

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. This is one of the most ambitious Mass Rapid Transit System (MRTS) projects of the Government which has been executed and operated well within the sanctioned budget and within an extremely compressed deadline. It has achieved the distinction of being the fastest Metro Project construction which has ever happened in this country.
- 2) 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 city. UPMRC has crossed the total ridership of approx. 70000 on the very first day of its complete commercial run and it is expected to rise in sharply in near future.
- 3) 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 9 below, through tender “LKPD-07: RFP for developing, setting up, operating and maintaining commercial spaces through licensing at various metro stations of N-S Corridor of Uttar Pradesh Metro Rail Corporation at Lucknow.

4. Key Details:

i.	Bid No.	LKPD-07
ii.	License Period	9 Years
iii.	Bid documents on sale	From 15.06.2021 to 14.07.2021 (between 09:30 Hrs. to 17:30 Hrs.) on working days.
iv.	Cost of bid documents (Non-Refundable)	Rs. 5900/- (inclusive of 18% GST) (Demand Draft on a Nationalized Scheduled Commercial bank based in India in favour of “ Uttar Pradesh Metro Rail Corporation Ltd. ” payable at Lucknow.) Or through RTGS/ NEFT/ IMPS to UPMRC.
v.	Last date of Seeking Clarification	16.07.2021
vi.	Pre-Bid meeting	16.07.2021 @ 15:00 Hrs

vii.	Last date of issuing addendum	23.07.2021
viii.	Date & time of Submission of Tender	30.07.2021 up-to 15:00 Hrs.
ix.	Date & time of opening of Tender (Technical Bid)	30.07.2021 @ 15:30
x.	Financial Bid Opening Date	Will be notified after the technical bid opening process.
xi.	Validity of Bid document	180 days from date of submission of bid.
xii.	Authority and place for purchase of bid documents, seeking clarifications and 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. (Email: cecontractlmrc@gmail.com)

5. (a) Cost of Tender Document as mentioned in 4(iv) above shall be accepted in the form of Demand Draft in favour of "**Uttar Pradesh Metro Rail Corporation Ltd.**" **payable at Lucknow.** Bidders to provide a copy of GST Registrations No. to purchase tender document.
 (b) Cost of Tender Document as mentioned in 4(iv) above shall be also be accepted through RTGS/ NEFT/ IMPS in following account-

Bank Account in name of	UPMRC Non-Fare Box Earning Account
Bank Account No	50200033099884
Name of Bank	HDFC Bank
IFSC CODE	HDFC0001267
BRANCH	TEKARI CHAMBERS, LUCKNOW, UTTAR PRADESH

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) a tenderer has been engaged by the Employer to provide consulting services for the preparation related to procurement for on implementation of the project;
- b) a tenderer is any associates/affiliates (inclusive of parent firms) mentioned in subparagraph (a) above; or
- c) a tenderer lends, or temporarily seconds its personnel to firms or organisations which are engaged in consulting services for the preparation related to 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:

SN	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	07-AL1-01	Alambagh	Concourse-unpaid	235	25631
2	07-AL1-02	Alambagh	Concourse-unpaid	306	38733
3	07-AL1-03	Alambagh	Concourse-unpaid	345	37558
4	07-AL1-04	Alambagh	Ground- unpaid	347	59962
5	07-AB1-01	Alambagh Bus stand	Concourse-unpaid	375	40846
6	07-AB1-02	Alambagh Bus stand	Concourse-paid	422	41347
7	07-AB1-03	Alambagh Bus stand	Ground-unpaid	203	129600
8	07-AM1-01	Amausi	Concourse-unpaid	357	19444
9	07-BA1-01	Badshah Nagar	Concourse –unpaid	360	39230

10	07-BA1-02	Badshah Nagar	Concourse –unpaid	418	45505
11	07-BA1-05	Badshah Nagar	Ground-unpaid	205	35424
12	07-BH1-01	Bhootnath Market	Concourse-unpaid	407	52615
13	07-BH1-02	Bhootnath Market	Concourse-unpaid	407	52615
14	07-CH1-01	Charbagh	Concourse-paid	323	49448
15	07-CH1-06	Charbagh	Concourse-unpaid	534	91353
16	07-CH1-05	Charbagh	Concourse-unpaid	497	85022
17	07-CH1-07	Charbagh	Ground-unpaid	172	260898
18	07-CH1-08	Charbagh	Ground-unpaid	172	260898
19	07-DU1-03	Durgapuri	Concourse-paid	376	23025
20	07-DU1-04	Durgapuri	Concourse-unpaid	385	26196
21	07-HS1-01	Husainganj	Concourse-unpaid	106	18101
22	07-HS1-02	Husainganj	Concourse-unpaid	203	34575
23	07-IN1-01	Indira Nagar	Concourse-unpaid	406	46997
24	07-IN1-02	Indira Nagar	Concourse-unpaid	406	46997
25	07-IT1-01	IT College	Concourse-unpaid	297	28291
26	07-IT1-02	IT College	Concourse-unpaid	397	37817
27	07-KN1-01	Krishna Nagar	Concourse-unpaid	210	17146
28	07-KN1-02	Krishna Nagar	Concourse-unpaid	276	22570
29	07-KN1-03	Krishna Nagar	Concourse-unpaid	363	29668
30	07-KN1-04	Krishna Nagar	Concourse-unpaid	396	32333
31	07-KN1-05	Krishna Nagar	Concourse-unpaid	398	32506
32	07-LK1-01	Lekhraj	Concourse-unpaid	438	47682
33	07-LK1-02	Lekhraj	Concourse-unpaid	381	41477
34	07-LK1-03	Lekhraj	Concourse-unpaid	394	42932
35	07-LK1-04	Lekhraj	Ground Floor	428	74020
36	07-MW1-01	Mawaiya	Concourse-unpaid	392	21337
37	07-MW1-02	Mawaiya	Concourse-unpaid	363	19762
38	07-MW1-03	Mawaiya	Concourse-paid	375	18375
39	07-MN1-01	Munshipulia	Concourse-unpaid	334	43178
40	07-MN1-02	Munshipulia	Concourse-unpaid	393	50862
41	07-MN1-03	Munshipulia	Concourse-unpaid	479	74943

42	07-SC1-01	Sachivalaya	Concourse-unpaid	297	56582
43	07-TN1-01	Transport Nagar	Concourse-unpaid	214	11649
44	07-TN1-02	Transport Nagar	Concourse-unpaid	265	14424
45	07-TN1-03	Transport Nagar	Concourse-unpaid	265	14424
46	07-TN1-04	Transport Nagar	Concourse-unpaid	310	16874
47	07-TN1-05	Transport Nagar	Concourse-unpaid	526	28631
Category A2: Spaces of size 50 sqm to 100 Sqm					
1	07-AM2-03	Amausi	Concourse-unpaid	712	38774
2	07-AM2-04	Amausi	Concourse-paid	736	36056
3	07-AM2-02	Amausi	Concourse-unpaid	772	42022
4	07-BA2-04	Badshah Nagar	Ground Floor	678	117158
5	07-BA2-03	Badshah Nagar	Concourse-unpaid	638	69455
6	07-BH2-03	Bhootnath Mkt	Concourse-unpaid	595	76920
7	07-HZ2-01	Hazratganj	Concourse-unpaid	774	263315
8	07-HZ2-05	Hazratganj	Concourse - unpaid	798	271639
9	07-IN2-04	Indira Nagar	Concourse-unpaid	595	68822
10	07-IT2-04	IT College	Concourse-unpaid	671	63917
11	07-IT2-05	IT College	Concourse-paid	557	47752
12	07-IT2-03	IT College	Concourse-unpaid	604	57535
13	07-LK2-05	Lekhraj	Ground Floor	638	110246
14	07-SC2-02	Sachivalaya	Concourse-unpaid	628	119642
15	07-SC2-03	Sachivalaya	Concourse-unpaid	734	139836
16	07-TN2-06	Transport Nagar	Concourse-unpaid	871	47410
17	07-TN2-07	Transport Nagar	Ground-unpaid	669	57802
18	07-VV2-04	Vishwavidyalaya	Concourse-paid	553	47414
Category A3: Spaces of size more than 100 Sqm					
1	07-BA3-07	Badshah Nagar	Concourse-unpaid	2582	191169
2	07-BA3-08	Badshah Nagar	Concourse-unpaid	2925	216530
3	07-CC3-05	CCS Airport	Ground-unpaid	1722	743904
4	07-CH3-02	Charbagh	Concourse-unpaid	1323	191354
5	07-CH3-03	Charbagh	Concourse-unpaid	6059	778703
6	07-CH3-04	Charbagh	Concourse-unpaid	6394	821815
7	07-HZ3-02	Hazratganj	Concourse-unpaid	1614	466720
8	07-HZ3-03	Hazratganj	Concourse-unpaid	1929	557809
9	07-HZ3-04	Hazratganj	Concourse-unpaid	3294	762021
10	07-HS3-03	Husainganj	Ground Floor	2489	430137
11	07-LK3-06	Lekhraj	Concourse-unpaid	2109	156125
12	07-LK3-07	Lekhraj	Concourse-unpaid	2582	191169
13	07-SC3-04	Sachivalaya	Concourse-unpaid	1112	180072
14	07-SC3-05	Sachivalaya	Concourse-unpaid	2610	338170

15	07-SC3-06	Sachivalaya	Concourse-unpaid	3085	399712
----	-----------	-------------	------------------	------	--------

8. Locations of above commercial spaces offered on Metro Stations are shown in drawings attached under Annexure-1.

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

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.

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, 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 five audited 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, **franchisee 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 all Forms, Annexes, along with supporting documents as per Clause 15 (b) below along with the Technical Proposal.
- 11.** Bids shall be accompanied with Bid Security amount as indicated against each space offered, by means of a Bank Draft/ Demand Draft/ Pay Order drawn on any Indian Scheduled Bank/ Indian Branch of foreign bank in favour of '**Uttar Pradesh Metro Rail Corporation Ltd.**' payable at Lucknow.
- 12.** Applications received without due bid security amount shall be summarily rejected.
- 13. 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 21.3 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 21.4 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 Financial Bid shall be selected for award of License.
 - b) The License model shall be –Minimum Monthly License Fee quoted by bidder for the space.
 - 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.
- 14.** The bidders may obtain further information/ clarification, if any, in respect of these bid documents from the office of Chief Engineer/Contract, Uttar Pradesh Metro Rail Corporation Ltd. (UPMRC), Administrative Building, Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthal, Vipin Khand, Gomti Nagar, Lucknow-226010 (Email: cecontractlmrc@gmail.com)
- 15.** Bid Submission: The Bid shall contain following envelopes:
 - a) Envelope-1**, marked: 'Bid Security', containing Full Bid Security Amount (for one/ two/multiple space as the case may be of required amount as mentioned against each spaces offered Clause 7 above).
 - b) Envelope-2**, marked 'Technical Bid' containing following documents in Technical Bid
 - Annexure – 2, 3, 4, 7, 7(A), 7(B), & 11 (all on Official letterhead of the bidder),
 - Power of Attorney for signing of application as per Annexure-5.
 - Unconditional acceptance to RFP Conditions as per Annexure-6
 - Self-attested copies of the PAN Card and Goods & Services Tax (GST) Registration Certificate. In case any or all of the provisions mentioned above are not applicable, the Bidder should give a declaration to that effect. Non submission will not be considered as exemption.
 - Copies of audited balance sheets of last three audited financial years i.e. FY: 2017-18 , 2018-19 & 2019-20.
 - Copy of the complete Tender Document including Draft License Agreement (Annexure-14) and Addendum/ Corrigendum (if any) duly

signed and stamped on each page by authorized representative of the Bidder as a token of acceptance of terms and conditions set out therein.

- c) **Envelope-3**, marked 'Financial Bid': The Bidder shall quote the Minimum Monthly License fee (INR) in the bid form in both words as well as figures as given in Annexure-8. If there is a discrepancy between words and figures, the amount in words shall prevail.

Above 3 sealed envelopes are to be put in one big envelope super scribed with Notice Inviting Bid No "LKPD-07" followed by "Shop No." for which the bid is made, for example "Shop No. 07-AL1-02" OR "Shop No. 07-SC2-03". This packet shall be addressed to:

Chief Engineer/Contracts,
Administrative Building,
Uttar Pradesh Metro Rail Corporation Ltd.
Near Dr. Bhimrao Ambedkar Samajik Parivartan Sthal,
Vipin Khand, Gomti Nagar, Lucknow-226010

16. Bid documents submitted by fax, telex, telegram, mail or e-mail shall not be entertained and shall be summarily rejected. Only detailed, complete bidding documents, in a physical format and duly sealed envelopes, as mentioned above, received on Application due date prior to schedule time shall be taken as valid.
17. Late tenders (received after date and time of submission of bid) shall not be accepted under any circumstances.
18. Bids shall be valid for a period of 180 days from the date of submission of bids.
19. UPMRC reserves the right to accept or reject any or all proposals without assigning any reasons. No bidder shall have any cause of action or claim against the UPMRC for rejection of his proposal.
20. Bids will be evaluated space/location wise in favour of H-1 bidder.
21. 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.
22. 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.

Chief Engineer/Contract,
Uttar Pradesh Metro Rail Corporation Ltd.