 which is in bidding process.</p>	<p>There is provision of Additional Area in Clause No. 3.9.6 of DLA which is reproduce below: If the licensee is desirous of taking up additional area and revising already approved advertisement plan at any particular location/site, the Licensee shall submit advertisement plan of the additional area for approval of DMRC once in a quarter only and in multiples of 25 sqm only. In case additional area is taken up for short duration, it shall be charged from the date of handing over of such additional area. Additional area shall be charged on pro-rata basis & shall be charged for a minimum period of 90 days irrespective of the fact that it is utilized or not and the license period for such additional area shall be co-terminus with the original license period. No fitment period shall be given for any additional space so provided at existing stations. Fitment Period shall be applicable only for new metro stations.</p>

				<p>Remarks: The above condition of 90 days has been revised/ reduced to 45 days however other terms and conditions may remain the same. This arrangement shall only be applicable for Line—7 tender only and shall not be applicable to other tenders/contracts.</p>
02	<p>Draft License Agreement clause 2.2 (b) There shall be a fitment period of 75 days from the date of First handing over of advertisement spaces or date of start of Commercial operation+60 days for each section.</p>	<p>Within 75 days from the date of handing over of the licensed space for advertisement, without consideration of any interest.</p> <p>The License Fee shall commence immediately after expiry of the fitment period of 75 days, i.e. from 76th day from the date of handing over of area/spaces at stations as per Annexure – I shall be charged until the termination/completion of agreement/contract.</p>	<p>The date of commencement of payment of License Fee should be minimum 180 days [Fitment Period] from the date of physical handover of stations by DMRC as it takes time to fabricate, install, and position the product in the market place. Moreover because of extremely restricted working hours of DMRC 75 days proposed time limit to be reckoned from the date of handing over of stations is extremely short and inadequate. In the event of DMRC agreeing for 180 days fitment period, we would be agreeable to pay license fee on prorate basis in respect of installed and sold out advertising spaces if any in this fitment period from the date of commencement of actual display.</p>	<p>Not Agreed, Clause 2.2(b) of DLA shall be applicable.</p>
03	<p>Evaluation of Bids Clause 6.5 of NIT</p>	<p>The selected bidder is required to submit Interest Free Security Deposit/ Performance Security within 30 (Thirty) days from the date of issuance of Letter of Acceptance. Any request of</p>	<p>It is also suggested that the time limit of 30 days be extended to 180 days without any penal clauses, as any financial institution considering financial assistance will take at least 120 to 180 days' time after the issuance of LOA for</p>	<p>Not Agreed, Clause No 6.5 of RFP Shall be applicable</p>

		<p>successful Bidder for seeking any clarification/approval/document from DMRC shall be considered only after submission of requisite Interest Free Security deposit Performance Security. In case bidder fails to submit Interest Free Security Deposit/Performance Security within 30 days from date of issuance of LOA, an extended period of 15 days to make LOA payment along with penal surcharge payable to DMRC shall be @ 3% flat on LOA amount, if Bidder fails to comply with the terms & conditions of the LOA & make payments there under, the LOA may stand cancelled and Earnest Money deposit/ bid security submitted by the successful bidder may be forfeited in favour of "Delhi Metro Rail Corporation -Ltd.". No further request for extension in making payment of LOA amount may be considered. The bidder voluntarily agrees not to seek any claim, compensation, damages or any other consideration whatsoever on this account.</p>	<p>the assessment, evaluation & processing of project and finally sanction and disbursement in favor of successful bidder.</p>	
04	Interest Free Security Deposit / Performance Security: Chapter 8: 8.3 (a&b)	<p>The selected Bidder/Licensee shall submit & pay Interest Free Security Deposit / Performance Security to DMRC equivalent to half yearly (6 months) License fee based on minimum chargeable area</p>	<p>The inclusion of such a clause is surprising as after a lot of deliberations with the industry, DMRC had agreed to take 100% security deposit in the form of Bank Guarantee. It is suggested that the condition of 100% Bank Guarantee in</p>	<p>Not Agreed, Clause No 8.3 (a & b) of RFP Shall be applicable</p>

		<p>mentioned in Annexure – I as per existing rate of license fee applicable as on date of its submission for applicable schedule.</p> <p>The selected Bidder shall deposit & pay minimum 25% of the interest Free Security Deposit/Performance Security in the form of DD/PO in favor of DMRC Ltd. and 75% or remaining amount of Interest Free Security Deposit/Performance Security shall be paid in form of DD/PO/Bank Guarantee. Interest Free Security Deposit/Performance up to Rs 10.00 lacs shall be paid in the form of DD/PO only. The DD/PO shall be payable in Delhi & drawn on a scheduled commercial bank.</p> <p>The bank guarantee should be valid at least for three years.</p>	<p>the form of Bank Guarantee be retained. Insistence of any Security Deposit in the form of DD/PO will be a retrograde step and again affect the project viability.</p> <p>In the earlier contracts DMRC has awarded license for Line 1&5, Line 3 and Line 6 in our favor and in all the contracts, the Security Deposit was required to be submitted in the form of Bank Guarantee only. The contracts are running successfully.</p> <p>It is also suggested that the demanded bank guarantee should be asked for one year renewable on yearly basis. Additionally, the licensee can be asked for issuance of instruction to banker for renewal of Bank Guarantee on yearly basis and the same instructions is shared with DMRC to safeguard the financial interest of DMRC. The issuance of bank guarantee for a period of 3 years require payment of upfront bank charges to banker for 3 years, which will not provide any benefit to the DMRC, however the licensee has to incur three year cost upfront.</p>	
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