



RFP DOCUMENT

REQUEST FOR PROPOSAL (RFP)

FOR

**WAREHOUSE DEVELOPMENT OF 34741.01 SQM
(APPROX) LAND PARCEL BELOW THE
ELEVATED JASOLA VIHAR STABLING YARD**

(CPD-45R2)

**DELHI METRO RAIL CORPORATION LTD.
5th Floor, A-Wing, Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi –110 001]**



DISCLAIMER

This request for proposal (“**RFP Document**”) for “Property Development of 34741.01 sqm (approx) land parcel below the elevated Jasola Vihar Stabling Yard” contains brief information about the Project, qualification requirements and the selection process for the successful Bidder. The purpose of this RFP Document is to provide interested parties (“**Bidder(s)**”) with information in order to assist them in formulation of their bid application (the “**Bid**”).

The information (“**Information**”) contained in this RFP document or subsequently provided to Bidders, in writing by or on behalf of Delhi Metro Rail Corporation Ltd. (“**DMRC**”) is provided on the terms and conditions set out in this RFP Document and any other terms and conditions subject to which such Information is provided.

This RFP document is not an agreement and is not an offer or invitation by DMRC to any other party. The terms on which the Project is to be developed and the rights of the Selected Bidder shall be as set out in separate agreement contained herein.

This RFP document does not purport to contain all the information each Bidder may require. This RFP Document has been prepared with a view to provide the relevant information about the Project available with DMRC and may not be appropriate for all persons, and it is not possible for DMRC, their employees or advisors to consider the investment objectives, financial situation and particular needs of each Bidder who reads or uses this RFP Document. Certain Bidders may have a better knowledge of the proposed Project than others. The assumptions, assessments, statements and information contained in the RFP Document, may not be complete, accurate, adequate or correct. Therefore, each Bidder should conduct his own investigation and analysis and should check the accuracy, reliability and completeness of the Information in this RFP document and obtain independent advice from appropriate sources. DMRC, its employees and advisors make no representation or warranty and shall incur no liability in any manner whatsoever under any law, statute, rules, regulations or otherwise as to the accuracy, reliability or completeness of the assumptions, assessments, statements and Information contained in this RFP Document and the same is provided hereunder as to the best of the knowledge of DMRC.

Information provided in this RFP Document to the Bidder(s) is on a wide range of matters, some of which may depend upon interpretation of law. The Information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. DMRC accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.

Intimation of discrepancies in the RFP document, if any, should be given to the office of the DMRC, immediately by the Bidders. If DMRC receives no written communication, it shall be deemed that the Bidders are satisfied that the RFP Document and the Information provided hereunder is complete in all respects. In particular, DMRC shall not be responsible /liable for any latent or evident defect in character of the Project land/ Project including but not limiting to the following:

1. Soil testing/investigations;



2. Water availability of ground water;
3. Electricity availability and provisions;
4. Site Drainage;
5. Site approach;
6. All statutory permissions from various authorities including approvals from town planning or other authorities as per the Central / State Government norms;
7. All applicable rent, rates, duties, cess and taxes, if any;
8. All applicable statutory laws and provisions; and
9. Technical and financial feasibility of the project.

Any character or requirement of the Project, which may be deemed to be necessary by the Bidder should be independently established and verified by the Bidder.

This RFP Document is not an agreement and is not an offer or invitation by DMRC to any other party. The terms on which the Project is to be developed and the right of the successful Bidder, shall be as set out in separate agreements executed between DMRC and the successful Bidder in the format broadly set out herein. DMRC may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFP Document.

DMRC, its employees and advisors makes no representation or warranty and shall have no liability to any person, including any Applicant or Bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFP Document or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the RFP Document and any assessment, assumption, statement or Information contained therein or deemed to form part of this RFP Document or arising in any way for participation in this Bid Stage.

DMRC also accepts no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Bidder upon the statements contained in this RFP Document.

DMRC may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFP Document.

DMRC reserves the right to accept or reject any or all Applications without giving any reasons thereof. DMRC will not entertain or be liable for any claim for costs and expenses in relation to the preparation of the documents to be submitted in terms of this RFP Document.

The Bidder shall bear all its costs associated with or relating to the preparation and submission of its Bid including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by DMRC or any other costs incurred in connection with or relating to its Bid. All such costs and expenses will remain with the Bidder and DMRC shall not be liable in any manner whatsoever for the same or



for any other costs or other expenses incurred by a Bidder in preparation or submission of the Bid, regardless of the conduct or outcome of the Bidding Process.

The word "Bid" and "Tender" is used interchangeably in the document.



Index

S.No.	<u>Content</u>	<u>Page No.</u>
1.	Project Background	6
2	Notice Inviting Bid	9
3	Regulation of bids and Lease Agreement	18
4	General Conditions of Lease Agreement	41
5	Annexures	51



**SECTION 1
PROJECT BACKGROUND**



1. PROJECT BACKGROUND

1.1. Introduction

- 1.1.1. Delhi Metro Rail Corporation (DMRC), a joint venture of the Government of India (GOI) and the Government of the National Capital Territory of Delhi (GNCTD) implementing the Delhi Metro Rail Projects, has been mandated by Ministry of Urban Development (MoUD), now MoHUA, to undertake value capture from property development initiatives for sustainable revenue generation so as to raise additional capital for part finance the Delhi Mass Rapid Transit System (MRTS) Project. Ministry of Urban Development has also issued an order permitting DMRC to carry out Property Development in lands allotted for Delhi MRTS Project vide Order No. K-14011/8/2000-MRTS (Pt.) dated 30 March 2009.
- 1.1.2. DMRC has been allotted land parcels by UP Irrigation department measuring 42698.65 Sqm (approx.) on right bank of Agra Canal on permanent basis for Phase-III of Delhi MRTS Project under Line-8. DMRC has constructed Jasola Vihar Metro Station, Multi Modal Integration of the station and also elevated stabling yard. For the judicious utilization of the space below the elevated Jasola Vihar Stabling Yard, it is proposed for warehouse development. Total available land parcel for warehouse development is bifurcated in three pockets below the stabling yard and station for Warehouse Development. The total balance area available for warehouse development is 34741.01 Sqm (approx) after construction of operational structure of station, parking etc. The area proposed for warehouse development by DMRC is protected by boundary wall and it is below the already constructed elevated stabling line. The Master Plan of Delhi -2021 under "Table 12.7: Development Control for Transportation" S.No. 8 allows development at Metro yards. Hence, as a part of property development initiative the area available below the elevated Jasola Vihar Stabling Yard is proposed for warehouse development. Apart from Metro rail accessibility, the Site is very close to Mohan Estate, Jasola, Jasola Vihar, Kalindi Kunj, Botanical Garden, Sarita Vihar, Faridabad and Noida. The Site has excellent connectivity with Noida through Kalindi Kunj, Gurgaon with Mahrauli Badarpur road, and Hazrat Nizamuddin Railway Station through Delhi – Agra highway. The strategic location of this land parcel within Delhi makes this site attractive for Warehouse Development.
- 1.1.3. This site is located below to already functional elevated Jasola Vihar Stabling Yard of Phase-III (Line-8) of Delhi MRTS Project. It is proposed to carry out warehouse development in the already available below the RCC framed structure of elevated stabling yard which is protected by RCC boundary wall all across, through a developer for this tender. The Site is being offered on "as is where is basis".
- 1.1.4. Deleted
- 1.1.5. Through this tender, DMRC intends to select a 'Lessee' to take up on 'Lease basis', the land parcel available for MRTS Property Development. It is envisaged to transfer Sub-Lease rights to a selected developer /Bidder with requisite financial, managerial and technical expertise for a period of 50 (Fifty) years from the "Commencement Date" to



utilize the land parcel for integrated commercial development making use of available ground coverage and floor area as permitted under Master Plan of Delhi 2021 (MOD 2021). The successful bidder shall plan the layout for DMRC approval as per Section – 4 of this document. The site plan is placed at Annexure-6.



SECTION 2
NOTICE INVITING BIDS (CPD-45R2)



2. NOTICE INVITING BIDS

- 2.1. DMRC invites online Bids from eligible participants as per the eligibility criteria set out under Clause 3.5 of this RFP Document (the “**Bidders**”, which expression shall, unless repugnant to the context, include the members of the Consortium) for selection of Lessee(s) to grant rights under the Lease Agreement for the commercial utilization and property development of the Project site.

The Project site is proposed to be given on lease basis through this bidding process on “**as is where is basis**” for 50 (Fifty) years from commencement date. The site is demarcated in the plans placed as Annexure – 6 of this RFP Document, as per details below:

Project Site	Plot Area (Sqm.)
Below the already functional elevated Jasola Vihar Stabling Yard	34741.01 Sqm.

2.2. Deemed Knowledge and Disclaimer:-

- 2.2.1. DMRC shall receive 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 bids in accordance with such terms on or before the Proposal Due Date. The participating Bidders are expected to visit the Project site to examine its precincts and the surroundings at the Bidder’s own expenses and ascertain on its own responsibility, information, technical data, traffic data, market study, etc. including actual condition of existing services.
- 2.2.2. The Bidder shall be deemed to have inspected the Project Site and be aware of the existing buildings, constructions, structures, installations etc. existing in the Project site and shall not claim for any change on the Project site after submitting its Bid. The Bidder hereby admits, agrees and acknowledges that DMRC has not made any representation to the Bidder or given any warranty of any nature whatsoever in respect of the Project Site including in respect of its usefulness, utility etc. or the fulfillment of criteria or conditions for obtaining Applicable Permits by the Bidder for implementing the Project.
- 2.2.3. The Bidder shall be fully and exclusively responsible for, and shall bear the financial, technical, commercial, legal and other risks in relation to the development of the assets regardless of whatever risks, contingencies, circumstances and/or hazards may be encountered (foreseen or unforeseen) including underground utilities and notwithstanding any change(s) in any of such risks, contingencies, circumstances and/or hazards on exceptional grounds or otherwise and whether foreseen or unforeseen and the Bidder shall not have any right whether express or implied to bring any claim against, or to recover any compensation



or other amount from DMRC in respect of the Project other than for those matters in respect of which express provision is made in the Lease Agreement.

2.2.4. Salient features of Bidding Process:

- a) DMRC has adopted a two packet bidding process for declaration of a Bidder to transfer rights under the Lease Agreement for the Project site.
- b) The details of bidding process are provided in Section 3.
- c) Schedule of bidding process for RFP :

Start of sale of RFP Document to Bidders	From 22.09.2021 to 26.10.2021 (upto 15:00 hrs.) on e-tendering website https://eproure.gov.in/eprocure/app
Tender Security amount (Earnest Money Deposit)	Bidder shall upload scanned copy of Undertaking for Tender Security Declaration as per Annexure-15 of RFP at the time of online bid submission. If Undertaking for Tender Security Declaration is not submitted or is not in prescribed format then such bids shall be considered ineligible and summarily rejected.
Cost of RFP Bid Document (Non-refundable)	INR 23,600/- (inclusive of 18% GST) Non-Refundable Payment of tender fee/ tender document cost is to be done only by RTGS, NEFT & IMPS. No other mode of payment will be accepted. The detail of Bank account of DMRC to facilitate the payment is mentioned below this table. The bidders will be required to upload scanned copies of transaction of payment of tender fee/tender document cost including e-receipt (clearly indicating UTR No. and tender reference i.e. CPD-45R2 must be entered in remarks at the time of online transaction of payment, failing which payment may not be considered) to be uploaded in online bid submission. No copies of transaction of payment are required to be sent to the office of Sr. General Manager/Contracts. Note: 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. All such bids shall be considered ineligible and summarily rejected. GST registration no also be provided along with tender cost.
Last date of receiving queries	05.10.2021 upto 1700 Hrs Bidders to note that seeking clarification on the tender shall be done by sending it either on registered official email id of DMRC i.e. gmcontracts@dmrc.org or on e-tendering portal only. Seeking clarification by fax or post will not be



	considered. <i>Queries from bidders after due date shall not be acknowledged.</i>			
Pre-Bid Meeting	08.10.2021 at 1100 Hrs The Pre-bid meeting shall be conducted through video conferencing by software apps such as Cisco Webex/ Microsoft Teams, etc. All perspectives bidders shall provide the detail of the person(s) (maximum upto to two) who will be participating in such virtual meeting at least one day before the meeting (latest by 1100 Hrs on 07.10.2021) to the registered official email of DMRC i.e. gmcontracts@dmrc.org , so that links having details such as software, meeting ID, password etc. can be mailed to these person 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. gmcontracts@dmrc.org latest by 1700 hrs on 05.10.2021. <i>Queries received after 1700 hrs on 05.10.2021 shall not be entertained.</i>			
DMRC's response to queries by	13.10.2021.			
Tender Submission Start Date & Time	18.10.2021 from 11:00 Hrs			
Tender Submission End Date & Time	26.10.2021 upto 15:00 Hrs.			
Date & time of opening of Tender (Technical Bid)	27.10.2021 at 15:00 Hrs.			
Authority and place for Pre Bid meeting	Sr. General Manager / Contracts, Delhi Metro Rail Corporation, 5 th floor, A-Wing, Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi –110 001			
To facilitate payment of tender fee and tender security through RTGS, NEFT & IMPS, the details of bank account of DMRC is mentioned below:				
Name of Bank	Bank's Address	Account Name & no.	Account Type	IFSC code
ICICI Bank	9A, Phelps Building, Connaught Place, New Delhi-110001	DMRC Ltd, Tender Cell A/c, 000705045337	Current	ICIC0000007



d) Schedule of Various Stages: The Bidder shall follow the following time lines:

Stage of Activity	Time Period
-LOA payment:-	<p>Successful Bidder is required to deposit Interest free security Deposit/ Upfront amount/ Any other amount required within 30 (Thirty) days from the date of issue of LOA (excluding the date of issue of LOA). In case successful bidder fails to submit the same within 30 day of issue of LOA, it can also be submitted with following Penal interest:-</p> <p style="padding-left: 40px;">(a) Delay Upto 15 days – 15% per Annum (b) Delay beyond 15 days – 20% per Annum</p> <p>The aforementioned interest is excluding GST and shall be charged for the entire period from the date of issue of LOA and on the balance amount remaining unpaid as per the LOA.</p> <p>This amount of Penal interest shall be submitted in the form of Demand Draft/ Pay order/ RTGS/NEFT only. In favour of DMRC Ltd, & payable at New Delhi.</p> <p>If the lessee fails to submit the aforesaid Security Deposit/ Upfront Amount/ Any other amount required in terms and conditions of LOA, within 60 days of issue of LOA, the LOA may be cancelled and any other amount submitted may be forfeited by DMRC.</p>
Signing of Lease Agreement	Within 30 days after payment of fixed Upfront Lease Fee, interest free Security deposit and Any other amount within stipulated time period as mentioned in LOA.
Handing over of PD Land Parcel.	Within 7 days of signing of lease agreement
Payment of Annual Lease Fee to DMRC by Bidder	Within 7 days after end of moratorium period. Delay in payment of advance Lease fee shall attract interest @20% per annum + GST on outstanding balance on due date



- 2.3 The bidders are advised to keep in touch with e-tendering portal <https://eprocure.gov.in/eprocure/app> for updates. The Letter of Acceptance to the successful bidder shall be uploaded on procurement portal which can be downloaded by the successful bidder.

For any complaints tenderers may contact
CVO DMRC at 1st floor
A-Wing, Metro Bhawan,
Fire Brigade Lane,
Barakhamba Road,
New Delhi –110001,
Tel:011-23418406, Email: cvodmrc@gmail.com.



Instructions for Online Bid Submission:

The bidders are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: <https://eprocure.gov.in/eprocure/app>.

REGISTRATION

- 1) Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: <https://eprocure.gov.in/eprocure/app>) by clicking on the link “**Online bidder Enrolment**” on the CPP Portal which is free of charge.
- 2) As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
- 3) Bidders are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.
- 4) Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.
- 5) Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC's to others which may lead to misuse.
- 6) Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

SEARCHING FOR TENDER DOCUMENTS

- 1) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.
- 2) Once the bidders have selected the tenders they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective 'My Tenders' folder. This would enable the CPP Portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.
- 3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.



PREPARATION OF BIDS

- 1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.
- 2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.
- 3) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR / DWF/JPG formats. Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document. Bidder has to ensure that size of each file should not exceed 40MB before uploading
- 4) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use "My Space" or "Other Important Documents" area available to them to upload such documents. These documents may be directly submitted from the "My Space" area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS

- a) Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.
- b) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
- c) Tender fee / Tender document cost: The instrument type for payment of tender cost / tender fee/ is to be done only by RTGS, NEFT & IMPS. No other mode of payment will be accepted. The Bidders will be required to upload scanned copies of transaction of payment of tender cost / tender fee at the time of bid submission.
- d) Tender Security/ EMD: Bidder should upload the scanned copy of Undertaking for Tender Security Declaration as per the instructions specified in the tender documents. Otherwise the uploaded bid will be rejected.
- e) Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BoQ format with the tender document, then the same is to be downloaded and to be filled by all the bidders. Bidders are required to download the BoQ file, open it and complete the Blue coloured (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BoQ file is found to be modified by the bidder, the bid will be rejected.



- f) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.
- g) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- h) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- i) Upon the successful and timely submission of bids (ie after Clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.
- j) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

ASSISTANCE TO BIDDERS

- 1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.
- 2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.
- 3) For any Technical queries please call at 24 x 7 Help Desk Number: 0120-4001062, 0120-001002, 0120-4001005, 0120-6277787. International Bidders are requested to prefix 91 as country code.

E-Mail: **Technical - support-eproc(at)nic(dot)in**