

CHAPTER-1: NOTICE INVITING BID

- 1.1. Delhi Metro Rail Corporation Ltd. invites bids through open E-Tender, from reputed advertising agencies which may be a sole proprietor firm, partnership firm or a company incorporated under the Companies Act 1956/2013 or as a Joint Venture / Consortium of such Entities to License out Exclusive Advertisement Rights of Delhi Metro Trains on Line No. 8 of DMRC Network, as per Annexure 1 of the Tender Document. 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.
- 1.2. DMRC shall receive Bids (e-tender) in pursuant to this Tender Document, in accordance with the terms set forth herein and as modified, altered, amended and clarified from time to time by DMRC in writing through Corrigendum or otherwise. Bidders shall submit bids in accordance with these terms & conditions on or before the due date specified in this document. The Bidders are advised to visit the depots/site/stations and familiarise themselves with the proposed arrangements and all activities necessary in this regard.
- 1.3. Salient features of Bidding Process:
 - a) DMRC has adopted a single stage two packet bidding process to select a suitable highest bidder(s) to grant exclusive advertisement rights of Delhi Metro Trains on Line-8 of DMRC network as detailed in the Annexure-I of the Tender Document.
 - b) For participation in e-tendering process, the prospective 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 to 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 Tender 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:

1.	Cost of Tender Document (Non-Refundable)	<p>Rs. 23,600/- (Rs.20,000/- + 18% GST).Cost of Tender Document shall be acceptable through online mode only i.e RTGS/NEFT/IMPS. Details of DMRC's authorized bank name and Current account No. to which payments of Tender Cost are to be made is as follows: Union Bank Of India, F-14/15, Connaught Place, New Delhi-110001, IFSC- UBIN0530786, Acct No-307801110050003.</p>
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2.	Bid Security	Rs. 14.00 Lakhs (Rs. Fourteen Lakhs only). Bid Security amount shall be acceptable through online mode only i.e. RTGS/NEFT/IMPS. Details of DMRC's authorized bank name and Current account No. to which payments of Bid Security are to be made is as follows: Union Bank Of India, F-14/15, Connaught Place, New Delhi-110001, IFSC- UBIN0530786, Acct. No-307801110050003.
3.	Period of Sale of Tender Document online.	From 09.10.2020 to 09.11.2020 at 1500hrs) e-tendering website https://eprocure.gov.in/eprocure/app
4.	Pre-Bid Meeting	22/10/2020 at 1130 hrs. The pre-bid meeting shall be conducted through video conferencing by software apps such as Webex/Microsoft Teams. All Prospective bidders shall provide the details of the person(s) (mobile No. and mail id) (maximum up to two) who will be participating in such virtual meeting at least one day before the meeting (latest by 1100 hrs on 21/10/2020) to the registered official email of DMRC i.e. gmpb@dmrc.org , so that links having details such as software, meeting ID, password, etc. can be mailed to these persons at least 12 hours before the scheduled pre-bid meeting. Further, bidders are requested to send Pre-bid clarifications on the registered official email of DMRC i.e. gmpb@dmrc.org latest by 1700 hrs on 20/10/2020. Queries received after 1700 hrs on 20/10/2020 shall not be entertained.
5.	Last Date of receiving written queries by DMRC	20/10/2020 up to 1700 hrs
6.	DMRC's response to queries latest by	27/10/2020
7.	Last Date & Time of Submission (e-tender) of Bid online	09/11/2020 up to 1500hrs
8.	Date & Time of Opening of Technical Bids online	10/11/2020 @ 1130hrs
9.	Validity of Bid	Up to 180 days from the last date of submission of Bid.

The Bid submissions must be made online after uploading the mandatory scanned documents towards Cost of Tender Document, Bid Security and other documents as stated in Tender Document.

The Cost of Tender Document and Bid Security/EMD amount have to be submitted online through RTGS/NEFT/IMPS for credit of the account as given in at Sr. No. 1.3 (c)(1) & (c)(2) of the above table, by the specified date and time i.e. before the last date & time of uploading of bid as per Clause 1.3(c) (7) above, failing which, the offer/bid of such bidder shall be declared as ineligible and the said bid submitted shall be summarily rejected. The Bid shall be valid for a period not less than 180 days from the last date of submission of bid. Bidders, who fail to submit the Cost of Tender Document and the Bid Security online on or before the prescribed date and time, shall be declared as ineligible and the Bid submitted by them shall be summarily rejected.

No other mode of payments will be accepted. The bidder will be required to upload scanned copies of transaction of payment of tender cost and bid security/EMD at the time of bid submission including e-receipt clearly indicating the UTR No. & tender Ref. No.

The details of Tender cost and EMD/Bid security remitted as per above should be correctly uploaded & details must match in the online submission, failing which the payment may not be considered.

- (d) The Bid submissions must be made online after uploading the mandatory scanned documents towards Cost of Tender Document, Bid Security and other documents as stated in Tender Document.
- (e) All the uploaded files in Bid submission should be named properly and arranged systematically. No special character/space should be there in the name of uploaded file.
- (f) The payment of the tender cost is acceptable from any account. However, tenderer shall submit such transaction details along with their tender submission on e-portal. If the same transaction reference number has been submitted for more than one bid, then all such bids shall be considered ineligible and summarily rejected.

Bidders to note that the payment of tender security/EMD shall be made from the account of bidder only, however, in case of JV / Consortium, the tender security can either be paid from JV/Consortium account or one of the constituent members of JV / Consortium.

If tender security has been made/paid from other than the account mentioned above, same shall not be accepted and all such bids shall be considered ineligible and summarily rejected.

(g) Bids received after due Date & Time of Submission (e-tender) of Bids shall not be accepted under any circumstances.

(h) In case of a Bid by a JV/Consortium of firms, following condition shall be abided by all the members of JV/Consortium:

- i. For the purpose of evaluation of 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 Security Deposit/Performance Security and/or to terminate the License Agreement after 30 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 due performance of License agreement.
- vii. For the purpose of evaluation of the consortium/JV each members contribution towards the turnover shall be considered in the same ratio of their equity participation in the consortium or JV.

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 turnover and 30% of B's turnover will be taken for the calculation of eligibility of the JV.

1.4 The Bidders are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for latest updates (addendum/corrigendum) in respect of this tender. There will be no other mode of communication for update, if any.

1.5 The cost of Tender document and the bid security amount have to be submitted Online through RTGS/NEFT/IMPS in the account as given in 1.3 (c)(1) & 1.3(c) (2) of table above respectively, by the specified date and time i.e before the last date & time of uploading of bid as per Clause 1.3 (c)(7) above, failing which the offer/bid of such bidder shall be declared as ineligible and the said Bid submitted shall be summarily rejected.

1.6 In case of any query regarding the Tender Document, the licensee can, in person, contact the office of –

JGM/PB,
3rdFloor, 'A' Wing, Metro Bhawan,
Fire Bridge Lane, Barakhamba Road,
New Delhi-110 001.

1. General Manager (Property Business)
DMRC, 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, 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>

1.7 "Condition of contract on Safety and Health for Property Business contracts" uploaded in separate volume shall be integral part of the tender document.