

NOTICE INVITING BID THROUGH OPEN AUCTION

NIT No. DMRC/PB/119M0010 dated 18/10/2019

- 1.1 The stations of Delhi Metro are situated in the close proximity of commercial and residential hubs of Delhi city & NCR and are easily accessible from these areas. Apart from operating facilities for commuters, the selected Stations have commercial spaces as detailed in Annexure-1. These Commercial Spaces are proposed to be licensed out for various commercial uses as detailed in this document through open auction. The specified spaces have a captive commuter base and shall present a unique business opportunity for the retail players.
- 1.2 DMRC invites Bids through open auction from suitable participants who may be a reputed retailer/ manufacturer/ individual, sole proprietorship firm, partnership firm, a registered coop society or a company having its registered office in India & incorporated under the companies act 1956/2013 or a combination of these in the form of Joint Venture (JV) or Consortium having sound financial & technical strengths and having its registered office in India, for selection of Licensee(s) to grant Licensing rights of built-up shops of Delhi Metro Network on Line – 1, 2, 3, 5 & 6 as detailed in annexure 1 on “*as is where is basis*” for commercial utilization except for banned list of usages as detailed in Annexure-II.
- 1.3 The conditions for Joint Venture (JV)/Consortium area are as under:
 - i. The lead member of the JV/Consortium shall maintain a minimum percentage share of 51% of the aggregate shareholding of the JV/Consortium during the full tenure of License Agreement.
 - ii. 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 Guarantee and/or to terminate the Licence Agreement after 30 days termination notice.
 - iii. Minimum percentage stake of any member in JV/Consortium during license period (including lock-in period) shall not be less than 15%.
 - iv. All members of such entity shall be jointly and severally liable for the performance of License agreement.
- 1.4 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 organisations (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/bidder (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 10 of Tender Document.

- ii) Also no contract of the tendered executed in either individually or in a JV/Consortium, should have been rescinded/ terminated by DMRC after award during last 03 years (from the last day of the previous month of a tender submission) due to non-performance of the tenderer or any of JV/Consortium members. The tenderer should submit undertaking to this effect in Annexure 10 of Tender Document.
- iii) In case at a subsequent date the successful bidder/licensee is found to have been banned for business as given above, DMRC shall have liberty to and have full rights to cancel the allotment of built-up shop and forfeit the Interest Free Security Deposit after adjusting any dues payable by the successful bidder/licensee. The tenderer should submit undertaking to this effect in Annexure 10 of Tender Document.

1.5 The bidders shall enclose with their application an undertaking stating/providing that all the necessary supporting documents, including duly certified audited accounts and financial statements have been provided. Schedule of Bidding through Open Auction Process:

Cost of Bid document(Non Refundable)	Rs. 1770/- (including 18% GST) per bidder(single entity) irrespective of the number of shops
Earnest Money Deposit	As per Annexure – 1of Bid document for respective shops for which bids are made
Sale of Application Form	From 18/10/2019 to 15/11/2019 (up to16:00 hrs) on DMRC website www.delhimetrorail.com or from the office of GM/PB. For further information on this regard bidders are advised to contact on 23417910-12 (Ext: 534248,534778). The tender cost of Rs 1770/- should reach/submitted in the office of GM/PB by 16:00 hrs on 15/11/2019.
Site Visit	Prospective bidders are requested to attend the joint site visit of built up shops on from 30/10/2019 to 01/11/2019(As per Annexure-12 of Bid document)
Last date of receiving queries	Up to17:30 hours on 05/11/2019
Pre-Bid Conference	05/11/2019 at 15:00 hrs. in Conference hall, 7 th floor, A wing, Metro Bhawan, Barakhamba Road, New Delhi-110001
DMRC's response to queries by	17:30 hrs on 08/11/2019
Time & last date of Registration for Bidding Process along with DD/PO for tender cost, EMD, KYC documents B.A.F(Bid Application form), with Annexure & Tender documents etc duly signed by bidder	Up to16:00 hours on 18.11.2019

Date, time & venue of auction for Bidding Process	21/11/2019 at 10:00 hrs for schedule No 1 i.e. for 21 shops and 22/11/2019 at 10:00 hrs for schedule No 2 i.e. for 60 shops. Location: Conference hall,7 th floor-A wing Metro Bhawan, Barakhamba Road, New Delhi- 110001
Validity of Bids	180 days from bid submission date

1.6 Schedule of Various Stages: The Successful 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 Half yearly License Fee OMC,etc.	Within 30 days of date of issue of Letter of Acceptance (LOA)
Signing of License Agreement	Within 30 days of receipt of full LOA payment
Commencement of License Fee	Immediately after 30 days fitment period i.e. wef 31st day of date of handing over or deemed handing over of built-up shop, whichever is earlier
Registration of Agreement	The registration of the respective License agreements shall be done within 30 days of signing of agreement by the licensee (registration fees, stamp duty etc to be fully borne by the licensee) and the duly registered documents to be submitted to DMRC for records. In case the registration of the license agreement/amendment, if any, is not within the 30 days of signing of license agreement/amendment, it shall be treated as "Material Breach of Contract". In case the licensee fails to remedy the breach/default in this regard within the cure period of 30 days, DMRC may terminate the license agreement after the expiry of cure period of 30 days duly forfeiting the security deposit and any other amount paid by licensee.

1.7 During the course of Pre-Bid conference, the participants may seek clarifications and put suggestions for consideration. DMRC shall endeavour to provide clarifications and such further information as it may consider appropriate and valuable suggestions shall be deliberated upon by DMRC. DMRC's point of view/ response to queries will be uploaded on its website www.delhimetrorail.com. Individual communication shall not be issued to any bidder/participant. Only one representative of each interested participant shall be allowed to participate against a Built-up shop on production of any ID Card issued by Government Body.

1.8 Bid Document (non-transferable) can be obtained from the O/o- Sr. Dy. Chief Engineer/PB-2, 3rd Floor, 'A' Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi- 110001. Cost of Bid Document (Non-refundable) is Rs 1770/- (Rupees One thousand Seven hundred seventy only) inclusive of 18% GST. Bid Document cost shall be submitted in the form of Demand Draft/ Pay Order drawn on any Scheduled commercial bank(s) in India in favour of "**Delhi Metro Rail Corporation Ltd**" payable at "**New Delhi**".

1.9 The information submitted in the Bid Document will be the basis for evaluating the bidders. Interested parties may participate in the bid process as per the instructions given in this

document. Bidders are expected to carry out extensive survey of the specified built-up shops at DMRC premises before the date of auction and make their own analysis at their own cost, before submitting their respective Bids for award of the License of a perspective site. DMRC shall provide necessary permission and assistance to the prospective Bidders in this regard.

- 1.10 Bid document can also be downloaded from DMRC's website www.delhimetrorail.com and may be submitted along with document cost & respective EMD at the time of registration for the bidding process up to the time and date specified in the NIT. Bids submitted or registration done without cost of Bid document or/and EMD by the bidders who have downloaded the Bid document from DMRC's website, shall be out rightly rejected and they shall not be allowed to bid in the auction process. Late/ delayed registration received after the stipulated date and time for registration of bidding process shall also be rejected out rightly.
- 1.11 Registration/Bids for licensing of commercial space shall be accompanied with Earnest Money Deposit as indicated in Annexure-1 of this document in respect of each shop for which bidder/applicant is going to bid in the form of a Bank Draft/ Demand Draft/P.O. issued by Scheduled Commercial Bank drawn in favour of the "DMRC Ltd" and payable at New Delhi/Delhi. The EMD/BID SECURITY of successful bidder shall be adjusted against the Interest free security deposit/ performance guarantee. However if a bidder/s have only partially exhausted their EMD,the balance amount of EMD would be returned to them only after completion of the auction process in due course after adjustment of the EMD in respect of their successful bids.The EMD of the unsuccessful bidders will be refunded after the auction process within 07 working days.
- 1.12 Bidder shall register for the bidding process along with bid document cost & EMD for the shops for which the bids shall be offered with KYC and tender document etc. DMRC does not have any agent/ sub-agent for marketing. Addendum/ Corrigendum, if any, will be placed on DMRC's website www.delhimetrorail.com only.
- 1.13 Duly filled up Financial Bid Statement as per Annexure-3 shall be submitted immediately after capture of final bid at the prescribed venue and date of Open Auction.
- 1.14 In case of any grievances/complaints regarding this tender, please contact:
General Manager/ Property Business
Delhi Metro Rail Corporation Limited
3rd Floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road,
New Delhi -110001,
Email Id: gmpb@dmrc.org,
Phone No: 011-23418417

ii) 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>