

3. NOTICE INVITING TENDER

- 3.1** Uttar Pradesh Metro Rail Corporation Ltd. (UPMRC) has successfully commenced its services on entire North-South Corridor from CCS Airport to Munshipulia consisting of 21 Nos. Metro Stations with total stretch length of 23 km from 9th March 2019 in Lucknow. Lucknow Metro has carried over 7.6 crore commuters till date, which is almost 13 times more than actual population of Lucknow. The Lucknow Metro is most popular skyliner that zaps through the city giving a view of the high rise buildings, parks and other places above the typically hectic streetscape, with entrances at both sides of the road, but more importantly connecting end to end urban setup in the shortest possible time. It is one of the finest examples of mass transit system with its world class infrastructure and state of the art technology making it 'Lucknow's Pride'.
- 3.2** In order to fulfil its mandate to raise non-fare revenue, UPMRC invites open e-tenders on two packet system from interested parties which may be a sole proprietorship firm, a partnership firm or a company having registered office in India and incorporated under the company act 1956/2013, or a combination of above in the form of Joint Venture(JV) or consortium for selection of licensee for granting the license for 'Licensing of space on pillars N-S Corridor of Uttar Pradesh Metro Rail Network in Lucknow for placement and operation of telecom equipment for Providing Shared Mobile (Cellular) Coverage upto 5G'. UPMRC shall receive E-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 UPMRC.
- 3.3** Bidders shall submit Tender/bids in accordance with such terms and conditions on or before the date specified in this document. Bidders are advised to visit the UPMRC premises at the respective station / site and familiarise themselves with various arrangements and all activities necessary in this regard.

3.4 Key Details:

i.	Bid No.	LKUC-02
ii.	License Period	03 years
iii.	Bid documents on sale	From 08.11.2023 (from 11:00 hrs) to 18.12.2023 (up to 15:00 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 cost of bid document is to be made only by RTGS, NEFT & IMPS. No other mode of payment will be accepted.) *The details of bank account of UPMRC are mentioned below. The tenderers are required to upload scanned copies of transaction of payment of cost of bid document including e-receipt (clearly indicating UTR No. & tender reference i.e. LKUC-02 must be entered in the remarks at the time of online transaction of payment, failing which payment may not be considered at the time of online bid submission). (Copy of GST registration no. to be provided along with cost of bid document (if applicable)

v.	Bid/Tender Security*	<p>Rs 4,60,000/- (Rs. Four Lakh Sixty Thousand Only)</p> <p>Bid Security can be submitted either through RTGS/NEFT or IMPS.</p> <ul style="list-style-type: none"> • The instrument type for payment of bid security/ EMD shall be Demand Draft, RTGS, NEFT & IMPS. No other mode of payment will be accepted. The details of bank account of UPMRC are mentioned below in subsequent para. • The bidders are required to upload scanned copies of transaction of payment of bid security including e-receipt (clearly indicating UTR No. & tender reference must be entered in the remarks at the time of online transaction of payment, failing which payment may not be considered) at the time of online bid submission (Copy of GST registration no. to be provided along with Bid security). • DD shall be made in favor of 'Uttar Pradesh Metro Rail Corporation Limited' payable at Lucknow. <p>In case of DD, the scanned copy of DD shall be uploaded along with tender submission and the original DD shall be submitted in the office of CE/ Contract on or before the date/time of tender submission end date otherwise the bid shall not be evaluated and is liable to be rejected.</p> <p>Bid Security amount of successful bidder shall be adjusted against the IFSD amount. In case of unsuccessful bidders, the Bid Security shall be refunded within 90 days of issue of LOA to the successful</p>
vi.	Last date of Seeking Clarification	<p>29.11.2023 @ 1800 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. Queries/clarifications from tenderers after due date and time shall not be acknowledged.</p>
vii.	Pre-Bid meeting	<p>29.11.2023 @ 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</p>

		one day before the meeting to the official email of employer i.e. cecontractlmrc@gmail.com/ cebdupmrc@gmail.com along with scanned copy of transaction of payment of bid document cost / tender fee, including e-receipt (clearly indicating UTR No. and tender reference i.e. LKUC-02, 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 virtual pre- bid meeting.
ix.	Date & time of Submission of Tender	Tender submission start date:11.12.2023 (11:00 hrs). Tender submission end date: 18.12.2023 (15:00 hrs).
x.	Date & time of opening of Bid/Tender	19.12.2023 @ 15:00 Hrs.
xi.	Financial Bid opening date	Will be notified after the technical bid opening
xii.	Validity of Bid document	180 days from tender submission end date.
xiii.	Authority and place for purchase of bid documents, seeking clarifications regarding the submission of completed tender documents	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: cecontractlmrc@gmail.com or cebdupmrc@gmail.com)

***Cost of Tender and Tender Security/EMD shall be submitted by the bidders except Micro and Small Enterprises(MSEs) as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises(MSME) or are registered with Central Purchase Organisation.**

* Cost of Bid Document/RFP as mentioned in 3.4(iv) above and bid security amount as mentioned in 3.4 (v) above 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	06, SAPRU MARG, HAZRATGANJ, LUCKNOW, UTTAR PRADESH

- The Bid security amount shall also be submitted in the form of Demand Draft (DD) drawn on any Indian Scheduled Bank in favor of "Uttar Pradesh Metro Rail Corporation Limited" payable at Lucknow.
- The Bid shall be summarily rejected if it is not accompanied with valid bid security of appropriate amount.
- The bid security/EMD in original physical form must invariably be submitted to UPMRC by the stipulated time frame as given in clause 3.4 of NIT, failing which the bid is likely to be rejected.
- The bid security of the Selected Bidder shall be adjusted against the Interest Free Security Deposit (IFSD). The bid security (submitted towards the bid/tender) of unsuccessful bidders/tenderers, shall be refunded within 90 days after award of contract, without considering any interest, thereof. If the bidder

withdraws its bid at any stage, UPMRC shall have the right to forfeit the bid security amount of the bidder.

3.5 Schedule of Various Stages: The Licensee shall follow the following timelines:

S. No.	Stage of Activity	Time Period
1	Payment of six months License Fee towards Interest Free Security Deposit(IFSD)/ Performance Security to UPMRC by Licensee	Within 30 days of issue of Letter of Acceptance (LOA).
2	Pillars to be handed over to Selected Bidder	Within 7 days of payment of IFSD in accordance with LOA.
3	Signing of License Agreement	Within 30 days from payment of IFSD by Licensee
4	Submission of Drawings/Plans for approval	Within 30 days of receipt of full payment of IFSD
5	Commencement of License Fee	91 st day from the date of handing over. License fee shall be paid on quarterly basis, atleast 7 days before the commencement of quarter in advance.
6	Payment of Advance License fee	Atleast 7 days before commencement of License fee

3.6 Eligible Applicants:

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 3.7 below. In the case of a JV or Consortium, all members of the Group shall be jointly and severally liable for the performance of whole contract.

3.6.1 A tenderer shall submit only one bid in the same tendering process, either individually as a tenderer or as a partner of a JV/Consortium. A tenderer who submits or participates in more than one bid will cause all of the proposals in which the tenderer has participated to be disqualified. No tenderer can be a subcontractor while submitting a bid individually or as a partner of a JV/Consortium in the same bidding process

3.6.2 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: participation by a bidding firm or any of its affiliates that are either involved in the consultancy contract to which this procurement is linked; or if they are part of more than one bid in the procurement; or if the bidding firm or their personnel have relationships or financial or business transactions with any official of procuring entity who are directly or indirectly related to tender or execution process of contract; or improper use of information obtained by the (prospective) bidder from the procuring entity with an intent to gain unfair advantage in the procurement process or for personal gain.

3.6.3 The Tenderer/applicant (applies to each individual member in case of a Joint Venture/Consortium) must not have been blacklisted or debarred or convicted as on the due date of submission of bid by Government of India/ State Government / C.C.I / Government undertaking. The tenderer shall submit a "Verification Statement" to this effect as per proforma placed at Annexure 9.

3.6.4 A firm, who has purchased the tender document in their name, can submit the tender either as individual firm or in Joint Venture/Consortium.

3.6.5 If a Bid is submitted by a JV/Consortium, following shall be abide by its members:

- 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 full tenure of License Agreement.
- ii. Minimum percentage stake of any member in JV/Consortium during license period (including lock-in period) shall not be less than 20%.
- iii. Any change in percentage stake of JV/Consortium members without prior written approval of UPMRC shall be treated as Material Breach of Contract and Licensee's Event of Default entitling UPMRC to encash Interest Free Security Deposit and/or to terminate the License Agreement after 30 days' notice.
- iv. All members of such entity shall be jointly and severally liable for the performance of License agreement.

3.6.6 The Tender Document submitted without the cost of bid document and/or bid security/EMD amount in specified form and validity, shall be out rightly rejected.

3.7 Eligibility Criteria: -

3.7.1 Average Annual Turnover of the bidders during the last three year ending 31st March of the previous financial year should be at least 23 Lakhs. The Bidder shall submit audited financial year data of last three years (i.e. FY 2020-21, 2021-22 and 2022-23) certified by Chartered Accountant with stamp & signature along with UDIN.

* In case audited Balance sheet of the last financial year is not made available by the bidder, they have to submit an affidavit certifying that the balance sheet has actually not been audited so far, in such a case financial data of previous 2 years will be taken into consideration for evaluation.

• In case of JV/Consortium, full value of the work, if done by the same joint venture shall be considered. However, if the qualifying work(s) were done by them in JV/Consortium having different constituents, then the value of work as per their percentage participation in such JV/Consortium shall be considered.

• The average annual turnover of JV will be based on percentage participation of each member.
Example: Let Member-1 has percentage participation = M and Member - 2 has =N. Let the average annual turnover of Member-1 is 'A' and that of Member-2 is 'B', then the average annual turnover of JV will be

$$= \frac{AM + BN}{100}$$

3.7.2 The Bidder must have Access Service License/ IP Registration Certificate issued from Department of Telecom Govt of India. The bidder shall encase a copy of Access Service License/ IP Registration Certificate issued from Department of Telecom along with its Bid.

3.8 **Brief scope of work is mentioned as below:-**

679 no. pillars are available along the central median of the elevated section (excluding pillars under station boxes) of N-S corridor of UPMRC network at Lucknow for the installation of telecom equipment for providing shared mobile (cellular) coverage upto 5G.

3.9 License period shall be for a period of Three (03) years from commencement of license fee.

3.10 The license may be extended by two periods of three (03) years each on successful completion, to the complete satisfaction of UPMRC, of initial Three (03) years on mutually agreeable terms & conditions.

3.11 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.

3.12 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.

- 3.13 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 or DD/Bank Guarantee submitted against the bid security amount and other documents as stated in the tender document. Instructions for on-line bid submission are furnished hereinafter.
- 3.14 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.
- 3.15 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.
- 3.16 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.
- 3.17 After successful completion of tender processing, the Letter of Acceptance to the successful bidder shall be uploaded on the e-tendering portal <https://etenders.gov.in/eprocure/app> which can be downloaded by successful bidder. LOA would also be E-mailed to the successful bidder.
- 3.18 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 space on pillars of N-S Corridor of Uttar Pradesh Metro Rail Network in Lucknow for placement and operation of telecom equipment for Providing Shared Mobile (Cellular) Coverage upto 5G and forfeit the interest free security deposit after adjusting any dues payable by the licensee.
- 3.19 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@upmrcl.co.in or cecontractlrmc@gmail.com