

Fare Collection Services Agency – Addendum Agreement

BETWEEN

Delhi Integrated Multi-Modal Transit System Ltd, a company incorporated under the Companies Act, 1956, acting through its authorised signatory and having its registered office at **8th Floor, Block-1, Delhi Technology Park, Shastri Park, Delhi – 110 053**, (hereinafter referred to as “DIMTS”, which expression shall, unless repugnant to the context thereof, mean and include its successors or assigns) of the ONE PART;

AND

Peregrine Guarding Private Limited, a company incorporated under the provisions of the Company Act, 1956, having its registered office at **SCO-301, HUDA Market, Sector-29 , Gurgaon-122002** (hereinafter referred to as the “Agency” which expression shall, unless repugnant to the context or meaning thereof, include its administrators, successors and assigns) of the OTHER PART.

This agreement will be effective from 19th October, 2022.

DIMTS and Agency are hereinafter individually referred to as “the Party” and collectively referred to as “Parties”.

WHEREAS:

- (1) Department of Transport vide their letter F.005/STA Policy/Tpt/2022/494/100375 Dated 07/11/2022 had given its approval to extend existing contract of M/s Peregrine Guarding Pvt. Ltd. for additional 4 depots viz. Kushak Nala Depot, Dhichao kalan Depot, Kair Depot & Sunehripula Depot [earlier managed by M/s Trig Detectives Pvt. Ltd for a period of three months (from 19th October 2022)] with no additional financial implication to Department of Transport, GNCTD.
- (2) M/s Peregrine Guarding Pvt. Ltd. will manage fare collection services in said 04 (four) depots under Package ‘A’ & ‘B’ and shall be paid fee for these depots viz. Kair, Dhichao kalan, Kushak Nala & Sunehripula as stipulated in Schedule 3 of Agreement with M/s Trig Detectives Pvt Ltd. of 23rd April 2018 which is reproduced below:


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Schedule 3: Fee Calculations and Payment Mechanism

S No.	Description	Cost Per Bus Per Shift (in Rs.)
A	Applicable Minimum Rate of Wage in Scheduled Employment under the Minimum Wages Act, 1948 in the National Capital Territory of Delhi for Semi-skilled person ⁽¹⁾	Rs.575.31
B	ESI contribution by the Agency ⁽²⁾	@ 4.75 % of A =Rs.27.33
C	PF contribution by Agency (Weighted average value for all Personnel) including service charge @ 1.15% of A ₁ ⁽⁴⁾	@ (12% +1.15%) of Rs. A ₁ = Rs.52.96
D	Statutory Bonus ⁽⁵⁾ (Weighted average value for all Personnel)	@8.33% of A ₁ = Rs.33.55
E	Annual Leave with Wages ⁽⁶⁾ (15 days per year)	=15/(365-52-3-15) * A ₁ =Rs.20.48
F	Total (A+B+C+D+E)	Rs.709.62
G	Management Fee and Overheads ⁽⁷⁾	5.49%
H	Fees payable to Agency On Per Shift Per Bus Basis(the “Bid Criteria”)	748.60

Note:

- a) The Applicable minimum wage rate (“A”) shall be revised based on notifications issued by Labour Department, Government of NCT of Delhi for Semiskilled Labour in all schedules employments except employment in "Shop And Establishment and employment in 'Clubs' from the website : www.delhi.gov.in/wps/wcm/connect/doi_labour/Labour/Home/Minimum+Wages. As on date of bidding, the latest notification is dated April 01, 2017.
- b) Employees State Insurance Act, 1948 shall be applicable for ESI contribution to Agency's Personnel.
- c) “A₁” = “A” – 30% of “A” (towards HRA Adjustment)
- d) Agency will be fully liable to extend benefits to agency personnel of EPF as per EPF Act 1952. The PF contribution by Employer shall be as per the provisions of EPF Act 1952.
- e) Statutory Bonus as per the Payment of Bonus Act, 1965: The Agency shall submit details of bonus amount due and payable along with details of eligible beneficiaries (employees) by 30th June every year to DIMTS and after undertaking necessary due diligence DIMTS shall make payment by 30th September every year. For the final year of the contract (1st July of the third year to end of the contract) the applicable bonus amount will be settled within 60 days from the date of successful completion of the Agreement. On pro-rata basis Management Fee and Overheads (refer G) for the portion of Statutory Bonus paid to the eligible beneficiaries shall be released annually.

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- f) Annual Leave with Wages as per the Motor Transport Workers Act, 1961 shall be payable annually as reimbursable on actual basis. On pro-rata basis Management Fee and Overheads for the portion of Annual Leave with Wages paid to the eligible beneficiaries shall be released annually.
- g) The Management Fee and Overheads excluding premium of Insurance Policy towards Gratuity of FCPs shall include the following:
- i) Cost of Supervisors including Statutory Bonus and Leave Wages.
 - ii) Group Accidental Insurance and Ex-Gratia Payment for Fare Collection Personal (excluding ESIC) as per clause 4.2 (x) of Article 4 of Fare Collection Services Agreement (FCSA).
 - iii) Third Party Verification as per clause 2.3 of Schedule 2.
 - iv) Uniform for Fare Collection Personal as per Para No.7 of Schedule 1.
 - v) Any other operational overhead costs, profits etc.

Note: The agency shall obtain separate Insurance Policy towards liabilities of Gratuity payable under the Payment of Gratuity Act, 1972 to the FCPs at the rate of 2.5 FCPs per bus. DIMTS agrees to reimburse the actual insurance premium against the certified Insurance Premia Receipt within seven (07) days from the date of receipt of the certified Invoice and following documentation.

- h) Minimum number of supervisors required for management of FCS Personnel for each Package shall in terms of Para 6 of Schedule 1 of DFCSA of RFP Document.
- i) Illustration : $F*(1+G/100) = H$
- a) Let $F = 709.62$
 - b) Let $H = 7.1\%$
 - c) Therefore $I = 709.62 * (1 + 7.1/100)$
 $= 760.00$
- j) Sr.No. "A" to "E" are payable upon verification and shall be released in terms of reimbursements.
- k) The Agency shall be responsible for maintaining necessary records/reports/documents and complying with all statutory provisions pertaining to employment or use or deployment of Personnel such as Minimum Wages Act, 1948, Payment of Wages Act, 1936, Payment of Gratuity Act, 1972, the Motor Transport Workers Act, 1961, Employees Provident Fund and Miscellaneous Provisions Act, 1952, Employees State Insurance Act, 1948, Payment of Bonus Act, 1965, Maternity Benefit Act, 1961, etc.

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(3) Other Conditions:

- i) Fees are subject to change in Applicable Law and upto the extent of such change in the Applicable Law.
- ii) Maternity Leave for FCP in terms of the Maternity Benefit Act, 1961 and payment shall be made at actuals over and above the Fees subject to submission of necessary documents/proof.
- iii) Any of the Agency's Personal engaged on overtime shall be entitled to remuneration for such overtime in terms of the Motor Transport Workers Act, 1961. Overtime payment shall not be a reimbursable component by DIMTS and it shall be borne by the Agency.
- iv) Agency shall submit its monthly bills towards monthly charges payable to the agency along with date-wise duty-roster sheet for the said billing period duly certified by the person authorized by DIMTS in this regard on or before the 3rd day of the month.
- v) Payments on account of provision of service on the national holidays, shall be paid at 100% additional Wages (refer A table above).
- vi) Performance Adjustments and Recoveries
 - a) The performance standards and the default charges shall be in accordance with Schedule 4.
 - b) The default charges shall be subject to a maximum of 20% of the monthly Fees payable to the Agency for that month without netting out any recoveries.
 - c) Any difference in the actual cash deposited by its Personnel with respect to estimated revenue from the ETM records shall be recovered from the Agency Fees.
 - d) The Agency shall be solely and completely responsible for any damage to or theft from any act or negligence of Agency's personnel, and such costs shall be recoverable from the Agency Fees and in case of ETM, such costs shall be payable directly to DIMTS by the Agency upon such claim. Requisite due diligence and process including lodging of FIR shall be the sole responsibility of Agency.

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Agency's responsibility shall extend to (a) ETM/ pre-printed tickets, (b) asset of DIMTS/ DoT/ Bus/ related infrastructure of the Project, or (c) claims sustainable against DIMTS, (d) any such claim. The extent of such recovery shall be based on assessment of DIMTS.

Break-Up of Management Fee and Overheads

Sr. No.	Description	Amount as Proposed in Price Proposal (in Rs.)
	Management Fee and Overheads excluding premium of Insurance Policy towards Gratuity of FCPs	
i.)	Cost of Supervisor including Statutory Bonus & Leave Wages	4,98,611.29
ii.)	Group Accidental Insurance and Ex-Gratia Payment of Fare Collection Personal excluding ESIC	44,250.00
iii.)	Third Party Verification	3,41,000.00
iv.)	Uniform for FCPs	5,44,236.00
v.)	Any other operational overhead costs, profits etc	6,48,142.59
	Total Management Fee and Overheads (G) (Sum of Sr. No. (i) to (v))	20,76,239.88
	Total Management Fee and Overheads (G) (To be expressed in %)	5.49%

- (4) All other terms and conditions for the extended scope of work in depot under Package 'A' & 'B' shall remain same as in referred Agreement of 24th April 2018 and also applicable for Package 'C' & 'D'.
- (5) M/s Peregrine Guarding Pvt. Ltd. agrees to abide by Department of Transport's order dated 07/11/2022.

Counterparts

This Agreement may be executed by each of the parties in separate counterparts, each of which when so executed and delivered shall be an original, but the counterparts shall together constitute one and the same instrument.

Peregrine Guarding Private Limited

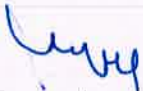


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IN WITNESS WHEREOF each of the parties hereto has executed this Agreement on the date first above written.

SIGNED by



C.K. GOYAL

SR VICE PRESIDENT - RT

(For and on behalf of)

(DELHI INTEGRATED MULTI MODAL TRANSIT SYSTEM LIMITED)

in the presence of:

Name: AJAY KUMAR SRIVASTAVA

Address: ANP-RT, DIMTS LTD.
Block-1, 21 Park, Shastri Park
DELHI

SIGNED by

(For and on behalf of)

(Peregrine Guarding Private Limited)



SIDDHARTH DAHIA

MANAGING DIRECTOR

in the presence of:

-PEREGRINE GUARDING PVT. LTD

Name:

Address:

RAMESH SINGH TEHLAN
Peregrine Guarding Pvt. Ltd
Plot No 458 Phase V
Vedya Vihar
Gurgaon - 122016

Peregrine Guarding Private Limited



DIMTS

GOVERNMENT OF NCT OF DELHI
TRANSPORT DEPARTMENT
(CLUSTER BRANCH)
5/9, UNDER HILL ROAD, DELHI - 110054

No.F.005/STA Policy/Tp/2011/ 494 / 100375 Dated: 07/11/2022

To
The MD & CEO,
Delhi Integrated Multi Modal Transit System Ltd.,
8th Floor, Block-1, Delhi Technology Park,
Shastri Park, Delhi-110053.

Subject: Proposal for extension of Contract of Fare Collection Services Agencies Agreement with Agencies.

Sir,

Kindly refer to your letter no. DIMTS/Road Transport/2021/29/3656, dated 14.10.2022, on the above-mentioned subject.

In this context, I am directed to convey the approval of competent authority for: -

- (i) Extension of existing contract of M/s Peregrine Guarding Pvt. Ltd for a period of three months.
- (ii) Extension of contract of M/s Peregrine Guarding Pvt. Ltd. for additional 4 depots, namely Kushak Nalla Depot, Kair Depot, Kanjhawala Depot and Sunehari Pulla Depot, which were earlier being managed by M/s Trig Detectives Pvt. Ltd., for a period of three months. It is clarified that the said transition from M/s Trig Detectives Pvt. Ltd to M/s Peregrine Guarding Pvt. Ltd. shall not have any additional financial implication to Department of Transport, GNCTD.

This issues with the approval of the Hon'ble Minister (Transport).

Yours faithfully,



Deputy Commissioner (Cluster)

Copy for to:-

1. OSD to Hon'ble Minister (Transport)
2. PA to Pr. Secretary-cum-Comissioner (Transport)
2. PA to Special Commissioner (Transport)