



पूचना एवं प्राथमिक कार्यालय
उत्तरणी संख्या: 1668
दिनांक: 7/8/19
उत्तरणी दिल्ली नगर निगम

16th Floor, Civic Centre
Minto Road, New Delhi-110002
Tel. No. 011-23226608.

No. DC/RP Cell/2019/NDMC/D-375

Dated: 06/08/2019

Subject:- Clarification of the queries raised by the prospective bidders in the pre-bid meeting dated 25.07.2019 for Installation of Mobile Phone Towers at the roof tops and other suitable place of the Properties located within the jurisdiction of North Delhi Municipal Corporation in respect of notice inviting e-auction No. DC/R.P. Cell/2019/D-312 dated 17.07.2019.

The clarification of the queries submitted by the prospective bidders in writing on the above subject is as under:-

Queries by Indus towers

S. NO	Query	Clarification
1	The Minimum reserved price of 60000 is too high. What is the basis of keeping such a high Minimum Reserved Price? As per right of way rules notified by Government of India nominal rental should be charged in lieu of Government spaces. We request to reduce minimum reserved price to Rs. 10000 per month.	No change in the Minimum Reserve Price
2	In view of so large number of sites. EMD equal to 3 months MRP is too high. EMD should be equivalent to 01 months reserved price.	No change in Earnest Money Deposit
3	Bucketization of sites zone wise is ok. But the bid should be open in small lots as bidding for all sites may not be feasible. Each bidder may not require all sites in each zone. We request to sub-divide the sites in small lots of 10-20 per lot in each zone.	No change in the size of cluster
4	The multiple of 10000 for e-auction is to high, we request to delete his clause. The multiple may be fixed for 500 maximum.	No change in the incremental rate
5	Auction processing charges at 0.95% are too high and should not be levied on the bidder. The successful bidder should not be forced to bear the charges as it is a revenue earning project for DMC, DMC should bear these charges. This clause is not acceptable. We request to delete this clause.	No change in the processing fee
6	One time charges of Rs.1.00 and additional 50,000 per service provider have no objective. What is objective of charging one time charges. Since the tender already has a clause of permission fee as per tower policy, therefore there is no justification of charging one time charges also. This clause is not required. We request you to delete this clause.	No change in the one time charges

Abhishek
Date 2/8

7	Additional license fee of 20% for each additional service provider are not tenable as there is no nexus between the no of operators and licensee fee. The agreement cannot be done on revenue sharing basis. This clause is not acceptable. We request to delete this clause.	No change in the additional license fee
8	Since the licensee fee is not based on area, therefore we request to delete the maximum area in the clause. Or alternatively the license fee should be fixed on per sq. ft basis and should be linked to area occupied.	No change in the MRP
9	Clause iv speaks about the payment of additional one time charges and additional license fee on account of technology up gradation. Same is not tenable as technology upgrade is linked to quality of service and has nothing to do with the license. This clause is not acceptable. We requested to delete this clause.	No change
10	The tenure of 3+3 years is too less. The tenure should be for a period of 20 years in lot of 5 years. Since the permission fee as per prevalent tower policy of MCD is for 5 years, licensee will apply for renewal every 5 years.	No change in the lease period
11	The annual escalation of 8% is too high. We request to deep the escalation at 10% every 3 years or 3% every year.	No change in the escalation rate
12	License should be given right to exit by 3 months notice. The provision for payment of license fee for entire agreement period of 3 years is not acceptable. We request to suitably amend this clause.	No change
13	SSC should be mandated only in case of Roof Top Towers on the Building and not in cases of Ground this clause.	No change
14	Termination at the will of DMC by giving 1 months notice is too less. Since tower is an essential part of communication network, termination should normally be in case of default of the licensee and notice period should be at least 3 months. We request to suitably amend this clause.	No change
15	The dispute resolution clause should be as per provisions of Arbitration Act. Appointment of sole arbitrator is against the provisions of arbitration Act 1996 as amended. We requested to suitably amend this clause.	The arbitration clause is amendment as per provisions of section-11 of "The Arbitration and Conciliation Act, 1996
16	The rent start date is not mentioned in the RFP. Date of Electrification of the site should be treated as ret start date	No change
17	Drift in location should not be more than 50 mts.	No change
18	Permission once given for a location should not be revoked by MCD without giving a sufficient opportunity of being heard to the licensee during the permission period.	No change
19	As the licensee will pick up the sites in complete zone, implementation of all site is	No change

mandatory to make the network operations. Hence in case of any form of public protest MCD to extend support and provide Police protection to the licensee.

Pre-bid input From Quadra Infratel

1	Base Price of 60K is very high.	No change in MRP
2	Not possible to share 20% rental for sharing or additional antenna deployment	No change
3	Lot size is very big and same can be proposed from min lot of 10 sites	No change in cluster size
4	Rental for the sites expected to be paid for sites made On-Air instead of complete Lot	No change in the existing provisions
5	One time cost of 1 lac is already being charged as part of permission needs to be removed because of duplicacy	No change in one time charges
6	One time cost for sharing is not possible	No change
7	Tenure of agreement should be 10+5 years looking at the capex required	No change
8	Termination period should be min 3 month after notice being given to address the problem	No change
9	MCD should extend single window for all approvals	No change
10	EMD cost is very high must be recalculated on basis of small lot site	No change
11	Only RTT sites will have structure stability test done	No change
12	Looking at practical scenario not all the sites in lot will be required by customers so option of surrender should be there and rent can't be charged for locations where tower is not required	No change
13	Space requirement shouldn't be restricted to 200 sqft.	No change
Queries from Reliance Jio		
1	Yearly escalation of 8% is way too high which does not commensurate with the standard market practices. We recommend to keep this escalation of 8% every 3 years.	No change
2	One time charge of Rs 1.0 Lacs should be completely removed.	No change
3	In case of tower sharing, additional sum of Rs 50000/- and payment of license fee @20% of the minimum monthly charges should be removed.	No change
4	The e-auction should be made for individual locations as there are many locations which are very close to each other in the same cluster, hence making cluster wise bidding makes it totally un viable for any operator.	No change
5	Minimum increment/bid of Rs 10000 in e-auction is too high. This should be reduced considerably to determine the best market price.	No change
6	The tenure of 3+3 years make the capital investment totally un viable. This should be increase to 10+ 5 Years minimum.	No change
7	Security deposit, equivalent to 3 months rent should be taken as Bank Guarantee.	As per provisions of Rule 171 of GFR, 2017, Security Deposit will be acceptable in the shape of Bank Guarantee in the name of Commissioner , North Delhi Municipal Corporation valid for period of contract+6 Months after the

		contract period
8	Facilitation charges, equivalent to 0.95% of the H1 bid value of one year's license fee is very high and need to be reasonable based on actual expenses incurred.	No change
9	Incorporating a suitable clause with assurance for adjustment or refund of all charges including non refundable fee, rental and security deposit for sites which are not installed because of RWA's & local residents resistance and objections, which could not be reconciled with MCD intervention also.	No change

This issues with the approval of Competent Authority.


Section Officer
R.P. Cell/NDMC
 Section Officer
 RP Cell
 North Delhi Municipal Corporation
 16, Floor, Civic Centre, Minho Road, N. Delhi-42

Copy to:-

✓ Addl. Director/IT with the request to upload on the e-auction website of North Delhi Municipal Corporation, www.auctionwizard.in/NORTHMCD and www.mcdonline.gov.in and www.mcdonline.gov.in/tri/hdmc North DMC portal.

Copy for kind information:-

1. Dy. Commissioner/R.P. Cell
2. Addl. Commissioner (Revenue)
3. PS to Commissioner for kind information of Commissioner North DMC