

Transport Department,
Government of NCT of Delhi

Development of
Inter State Bus Terminal (ISBT)
at Dwarka, New Delhi

April 29, 2008

On behalf of
Commissioner & Secretary (Transport),
GNCTD

Issued by
General Manager (ISBT), Transport Department, GNCTD
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Delhi Integrated Multi-modal Transit System Limited

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The information contained in this Request for Qualification (“RfQ”) document or subsequently provided to Applicant(s), whether verbally or in documentary form by or on behalf of the Delhi Integrated Multi-Modal Transit System Limited or Transport Department, Government of National Capital Territory of Delhi (collectively referred to as “GNCTD Representatives”) or any of their employees or advisors, is provided to Applicant(s) on the terms and conditions set out in this RfQ Document and any other terms and conditions subject to which such information is provided.

This RfQ Document is not an agreement and is not an offer or invitation by the GNCTD Representatives to any other party. The purpose of this RfQ Document is to provide interested parties with information to assist the formulation of their Application for Qualification (“AFQ”). The RfQ Document does not purport to contain all the information each Applicant may require. This RfQ Document may not be appropriate for all persons, and it is not possible for the GNCTD Representatives, their employees or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses this RfQ Document. Certain Applicants may have a better knowledge of the proposed Project than others. Each Applicant should conduct its own investigations and analysis, and should check the accuracy, reliability and completeness of the information in this RfQ Document, and obtain independent advice from appropriate sources. The GNCTD Representatives, their employees and advisors make no representation or warranty and shall incur no liability under any law, statute, rule or regulation as to the accuracy, reliability or completeness of the RfQ Document.

The GNCTD Representatives may in their absolute discretion, but without being under any obligation to do so, update, amend or supplement the information in this RfQ Document.



DEVELOPMENT OF INTER STATE BUS TERMINAL AT DWARKA, NEW DELHI

INVITATION FOR QUALIFICATION

Location Sector 22, Dwarka
Project Salient Features :
Terminus & Parking for Inter State Buses, Hotel, Passenger Amenities
Area :
10 hectares with about 3 hectares earmarked for hotel

Dwarka, located in the south-west Delhi, is a fast growing urban area with well organized green spaces, well planned commercial areas, work places, cultural centres, educational institutions and adequate other social & physical infrastructure. Dwarka boasts of mass rapid rail transport system and has proximity to an international airport. Dwarka reflects contemporary concepts of urban planning and environmental design.

Commissioner & Secretary (Transport) on behalf of Government of National Capital Territory of Delhi (GNCTD), invites applications from suitable developers in accordance with Request for Qualification (RQ) Document, in order to shortlist competent parties who could subsequently bid for the Development of Inter State Bus Terminal at Dwarka (the "Project") on a Build, Operate, Maintain and Manage (BOMM) basis.

The RQ document can be obtained by post/ courier upon a written request to Delhi Integrated Multi-modal Transit System Limited ("DIMTS") accompanied by the cost of the RQ Document being an amount of Rupees Twenty Five Thousand only (Rs. 25,000/-), in the form of demand draft, favouring DIMTS payable at New Delhi. DIMTS will not be responsible for any delay, loss or non-receipt of the RQ Document sent by post/ courier. The RQ Document can also be downloaded from the following websites: www.dimts.in or www.transport.delhi.govt.nic.in

Parties using the downloaded document, should:

(1) Inform the Project Advisor by letter/ fax and also by email at info@dimts.in, and (2) Enclose Rs. 25,000/- Demand Draft with the Application.

All subsequent, notification changes and amendments would be posted only on the aforesaid websites. In case of problem in downloading the document, kindly send an email at info@dimts.in / ashwini.parashar@dimts.in

Last Date for Submission of Application : June 06, 2008 upto 1700 hrs IST

Contact Person : General Manager (ISBT), Maharana Pratap ISBT, Kashmir Gate, Delhi - 110 006
Phone : 011-23861507, Fax: 23865321

: Ashwini Parashar, Head (Business Partnerships), DIMTS
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TRANSPORT DEPARTMENT
Government of NCT of Delhi

Picture shown above is an artist's impression only and subject to changes during the detailed planning and detailed design stage.

DIP/237 08-09

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Introduction

1.1 Project Background

- 1.1.1 Dwarka, located in the south-west Delhi, is a fast growing urban area with well organized green spaces and adequate social & physical infrastructure. Dwarka boasts of mass rapid rail transport system, an international airport in close proximity besides well planned commercial areas, work places, cultural centres and educational institutions. Dwarka reflects contemporary concepts of urban planning and environmental design.
- 1.1.2 Recognising the need for improving the transport infrastructure to keep pace with the rapid development of the Dwarka, Transport Department, GNCTD would like to develop an Inter State Bus Terminal along with other related commercial facilities viz. hotel, parkings (the “Project” or “Dwarka ISBT”) in Sector 22 of Dwarka, New Delhi on an area of about 10 hectares (“the Site”). The Project will be implemented on a build-operate-maintain-manage (BOMM) basis through a public-private-partnership route.
- 1.1.3 The Dwarka ISBT is expected to comprise of bus terminal facilities , which will include bus parking bays, ticket dispensing counters, and facilities to enable passengers to alight from and board buses in a comfortable and safe manner, and passenger facilities including accommodation facilities such as dormitories, hotels, interface facilities with bus service providers, luggage handling and storage facilities, comfortable and sanitary waiting facilities, ticket counters for various bus service providers, restaurants, book shops, refreshment stalls, visitor parking, taxi services, local bus services in terms of the Master Plan for Delhi 2021. Dwarka ISBT is expected to comprise parking facilities for cars and buses. The private partner so selected will not be getting any ownership or title in relation to the site or the building that is constructed thereon, which shall vest with the Transport Department, GNCTD.
- 1.1.4 **Important Note :**
- The entire development for the Project shall be governed by Master Pan for Delhi 2021. Extract of specific page providing certain details related to development of ISBTs is attached as Enclosure 3. It is, however, advisable to read the Master Plan for Delhi 2021 in its entirety.
 - It may be noted that total plot area is about 10.9 hectares, out of which certain areas could be earmarked for multi-level parking facility and for overbridge/ subway for connectivity to Metro and proposed Light Rail Transit stations, during the detailed concept stage.

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- (c) The hotel area of 3 hectares is indicative only, and the actual ground area for the hotel shall be based on detailed concept plans being worked out in terms of Master Plan Delhi 2021 where Hotel/passenger accommodation and facilities can have a Maximum FAR of 30 (subject to a maximum of 10 hectares for ISBT).
- 1.1.5 The selected developer would be required to develop the Project facilities in terms of the specifications set out in draft BOMM Agreement and under other applicable laws/ bylaws governing such development.
- 1.1.6 Transport Department, GNCTD now, invites applications from interested parties to develop the Project on BOMM basis through a suitable BOMM Agreement for a period to be defined in the draft BOMM Agreement.
- 1.1.7 The scope of work of the private developer under the BOMM Agreement will include the development, design, financing, construction, marketing, operation, management and maintenance of the Project with milestones clearly set out in the said BOMM Agreement.
- 1.1.8 The draft BOMM Agreement would be provided to the Qualified Applicants as a part of Request for Proposal (“RfP”) Document during the RfP Stage.
- 1.1.9 A broad Conceptual Plan including information about infrastructure and other facilities to be developed would be shared with Bidders during the Proposal Stage.

1.2 Brief Description of Bidding Process

- 1.2.1 Transport Department, GNCTD intends to follow a two stage bidding process for selection of developer for the Project. The first stage of the process involves Qualification of interested parties (the “Applicants”).
- 1.2.2 During the Qualification stage, Applicants would be required to furnish the information as specified in this RfQ Document.
- 1.2.3 This RfQ Document deals with the first stage (“Qualification Stage”) and at the end of this stage, Transport Department, GNCTD expects to announce a shortlist of eligible Applicants (“Qualified Applicants”) for the next stage (RfP Stage) who would then be invited to submit detailed Proposal for the Project in accordance with the RfP Document.
- 1.2.4 During the RfP Stage, Qualified Applicants (“Bidders”) would be expected to examine the Project in further detail, and to carry out their due diligence as may be required to submit Proposal for the implementation of the Project.

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- 1.2.5 Further details of the process, including the schedule of bidding process, to be followed at the RfP Stage would be spelt out in the RfP Document and provided to Qualified Applicants.

1.3 Project Advisor

- 1.3.1 Delhi Integrated Multi-Modal Transit System Limited (“DIMTS”), a joint venture company between Infrastructure Development Finance Company Limited, India’s premier infrastructure financial institution, and Government of National Capital Territory of Delhi (“GNCTD”), has been set up with an objective inter alia, to aid and advise GNCTD on augmentation of public transport and related infrastructure in Delhi through a city-wide integrated multi-modal network of mass transit systems. It aims to provide user friendly public transport services and to set up a mechanism for growth of public transport to keep pace with growth in demand.

1.4 Other Information

- 1.4.1 The statements and explanations contained in this RfQ document are intended to provide an understanding to the Applicants about the subject matter of this RfQ and shall not be construed or interpreted as limiting in any way or manner the scope of services and obligations of the Developer to be set forth in the BOMM Agreement or the Transport Department, GNCTD right to amend, alter, change, supplement or clarify the scope of work, the BOMM to be awarded pursuant to the RfP Document or the terms thereof or herein contained. Consequently, any omissions, conflicts or contradictions in the Bidding Document including this RfQ Document are to be noted, interpreted and applied appropriately to give effect to this intent and no claim on that account shall be entertained by the DIMTS or Transport Department, GNCTD.



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Instruction to Applicants

A. General

2.1 Scope of Application

- 2.1.1 Transport Department, GNCTD, wishes to receive Applications for Qualification (AfQ) to shortlist experienced and capable Applicants for the RfP stage.
- 2.1.2 Qualified Applicants would be subsequently invited to submit their Proposal in respect of the Project in response to the RFP Document.

2.2 Eligible Applicants

- 2.2.1 The Applicants eligible for participating in the qualification process shall be any one of the following two types :

Type 1: A Business Entity.

Type 2: A combination of a maximum of three (3) Business Entities defined in Type 1. This shall hereinafter be referred to as "**Consortium**" and the aforesaid Business Entity/ies forming part of the Consortium shall hereinafter be referred to as member/s.

The term Applicant used hereinafter would therefore apply to all the above mentioned types.

For the purpose of this RfQ Document, a Business Entity is defined as

- (1) a company incorporated under Indian Companies Act 1956, or outside India under equivalent law or
- (2) Venture Capital Fund ("VCF") registered under the SEBI¹ (Venture Capital Funds) Regulations, 1996 and incorporated under
 - a. the Indian Trusts Act, 1882; or
 - b. Act of Parliament or State Legislation

Note: A VCF can participate only as the Other Member of Type 2 Applicant and its Charter/ by-laws, as the case may be, shall allow such activities for which this RfQ Document is issued.

- 2.2.2 The Applicant should submit a Power of Attorney as per the format enclosed at Appendix 2, authorising the signatory of the Application to commit the Applicant.

¹ Securities and Exchange Board of India

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2.2.3 Applications submitted by a Consortium should comply with the following additional requirements:

- (a) the number of members in the Consortium would be limited to a maximum of three (3) members;
- (b) the Application should contain the information required for each member of the Consortium;
- (c) the Application should include a description of the roles and responsibilities of individual members;
- (d) the members of the Consortium shall nominate one member as the lead member (“**Lead Member**”); The nomination(s) shall be supported by a Power of Attorney as per the format enclosed at Appendix 3 signed by all the members.
- (e) other members would be hereinafter referred to as **Other Member/s**;
- (f) all the members of the Consortium shall commit to maintain the shareholding pattern as specified in Clause 2.2.4;
- (g) an individual Applicant cannot at the same time be a member of a Consortium applying for this Project. Further, a member of a particular Consortium cannot be member of any other Consortium applying for this Project; an undertaking towards this end needs to be submitted by all members;
- (h) the members of the Consortium shall execute a Power of Attorney as per the format enclosed at **Appendix 3**;
- (i) the members of the Consortium shall enter into a Memorandum of Understanding (MoU), substantially in the format enclosed at Appendix 8, for the purpose of making the Application and submitting Proposal in the event of being short-listed.

The MoU should, inter alia:

- (i) convey the intent of the Lead Member to form a company specifically for the purposes of implementing the Project, with shareholding pattern in accordance with Clause (ii) below. Such project company would enter into the BOMM Agreement and subsequently carry out all the responsibilities as developer in terms of the Agreement, in case the mandate to undertake the Project is awarded to the Consortium;
- (ii) clearly outline the proposed shareholding of each of the consortium members in the project company, which shall be subject always to the Minimum Shareholding Obligations specified in Clause 2.2.4;
- (iii) clearly outline the proposed roles and responsibilities of each member of the Consortium;
- (iv) nominate one of the members of the Consortium as its Lead Member.
- (v) clearly state that all members of the Consortium shall be liable jointly and severally for the implementation of the Project in accordance with the terms of the BOMM Agreement/s; and
- (vi) clearly refer to the Project for which the arrangement is made.

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A copy of the MoU signed by all members should be submitted with the Application. The MoU entered into between the members of the Consortium should be specific to the Project and should contain the above requirements, failing which the Application shall be considered non-responsive.

2.2.4 *Minimum Shareholding Obligation:* Where the Applicant is a Type 1 Applicant, the Applicant would be required to hold at least 51% of the paid up equity share capital of the company implementing the Project in terms of the conditions and duration to be set out in the draft BOMM Agreement.

Where the Applicant is a Type 2 Applicant (Consortium): (i) Lead member of the Consortium must hold a minimum of 51% of the equity of the Project Company in terms of the conditions and duration to be set out in the draft BOMM Agreement (ii) Other Member of the Consortium must hold a minimum of 10% of the equity of the Project Company in terms of the conditions and duration to be set out in the draft BOMM Agreement.

2.2.5 Notwithstanding anything stated elsewhere in these documents, Transport Department, GNCTD shall have the right to seek updated information from the Applicants / Bidders to ensure their continued eligibility. Applicants / Bidders shall provide evidence of their continued eligibility in a manner that is satisfactory to Transport Department, GNCTD. Applicants / Bidders have been on notice that a Applicant / Bidder may be disqualified if it is determined by Transport Department, GNCTD, at any stage of the process, that the Applicant / Bidder will be unable to fulfil the requirements of the Project or fails to continue to satisfy the Eligibility Criteria. Supplementary information or documentations may be sought from Bidders at any time and must so be provided within a reasonable timeframe as stipulated by Transport Department, GNCTD.

2.2.6 A Business Entity or Promoters or Directors of Business Entity which have earlier been barred by Transport Department, GNCTD / any other entity of GNCTD or blacklisted by any state government or central government / department / agency in India from participating in bidding/ tendering process shall not be eligible to submit an Application, either individually or as member of a Consortium, if such bar subsists as on the Application Due Date. The Applicant should therefore submit an affidavit certifying the aforesaid as per the format enclosed at Appendix 7.

2.3 Change in Consortium Composition

Change in the composition of a Consortium will not be permitted during any stage of the bidding process.

2.4 Number of Applications

Each Applicant shall submit only one (1) Application for the Project, in response to this RfQ. Any Applicant, who submits or participates in more than one

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Application for the Project will be disqualified and will also cause the disqualification of the Consortium of which it is a member.

2.5 Application Preparation Cost

- 2.5.1 The purchaser of the RfQ document must be the Applicant itself or a member of the consortium submitting the Application.
- 2.5.2 The Applicant shall be responsible and shall pay for all of the costs associated with the preparation of its Application and its participation in the qualification process. Transport Department, GNCTD will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the qualification process.

2.6 Project Inspection and Visit to the Site

- 2.6.1 It is desirable that each Applicant submits its Application after visiting the Site and ascertaining for itself the location, surroundings, or any other matter considered relevant by it.
- 2.6.2 It would be deemed that by submitting the Application for Qualification, the Applicant has:
- a) made a complete and careful examination of the RfQ Document,
 - b) visited the Site and ascertained for itself the location, surroundings, or any other matter considered relevant by it, and
 - c) received all relevant information requested from DIMTS / Transport Department, GNCTD.
- 2.6.3 DIMTS/ Transport Department, GNCTD shall not be liable for any mistake or error on the part of the Applicant in respect of the above.

2.7 Right to Accept or Reject any of the Applications

- 2.7.1 Notwithstanding anything contained in this RfQ Document, Transport Department, GNCTD reserves the right to accept or reject any Application or to annul the bidding process or reject all Applications / Proposals, at any time without any liability or any obligation for such rejection or annulment, without assigning any reasons.
- 2.7.2 Transport Department, GNCTD reserves the right to reject any Application / Proposal if:
- (a) at any time, a material misrepresentation is made or discovered, or
 - (b) the Applicant / Bidder does not respond promptly and diligently to requests for supplemental information required for the evaluation of the Application / Proposal.

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- 2.7.3 Rejection of the Application by Transport Department, GNCTD as aforesaid would lead to the disqualification / rejection of the Applicant. If the Applicant is a Consortium, then the entire Consortium would be disqualified / rejected.
- 2.7.4 If such disqualification / rejection occurs after the RfP Stage, and the Proposal has been opened and the Preferred Bidder gets disqualified / rejected, then Transport Department, GNCTD reserves the right to:
- a) either invite the next best bidder / set of Bidders;
 - OR
 - b) take any such measure as may be deemed fit in the sole discretion of Transport Department, GNCTD, including annulment of the bidding process.

B. Documents

2.8 Contents of RfQ Document

The RfQ Document comprises the contents as listed below, and would additionally include any Addenda issued in accordance with Clause 2.9.

Request for Qualification

- Section 1. Introduction
- Section 2. Instructions to Applicants
- Section 3. Criteria for Evaluation
- Section 4. Schedule of Bidding Process

Appendices

- 1 Format for Letter of Application
- 2 Format for Power of Attorney for Signing of Application
- 3 Format for Power of Attorney for Lead Member of Consortium
- 4 Format for Details of Applicant
- 5 Format for Financial Capability of the Applicant
- 6 Format for Experience of Applicant
- 6A Format for Eligible Project Details
- 6B Guidelines for Providing Information Related to Experience
- 7 Format for Affidavit Certifying that Business Entity / Promoter/s / Director/s of Business Entity are not Blacklisted / Barred
- 8 Format of MoU for Consortium
- 9 Brief Project Profile
- 10 Site Layout

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2.9 Amendment of RfQ Document

- 2.9.1 At any time prior to the Application Due Date, Transport Department, GNCTD may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the RfQ Document by the issuance of Addenda. Such Addenda would be posted only on the www.dimts.gov.in and /or www.transport.delhigovt.nic.in.
- 2.9.2 Any Addendum thus issued will be communicated in writing to all those who have purchased the RfQ Document and to those who have downloaded the RfQ Document from the website and have duly intimated this fact to DIMTS giving their particulars including address for communication by fax/post (“**Registered Applicants**”). The Addendum may be issued by Transport Department, GNCTD or DIMTS in writing or by any standard electronic means such as email or by uploading on the website. Applicants are advised to visit the website (www.dimts.in) regularly to keep themselves updated.
- 2.9.3 In order to provide the Applicants a reasonable time to examine the Addendum, or for any other reason, Transport Department, GNCTD may, at its own discretion, extend the Application Due Date.

2.10 Clarifications

A prospective Applicant requiring any clarification on the RfQ Document may notify DIMTS/ Transport Department, GNCTD in writing. The Applicants should send in their queries latest by the Last Date for Receiving Queries mentioned in the Schedule of Bidding Process. DIMTS, on behalf of Transport Department, GNCTD would endeavour to respond to the queries by the date mentioned in the Schedule of Bidding Process. The responses will be sent by fax / courier. DIMTS will forward its responses, at its sole discretion, to all purchasers of the RfQ Document and Registered Applicants and would include a description of the enquiry and the response of DIMTS/ Transport Department, GNCTD without identifying the source of the enquiry.

C. Preparation and Submission of Application

2.11 Language

The Application and all related correspondence and documents should be written in the English language. Supporting documents and printed literature furnished by the Applicant with the Application may be in any other language provided that these are accompanied by appropriate translations of the pertinent passages in the English language. Supporting material, which are not translated into English, may

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not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.

2.12 Currency

The currency for the purpose of the Application shall be the Indian National Rupee (INR). The conversion to Indian National Rupees shall be based on the closing exchange rate published by the Reserve Bank of India as on March 31, 2008. In all such cases, the original figures in the relevant foreign currency and the INR equivalent thereof must be given. The exchange rate(s) applied shall be clearly stated. Transport Department, GNCTD however, reserves the right to use any other suitable exchange rate for the purpose of uniformly evaluating all Applicants.

2.13 Validity of Application

The Application shall remain valid for a period not less than twelve (12) months from the Application Due Date (Application Validity Period). Transport Department, GNCTD reserves the right to reject any Application, which does not meet this requirement.

2.14 Extension of Validity of Application

In exceptional circumstances, prior to expiry of the original Application Validity Period, Transport Department, GNCTD may request Applicants to extend the Application Validity Period for a specified additional period. Applicants not extending the Application Validity Period when so requested would automatically be disqualified.

2.15 Format and Signing of Application

- 2.15.1 The Applicant would provide all the information in terms of this RfQ Document. Transport Department, GNCTD would evaluate only those Applications that are received in the required format and are complete in all respects.
- 2.15.2 The Applicant shall prepare one original of the documents comprising the Application and clearly marked "ORIGINAL". In addition, the Applicant shall make two (2) copies of the Application, clearly marked "COPY". In the event of any discrepancy between the original and the copy, the original shall prevail.
- 2.15.3 The Application and its copies shall be typed or written in indelible ink and the Applicant shall initial each page. All the alterations, omissions, additions, or any other amendments made to the Application shall be initialled by the person(s) signing the Application.

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2.16 Sealing and Marking of Applications

2.16.1 The Applicant shall seal the original and copies of the Application in separate envelopes, duly marking the envelopes as “ORIGINAL” and “COPY”. The envelopes shall then be sealed in an outer cover envelope. The outer envelope shall clearly mention the Serial Number of the RfQ document, if purchased from DIMTS. In case RfQ has been downloaded from the website, the outer envelope shall clearly be marked as “Downloaded from the Website”

2.16.2 Each envelope shall contain the following:

- i. Letter of Application clearly stating the Application Validity Period (Appendix 1)
- ii. Power of Attorney for Signing of the Application (in case of Consortium, this would need to be provided by all the members) as in Appendix 2.
- iii. In case of Consortium, Power of Attorney for designating of the Lead Member of Consortium as in Appendix 3.
- iv. Details of Applicant (in case of Consortium, this would need to be provided by all the members) as in Appendix 4.
- v. Completed format of Financial Capability of the Applicant (in case of Consortium, Financial Capability of all the members) as in Appendix 5.
- vi. In case of Consortium, Memorandum of Understanding entered into between members as in Appendix 8.
- vii. A Demand Draft towards the cost of RfQ Document (in case the same has been downloaded from the website) payable to DIMTS at New Delhi. In case the document is purchased, a photocopy of the receipt of the payment is to be enclosed.
- viii. Proof of registration of the Applicant (Incorporation Certificate of Applicant), in case of Consortium, Proof of registration of all the members).
- ix. Completed format of Experience of Applicant (in case of Consortium, Experience of all members) as in Appendix 6.
- x. Format for Affidavit Certifying that Business Entity / Promoter/s / Director/s of Business Entity are not Blacklisted / Barred (as in Appendix 7).

The envelopes and the outer cover envelope shall clearly bear the following identification:

**“Application for Qualification: Development of ISBT at Dwarka, New Delhi
To be opened by Tender Opening Committee only”**

and

**“Submitted by
Name, Address and Contact Phone No. of the Applicant”**

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2.16.3 The envelope shall be addressed to:

ATTN. OF: **Commissioner & Secretary (Transport)**
ADDRESS: **c/o**
Managing Director and CEO
Delhi Integrated Multi-Modal Transit System Limited
First Floor, ISBT, Kashmere Gate, Delhi-110006

Telephone : 011 – 23860968/ 43090100
Fax: 011 - 23860966

2.16.4 If the envelope is not sealed and marked as instructed above, Transport Department, GNCTD / DIMTS assumes no responsibility for the misplacement or premature opening of the contents of the Application submitted and such Application may, at the sole discretion of Transport Department, GNCTD, be rejected.

2.17 Application Due Date

2.17.1 Applications should be submitted before 1700 hours IST on the Application Due Date mentioned in the Schedule of Bidding Process, to the address provided in Clause 2.16.3 in the manner and form as detailed in this RfQ Document. Applications submitted by either facsimile transmission or email will not be acceptable.

2.17.2 Transport Department, GNCTD may, in exceptional circumstances, and at its sole discretion, extend the Application Due Date by issuing an Addendum in accordance with Clause 2.9, uniformly for all Applicants.

2.18 Late Applications

2.18.1 Transport Department, GNCTD shall not accept any Application received after the Application Due Date and later than 1700 hours. Any such Application received after the Application Due Date shall be summarily rejected and returned unopened.

2.19 Modifications/ Substitution/ Withdrawal of Applications

2.19.1 The Applicant may modify, substitute, or withdraw its Application after submission, provided that written notice of the modification, substitution, or withdrawal is received by Transport Department, GNCTD by the Application Due Date. No Application shall be modified, substituted, or withdrawn by the Applicant after the Application Due Date.

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2.19.2 The modification, substitution, or withdrawal notice shall be prepared, sealed, marked, and delivered in accordance with Clause 2.16, with the envelopes being additionally marked “MODIFICATION”, “SUBSTITUTION” or “WITHDRAWAL”, as appropriate.

D. Evaluation of Application

- 2.20 Transport Department, GNCTD would open the Applications on any working day after Application Due Date for the purpose of evaluation.
- 2.21 Applications for which a notice of withdrawal has been submitted in accordance with Clause 2.19 shall not be opened.
- 2.22 Transport Department, GNCTD would subsequently examine and evaluate Applications in accordance with the criteria set out in Section 3.
- 2.23 To assist in the examination, evaluation, and comparison of Applications, Transport Department, GNCTD may utilise the services of consultant/s or advisor/s.
- 2.24 Transport Department, GNCTD reserves the right to reject any Application, if:
- a. at any time, a material misrepresentation is made or discovered; or
 - b. the Applicant does not respond promptly and diligently to requests for supplemental information required for the evaluation of the Application.

2.25 Confidentiality

Information relating to the examination, clarification, evaluation, and recommendation for the short-listed Applicants shall not be disclosed to any person not officially concerned with the process. DIMTS/ Transport Department, GNCTD will treat all information submitted as part of Application in confidence and would require all those who have access to such material to treat the same in confidence.

DIMTS/ Transport Department, GNCTD will not divulge any such information unless it is ordered to do so by any authority pursuant to applicable law or order of a competent court or tribunal, which requires its disclosure.

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2.26 Tests of Responsiveness

- 2.26.1 Prior to evaluation of Applications, Transport Department, GNCTD will determine whether each Application is responsive to the requirements of the RfQ Document. An Application shall be considered responsive if the Application:
- a) is received /deemed to be received by the Application Due Date including any extension thereof pursuant to Clause 2.17.2.
 - b) is signed, sealed and marked as stipulated in Clause 2.16.
 - c) contains all the information and documents as set out in Clause 2.16.2 and in the formats set out in this RfQ Document.
 - d) mentions the validity period as set out in Clause 2.13.
 - e) is accompanied by payment towards cost of the RfQ Document in case the same has not been paid while procuring the RfQ Document or receipt as proof of purchase of RfQ Document.
- 2.26.2 Transport Department, GNCTD reserves the right to reject any Application which is non-responsive and no request for alteration, modification, substitution or withdrawal shall be entertained by Transport Department, GNCTD in respect of such Applications.

2.27 Clarifications

- 2.27.1 To facilitate evaluation of Applications, Transport Department, GNCTD may, at its sole discretion, seek clarifications in writing from any Applicant regarding its Application.
- 2.27.2 Transport Department, GNCTD reserves the right to call for supporting documentation to verify the data provided by applicants, at any time during the bidding process. The Applicant in such cases would need to provide the requested clarification / documents promptly and within one (1) weeks or such timeframe as given by Transport Department, GNCTD, of the request to the satisfaction of the Transport Department, GNCTD, failing which the applicant is liable to be disqualified at any stage of the bidding process

E. Qualification and Notification

- 2.28 After the evaluation of Applications, Transport Department, GNCTD would announce a list of Qualified Applicants who meet the Qualification Criteria. At the same time, Transport Department, GNCTD would notify the other Applicants that their Applications have been unsuccessful.
- 2.29 The Qualified Applicants would then be requested to submit a detailed Proposal in the form and manner to be set out in the RfP Document.

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F Fraud and Corrupt Practices

- 2.30 The Applicant and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Bidding Process and subsequent to the issue of the Letter of Acceptance (“LOA”) and during the subsistence of the BOMM Agreement. Notwithstanding anything to the contrary contained herein, or in the LOA or the BOMM Agreement, the Transport Department, GNCTD shall reject a Bid, withdraw the LOA, or terminate the BOMM Agreement, as the case may be, without being liable in any manner whatsoever to the Applicant or Bidder or Developer, as the case may be, if it determines that the Applicant or Bidder or Developer, as the case may be, has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the Bidding Process. In such an event, the Transport Department, GNCTD shall forfeit and appropriate the Bid Security or Performance Security, if subsisting, as the case may be, as mutually agreed genuine pre-estimated compensation and damages payable to the Transport Department, GNCTD towards, inter alia, time, cost and effort of the Transport Department, GNCTD, without prejudice to any other right or remedy that may be available to the Transport Department, GNCTD hereunder or otherwise.
- 2.31 Without prejudice to the rights of the Transport Department, GNCTD under Clause 2.30 hereinabove and the rights and remedies which the Transport Department, GNCTD may have under the LOA or the BOMM Agreement, if a Applicant or Bidder or Developer, as the case may be, is found by the Transport Department, GNCTD to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the Bidding Process, or after the issue of the LOA or the execution of the BOMM Agreement, such Applicant or Bidder or Developer shall not be eligible to participate in any tender or RfP issued by the Transport Department, GNCTD during a period of 2 (two) years from the date such Bidder or Developer, as the case may be, is found by the Transport Department, GNCTD to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practices, as the case may be.
- 2.32 For the purposes of this Clause 2.31, the following terms shall have the meaning hereinafter respectively assigned to them:
- (a) **“corrupt practice”** means
- (i) the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the Bidding Process (for avoidance of doubt, offering of employment to or employing or engaging in any manner whatsoever, directly or indirectly, any official of the Transport Department, GNCTD who is or has been associated in any manner, directly or indirectly with the Bidding Process or the LOA or has dealt with matters concerning the BOMM Agreement or arising therefrom,

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- before or after the execution thereof, at any time prior to the expiry of one year from the date such official resigns or retires from or otherwise ceases to be in the service of the Transport Department, GNCTD, shall be deemed to constitute influencing the actions of a person connected with the Bidding Process); or
- (ii) engaging in any manner whatsoever, whether during the Bidding Process or after the issue of the LOA or after the execution of the BOMM Agreement, as the case may be, any person in respect of any matter relating to the Project or the LOA or the BOMM Agreement, who at any time has been or is a legal, financial or technical adviser of the Transport Department, GNCTD in relation to any matter concerning the Project;
- (b) “**fraudulent practice**” means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the Bidding Process;
- (c) “**coercive practice**” means impairing or harming, or threatening to impair or harm, directly or indirectly, any person or property to influence any person’s participation or action in the Bidding Process;
- (d) “**undesirable practice**” means
- (i) establishing contact with any person connected with or employed or engaged by the Transport Department, GNCTD with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Bidding Process; or
- (ii) having a Conflict of Interest;
- (e) “**restrictive practice**” means forming a cartel or arriving at any understanding or arrangement among Bidders with the objective of restricting or manipulating a full and fair competition in the Bidding Process.

G. Miscellaneous

- 2.33 The Bidding Process shall be governed by, and construed in accordance with, the laws of India and the Courts at New Delhi shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Bidding Process.
- 2.34 Transport Department, GNCTD, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to;
- (a) suspend and/ or cancel the Bidding Process and/ or amend and/ or supplement the Bidding Process or modify the dates or other terms and conditions relating thereto;

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- (b) consult with any Applicant in order to receive clarification or further information;
- (c) retain any information and/or evidence submitted to the Transport Department, GNCTD/ DIMTS by, on behalf of, and/ or in relation to any Applicant; and/ or
- (d) independently verify, disqualify, reject and/ or accept any and all submissions or other information and/ or evidence submitted by or on behalf of any Applicant.

2.35 It shall be deemed that by submitting the Application, the Applicant agrees and DIMTS and GNCTD, their employees, agents and advisers, irrevocably, unconditionally, fully and finally from any and all liability for claims, losses, damages, costs, expenses or liabilities in any way related to or arising from the exercise of any rights and/ or performance of any obligations hereunder, pursuant hereto and/ or in connection herewith and waives any and all rights and/ or claims it may have in this respect, whether actual or contingent, whether present or future.



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Criteria for Evaluation

3.1 Evaluation Parameters

3.1.1 The Applicant's competence and capability is proposed to be established by the following parameters:

- (a) Experience of Applicant, evaluated in terms of past experience of the Applicant in project development and construction, and
- (b) Financial Capability of the Applicant, evaluated in terms of net worth and net cash accruals of the Applicant

3.1.2 On each of these parameters, the Applicant would be required to meet the evaluation criteria as detailed in this Section. Any Applicant meeting all the criteria will be qualified to submit its Proposal for the Project, upon intimation by Transport Department, GNCTD.

3.2 Evaluation Criteria

3.2.1 Experience of the Applicant

3.2.1.1 The following categories of experience would qualify as Eligible Experience:

Category 1: Project development experience in real estate sector

Category 2: Project development experience in core sector

Category 3: Construction experience in real estate/ core sector

For the purpose of this RfQ Document –

- Real estate would be deemed to include bus terminals, railway stations, airports, multilevel parking, residential complexes, commercial complexes, institutions, industrial buildings, industrial parks, IT Parks, entertainment and convention centres, SEZ and hotels.
- Core sector would be deemed to include power, telecom, ports, railways, industrial parks, petroleum and natural gas, petrochemicals, steel/ metals, cement, fertilisers, pipelines, road transport, roads, expressways, bridges, tunnels, water supply and sewerage;

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3.2.1.2 Eligible Experience would be measured only for Eligible Projects.

3.2.1.3 For a project to qualify as an Eligible Project :

(i) **Under Category 1 and Category 2**

- (a) It should meet the Threshold Size as stipulated in Table 3.1 below;
- (b) It should have been commissioned after January 1, 2003;
- (c) The entity claiming experience should have held a minimum of 26% equity in the project as on date of commissioning.

(ii) **Under Category 3**

- (a) It should meet the Threshold Size as stipulated in Table 3.1 below;
- (b) It should have achieved the Threshold Size after January 1, 2003 and before March 31, 2008.

(iii) **Threshold Size for Eligible Project/s (Table 3.1)**

	Measurement Parameter	Threshold Size (in Rs Crores)
Category 1	Project Cost (excluding land cost)	Rs. 50 Cr
Category 2	Project Cost (excluding land cost)	Rs. 100 Cr
Category 3	Certified Billings	Rs. 100 Cr

3.2.1.4 Applicant shall quote experience in respect of a particular Eligible Project under any one category only, even though the Applicant (either individually or along with other member/s of the Consortium) may have played both the roles in the cited project.

3.2.1.5 Applicants' experience shall be measured in terms of Experience Score. Experience Score for a given category would be Project Cost/ Certified Billings in Rupees crores, as the case may be, multiplied by the applicable factor in Table 3.2. In case the Applicant has experience across different categories the score for each category would be computed as above and then aggregated to arrive at the Experience Score.

Table 3.2: Factor for Experience across Categories

	Factor
Category 1	1.00
Category 2	0.80
Category 3	0.60

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For example, if an Applicant has quoted experience as below:

Project 1a of Project Cost Rs.80 crores under Category 1;
 Project 1b of Project Cost Rs. 120 crores under Category 2;
 Project 1c with Certified Billings Rs. 150 crores under Category 3;
 Project 1d with Certified Billings Rs. 20 crores under Category 3;

then the Experience Score for the Applicant would be computed as set out in the table below:

Table 3.3: Sample Experience Score Computation

Project	Project Cost / Certified Billings	Category	Factor	Experience Score
<i>1a</i>	80	1	1.00	80
<i>1b</i>	120	2	0.80	96
<i>1c</i>	150	3	0.60	90
<i>1d</i>	20 (since less than Threshold size of Rs. 50 crores it will not be considered)	3	0.60	0
TOTAL EXPERIENCE SCORE (Sum of Experience Score for each Project)				226

- 3.2.1.6 Any Applicant, who achieves an **Experience Score of 150** (Threshold Experience Score) would be deemed to meet the experience criterion for qualification. In case Applicant is a Consortium, Experience Score for the purpose of qualification, shall be the arithmetic sum of Experience Score of all the members.
- 3.2.1.7 The Applicant should furnish the details of eligible experience as on the date of submission of RfQ Document.
- 3.2.1.8 The Applicants must provide the necessary information as per Appendix 6, 6A and 6B.

3.2.2 Financial Capability

- 3.2.2.1 Financial Capability of the Applicant, would be evaluated on the basis of the following:
- (a) net worth as at the end of the most recent financial year (FY 2007) (Ref. Appendix 5)
 - (b) aggregate net cash accruals² for the last two completed financial years (FY 2006 and FY 2007) (Ref. Appendix 5).

² Aggregate net cash accruals is the total sum of net cash accruals of two financial years (FY 2006 and FY 2007)

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The Applicants should provide information regarding the above based on audited annual accounts for the respective financial years.

- 3.2.2.2 The Application must be accompanied by the audited annual financial statements of the Applicant (of all the members, in case of a Consortium) for the last two (2) financial years (FY 2006 and FY 2007).
- 3.2.2.3 In case the annual accounts for the FY 2006 and FY 2007 are not audited and therefore the Applicant could not make it available, the Applicant shall give an undertaking to that effect and the statutory auditor shall certify the same.

3.3 Evaluation Criteria for Financial Capability

3.3.1 For the purpose of Qualification, an Applicant would be required to demonstrate the Threshold Financial Capability measured on the criteria set out below.

- Net worth of the Applicant as at the end of the last financial year (FY 2007) shall be at least equal to Rs. 75 crores ;

and

- The aggregate net cash accruals of the Applicant for the last two financial years (FY 2006 and FY 2007) shall be at least equal to Rs. 75 crores.

For the purposes of analysis only figures from the latest two audited annual financial statements would be considered (FY 2006 and FY 2007)

- 3.3.2 In case the Applicant is a Consortium, for the purpose of evaluation, the arithmetic sum of financial parameters criteria of networth and net cash accrual respectively of all the members (except the member, who is VCF) should meet the criteria listed in 3.3.1 and the Lead Member must satisfy a minimum of 50% of the aforesaid criteria.
- 3.3.3 In case the Applicant is a Consortium and one of the members is a VCF, for the purpose of evaluation, TFAP (defined hereinafter) would be added to Net Cash Accrual of the Consortium for meeting the Net Cash Accrual Criteria..
- 3.3.4 For the purpose of evaluating the Financial Capability of the VCF towards its ability and willingness to contribute towards the Project, following criteria shall be considered :

The Trustee, of the VCF shall, confirm the funds available for the Project (“Total Funds Available for Project” or say TFAP) through an undertaking that:

- (1) Objective of the VCF is not at variance with objective of the Project,

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- (2) TFAP is within the limits prescribed under Securities and Exchange Board of India (SEBI), Foreign Investment Promotion Board (FIPB) and Government of India guidelines for foreign direct investments and any other applicable law/ regulation in India,
 - (3) TFAP does not exceed the investment parameters defined by the contributors to the VCF,
 - (4) TFAP is less than or equal to Investable Funds (Total Fund Corpus of the VCU, net of expenditure for administration and management of the VCF) Less investments / commitments made by VCF as on date
- 3.3.5 The aforesaid TFAP shall be supported by necessary documentary evidence including most recent quarterly return filed with SEBI.
- 3.3.6 The TFAP shall be added to the Net Cash Accruals of the specific member of the consortium, for the purpose of evaluation of financial capability criteria as stipulated in this RfQ Document.



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Schedule of Bidding Process

- 4.1 Transport Department, GNCTD would endeavour to adhere to the following schedule:

Sr. No.	Event Description	Date
1.	Last Date for Receiving Queries	May 21, 2008
2.	Response to queries latest by	May 26, 2008
3.	Application Due Date	June 06, 2008 upto 1700 hrs



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Format for Letter of Application

[On the Letter head of the Applicant (Lead Member in case of Consortium)]

Date:

To

Commissioner and Secretary (Transport_
Government of National Capital Territory of Delhi
5/9 Under Hill Road
Delhi 1100054

Ref : Development of ISBT at Dwarka, New Delhi

Dear Sir,

Being duly authorized to represent and act on behalf of
(hereinafter referred to as “the Applicant”), and having reviewed and fully understood all of the qualification requirements and information provided, the undersigned hereby apply for qualification for the captioned project.

We are enclosing our Application for Qualification in one (1) original plus two (2) copy, with the details as per the requirements of the RfQ Document, for your evaluation.

We confirm that our Application is valid for a period of twelve (12) months from (Application Due Date)

Yours faithfully,

(Signature of Authorised Signatory)
(Name, Title and Address)

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Format for Power of Attorney for Signing of Application

(On a Stamp Paper of relevant value)
Power of Attorney

Know all men by these presents, we (name and address of the registered office) do hereby constitute, appoint and authorise Mr. / Ms..... (name and residential address) who is presently employed with us and holding the position of as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our bid for the Project envisaging Development of ISBT at Dwarka, New Delhi, including signing and submission of all documents and providing information / responses to Transport Department, Government of NCT of Delhi, representing us in all matters before Transport Department, Government of NCT of Delhi, and generally dealing with Transport Department, Government of NCT of Delhi in all matters in connection with our bid for the said Project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

For _____
(Signature)

(Name, Title and Address)

Accepted

..... (Signature)

(Name, Title and Address of the Attorney)

Note:

- *To be executed by the Lead Member in case of a Consortium.*
- *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.*
- *In case the Application is signed by an authorised Director of the Applicant, a certified copy of the appropriate resolution/ document conveying such authority may be enclosed in lieu of the Power of Attorney.*

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Format for Power of Attorney for Lead Member of Consortium

(On a Stamp Paper of relevant value)
Power of Attorney

Whereas the Transport Department, Government of National Capital Territory of Delhi has invited applications from interested parties for Development of ISBT at Dwarka, New Delhi (the "Project").

Whereas, the members of the Consortium are interested in bidding for the Project and implementing the Project in accordance with the terms and conditions of the Request for Qualification (RfQ) Document, Request for Proposal (RfP) Document and other connected documents in respect of the Project, and

Whereas, it is necessary under the RfQ Document for the members of the Consortium to designate the Lead Member with all necessary power and authority to do for and on behalf of the Consortium, all acts, deeds and things as may be necessary in connection with the Consortium's bid for the Project who, acting jointly, would have all necessary power and authority to do all acts, deeds and things on behalf of the Consortium, as may be necessary in connection the Consortium's bid for the Project.

NOW THIS POWER OF ATTORNEY WITNESSETH THAT;

We, M/s. (Lead Member of Consortium with its addresses of the registered office), M/s and M/s (the respective Consortium Members with their addresses of the registered office) do hereby designate M/s. being one of the members of the Consortium, as the Lead Member of the Consortium, to do on behalf of the Consortium, all or any of the acts, deeds or things necessary or incidental to the Consortium's bid for the Project, including submission of application/ proposal, participating in conferences, responding to queries, submission of information/ documents and generally to represent the Consortium in all its dealings with Transport Department, Government of National Capital Territory of Delhi, any other Government Agency or any person, in connection with the Project until culmination of the process of bidding and thereafter till the BOMMAgreement is entered into with Transport Department, Government of National Capital Territory of Delhi.

We hereby agree to ratify all acts, deeds and things lawfully done by Lead Member, our said attorney pursuant to this Power of Attorney and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us/Consortium.

Dated this theDay of2008

.....
(Executants)

(To be executed by all the members of the Consortium)

Note: The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.

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Format for Details of Applicant

1.
 - (a) Name
 - (b) Country of incorporation/registration³
 - (c) Address of the registered office, corporate headquarters, and its branch office/s, if any, in India
 - (d) Date of incorporation and/or commencement of business.

2. Brief description of the Applicant including details of its main lines of business and proposed role and responsibilities in this Project.

3. Details of individual/s who will serve as the point of contact / communication with Transport Department, GNCTD :
 - (a) Name :
 - (b) Designation :
 - (c) Company :
 - (d) Address :
 - (e) Telephone Number :
 - (f) E-Mail Address :
 - (g) Fax Number :
 - (h) Mobile Number :

4. Name, Designation, Address and Phone Numbers of Authorised Signatory of the Applicant :
 - (a) Name :
 - (b) Designation :
 - (c) Company :
 - (d) Address :
 - (e) Telephone Number :
 - (f) E-Mail Address :
 - (g) Fax Number :
 - (h) Mobile Number :

5. In case of a Consortium:
 - (a) the information above (1-4) should be provided for all the members of the consortium.
 - (b) information regarding role of each member should be provided as per table below:

Sr. No.	Name of Member	Role (Specify Lead Member/ Other Member)
1.		
2.		
3.		

³ Documentary proof of registration of Company.

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Format for Financial Capability # of the Applicant

(Equivalent in Rs. Crores)

Applicant*	Net Worth	Net Cash Accruals		
	Year 1 (As on ----- -)	Year 1 (From ---- to ----)	Year 2 (From --- - to -----)	Total
Sole Applicant				
OR				
Lead Member (in case of Consortium)				
Other Member 1 (in case of Consortium)				
Other Member 2 (in case of Consortium)				

- # The Applicant should provide the Financial Capability based on its own financial statements. Financial capability of the Applicant's parent company or its subsidiary or any associate company (who are not Members of the Consortium) will not be considered for computation of the Financial Capability of the Applicant.
- * Any Applicant being a Type 1 Applicant should fill in details as per the row titled Sole Applicant and ignore the row below. In case of a Consortium, ignore the first row and provide relevant details in subsequent rows.
- * Lead Member must satisfy the conditions with regard to Financial Capability as stated Clause 3.3.2.
- * Sum of the Networth and net Cash Accruals of all members as stated Clause 3.3.2 and Clause 3.3.3, provided the above conditions are satisfied.

General Instructions:

- Net Cash Accruals = (Profit After Tax + Depreciation + Non cash Expenses)
- Net Worth = (Subscribed and Paid-up Capital fund + Reserves + Share Allotment Money Already Received + Preference Shares (including Redeemable) - (Revaluation reserves + Miscellaneous expenditure not written off)
- The financial year would be the same as followed by the Applicant for its annual report. Say, Year 1 will be the financial year 2007-08. Year 2 shall be the year immediately preceding Year 1.
- The Applicant shall provide the audited annual financial statements as required for this RfQ Document. Failure to do so would be considered as a non-responsive bid.
- The Applicant should clearly indicate the calculations and references in the financial statements in arriving at the above numbers in an attached worksheet.

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Format for Experience of the Applicant

Name of the Applicant

Name of Member	Project Code	Name of Project	Category	Project Cost / Certified billings	Experience Score*
	A				
	B				
	C				
				Total	

* *Multiply Experience by applicable factor set out in Table 3.2 in Clause 3.2.1.5.*

Note:

1. The Applicant should provide details of only those projects undertaken by it under its own name. Project experience of the Applicant's parent company or its subsidiary or any Associate company (who is not a member of the Consortium) will not be considered for computation of the Experience Score.
2. In case Applicant is a Consortium, Experience Score shall be computed as stated in Clause 3.2.1.
3. In the event that more than one member of a Consortium had participated in the same project, only one member should mention the project. In case more than one member mention the project, the experience of the member with the highest experience factor for that project shall be considered and the experience of the other member shall not be considered for the purpose of evaluation of the Applications.

However in case that all the members intending to quote experience under Category 3 have participated in the same project, then these members may quote same project provided that their scope of work were independent.

The scope of work shall not be considered to be independent in case of any project if:

- i) Any member is sub-contractor of other member.
- ii) Payment of billings to any member has been made out of billings of the other member.
- iii) Payments of billings have been made jointly to the members as a consequence of a joint contract with the party making the payment specifically providing for such joint payment.

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Format for Eligible Project Details

	Refer Instruction	(Applicant to fill up the Details here)
Name of the Entity ⁴		
Category	3	
Project Code	7	
Title & Nature of the Project		
Entity for which the project was constructed/ developed	4	
Location		
Project Cost/ Certified billings		
Date of Commencement of Project/ Contract		
Date of Completion/ Commissioning	5	
Equity Shareholding	6	

Instructions

1. Applicants are expected to provide information in respect of projects in this section. Information provided in this section is intended to serve as a back up for information provided in accordance with Appendix 6.
2. A separate sheet should be filled for each of the projects.
3. Refer Clause 3.2.1.1 for Category.
4. Own / Government Agency (Concession Grantor, Counter Party to PPA, etc.) / Client (in case of construction contract). Details such as name, address and contact details need to be provided.
5. For Categories 1 & 2, date of commissioning should be provided. In case of Category 3, date of completion / certified billings should be provided.(Refer Clause 3.2.1.3).
6. For Category 1 & 2, the equity shareholding of the Applicant in the project as on date of commissioning needs to be provided.
7. Refer Appendix 6.
8. Certificate from the client / employer / relevant authority / statutory auditor must be furnished stating the following details (as provided in Appendix 6):
 - a) date of completion / date of commissioning of the project
 - b) project cost/ certified billings
 - c) equity shareholding as on date of commissioning (only in case of Category 1 & 2).

It may be noted that in the absence of anyone of the above (including the Applicant's Certificate), the information would be considered inadequate and could lead to exclusion of the relevant project in computation of Experience Score.

⁴ Name of Sole Applicant, Consortium member who has undertaken the Project

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Guidelines for Providing Information Related to Experience

It may be noted that in the absence of any detail from the certificates specified in the following paragraphs, the information would be considered inadequate and could lead to exclusion of the relevant project in computation of Experience Score⁵.

1. If the experience is claimed under **Category 1 or 2⁶**, the Applicant shall provide a certificate from its Statutory Auditor in format given below :

This is to certify that _____ (*Name of the Applicant*) had developed the _____ (*Title, Location & Nature of the Project*) project and was commissioned on _____ and _____ (*Name of the Applicant*) held _____% of the equity capital in the Project as on the date of commissioning.

We further certify that total cost of the Project (**excluding the cost of land**) as on the date of commissioning was _____ crores.

Signature of the Statutory Auditor of the Applicant

2. If the experience is claimed under **Category 3⁷**, the Applicant shall provide a certificate from its Statutory Auditor / Client / Employer in the format given below :

This is to certify that _____ (*Name of the Applicant*) has undertaken construction works for _____ (*Title & Nature of the Project*) at _____ (*Location of the Project*) for _____ (*Entity for which Project was constructed*).

We further certify that _____ (*Name of the Applicant*) has achieved Threshold Size and received Certified Billings of _____ (*Amount*) after January 01, 2003 and before March 31, 2008 from this project for the aforementioned construction works.

(In case, the works were undertaken in consortium) The aforementioned construction work has been undertaken by _____ (*Name of the Applicant*) in consortium with _____ (*Name of all Consortium Members*).

Signature of the Authorised Signatory

⁵ Refer Clause 3.2.1.5 of the RfQ document

⁶ Refer Clause 3.2.1.1 of the RfQ document

⁷ Refer Clause 3.2.1.1 of the RfQ document

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Format for Affidavit Certifying that Entity / Promoter/s / Director/s of Entity are not Blacklisted

(On a Stamp Paper of relevant value)

Anti-Blacklisting Affidavit

I, M/s. (Sole Applicant / Lead Member / Other Member /s), (the names and addresses of the registered office) hereby certify and confirm that we or any of our promoter/s / director/s are not barred by Transport Department, GNCTD / or any other entity of GNCTD or blacklisted by any state government or central government / department / agency in India from participating in Project/s, either individually or as member of a Consortium as on the _____ (Date of Signing of Application).

We further confirm that we are aware that as per Clause 2.7.2, our Application for the captioned Project would be liable for rejection in case any material misrepresentation is made or discovered with regard to the requirements of Clause 2.2.6 at any stage of the Bidding Process or thereafter during the agreement period.

Dated thisDay of, 2008.

Name of the Applicant

.....
Signature of the Authorised Person

.....
Name of the Authorised Person

Note:
To be executed separately by all the Members in case of Consortium.

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Typical Format for MoU for Consortium

(On a Stamp Paper of relevant value)

Memorandum of Understanding

(To be executed by all the members of the Consortium)

This Memorandum of Understanding (MoU) entered into this ___day of ___200__ at _____

Among _____ (hereinafter referred as” _____”) and having office at _____, **Party of the First Part**

And _____ (hereinafter referred as” _____”) and having office at _____, **Party of the Second Part**

And _____ (hereinafter referred as” _____”) and having office at _____, **Party of the Third Part**

The parties are individually referred to as **Party** and collectively as **Parties**.

Whereas Transport Department, Government of National Capital Territory of Delhi undertaking has invited applications from interested parties for Development of ISBT at Dwarka, New Delhi (the “Project”).

AND WHEREAS the Parties have had discussions for formation of a Consortium for bidding for the said Project and have reached an understanding on the following points with respect to the Parties’ rights and obligations towards each other and their working relationship.

IT IS HEREBY AS MUTUAL UNDERSTANDING OF THE PARTIES AGREED AND DECLARED AS FOLLOWS:

- 1 That the Parties will form a Special Purpose Company (SPC), in the form of a limited liability company, with a minimum shareholding commitment set out below :

Name of the Party	% of equity capital in the SPC
.....
.....
.....

- 2 The SPC shall enter into the BOMM Agreement with Transport Department, GNCTD for the purpose of domiciling and implementing the Project

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3 That Parties commit to hold a minimum equity stake equal in the SPC in terms of the Agreement.

4 That the role/ responsibility of each member is expected to be :

Name of the Party	Role/ Responsibility in the SPC
.....
.....
.....

5 That the Lead Member of the Consortium shall be at all times be in control of management of the affairs of the SPC so incorporated for the purpose of the Project.

6 That the Parties shall carry out all responsibilities as Developer in terms of the BOMM Agreement.

7 That the Parties shall be jointly and severally liable for the execution of the Project in accordance with the terms of the BOMM Agreement.

8 That the Parties affirm that they shall implement the Project in good faith and shall take all necessary steps to see the Project through expeditiously. They shall not negotiate with any other party for this Project.

9 That this MoU shall be governed in accordance with the laws of India and courts at Delhi shall have exclusive jurisdiction to adjudicate disputes arising from the terms herein.

10 Any other terms and conditions that the Consortium may like to add, which are not in disagreement with the aforesaid clauses

In witness whereof the Parties affirm that the information provided is accurate and true and have caused this MoU to be duly executed on the date and year above mentioned.

..... (Party of the first part)

..... (Party of the second part)

..... (Party of the third part)

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Brief Project Profile

1. Introduction

The proposed ISBT is located in Sector 22, Dwarka, New Delhi, on an area of about 10 hectares and is expected to comprise of the following :

- Bus terminal facilities, with passenger amenities
- Interconnectivity between multiple modes of public transport
- Parking facilities for buses, value added services for buses parked and space for parking of vehicles of users of inter state buses/ city buses/ autos/ taxis.
- Commercial area (Hotel and other activities)

Furthermore, the proposed ISBT at Dwarka has the potential to evolve into a multimodal transit facility hub. A multimodal transit facility gathers different modes of transportation together and is strategically located to increase destination and transportation alternatives and thereby improve access and mobility of the region. This facility could typically serve as a major transportation hub enabling the residents and visitors to easily transfer from one mode to another for efficient intercity and interstate travel. It could potentially connect the diverse transportation modes like the interstate buses, commercial passenger shuttles, intra city metro rail, airport shuttles, taxis and auto rickshaws at the central hub.

It would have services and amenities for passengers such as ticket booths, secure and comfortable waiting rooms, restrooms, food service, vendors, clock room and shops. It may also include retail, offices, residential, hotel rooms, and entertainment venues.

2. Proposed Location

Dwarka, a sub city located in South-West Delhi (bordering Haryana), is being developed under the 'Urban Expansion Projects' of the Delhi Development Authority. Dwarka, the "Model Township" has reserved land for a ISBT located in the vicinity of the International and Domestic airports.

Dwarka has well planned commercial areas, work places, cultural centres and educational institutions and is connected by mass rapid rail transport system.

It is well connected by metro with the city center - Connaught Place and ITO and other major parts of the city. Dwarka has a "Zero Tolerance" policy towards common land misuses and other transgressions frequently perceived to be flouted in other parts of NCR. There are eight metro stations in Dwarka of which two are under construction. The proposed location of the ISBT, linking Dwarka to Barakhamba Road, is opposite to the Metro Rail termination point.

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3. Land Use : Master Plan of Delhi- 2001

The designated land use for the site in the Master Plan of Delhi - 2001 is for a Transport Terminal. Master Plan of Delhi- 2001 also proposes a freight complex (warehousing) along with a truck terminal towards village Bharthal. The entire area is being developed as a major transport hub with integrated passenger terminal. The distances from various landmarks in Delhi to the site are listed in the table below:

Sr. No	Important Places	Distance (in Km)
1	IGI Airport	3
2	NH – 8 (to Jaipur)	6
3	Dhaura Kuan	15
4	Connaught Place	18
5	ISBT Kashmere Gate	29
6	New Delhi Railway Station	23

4. Site Surroundings

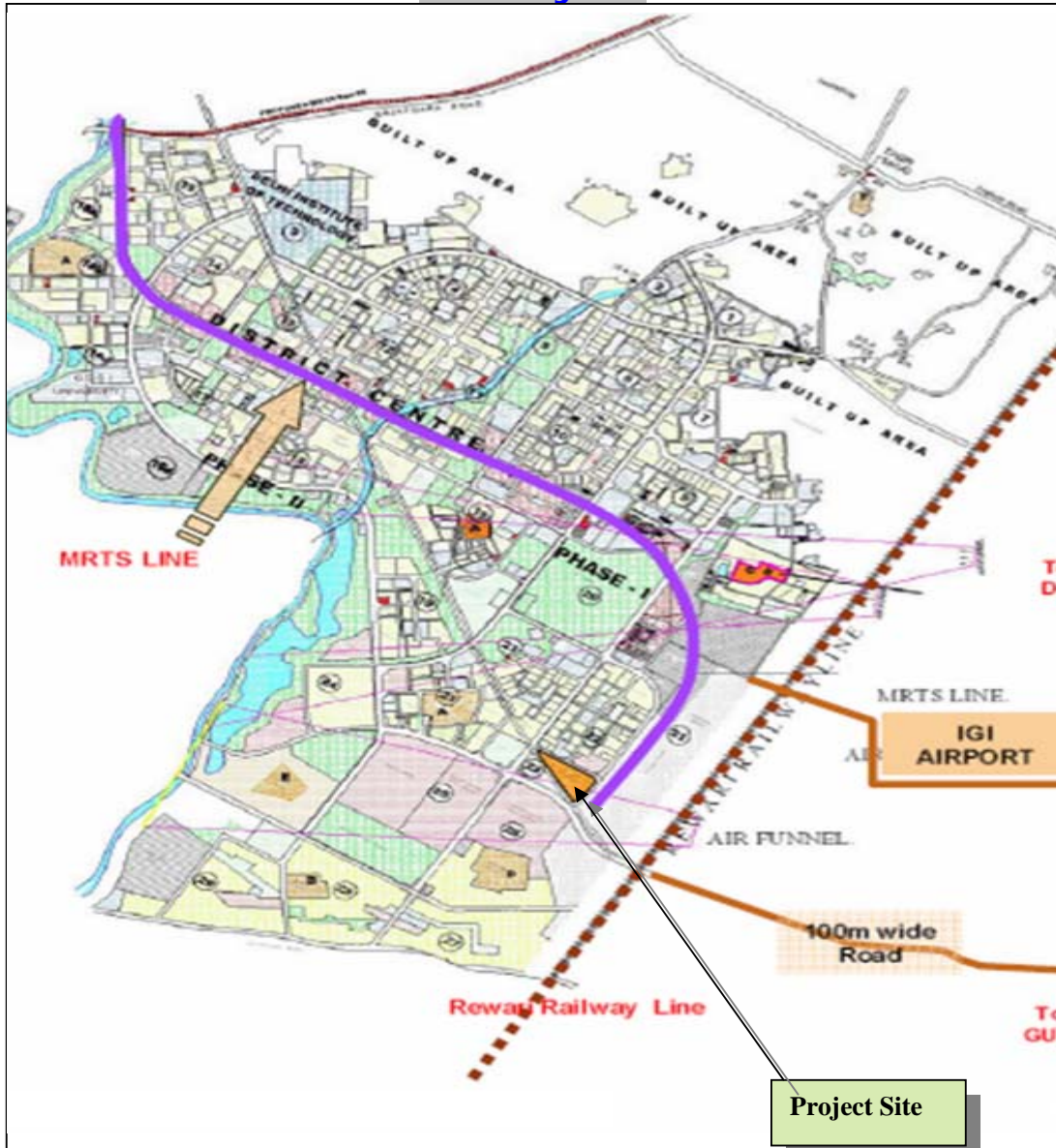
The site is a triangular patch of land surrounded by roads of 45m and 30m Right of Way (RoW) on two sides and a gas pipeline on the South-West side. On one side, across the road, there are residential multistoried apartments and Secondary School and on the other side (across 45m RoW), there is a Metro Station.

5. Site Potential

The development potential for the site can be summarized as given below :

1. Strategic Location
 - In Dwarka sub city – model development and largest residential planned area in Delhi
 - Proximity to International and Domestic Airport
 - Proximity to National Highway 8 – one of the busiest transport routes in India
 - Proximity to MRTS – metro connectivity to city centre
2. Designated in Master Plan as transport zone : adjacent to proposed MRTS station and close to planned freight terminal.
3. Topography: Land is flat with little existing vegetation – an advantage for designing an extensive passenger transport terminal.
4. No environmental issues in development as the site is already designated for proposed use in the Delhi Master Plan

Site Layout



Extract of Master Plan for Delhi 2021

Table 12.7: Development Controls for Transportation

S. Use Premises No	Activities Permitted	Development Controls (4)			
		Area under Operation (%)	Area under building (%)	FAR *	Floor area that can be utilised for passenger accommodation
1. Airport	All facilities related to Airport/Aviation Passengers as decided by Airport authority of India including watch & ward		-NA-		
2. Rail Terminal/ Integrated Passenger Terminal Metropolitan Passenger Terminal	All facilities related to Railway, Passengers, operations, goods handling, passengers change over facilities, including watch & ward, Hotel.	70	30	100	15%
3. Rail Circulation	All facilities related to Railway Tracks, operational areas including watch & ward.		-NA-		
4. Bus Terminal/ Bus Depot	All facilities related to Bus & Passengers, parking including watch & ward, Soft Drink & Snack Stall, Administrative Office, Other Offices, and Hotel.	50	50	100	25%
5. ISBT	All facilities related to Bus & Passengers, parking including watch & ward, Bus Terminal, Soft Drink & Snack Stall, Administrative Office, hotel.				<p>a. Ground coverage: 25%</p> <p>b. FAR: 100, subject to the following:</p> <p>(i) FAR shall be available on a maximum area of 10 ha. or area of site whichever is less.</p> <p>(ii) ISBT, including operational structures Maximum FAR 70</p> <p>(iii) Hotel/passenger accommodation and facilities Maximum FAR 30.</p> <p>c. Parking: In addition to the requirement of parking for ISBT/buses, parking for Hotel/ passenger accommodation and facilities shall be at the rate of 2 ECS per 100 sq.m. of floor area.</p> <p>d. The development shall be undertaken in a composite manner.</p>
6. Toll Plaza	Toll collection booth, utilities, facilities and required infrastructure.		-NA-		
7. Road Circulation	All types of road, street furniture, bus shelters, under ground & over ground services utilities, signals, metro tracks as part of r/w, sub-ways, under-passes, ROB & RUB including watch & ward.		-NA-		
8. Metro Yards	Idle parking of coaches, washing and cleaning facilities, maintenance related facilities, watch & ward and staff related facilities.	80%	20%	100	15%

* The F.A.R. is to be calculated on the Building Plot. Area under Bus Shelter not to be included in FAR.