

I. NOTICE INVITING TENDER (NIT)

GENERAL

- 1) Uttar Pradesh Metro Rail Corporation Ltd. (UPMRC) is a Special Purpose Vehicle (SPV) set up by the Government of Uttar Pradesh and the Government of India as a joint venture. UPMRC has successfully commenced its services on entire North-South Corridor of Lucknow Metro from 9th March 2019 and has achieved the distinction of being the fastest Metro Project construction for Lucknow Metro which has ever happened in this country.
- 2) UPMRC has also been entrusted with the responsibility of Kanpur and Agra Metro Rail projects and the construction of these metro projects is presently in full swing.
- 3) Opening of the Kanpur Metro Priority stretch, consisting of nine stations from IIT Kanpur to Motijheel metro station will bring a world class travel experience within the reach of residents of Kanpur. On opening of full stretch from IIT Kanpur to Naubasta, 'Ridership' of Kanpur Metro is projected to be high.
- 4) In order to fulfil its mandate to raise non-fare box revenue through value capture from its real estate etc., Uttar Pradesh Metro Rail Corporation (UPMRC) Ltd. invites open bid in two packet Bidding Process from eligible applicants, who fulfil qualification criteria as stipulated in Clause 10 below, through tender "KNPPD-01: RFP for developing, setting up, operating and maintaining commercial spaces through licensing at various metro stations of Priority Corridor of Uttar Pradesh Metro Rail Corporation at Kanpur.

5) Key Details:

i.	Bid No.	KNPPD-01
ii.	License Period	9 Years
iii.	Bid documents on sale	From 12.11.2021 (from 10:00 hrs) to 14.12.2021 (up to 15:30 hrs.) on e-tendering website https://etenders.gov.in/eprocure/app . Bid document can only be obtained online on the website https://etenders.gov.in/eprocure/app
IV	Cost of bid document (Non Refundable)	Rs. 5900/- (inclusive of 18% GST) Payment of bid document cost/tender fee is to be

		<p>made through RTGS, NEFT & IMPS (*details of bank account of UPMRC are mentioned below.)</p> <p>The tenderers are required to upload scanned copies of transaction of payment of tender document cost/tender fee including e-receipt (clearly indicating UTR No. & tender reference i.e. KNPPD-01 must be entered in the remarks at the time of online transaction of payment.</p> <p>(Copy of GST registration no. to be provided along with Bid document cost/ tender fee, if applicable)</p>
v.	Bid Security	<p>Bid Security can be submitted either through RTGS/NEFT or IMPS.</p> <p>Bidder shall have to deposit Bid Security amount for each space, as per clause 7 of NIT, in which the bidder is interested.</p>
vi.	Last date of Seeking Clarification	<p>24.11.2021 (1500 Hrs)</p> <p>Tenderers to note that seeking clarification on the tender shall be done by sending it on e-tendering portal only. Seeking clarification by fax or post will not be considered.</p> <p>Queries/clarifications from tenderers after due date and time shall not be acknowledged.</p>
vii.	Pre-Bid meeting	<p>24.11.2021 (1500 Hrs)</p> <p>The Pre-bid meeting shall be conducted through video conferencing by software apps such as Google Meet, Microsoft Team etc. All prospective bidders who have made online payment towards the cost of tender document shall have to provide the details of the person(s) (maximum up to two) who will be participating in such virtual meeting at least one day before the meeting to the registered official email of employer i.e. <u>cecontract@upmrc.co.in</u> alongwith scanned copy of transaction of payment of bid document cost / tender fee, including e-receipt (clearly indicating UTR No. And tender reference i.e. KNPPD-01 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</p>

		virtual pre- bid meeting.
viii.	Date & time of Submission of Tender	Tender submission start date: 06.12.2021 (10:00 hrs). Tender submission end date: 14.12.2021 (15:00 hrs).
ix.	Date & time of opening of Bid/Tender (Technical Bid)	15.12.2021 (15:00 Hrs).
x.	Date & time of opening of Bid/Tender (Financial Bid)	Will be notified after the technical bid opening process.
xi.	Validity of Bid document	180 days from date of submission of bid.
xii.	Authority, seeking any clarifications	Chief Engineer / Contract, Uttar Pradesh Metro Rail Corporation, Administrative Building, Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthal, Vipin Khand, Gomti Nagar, Lucknow – 226010. https://etenders.gov.in/eprocure/app (Email: cecontract@upmrc.co.in)

***Cost of Tender Document as mentioned in 5(iv) above and Bid Security amount as per Clause 7 of Chapter 1 (NIT) shall be accepted through RTGS/ NEFT/ IMPS in following account-**

Bank Account in name of	UTTAR PRADESH METRO RAIL CORPORATION LTD
Bank Account No	50200009236810
Name of Bank	HDFC Bank
IFSC CODE	HDFC0001267
BRANCH	TEKARI CHAMBERS, LUCKNOW, UTTAR PRADESH
Beneficiary Bank name	HDFC BANK

6. Eligible Applicants:

- (i) Tenders for this contract will be considered only from those tenderers (proprietorship firms, partnerships firms, companies, corporations, who meet requisite eligibility criteria prescribed in the Clause 9 below. **Joint Ventures/Consortiums are not allowed to participate in the bidding process.**
- (ii) A tenderer shall submit only one bid in the same tendering process.

- (iii) Tenderers shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers shall be considered to have a conflict of interest with one or more parties in this bidding process, if:
- a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
 - a tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
 - a tenderer lends, or temporarily seconds its personnel to firms or organisations which are engaged in consulting services for the preparation related to the procurement for or implementation of the project, if the personnel would be involved in any capacity on the same project.
- (iv) The tenderer/applicant must not have been blacklisted or debarred as on the due date of submission of bid by Government of India/ State Government/ Government undertaking from participating in the tenders. The tenderer shall submit a “Verification Statement” to this effect as per proforma placed at **Annexure-2**.
- (v) Suitable financial/technical strength and an aptitude is essential to fall in line and match with the aesthetics and standards for conduct of business demonstrated by UPMRC on its Metro stations.
- (vi) **One can bid for any single/ multiple/all spaces together offered under this tender under three categories (A1, A2 & A3).**
- (vii) The Commercial spaces offered in this tender are considered ideal for categories as mentioned in Annexure-9A of document except banned items/ negative list given in Annexure-9B of bid document.

7. The Details of Spaces along with approximate area and bid security is tabulated below:

S.N.	Shop No.	Metro Station	Location	Area (Approx.) (Sq. ft)	Bid Security (in Rupees)
<u>Category A1: Spaces of size less than 50 Sqm</u>					
1	01-IK1-06	IIT Kanpur	Ground -unpaid	535	76270
2	01-IK1-01	IIT Kanpur	Concourse-unpaid	383	38055
3	01-IK1-03	IIT Kanpur	Concourse-unpaid	480	47693
4	01-IK1-04	IIT Kanpur	Concourse-unpaid	537	53356
5	01-KL1-01	Kalyanpur	Concourse-unpaid	463	48004

6	01-KL1-02	Kalyanpur	Concourse –unpaid	246	25505
7	01-KL1-03	Kalyanpur	Concourse –unpaid	237	24572
8	01-KL1-05	Kalyanpur	Concourse-paid	280	26006
9	01-KL1-06	Kalyanpur	Ground-unpaid	438	65280
10	01-SP1-05	SPM Hospital	Ground-unpaid	370	52747
11	01-SP1-06	SPM Hospital	Ground-unpaid	249	35497
12	01-SP1-01	SPM Hospital	Concourse –unpaid	260	25834
13	01-SP1-02	SPM Hospital	Concourse-unpaid	212	21064
14	01-SP1-03	SPM Hospital	Concourse-unpaid	219	21760
15	01-SP1-04	SPM Hospital	Concourse –unpaid	490	48686
16	01-VW1-07	CSJM University	Ground-unpaid	320	45619
17	01-VW1-03	CSJM University	Concourse-unpaid	389	38651
18	01-VW1-05	CSJM University	Concourse-paid	339	30754
19	01-GD1-06	GurudevChauraha	Ground-unpaid	497	70852
20	01-GD1-01	GurudevChauraha	Concourse-unpaid	393	39048
21	01-GT1-01	Geeta Nagar	Concourse-unpaid	490	55037
22	01-GT1-04	Geeta Nagar	Concourse-unpaid	413	46388
23	01-RW1-03	Rawatpur	Concourse-unpaid	383	66182
24	01-RW1-04	Rawatpur	Concourse-unpaid	277	47866
25	01-LL1-01	LLR Hospital	Concourse-unpaid	248	34819

26	01-LL1-02	LLR Hospital	Concourse-unpaid	530	74412
27	01-LL1-04	LLR Hospital	Concourse-unpaid	437	61355
28	01-LL1-05	LLR Hospital	Concourse-paid	336	42820
<u>Category A2: Spaces of size 50 sqm to 100 Sqm</u>					
1	01-IK2-07	IIT Kanpur	Ground-unpaid	541	77125
2	01-IK2-05	IIT Kanpur	Ground-unpaid	540	76982
3	01-IK2-02	IIT Kanpur	Concourse-unpaid	549	54549
4	01-KL2-04	Kalyanpur	Concourse-unpaid	721	74753
5	01-VW2-06	CSJM University	Ground-unpaid	855	121889
6	01-VW2-01	CSJM University	Concourse-unpaid	685	68062
7	01-VW2-02	CSJM University	Concourse-unpaid	582	57828
8	01-VW2-04	CSJM University	Concourse-unpaid	633	62895
9	01-GD2-02	GurudevChauraha	Concourse –unpaid	658	65379
10	01-GD2-03	GurudevChauraha	Concourse-unpaid	593	58920
11	01-GD2-04	GurudevChauraha	Concourse-unpaid	629	62497
12	01-GD2-05	GurudevChauraha	Ground-unpaid	936	133436
13	01-GT2-05	Geeta Nagar	Ground-unpaid	745	119081
14	01-GT2-02	Geeta Nagar	Concourse-unpaid	669	75142
15	01-GT2-03	Geeta Nagar	Concourse-unpaid	622	69863
16	01-RW2-06	Rawatpur	Ground-unpaid	812	199947
17	01-RW2-01	Rawatpur	Concourse-unpaid	681	117677

18	01-RW2-02	Rawatpur	Concourse-unpaid	660	114048
19	01-LL2-06	LLR Hospital	Ground-unpaid	604	121332
20	01-LL2-07	LLR Hospital	Ground-unpaid	880	176774
21	01-LL2-03	LLR Hospital	Concourse-unpaid	592	83117
Category A3: Spaces of size greater than 100 Sqm					
1	01-MT3-03	Motijheel	Ground-unpaid	1138	250724
2	01-MT3-04	Motijheel	Ground-unpaid	3575	787644
3	01-MT3-05	Motijheel	Ground-unpaid	4125	908820
4	01-MT3-02	Motijheel	Concourse-paid	5384	674508
5	01-MT3-01	Motijheel	Platform level	5100	638928

8. Locations of above commercial spaces offered on Metro Stations are shown in drawings attached under Annexure-1. Actual area (carpet area) shall be measured at the time of handing over of the space(s). If there is any major variation in area (+/- 5%), the License Fees shall be charged on pro-rata/ actual area basis. Interest free security deposit/ performance guarantee will not be readjusted if the variation in area handed over is up to (+/-) 5% else security deposit will be readjusted according to actual area of the shop. However, such variation in area at the time of handing over of space shall in no case effect the eligibility of the selected bidder for the licensed space under consideration.

9. Minimum Eligibility Criteria:

For demonstrating Technical & Financial Capacity, the Bidder shall satisfy each of the following criteria as tabulated below:-

Category	Technical Capacity	Financial Capacity
A1: Spaces of size less than 50 Sqm	a. Bidder must be operating at least One(1) company/ *brand Outlet	Bidder shall have Company Annual Turnover from its business of not less than INR 0.5 Crores (INR Fifty Lakhs) for atleast 1 year out of last 3 financial years.
	b. Bidder must be running the company/ brand outlets for atleast the period of One (1) year.	
A2: Spaces of size 50 sqm to 100 Sqm	a. Bidder must be operating at least One(1) company/ *brand Outlet.	Bidder shall have Company Annual Turnover from its business of not less than INR 1.5 Crores (INR-One Crore Fifty

	b. Bidder must be running the company/ brand outlets for atleast the period of One (1) year.	Lakhs) for atleast 1 year out of last 3 financial years.
A3: Spaces of size more than 100 Sqm	a. Bidder must be operating at least One (1) company/ *brand Outlet.	Bidder shall have Company Annual Turnover from its business of not less than INR 2.5 Crores (INR- Two Crore Fifty Lakhs) for atleast 1 year out of last 3 financial years.
	b. Bidder must be running the company/ brand outlets for atleast the period of One (1) year.	

In exceptional case, UPMRC at its sole discretion may permit change of company/ brand proposed by the franchise subject to all prescribed requirements of this tender being met satisfactorily by the bidder and the new company/ brand should be atleast similar or better. Any such requirement for change in company/ brand by the franchisee must be supported by valid grounds for making such a request.

Note:-*Brand shall mean a type of product manufactured or services for customers by the particular company under a particular name or a distinguishing symbol, mark, logo, name, word, sentence or a combination of these items that companies use to distinguish their products or services from the others in the market and for legal protection it is registered as a trade

9.1 Any bidder willing to open an outlet of a company/brand through a franchisee model will also be eligible subject to fulfilling following conditions-

- (i) Company/Brand of whose outlet bidder is proposing to be opened through franchisee model should meet the above-mentioned eligibility criteria.
- (ii) Bidder should submit along with its offer tender specific authorization/Franchisee certificate/Letter of Interest from the authorized signatory of the company/brand of whose outlet bidder is intending to open. However, tender specific authorization/Franchisee certificate/Letter of Interest should specifically state that the brand meets the requisite eligibility criteria (both Technical & Financial) of the tender.
- (iii) Documentary evidence for the technical & financial credentials of the brand meeting the eligibility criteria needs to be submitted by the bidder on the letter head of brand owning company before the signing of the agreement, failing which the LOA may be cancelled along with forfeiture of the EMD/Tender security.

9.2 (i) Any bidder who is a Dealer or Retailer of reputed brand/company will also be eligible subject to fulfilling following conditions-

- a. The proposed outlet should deliver an attractive in-store experience to customers at a level associated with reputed brands. The exclusive features of such non brand stores include proper lighting, appealing colourful schemes, fixtures, relevant décor and displays, superior signages, workplace dress code, cleanliness, hygiene etc.
- b. The proposed outlet should have various tangible and intangible attributes in order to create/ develop awareness, identity and reputation of product/ quality of service/ organization. The outlet must include strategic initiatives on outlet design/ product innovation so as to have a powerful influence on sensory appeal (e.g., how products tastes, outlet aesthetic etc.) and on the remembered satisfactions of the experience so as to drive repeat visits and attract new customers.

(ii) Dealer or Retailer of reputed brands must submit:-

- a. Details of proposed outlets supported by architectural drawings/ models etc.
- b. Dealership/ Retailer certificate of brand/company.

(iii) The proposal for non-branded outlet, not meeting the requirements of note (i) & (ii) above or not supported by adequate details, is liable to be rejected.

- The tenderer shall submit details of Technical Capacity, in the Performa of Annexure-7 & 7(A). Documentary proof such as certificates from client clearly indicating the nature/scope of work, or any other documentary proof should be submitted. The offers submitted without this documentary proof shall not be evaluated.
- The Bidder shall furnish the data for financial Capacity in the prescribed format as per Annexure-7 & 7(B). The financial data in the prescribed format shall be certified by Chartered Accountant with his stamp and signature. Copies of Balance sheet for last three financial year shall also be provided.
- If a brand is quoting directly, then Annexure 7A & 7B is mandatorily to be submitted along with the technical offer failing which the offer will be rejected. In case of the bidder quoting through a franchise model, Annexure 7A & 7B needs to be submitted before the signing of the agreement. However, **franchise needs to submit the tender specific authorization/ Franchisee certificate/Letter of Interest from the authorized signatory of the company/brand of whose outlet bidder is intending to open, specifically stating that their brand meets the requisite eligibility criteria (both Technical & Financial) of the tender.**

- 10.** Bidder has to submit/upload all Forms, Annexes, along with supporting documents as per Clause 12 below along with the Technical Proposal.
- 11.** Bids shall be accompanied with proper Bid Security amount for each space which the bidder has quoted. Applications received without bid security shall be summarily rejected.
- 12.** Brief Description of Selection Process:-
 - a) UPMRC has adopted a two packet selection process (the “Selection Process”) in evaluating the Proposals, comprising Technical and Financial Proposals to be submitted as per the tender document. After receipt of Proposals, a technical evaluation will be carried out as specified in Clause 16 of Chapter VII. Based on this technical evaluation, a short-list of Qualified Bidders shall be prepared. Thereafter, the evaluation of Financial Proposal submitted by the Qualified Bidders will be carried out as specified in Clause 17 of Chapter VII. Financial Proposals will finally be ranked and the Bidder who quoted highest Minimum Monthly License Fee for the space (s) in the BOQ excel file shall be selected for award of License.
 - b) The License model shall be Minimum Monthly License Fee quoted by bidder for the space subject to escalation every three year..
 - c) A discount of 50% on license fee for spaces on concourse level for period of 3 (Three) months from date of commencement of License Fee will be granted.

13. General information on e-tendering

13.1 The intending tenderers must be registered on e-tendering portal <https://etenders.gov.in/eprocure/app>. Those who are not registered on the e-tendering portal shall be required to get registered beforehand. After registration, the tenderer will get user id and password. On login, tenderer can participate in tendering process and can witness various activities of the process.

13.2 The authorized signatory of intending tenderer, as per Power of Attorney (POA), must have valid Class-II or Class-III digital signature. The Bid document/RFP can only be downloaded or uploaded using Class-II or Class-III digital signature. However, the tenderer shall upload their tender on <https://etenders.gov.in/eprocure/app> using class-II or class-III digital signature of the authorized signatory only.

13.3 Tender submissions shall be done online on <https://etenders.gov.in/eprocure/app> after uploading the mandatory scanned documents towards cost of tender documents and bid security such as scanned copies of transaction of payment i.e. RTGS, NEFT & IMPS against the tender cost amount and Bid Security amount and other documents as stated in the tender document. Instructions for on-line bid submission are furnished hereinafter.

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

13.4 Submission of Tenders shall be closed on e-tendering website of

employer at the date & time of submission prescribed in NIT after which no tender shall be accepted. It shall be the responsibility of the tenderer to ensure that his tender is submitted online on e-tendering website <https://etenders.gov.in/eprocure/app> before the deadline of submission. The Employer shall not be responsible for any delay, difficulties and/or inaccessibility of the downloading and/or uploading facility from the e-procurement portal for any reason whatsoever.

- 13.5 Tenderers are requested to visit e-tendering portal <https://etenders.gov.in/eprocure/app> regularly for any Employer's issued clarifications, addendum, corrigendum and/or due date extensions
- 13.6 Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
14. UPMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No tenderer shall have any cause of action or claim against the UPMRC for rejection of his proposal.
15. In case at a subsequent date the successful bidder/licensee is found to have been banned for business as given above, UPMRC shall be at liberty to and have full right to cancel the allotment of license for the space allotted and forfeit the interest free security deposit after adjusting any dues payable by the licensee.
- 16 .Bids shall be valid for a period of 180 days from the date of submission of bids.
- 17 .Bids will be evaluated space/location wise in favour of H-1 bidder.
- 18 . The Concessionaire shall not sub-contract or grant sub-concession or assign any of its rights, duties and obligations under the Concession Agreement, in whole or in part, except with the prior written intimation to UPMRC.However, such sub-contract or sub-concession shall be co-terminus with the Concession Term.
- 19 . This NIT has been prepared with a view to provide relevant information; parties may do their own due diligence; UPMRC shall not be liable with regards to its accuracy, reliability or completeness.
- 20 . In case of any grievances/complaints regarding this tender or to obtain information/clarification, please contact:

Chief Engineer / Contract,
Uttar Pradesh Metro Rail Corporation Ltd.,
Administrative Building, Near Dr. Bhimrao
Ambedkar Samajik Parivartan Sthal,
Vipin Khand, Gomti Nagar
Lucknow – 226010.
Email: **cecontract@upmrc.co.in**