



BANGALORE METRO RAIL CORPORATION LIMITED

3rd Floor, BMTCL Complex, Kengal Hanumanthaiah Road, Shanthinagar,
Bengaluru – 560 027

TENDER FOR SELECTION OF LICENSEES FOR COMMERCIAL COMPLEX (INCLUDING PARKING AREA) AT MYSURU ROAD METRO STATION OF REACH – 2

BID NO. - BMRCL/GMF(T&R)/PD/LFD-1/ Commercial Complex-I/2015-16 DATED 22-07-2015

Notice Inviting Tender

Introduction

1. Bangalore Metro Rail Corporation Limited is a joint venture company constituted by the Government of Karnataka and the Government of India and incorporated under the Companies Act, 1956.
2. BMRCL has been established with the principal objective of planning, designing, developing, constructing, maintaining, operating and financing mass transit and other urban transport systems of all types and description in Bangalore. In pursuance of this objective, BMRCL is in the process of constructing a metro rail system for Bengaluru and has branded the metro rail for Bengaluru as "Namma Metro".
3. "Namma Metro" is a registered brand owned by BMRCL. The Namma Metro stations are located in prime locations and are recognized by marketing professionals as a consumer draw. BMRCL proposes to leverage on both the brand "Namma Metro" and the stations and properties being located in the vicinity of major commercial hubs of Bengaluru for realizing a potential source of non-fare box revenue. One of the sources of non-fare box revenue is through licensing of spaces for commercial use in and around the metro stations. Several of Namma Metro Stations have very large space that can be used for large format commercial uses.
4. One of the stations where a large format business operation can be conducted is the Mysuru Road Metro station, which has a fairly large space i.e. approximately 28,200 sq ft at the road level and is ideally suited for an entrepreneur to design a commercial complex with varied commercial activities like eatery, entertainment, gaming kiosk, and other retail outlets to meet commuter's daily needs. Mysuru Road lacks such facility and it is therefore felt that this location will attract large number of commuters/customers. This location is also chosen for large business format, after careful consideration so that it will not affect security concerns, commuter's circulation etc., besides the entrepreneur can secure the civic infrastructure like power supply and water and sanitary/sullage connections required for the running of the commercial complex. Adequate parking facility is also included in this tender for the commuters and visitors to the commercial complex.

Invitation to submit Bids

5. BMRCL hereby invites interested parties to submit Bids, as per the terms and conditions described in this Bid Document, for selection and award of a license to design, establish operate

and manage by themselves or as a Franchisee/Licensee, a Commercial Complex in accordance with the terms and conditions of this Bid Document. The selection of the proposed Licensee(s) shall be undertaken through an open competitive bidding process in accordance with the terms of this Bid Document.

6. Bidders are advised to be completely informed about the process and the terms and conditions for the selection of a Licensee before submitting their Bid, by careful study of the Bid Document, attending the Pre-Bid Meeting and making their own enquiries, as may be required, in accordance with the terms hereof, before submitting their Bid.

Sale of Bid Document

7. The Bid Document can be purchased from the BMRCL office from **22th July 2015 to 12th August 2015** by payment of **Rs. 5,000/-** (Rupees Five Thousand Only), inclusive of KVAT, by way of demand draft drawn in favour of "**Bangalore Metro Rail Corporation Limited**", payable at **Bengaluru**, drawn any nationalized bank or any scheduled commercial bank in India. The bid document can also be procured by paying online from BMRCL website www.bmrc.co.in under "Tender" page as detailed in the link provided. **The tender document will be available online from 22th July 2015 to 12th August 2015.**
8. Bidders are advised to carefully review the information provided in the Key Details appearing hereinafter. If any day specified in the Key Details, happens to be a holiday, the specified event shall take place on the next Working Day. Bids must be received in the office of BMRCL not later than the date and time specified in the Key Details. Bids which are received after the appointed time on the Bid Submission Date or are incomplete in any respect are liable to be rejected.
9. Any corrigendum/addendum issued to the Bid document, shall be published on BMRCL's official website and also intimated to the Bidders. It is the Bidder's responsibility to submit its Bid taking into account all addenda/corrigenda issued.
10. BMRCL reserves the right to accept or reject any or all Bids received, at its absolute discretion, without assigning any reason whatsoever.

Sd/.

Managing Director,
BMRCL.



KEY DETAILS

1.	Date of Issue of Bid Document	22 nd July 2015
2.	Cost of Bid Document	Rs.5,000.00 (Rupees Five Thousand Only) inclusive of KVAT.
3.	Address and dates for purchase of Bid document	At BMRCL Corporate Office at , 3rd Floor, BMTC Complex, K H Road, Shanthinagar, Bengaluru-560027 on all Working Days between 11.00 a.m. and 5.00 p.m. (IST) from 22-07- 2015 to 12-08-2015. The bid document can also be procured by paying online from BMRCL website www.bmrc.co.in under "Tender" page as detailed in the link provided. The tender document will be available online from 22-07-2015 till midnight of 12-08-2015.
4.	Refundable Earnest Money Deposit	Rs.10,00,000/- (Rupees Ten Lakhs) by way of Demand Draft drawn favouring "Bangalore Metro Rail Corporation Limited", and payable in Bengaluru.
5.	Site Visit	Site Visit is arranged from 24-07-2015 to 12-08-2015 from 11 AM to 5 PM at the Mysuru Road Metro Station. Prospective bidders may contact the Customer Relations Officers at the Station, who will show the spaces earmarked for the commercial development.
6.	Last date for receipt of bid queries	At least 3 (three) Working Days prior to the date of the Pre-Bid Meeting.
7.	Pre-Bid Meeting	12-08-2015 at 4.00 p.m at the Conference Hall, BMRCL, 3Rd Floor, BMTC Building, KH Road, Bengaluru – 560027.
8.	Bid Submission Date	24-08-2015 at 3:00 PM
9.	Opening of Outer Envelope and Opening of Envelope 1 – Qualification and Technical Documents	24-08-2015 at 3:30 PM
10	Opening of Financial Bid – Envelope 2	Will be intimated to Bidders who have been shortlisted based on evaluation of the Qualification and Technical Documents



Brief Tender details

1. The commercial space offered to the bidders is on "as is where is" basis. Therefore, to ensure that the commercial complex, to be built by the bidders, adds to the aesthetics of the station and other security considerations, the bidders are required to file, as part of the technical proposal, the Concept and Design of the commercial complex, which shall be world class in terms of excellence in design, performance, quality and consumer satisfaction and value when compared with similar commercial complex anywhere in the world. Though the concept note and design proposal are required to be filed as part of the bid submission, it will not be considered for the purpose of evaluation of the bid submissions.
2. The commercial space along with the space for the parking area, identified is offered on "as is where basis" and licensee can construct commercial complex as per the concept plan approved by BMRCL. The Table S (II) – 2.3.1 below states the commercial space and space for parking of vehicles offered to the Bidders specifying the approximate area in square feet, the layout details, the minimum reserved monthly license fee, the maximum license period, Net Worth and EMD amount.
3. The minimum Reserve price for commercial space along with the designated space for the parking area, is Rs.11,00,000 (Rupees eleven lakhs) only per month plus service tax as applicable, and the bidder shall quote equal to or higher than the minimum bid price per month. The successful bidder is one who has quoted the highest bid amount i.e. equal to or over and above the minimum bid price.
4. The charges for parking for different class of vehicles shall be fixed by the successful bidder and the licensee shall follow all the norms best in the industry in maintaining and operating the parking lot. He shall also follow all the guidelines, if any issued by BBMP or BDA in this regard.

Table S(II) – 2.3.1: Details of Commercial Space offered for tender

Sl. No.	Station	Approx. Area in sq. ft.	Layout Plan	Reserved Price (in Rs.) (Commercial space + Parking area)	Maximum Term of License	Net Worth	EMD
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Mysuru Road Metro Station	28,200 Sq.ft Plus open area for parking 31,000 sq ft	Section X (i) The Commercial Area Section X (ii) Parking Area	Rs. 11,00,000/- (Rupees eleven lakhs) only per month plus service tax as applicable	12 (Twelve) years	Positive net worth of a minimum of Rs. 1,00,00,000 (Rupees one Crore)	Rs.10,00,000/- (Rupees Ten Lakhs only)

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5. The bidder can open any commercial activity permitted here under except for those specified in the negative list at Section VII of clause 7.11. The successful bidder can establish as many outlets/kiosks/facilities in the scheduled area giving adequate circulation space for customers/commuters, besides sufficient ramps access for the movement of the differently abled persons. The successful bidder shall give a master plan for the development of the said space taking into account all safety requirements under the existing bylaws. After obtaining approval of BMRCL the licensee can proceed to obtain the necessary clearance of the Local, State and Central government authorities. Any changes to the master plan during actual implementation shall be after obtaining written approval of the BMRCL. The successful bidder shall make his own arrangement for obtaining power and water supply and sanitary connections from the respective civic agencies. BMRCL shall only issue NOC for obtaining these services from the respective agencies.
6. The bidder cannot sub-lease the space within the licensed premises to any individuals/party(s) or any other firms or entity. In other words, the bidder shall themselves operate and manage the entire commercial activities either to vend on their own any goods and service or as a franchise or licensees of any brand of product or services. Other than those activities mentioned in the negative list at Section VII of clause 7.11, the bidder is permitted to operate all commercial activity that are permitted under the existing rules and by laws of BBMP or any other authority.
7. The bidder shall obtain all statutory permissions and licenses required from Central, State and/or BBMP before commencing the business activities. BMRCL shall give NOC to the successful bidder for obtaining necessary permission from the respective authorities, provided however, securing of the requisite permissions /approvals from the respective authorities shall be the sole responsibility of the bidder. The successful bidder shall not commence any business without obtaining requisite licenses. Any lapse on this account will amount to an event of default.
8. The extent of Commercial Space offered to Tender Column (3) above is only indicative. A joint measurement will be undertaken at the time of handing over of the Location to the Licensee and the area so determined shall be treated as the final measurement. The actual measurement will be the basis for the calculating the license fee. Therefore, if the area increases or decreases as against the area indicated in Table S(II) – 2.3.1, above, upon the joint measurement, pro-rata increase or decrease in the accepted license fee per square foot will be adopted for the calculation of the monthly license fee payable by the successful bidder.
9. BMRCL reserves right to allot any available spaces at the said station, viz at ground, concourse and platform levels to other vendor(s) for any use as it deems fit, in subsequent tender (s) and the successful bidder, under this tender, (with whom BMRCL has entered into a license agreement) shall not have any objection for the same.
10. **The License period as mentioned in Column (6) of Table S(II) – 2.3.1 :** Commercial Space offered to Tender shall before a period of 12 (Twelve) years calculated from the date of signing the License Agreement. The License Fee shall be increased annually by 5% (five per cent) over the License Fee of the previous year and shall commence from the date of each anniversary as detailed in the payment schedule in the License Agreement. The licensee shall vacate the premises in terms of the License Agreement specified in cause 19.9 under "Obligations on expiry or termination of the Agreement".
11. The commercial spaces licensed under this tender shall be subjected to re-tendering process by BMRCL about 6 (six) months before the expiry of the license period as stated in the license



agreement. The selected licensee, under this tender, shall vacate the premises as per the terms stipulated in clause 19.9 of the proposed license agreement.

12. Bidders will be required to quote, as their Financial Bid, in the prescribed form in Appendix IV, a monthly license fee. The quoted monthly license fee shall be equal to or more than the minimum reserved license fee fixed. If the Bidder quotes below the minimum reserved license fee, their bid will not be considered and the same will be rejected. The License Fee shall be paid to BMRCL for each month on or before the date specified in the license agreement.

Bid Process

13. (a) Bidders are required to submit Bids comprising of the Qualification and Technical Documents, the Concept and Design Proposal and Financial Bid(s). Evaluation of the Bids and identification of the Selected Bidder(s) will be undertaken in 2 (two) stages. In the first stage, the Qualification and Technical Documents of each Bidder will be evaluated in order to determine fulfillment of the Eligibility Criteria, the Financial Capacity, and Technical Capacity respectively. Bidders who satisfy the Eligibility Criteria, Financial Capacity and Technical Capacity ("**Qualified Bidders**") shall be invited for the 2nd stage, i.e., the opening of the Financial Bid(s).
- (b) The Qualified Bidder who has quoted the highest Monthly License Fee in the **Financial Bid (APPENDIX IV)** for the said commercial complex and who is considered as suitable and eligible from all points of view, shall be treated as the Selected Bidder and shall be awarded the License. The Selected Bidder shall be required to enter into a License Agreement with BMRCL in the prescribed format (Ref: Appendix V). Any intimation of selection as Licensee from BMRCL, pursuant to this Bid process, shall be subject to unconditional acceptance of the License Agreement by the Selected Bidder within the time frame stipulated by BMRCL.

14. Eligibility Criteria

In order to be eligible to participate in the Bid process outlined herein, a Bidder should satisfy the following criteria:

- (a) Nature of Entity: The Bidder has to be:

A Company Incorporated under the (Indian) Companies Act, 1956/2013;

- (b) In addition to the foregoing, Bidders should satisfy the following conditions:

- (i) The Bidder should not have been barred by any Governmental Authority from participating in any Bid, as of the Bid Submission Date;
- (ii) The Bidder, and its Affiliates should, in the last 3 (three) years, have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Bidder or its Affiliates, as the case may be, nor have been expelled from entering into any contract by any Government Authority nor have had any contract with a Government Authority terminated for breach by such Bidder. Appendix 1 Annexure 1 containing this declaration has to be submitted with the Bid Document;



- (iii) The Bidders shall not have defaults on any bank / institutions' loans in the past. They should not be defaulters in payment of statutory dues or liabilities. They shall not be blacklisted by any Government Authority;
- (iv) The Bidder should not have a Conflict of Interest, as defined in Clause 2.5.6 of bid document.

15. Financial Capacity

(i) Average Turnover: The bidder should have a minimum cumulative business turnover of Rs.5,00,00,000/- (Rupees Five Crores) during the last 5 (five) financial years.

(ii) Net Worth: The bidder needs to establish positive net worth of a minimum of Rs. 1,00,00,000/- (Rupees One Crore only) only as per its latest audited balance sheet. For the purposes of this Bid Document, net worth (the "**Net Worth**") shall mean the sum of subscribed and paid up equity and reserves from which shall be deducted the sum of revaluation reserves, miscellaneous expenditure not written off and reserves not available for distribution to equity shareholders. The Bidders shall provide details as per the format at Annexure III of Appendix I of Section VIII in the form of certificate(s) from its statutory auditors specifying the Net Worth of the Bidder.

16. Technical Capacity

The Bidder shall satisfy the following technical criteria:

- (a) The Bidder will also be required to submit, a **CONCEPT NOTE AND DESIGN PROPOSAL for the entire space offered**, including images/perspective. Bidders shall ensure that the Concept and Design Proposal is world class in terms of excellence in design, performance, quality, and customer satisfaction and value when compared with all similar items from any part of the world. **This should be submitted both in hard copies duly signed by the Bidder, and also in a soft copy in CD. (The CD shall be super scribed with the Bidder's name and signature). The hard copy of the relevant Concept and Design Proposal shall be enclosed with Annexure I of Appendix III. Bids that are not accompanied with the concept and design proposal shall be summarily rejected. Though the concept note and design proposal will not be considered for the purpose of evaluation of the bid submissions, the successful bidder shall by and large adhere to the concept and design proposal submitted.**
- (a) BMRCL at its discretion may invite the bidder to make a presentation to the Technical Scrutiny Committee to understand the concept design and proposal.

17. Site Visit

For Site visit, bidders are informed to contact the Customer Relations Officer at the Mysuru Road Metro station, who will show the earmarked space for the commercial development. Site visit is permitted between 11 AM to 5 PM from the 22nd July 2015 to the 12th August 2015. The details of Customer Relation Officers at the respective station is available in Annexure V of Appendix I in this tender document.

18. Pre-bid meeting

Pre-bid meeting will be held on the 12th August 2015 at 4 PM at the Corporate office: 3rd Floor BMTC Complex, Shantinagar, KH Road, Bengaluru - 560 027. Only Bidders, who have purchased the Bid Document either from the head office or through online, will be permitted to attend the pre-bid meeting.

19. Other charges to pay:

Common Area Maintenance Charges

The Licensee shall pay BMRCL a lump sum monthly common area maintenance fees of Rs.30,000/- (Rupees thirty thousand) only for the purpose of maintenance of the cleanliness of the premises. The Common Area Maintenance shall be increased annually by 5% (Five) over the previous year.

20. Payment of taxes

The Licensee shall pay all Central, State and local government taxes. The License fee payable is excluding Service Tax and the Service Tax, as applicable from time to time will be payable by the Licensee, in addition to the License Fee and towards common area maintenance.

21. Negative List of Items: Items that cannot be vended or stored:

The Licensee shall not use, or permit the use of the Licensed Premises for the products mentioned herein under (Negative list):

- a) sale, storage of use of any product or provision of any service the sale of which is unlawful /illegal or deemed unlawful under Applicable Law;
- b) any product the storage and sale of which may lead to or be considered as a fire hazard, such as fire crackers, industrial explosives, chemicals etc;
- c) storage and sale of liquor and alcohol based drinks or beverages;
- d) sale of tobacco and tobacco products; and

- 22.** Cooking with LPG and storage of LPG (Gas Bank) is permitted subject to obtaining the clearance from the Fire Department GOK and the work of installation of the LPG system should be done through the approved vendors of the respective gas companies.

Sequence of events on selection of Bidder

- 23.** Upon completion of the Bid evaluation process, and acceptance of the Bid submitted by the Selected Bidder, BMRCL shall forward the Letter of Acceptance ("LoA") to the Selected Bidder along with the draft License Agreement. The Selected Bidder shall return the draft License Agreement and sign the LoA signifying its acceptance thereof, within 7 (seven) days from the date of issue of the LoA.



24. The Selected Bidder shall furnish the Security Deposit along with the final drawings for the Commercial Complex within 21 (twenty one) days of the date of the LoA. Upon receipt of the security Deposit and the final drawing within the prescribed time, BMRCL will sign the license agreement with the selected bidder.
25. The final drawings submitted by the Selected Bidder shall be by and large based on the Concept and Design Proposal, including any recommendations made by BMRCL in this regard and shall include the power load chart. BMRCL shall approve the drawings within 15 (fifteen) Working Days from the date of submission or suggest modifications in consultation with the Selected Bidder. The Selected Bidder shall submit revised drawings within 7 (seven) working days of receipt of suggestions from BMRCL.
26. After submission of the revised drawing, if any, BMRCL shall carry out a joint inspection of the Location with the Selected Bidder. The hard copy of the drawings of the Location verified during the joint inspection shall be finalised and signed and shall be deemed to be a part and parcel of the License Agreement. Upon acceptance of the drawings by BMRCL and completion of the joint inspection, notice to proceed (NTP) will be issued. Fit Out period will commence from the date of issue of NTP.

END OF BRIEF TENDER DETAILS

For complete terms and conditions and other details please refer to the tender document. The tender document can be purchased at the BMRCL Head Office at Shantinagar, Bengaluru or can be procured by paying online from BMRCL website www.bmrc.co.in under "Tender" page as detailed in the link provided.



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