



**SOUTH DELHI MUNICIPAL CORPORATION  
ADVERTISEMENT DEPARTMENT**

Dr. Shyama Prasad Mukherjee Civic Centre (25<sup>th</sup> Floor),  
Jawaharlal Nehru Marg, New Delhi - 110002.  
Ph. No. 011-2322-7508

**OPEN AUCTION FOR ALLOTMENT OF ADVERTISEMENT RIGHTS THROUGH  
FACADE SCREEN DISPLAY/BRANDING ON CAR PARKING TOWERS AT  
AUTOMATED MULTILEVEL CAR PARKING, GREEN PARK, SOUTH ZONE UNDER  
THE JURISDICTION OF SDMC.**

No: CO/Advtt/Auction-14/2019-20/SDMC/NIT/D-1528

Dated: 27/12/2019

**AUCTION NOTICE**

Bids are invited on behalf of Commissioner, SDMC from eligible bidders for allotment of advertisement rights through **Facade Screen Display/Branding on Car Parking Towers at Automated Multilevel Car Parking, Green Park, South Zone** for allotment of advertisement rights under the jurisdiction of SDMC on monthly license fee basis in two bid system (Technical and Financial), for a period of **three years** and further extendable to another period of two years subject to satisfactory performance of the firm and as decided by the Commissioner SDMC. The facade screen display shall be awarded to the successful H-'1' bidder/bidders for display of advertisement of sites at designated site as mentioned in **Annexure "1"** of the auction document.

The eligible bidder may submit their bid containing the auction documents duly signed on each page along with requisite Earnest Money Deposit and requisite auction fee and other documents as mentioned in the auction document. This Auction document contains 41 pages.

Prospective bidders are advised to regularly scan through SDMC website as corrigendum/amendments/clarification/reply to pre-bid query (if any), will be notified on the official website and no separate advertisement/communication in any other form will be made for this purpose. Any bid not accompanied with the auction fee and EMD shall be summarily rejected.

**Commercial Officer (Advtt)**

Commercial Officer  
Advertisement Department / SDMC  
25th Floor, Civic Centre, Minto Road  
New Delhi-110002

**SCHEDULE/DATA SHEET FOR E-AUCTION FOR REGULAR ALLOTMENT OF ADVERTISEMENT RIGHTS THROUGH FACADE SCREEN DISPLAY/BRANINDG ON CAR PARKING TOWERS AT AUTOMATED MULTILEVEL CAR PARKING GREEN PARK, SOUTH ZONE UNDER THE JURISDICTION OF SOUTH DELHI MUNICIPAL CORPORATION ON PAYMENT OF ADVANCE MONTHLY LICENSE FEE BASIS.**

1.	Reserve Price.	Mentioned under the Clause No.3 (Eligibility Criteria).
2.	Period of availability of application for e-auction/offer documents of SOUTH Delhi Municipal Corporation website	From- 27.12.2019 at 11:00 hrs To - 31.12.2019 up to 16:00 hrs
3.	Earnest Money Deposit.	The bidder shall deposit an EMD fixed for each of the Advertisement Cluster through RTGS/NEFT/e-payment.
4.	Pre-bid Meeting	On 30.12.2019 at 12:00 pm in the office of CO/Advtt., 25th Floor, Civic Centre.
5.	Last date for submission/uploading of documents online and online submission of EMD.	From- 27.12.2019 at 11:00 hrs To - 31.12.2019 upto 16:00 hrs
6.	Cost of offer document by SDMC.	Rs. 10,000/-
7.	Auction processing charges payable by successful bidder after completion of e-auction within 3 days.	0.95% of awarded value of one month for one time only, as per the final bid through e-auction.
8.	Date of E-auction bidding.	03.01.2020 from 11:00 hrs. to 16:00 hrs.
9.	Increment value (in Rs.)	Rs. 10,000/-
10.	List of documents to be uploaded on e-portal and hard copy of the same to be submitted to CO/Advtt., 25 <sup>th</sup> Floor, Dr. Shyama Prasad Mukherjee Civic Centre, New Delhi-110002 on 04.11.2019 latest by 15.00 hrs.	The bidder is required to upload/submit the copy of the required documents as per Terms & Conditions (T&C);  1. Documents to be uploaded/submitted as per Clause No.3 ( <b>Eligibility Criteria</b> ). 2. Documents to be uploaded/submitted as per Clause No.4 ( <b>Part-I, Technical Bid</b> )  * All documents must be duly signed and attached by bidders.  ** The bidders are required to submit original copy of the Affidavits (as applicable) as per the Auction Document as uploaded on the E-Auction website) to CO/Advtt., SDMC, on or before 31.12.2019 upto 6:00 PM.

Complete offer document is available on auction website of SOUTH DMC [www.tenderwizard.com/SOUTHDMC](http://www.tenderwizard.com/SOUTHDMC) or [www.mcdonline.gov.in](http://www.mcdonline.gov.in) and Corrigendum, if any, shall only be available on above websites.



## ELIGIBILITY CRITERIA, ESSENTIAL PRE-REQUISITES AND TERMS & CONDITIONS

### **1. Criteria for participation:**

Sole Proprietorship Firm, Partnership Firm, Registered Society/Registered Co-operative Society, Public Limited Company or a Private Limited Company, against whom no dues are pending either from erstwhile MCD or from SDMC as on date and has not been blacklisted either by erstwhile MCD or by SDMC/NDMC/EDMC, Central/State Govt. departments, Ministry, Autonomous body ,PSUs as on bid submission date, subject to fulfilling the eligibility criteria given in the Auction documents eligible to submit bid for allotment of Advertisement rights through designated Site/site(s) in South Zone, under the jurisdiction of SDMC as mentioned in **Annexure '1'**. The firm shall get itself registered with the Advertisement Department SDMC in appropriate category by submitting the requisite document and fulfilment of other necessary formalities as per registration guidelines (if not registered already) within twelve working days after issuance of offer letter. **The bidder/s shall bid for any or all of the clusters/sites as per his Annual Average Financial Turnover and net worth as mentioned under Clause '3' of auction document.**

**Note :- The Bidder must be eligible for registration in the appropriate category on the last date and time of submission of bid for the Auction .**

### **2. Site Details:**

Details of Facade Screen Display/Branding on Car Parking Towers at Automated Car Parking Green Park, South Zone with MRP (**Minimum Reserve Price**) and EMD is specified in **Clause No.3 (e) & Annexure '1'**.

#### **Important Note:-**

- A.** All the bidders are advised to visit all the locations/clusters and make assessments of revenue potential of before bidding. No claim shall be entertained after bid submission regarding feasibility of site/s in terms of display or any other claims. The details of advertisement site is mentioned in **Annexure "1"**.
- (i)** Any violation of OAP 2017 or the policy in force at that time shall invite penalties which may include immediate cancellation of the contract with forfeiture of security deposit/Performance Guarantee including Advance MLF.
- B.** The department shall not be responsible, in case the advertiser fails to install/erect the advertisement through facade screen display at automated car parking green park, South Zone within the prescribed period and no relaxation in the MLF shall be granted in these circumstances.
- C.** There will be 10% increase on awarded MLF from commencement of 3<sup>rd</sup> year of contract and there also will be 10% increase on every year during the extended period i.e. 4<sup>th</sup> & 5<sup>th</sup> year, if extended by the Commissioner SDMC.
- D.** The successful bidder shall incur all expenses related to installation, erection, fabrication, electrical installation of the media and structural design of facade screen display/branding on Car Parking at automated car parking green park, South Zone.
- E.** On completion of the contract period or its pre-determination for any reason whatsoever, including surrender by the advertiser, the structure of the device(s) i.e. advertisement panels shall become the property of South DMC. The advertiser shall hand over all the vacant structures/panels to the department in good condition.
- F.** The allottee shall mandatorily install an LED Screen (Without Video & Audio) of 20 square meters each on both the Towers without extra charges. Further, the allottee can increase LED Screen upto 50 Sqm. on each Tower, subject to depositing of 1.5 times advance payment of MLF and after approval of the Department.
- G.** The LED display area shall be installed strictly parallel to the road (not facing traffic head-on) without video & audio.



H. The license fee for the unconstructed Tower-A may be paid from the actual date of display on pro-rata basis, if the construction work is completed within three months. In the event, if the construction work does not get complete within the prescribed time, the Department may call a fresh auction for Tower-A at its discretion and the allottee shall only be liable to pay the license fee for the advertisement area of Tower-B. However, the security amount may be submitted for the entire advertisement area as per the earlier approved clause.

### 3. Eligibility Criteria

- The bidder should be in Advertisement business at least for one year. The date of determination would be the last date of submission of bid. The work order/copy of agreement for advertisement work either executed or in progress should be submitted along with the bid.
- The current no dues certificate/Performance report issued by the concerned organization who have issued the work order/award letter to the bidder should also be submitted.
- Current No dues certificate issued under the signature of CO/AC, Advertisement Department, SDMC.
- The bidder should not have made any losses in the last three financial years. **The net worth of the bidder during last financial year should be minimum 25% of the annual MRP (Minimum Reserve Price) of the advertisement facade screen display/branding Car Parking Tower at Automated Car Parking, Green Park, South Zone for which the bid is submitted by the bidder.** The minimum net worth and MRP for each cluster are calculated as mentioned below in the tables. The net worth of the company should be duly certified by a Chartered Accountant. The last financial year net worth shall be considered i.e. net worth as on **31.03.2019**.
- The Minimum annual average financial turnover of the bidder during the last three financial years must be as follows:

**MINIMUM ANNUAL AVERAGE FINANCIAL TURNOVER OF ADVERTISEMENT THROUGH FACADE SCREEN DISPLAY/BRANDING ON CAR PARKING TOWERS AT AUTOMATED MULTILEVEL CAR PARKING, GREEN PARK, SOUTH ZONE UNDER SDMC IS MENTIONED BELOW:-**

**TABLE-1 :- SITE CLUSTERS**

S.No.	Name of Display	Number of Sites/details of display.	MRP (INR)	EMD (INR)	Minimum Average Annual financial turnover (INR)	Minimum Net Worth (INR)
1.	Facade Screen Display/ Branding on Car Parking Towers at Automated Multilevel Car Parking, Green Park, South Zone Tower-A : 5100 sqft Tower-B : 6200 sqft	Facade Screen Display/ Branding on Car Parking Towers <u>Tower - A</u> (under construction; likely to be completed within two months or before) : (Elevation FTC from AIIMS and front Elevation) &	28,25,000/-	30,51,000/-	3,39,00,000/-	84,75,000/-

Commercial Officer  
Advertisement Department / SDMC  
25th Floor, Civic Centre, Minto Road  
New Delhi-110002



		&				
		<b>Tower-B</b> :				
		(Elevation FTC from Mehrauli and Front Elevation)				

Note:-1.

The financial turnover of the bidder has to be from any legal business activity. The turnover of the bidder shall be ascertained from the following documents which the bidder is required to submit along with his bid:

- (i) Profit & Loss account statement of the bidder for the preceding three financial years showing the annual turnover duly certified by a Chartered Accountant; (FY 2016-17 onwards)
  - (ii) Audited Balance sheet of the bidder for the preceding three financial years showing the annual turnover duly certified by a Chartered Accountant; (FY 2016-17 onwards)
  - (iii) Complete copy of income Tax Returns, showing the bank account number of the bidder for the preceding three financial years; (FY 2016-17 onwards)
  - (iv) Details of bank account (as reflected in the I.T. Returns) with bank statement of the bidder for the last 12 months.
- f. Any bidder or Director/Partner/proprietor of any firm who have been /is associated in any manner with a Firm/Company/Organization, who has not cleared past dues, if any, of SDMC/erstwhile MCD and has been black-listed by either erstwhile MCD or SDMC/NDMC/EDMC, or any Govt. organization/Ministry/PSUs Autonomous Body shall not be eligible to participate in the auction and such participation will be rejected, summarily.

The bidder need to submit an Affidavit in this regard clearly mentioning that all the directors/partners or proprietor are/is/were/was not associated to any firm/company/organization in any manner who have not cleared past dues of SDMC/Erstwhile MCD or also not associated in past and present to the firm/company/organization in any manner who has been black-listed by either erstwhile MCD or SDMC/NDMC/EDMC, or any Govt. organization/Ministry /PSUs Autonomous Body.

#### 4. Documents to be submitted with auction form:-

##### Part-I, Technical Bid:

The Technical bid application should be super-scribing '**Part I -Technical Bid**' - "**Auction for allotment of advertisement rights through facade screen display/brading on Car Paring Towers at Automated Multilevel Car Parking Green Park, South Zone under the jurisdiction of SDMC**". The Bidder shall be required to submit following certificates/undertakings and documents in the technical bid:-

- a) Complete auction document, each page duly signed by the authorized signatory.
- b) Bid Application in Format given at '**Annexure-2**'.
- c) Power of Attorney in the name of the Authorized Signatory in Format given at '**Annexure-3**'.
- d) The auction documents may be downloaded through SDMC's website [www.mcdonline.gov.in](http://www.mcdonline.gov.in), and payment of requisite auction Fee of Rs.10,000/- (Rupees Ten Thousand Only) for participation in the e-auction, shall be deposited through NEFT/RTGS/e-payment as per link provided on the website. The self attested (duly stamped) scanned copy of UTR Number along-with challan of the transaction shall be submitted with the bid document.
- e) No Dues Certificate issued by SDMC under the signature of CO/AC Advertisement, SDMC.
- f) Basic information of bidder as per '**Annexure-4**'.
- g) Requisite Earnest Money of each Cluster/s shall be deposited through NEFT/RTGS/e-payment as per link provided on the website. The self attested (duly stamped) scanned copy of UTR



Number along-with challan of the transaction shall be submitted with the bid document, as mentioned above.

- h) Document in accordance with the eligibility criteria mentioned at Para No. 3 shall be the part of technical bid.
- i) Terms and conditions as per '**Annexure-7**' duly signed and under the seal of Sole Proprietorship firm, Partnership firm, Registered Society/Registered Co-operative Society, Public Limited Company or a Private Limited Company.
- j) Accepted specifications of **Facade Screen display/branding at Car Parking Towers at Automated Multilevel Car Parking, Green Park, South Zone** as per '**Annexure-8**'.
- k) The bidder should also submit the duly filled and signed Performa of eligibility criteria as per the annexed Performa at **Annexure-9**.
- l) The bidder should submit an affidavit on non judicial stamp paper of Rs. 100/- duly notarized as per the clause 3 sub clause (f) of auction document as per the Performa annexed at **Annexure-10**.
- m) The bidder should submit an index duly signed by the authorized signatory showing all the documents attached in the technical bid with their page numbers as per Performa annexed at **Annexure-11**.
- n) During opening of the Technical Bid, the Bids found to be not accompanied with auction "Fee and requisite EMD Cost as specified above under clause-3, shall be summarily rejected.

**Note:** - It is important to mention here that, the Department shall not consider the cost of Site of any unique design submitted by the bidder and H-1 bidder (successful bidder for each cluster) shall be strictly decided on the basis of the highest quoted amount irrespective of cost of the unique design of Site.

#### **Part-II, Financial Bid:**

Bidder(s)/firm(s), who qualify in the technical evaluation process as per the requisite eligibility criteria, shall be allowed to participate in the e-auction process.

**Note 1:-** In case the bid /bids are not made for designed site/sites out of the **advertisement Facade Screen Display/Branding at Car Parking Towers at Automated Multilevel Car Parking, Green Park, South Zone** as mentioned in the auction document, the same shall be summarily rejected.

#### **5. Pre-Bid Meeting**

- 1) SDMC shall hold a pre-bid meeting with the prospective bidders on date & time and at Address of the Venue mentioned in the NIT.
- 2) The Bidders will have to ensure that their queries for Pre-Bid meeting should reach at the address mentioned in the NIT by post, or e-mail on or before Date & time specified in the NIT.

#### **6. Response to Pre-Bid Queries and Issue of Corrigendum**

- 1) At any time prior to the last date for receipt of bids, SDMC may, for any reason, whether on its own volition or in response to a clarification requested by a prospective Bidder, modify the auction document by way of corrigendum.
- 2) Prospective bidders are advised to regularly visit SDMC website as corrigendum/amendments/clarification/reply to pre-bid query (if any), will be notified on the official website and no separate advertisement/communication in any other form will be made for this purpose.
- 3) Any such corrigendum shall be deemed to be incorporated into this auction document.
- 4) In order to afford prospective Bidders reasonable time in which to take the corrigendum into account in preparing their bids, SDMC may, at its discretion, extend the last date for the

Commercial Officer  
Advertisement Department / SDMC  
25th Floor, Civic Centre, Minto Road  
New Delhi-110002



receipt of bids.

- 5) For any query from applicant, SDMC reserves the right not to offer clarification on any issue raised in a query. No extension of any dead line will be granted on this account that SDMC has not provided clarifications.

#### **7. Bid Submission Instructions:**

- a) The bidders may follow the instructions as per the website [www.tenderwizard.com/South DMC](http://www.tenderwizard.com/SouthDMC)
- b) The duly filled bid documents should be submitted on or before the due date and time. In case the due date is declared a holiday then due date will be next working day on same time.
- c) Auction form should be clearly filled up giving full name and address of the party and in English Language only. All correspondences and other documents pertaining to the contract, which are exchanged between the parties, shall be written in English.
- d) The bid document, including the documents/certificates/undertakings etc. (all pages) must be signed and paged/page numbered by the authorized signatory of the bidder.
- e) The Bidder is expected to carefully examine all the instructions, guidelines, terms and conditions and formats of the auction in his own interest. Failure to furnish all the necessary information as required or submission of a bid not substantially responsive to all the requirements of the auction shall be at Bidder's own risk and may be liable for rejection.

#### **8. Rejection of Bids:**

SDMC reserves the right to reject any/all bids without assigning any reason thereof and without incurring any liability to the affected bidder(s) or any obligation to inform the affected bidder(s) of the grounds for such decision. The SDMC may at its sole discretion and at any time during the evaluation of proposal, disqualify any Bidder on any of the following grounds:

- (i) If he has made misleading or false representations in the auction document submitted by him.
- (ii) If he has any pending dues with erstwhile MCD or SDMC.
- (iii) Any bidder who has been blacklisted by MCD or SDMC/NDMC/EDMC or any Govt. organization/Ministry/PSUs/Autonomous body due to any reason.
- (iv) Any bidder who is found to have any interest in the disqualified/blacklisted agency /person/company for which the decision of the SDMC shall be final and binding on all the parties.
- (v) Tries to influence the auction process through direct contact with any official involved in the auction process or through manipulative news reports against any competing bidder/ complaints against competing bidders from known or unknown sources.
- (vi) Absence or omission of any document as required as per the auction documents, the concerned bidder shall be declared as not eligible and in that eventuality their financial bid shall not be considered.
- (vii) Fails to provide clarifications with supporting documents related there to within reasonable time, when sought by SDMC while technical scrutiny.
- (viii) Any delay in receipt of auction documents through registered post/Speed post/ courier shall render the auction invalid. Telegraphic/fax/e-mail auction etc. shall be summarily rejected. Decision of SDMC in this regard shall be final and binding upon.
- (ix) Information relating to the examination, clarification and comparison of the Proposals shall not be disclosed to any bidder or any other persons not officially concerned with such process until the selection process is over. If any of bidder found indulged in such activity, then the bid of such bidder shall be summarily rejected and other legal actions shall be taken as per law.



- (x) The Technical Bid proposal should not include any financial bid information. A Technical Bid proposal containing any financial bid information shall be summarily rejected.
- (xi) Any superfluous document(s) not related to the mandatory criteria in company profile shall not be taken into account and no weight-age shall be given and shall result in summary rejection of bids. All participating bidders are clearly instructed to attach documents which are relevant to the scope of work/mandatory criteria as specified in the auction document and not any other document.
- (xii) Any bidder found indulging in malicious campaign or disinformation campaign or personal character assassination/vilification against any official of the SDMC or any other bidders either directly or through third parties, at any time after publication of the NIT, shall be liable for rejection of bids and other legal actions as per law. Such bidders may also be blacklisted by the Municipal Corporation.
- (xiii) Any interlineations, erasures, over-writing, additions, etc. will disqualify the Auction. Only cutting(s) will be allowed, subject to such cutting(s) are duly signed by the authorized signatory.

#### **9. Opening of Auction :**

- a. Auction shall be live at the date and time specified in the Data Sheet. In case Auction opening date is declared HOLIDAY, Auction shall be live and opened on next working day at the same time specified in the Data Sheet.
- b. **Auction processing charges:** One time auction processing charges @ 0.95% of the awarded value of one month for one time only, as per the final bid shall payable by the successful bidder(s) (H-1 bidder) of the respective cluster (s) within the 3 days after completion of auction.

#### **10. Bid Evaluation:**

##### **a. Technical Bid Evaluation**

Responsiveness of bids submitted by all the Bidders shall at first be examined with respect to Bid application, earnest money and auction fee, immediately after opening of the bids. Technical bids of all the responsive bidders shall be evaluated as per criteria given in Para 3 (Eligibility criteria) & Clause-4 above. All the technically qualified bidders shall be intimated by the Advertisement department/SDMC for opening of financial bid.

##### **b. Qualification for Auctioning :**

The selection will be on the basis of the highest monthly License fee (H-1) quoted by the bidder for the designated advertisement site as mentioned in the **Annexure '1'** under the jurisdiction of SDMC.

#### **11. Acceptance of Auction /Bid:**

- a. The validity of the offer given by the bidder shall be for 180 days from the date of submission of bid and the same cannot be withdrawn by the bidder before the expiry of validity period, otherwise EMD shall be forfeited and the bidder shall be blacklisted for future auctions for two consecutive years.
- b. The offer/bid made by the bidder shall be subject to acceptance by the competent authority, SDMC or any other officer authorized/designated by the competent authority.
- c. ADVERTISEMENT RIGHT may be given to the highest bidder (at the discretion of the competent authority) only after acceptance of offer letter, completion of all the requisite formalities etc, even if there is valid single bidder. The decision of SDMC in this regard shall be binding and final on the all the bidders.



## **12. Conflict of Interest**

Applicants shall not have a conflict of interest (the "Conflict of Interest") that affects the auction process. Any Applicant found to have a Conflict of Interest will be disqualified. An Applicant may be considered having a Conflict of Interest that affects the auction Process, if:

- (a) Such Applicant (or any constituent thereof) and any other Applicant (or any constituent thereof) have common controlling shareholders or other ownership interest, direct or indirect shareholding in an Applicant or a constituent thereof in the other Applicant(s) (or any of its constituents); or
- (b) A constituent of such Applicant is also a constituent of another Applicant; or
- (c) Such Applicant receives or has received any direct or indirect subsidy from any other Applicant, or has provided any such subsidy to any other Applicant; or
- (d) Such Applicant has the same authorized representative for purposes of this Proposal as any other Applicant; or
- (e) Such Applicant has a relationship with another Applicant, directly or through common third parties, that puts them in a position to have access to each other's information about, or to influence the Proposal of either or each of the other Applicant; or such Applicant has participated as a consultant to SDMC in the preparation of any documents, design or technical specifications of the Project.

## **13. Offer letter:**

The bid submitted by the H-1 bidder shall be subject to acceptance by the Commissioner, SDMC or any other officer/authority, authorized by him and accordingly the department shall issue offer letter to the H-1 bidder for each cluster/s. The offer once accepted, shall be final and binding upon the firm. The agency shall be liable to complete all the requisite formalities (including but not limited to deposition of security deposit/performance guarantee, 2 months advance MLF). Undertaking by way of affidavit on a stamp paper of Rs 100/- duly notarized to the effect as per '**Annexure-5**' and the firm must get registered in the appropriate category in the advertisement department, SDMC (in case, the firm is not already registered in SDMC in appropriate class) as specified in offer letter, within **Twelve working days** of issue of the offer letter. Only in exceptional circumstances, the department may consider the request of the advertiser/H-1 bidder for increase in number of days for completion of all the requisite formalities subject to approval by Commissioner SDMC.

In case of non fulfillment of formalities of offer letter given to H-1 bidder within the prescribed time, EMD shall be forfeited and the firm may be debarred from participating in upcoming auction(s) of Advertisement Department, SDMC for two consecutive years. However, the decision of Commissioner, SDMC or any other officer authorised by him in this regard shall be final and binding.

## **14. Agreement:**

After successful completion of all the requisite formalities as mentioned in the offer letter, the 'H-1 bidder' (successful bidder of each cluster/s), shall be liable to enter into an agreement with SDMC prior to issuance of allotment letter and within next **two working days** i.e. fourteen working days after issue of offer letter, failing which the earnest money, Advance MLF, Security deposited shall be forfeited and offer so issued by the SDMC can be cancelled at the prerogative of SDMC. Further the 'H-1 bidder' (successful bidder of each cluster) shall liable to be blacklisted & in such an event the registration shall also be cancelled. The agreement is to be executed on a non-judicial stamp paper of Rs. 100/- duly attested by Notary which is to be purchased and provided by the bidder. Agreement



format shall be provided by the department along with offer letter and the agreement shall be subject to the provisions contained in the NIT/Auction documents and Act/Rules/Regulations/Bye-laws, as in force from time to time. The decision of the competent authority in SDMC shall be final and binding on any issue arising out of the Agreement. Any supplementary agreement may be entered on need or circumstantial basis as per the requirements of SDMC and as per the requirement of Auction Conditions. The decision to this effect to be taken by the Commissioner, SDMC shall be final and binding. The bid documents (bid application, technical bid, financial bid, if any) submitted by the bidder, reply to pre-bid query, if any, addendum, etc. shall form part of the agreement.

*The Stamp Duty, if levied by Govt. on such contracts, the same shall be required to be registered at nominated registrar's office and amount of Stamp Duty is to be paid/borne by the Contractor.*

**15. Allotment letter:**

The SDMC shall issue an allotment letter to the successful bidder after execution of agreement by the successful bidder of each cluster with the SDMC.

**16. Earnest Money Deposit / Security Deposit / Bank Guarantee/ Advance Monthly Quarterly License Fee/Performance Guarantee**

**(i) Earnest Money Deposit:**

The bidder shall have to deposit Earnest money deposit as mentioned in the clause No. 3 (e) shall be deposited through NEFT/RTGS/e-payment as per link provided on the website. The self attested (duly stamped) scanned copy of UTR Number along-with challan of the transaction shall be submitted with the bid document, as mentioned above the EMD (Earnest Money Deposit) for the site shall be of amount as mentioned in **Clause-3**, along with the bid. Bid submitted without the earnest money deposit shall be summarily rejected. The earnest money deposit of unsuccessful bidders shall be refunded on written request of the bidder or as the competent authority may deemed fit in this regard.

However, the Earnest Money Deposit can be forfeited on account of any of the following reasons:

- (a) If the successful bidder (H-1 Bidder) does not accept the offer of allotment within twelve working days of issue of **offer letter** or if the bidder withdraws the proposal during the validity period specified in auction.
- (b) If the bidder does not respond to the clarification sought by the Department in respect of the proposal,
- (c) If the bidder fails to provide required information during the evaluation process,
- (d) If the bidder resorts to malpractices with an ulterior motive to affect the chances of rival bidders which includes cartelization/sudden complaints/malicious newspaper reporting about competing bidders, when the auction has been published.
- (e) If he has made misleading or false representations in the auction document submitted by him in the auction.

**(ii) Security Deposit:**

A Bank Draft/Pay Order/Bankers Cheque/Bank Guarantee in favour of Commissioner, SDMC by a Scheduled/Nationalized Bank for an amount equivalent to the **2 (Two) times of the Monthly License Fee (MLF)** of the advertisement Site has to be deposited within twelve working days after issue of offer letter to successful highest bidder. However, in the event of deposition of security deposit by way of Bank Guarantee the period of the same shall be for the entire contract period plus 3 months i.e. for 39 months. The EMD may be adjustable in the Security deposit or in advance license fee.



The security deposit submitted through Bank Guarantee will be refunded only after successful completion of contract or on acceptance of surrender. However, in case the security deposit is submitted through demand draft/pay order/bankers cheque, the same shall be refundable or adjustable as per the request of advertiser against the dues liability of the other cluster/sites of the same advertiser, within SDMC or will be refunded to the allottee after successful completion of contract period subject to deductions/forfeiture which may be applicable on account of non-performance, as the case may be. The decision of the competent authority, in this regard, shall be final and binding upon all.

The security deposit/EMD any deposit including MLF deposited by the contractor/Licensee will not carry any interest in any case or circumstances whatsoever.

**(iii) Advance Bi-Monthly MLF Payment:**

Initially Two Month advance license fees (**MLF as quoted by the H-1 bidder**) shall be payable by the H-1 bidder (successful bidder) within **Twelve working days** from the issuance of offer letter and the date of commencement of contract/date of start of MLF shall be the immediate next date after completion of incubation period or date of start of display of advertisement, whichever is earlier for each cluster separately. The contractor shall deposit license fees of two months in advance through demand draft/pay order for the succeeding bi-months, in the last day of the preceding bi-months. i.e. after depositing advance MLF for the first bi-months ( for eg. If date of start of MLF shall be 10 Jan to 09 March, then the advertiser shall be liable to deposit advance MLF for the next bi-months (March-April) latest by 09 March. In case the last day of the quarter being a holiday, the working day preceding the holiday(s) shall be treated as last day for deposition of the license fees.

**17. Interest on delay payment:**

In case of failure on part of contractor to deposit the two months advance license fee in time i.e. in the last day of the preceding bi-months (due date), interest @ 24 % per annum will be levied from the due date of deposit for complete bi-months. In case of delay for even one day, the interest shall be payable for complete month i.e. @ 2% per month. In case license fee is not paid **within seven days** after the due date, South DMC will be at liberty to take further action including proceeding for cancellation of contract/Black listing of firm/recovery of dues under the prevalent laws & DMC-Act and for forfeiture of security deposit, etc.

**18. Responsibility of the auctioneer/bidder/applicant before offering bid.**

- (i) The bidder shall inspect the advertisement site as per **Annexure "1"** of auction document and may obtain necessary clarification, if any, regarding the same to his full satisfaction before offering the bid of the same. The bidder shall acquaint himself of all the local conditions and the advertisement potential site before offering the bid of the same.
- (ii) The bidder should bid the amount by considering the potential of the site and South DMC will not be responsible for any decline in the potential of revenue of the site for any reason whatsoever. Any claim for remission on the basis of harm to business interest on extraneous/ unforeseen conditions/ reasons whatsoever shall be summarily rejected by the South DMC without any kind of response to the contractor and the contractor shall not be entitled to make any claim/remission on that account, except the circumstances as mentioned in clause 30 of **Annexure '7'** of auction document and **Clause 2** of main auction document. The fees remission shall be restricted to the proportionate MLF of the



