

**Request for Proposal for Selection of Fare Collection Service Agencies  
Amendment No.1 dated February 08, 2013 to RFP Document dated January 21, 2013**

Sr. No.	Reference Clause/Para	Change
<b>A</b>	<b>Part I: Instructions To Bidders</b>	
1	New Clause, Page 16	<p>Add New Clause</p> <p>“</p> <p>2.12.7 A Bidder shall not have a conflict of interest (the “Conflict of Interest”) that affects the Bidding Process. Any Bidder found to have a Conflict of Interest shall be disqualified. In the event of disqualification, DIMTS shall forfeit and appropriate the Bid Security or Performance Security, as the case may be, as mutually agreed genuine pre-estimated compensation and damages payable to DIMTS for, inter alia, the time, cost and effort of DIMTS, including consideration of such Bidder’s Proposal, without prejudice to any other right or remedy that may be available to DIMTS hereunder or otherwise. Without limiting the generality of the foregoing, a Bidder shall be considered to have a Conflict of Interest that affects the Bidding Process, if:</p> <ul style="list-style-type: none"> <li>(i) such Bidder, or any constituent thereof, and any other Bidder or any constituent thereof have common controlling shareholders or other common ownership interest by any third party, whether direct or indirect, or such Bidder or any constituent thereof is holding paid up capital, directly or indirectly, in other Bidder or any constituent thereof. Provided that this disqualification shall not apply (a) in case of common controlling shareholding or other common ownership interest by any third party, if such shareholding or ownership interest in one of the Bidders is less than 5% of its paid up and subscribed capital, or (b) in case of the direct or indirect shareholding in a Bidder by the other Bidder on any constituent thereof if such shareholding is less than 5% of that other Bidder’s paid up and subscribed capital; or</li> <li>(ii) a constituent of such Bidder is also a constituent of another Bidder; or</li> <li>(iii) such Bidder receives or has received any direct or indirect subsidy from any other Bidder, or has provided any such subsidy to any other Bidder; or</li> <li>(iv) such Bidder has the same legal representative for purposes of this Proposal as any other Bidder; or</li> <li>(v) such Bidder has a relationship with another Bidder, directly or through common third parties, that puts them in a position to have access to each</li> </ul>

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		others' information about, or to influence the Proposal of either or each of the other Bidder; or (vi) such Bidder is engaged by the Concessionaire(s) for providing services envisaged under the Cluster Scheme”
2	Para 3.6.3, Page 25	In the Table, replace “50,0000” with “50,000” and “40,0000” with “40,000” against Sr. No. 1 (b) and Sr. No. 1 (c) respectively in Criteria column.
3	Para 3.6.3, Page 26	In the Table, replace “(i.e. from Financial Year (FY) 2010-11 to FY 2012-13)” with (i.e. from Financial Year (FY) 2009-10 to FY 2011-12)” in Sr. No. 2.
4	Appendix 1, Page 31 <b>Proposal Due Date &amp; Opening of Technical Submissions</b>	Proposal Due Date revised to <b>February 14, 2013 by 1500 Hrs IST</b> Opening of Technical Submissions changed to <b>February 14, 2013 by 1530 Hrs IST</b>
5	Appendix 2, Para 7, Page 32 and 33	Add new sub para “(d) I/ We do not have any conflict of interest in accordance with Clause 2.12.7 of the RFP Document.”
6	Appendix 6 A , Page 40	Replace “(i.e. from Financial Year (FY) 2010-11 to FY 2012-13)” with (i.e. from Financial Year (FY) 2009-10 to FY 2011-12)” in the Table.
7	Appendix 8 A, Page 44	Amended Format of Break-up of Price Proposal is attached as Annexure - 1 to this amendment
<b>B</b>	<b>Part II: Draft Fare Collection Services Agreement</b>	
1	Clause 1.1, definitions, sub para (d), Page 51	After “Workman Compensation Act” add “ The Motor Transport Workers Act, 1961” at the end of the para
2	Article 8, Page 59, Table	Replace “100” with “150” in Milestone column second row
3	Schedule 1, Para 7, Page 70	Added at the end of the para “Minimum specifications for uniforms shall be as follows: <ul style="list-style-type: none"> <li>• Fabric – Poly viscous blend 65 * 35</li> <li>• Colour/shade – Gray shade</li> <li>• Striped shirt and plain dark trousers</li> <li>• Name plate – in Hindi and affixed above left pocket on the shirt</li> <li>• Quality of fabric – acceptable to DIMTS”</li> </ul>
4	Schedule 2, Para 2.1, Page 74	Replace “Indian Court Record Check” with “City of domicile’s Court Record Check”
5	Schedule 3, Page 76	Refer Sr.No. A (7) above for Fee calculations and payment mechanism

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Annexure -1

**Appendix 8A: Format of Break- Up of Price Proposal**

Sr. No.	Description	Cost Per Bus Per Shift Per Day (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 <sup>(1)</sup>	Rs. 308
B	ESI contribution by the Agency <sup>(2)</sup>	@ 4.75 % of A = Rs. 14.63
C	PF contribution by Agency @ 12% of Rs. 6,500/- plus service charge @ 1.61% of PF <sup>(3)</sup>	@ (12% +1.61%*12%) of Rs. 6,500/26 days= Rs. 30.48
D	Statutory Bonus <sup>(4)</sup> (Weighted average value for all Personnel) equal to (8.33% * Rs. 3,500 per month)/26 days	Rs. 11.21
E	Annual Leave with Wages <sup>(5)</sup> (15 days per year)	=15/(365-52-3-15) * A= Rs.15.66
F	Gratuity <sup>(6)</sup>	4.81% of A = Rs. 14.81
<b>G</b>	<b>Total (A+B+C+D+E+F)</b>	<b>Rs. 394.80</b>
H	Management Fee and Overheads <sup>(7)</sup>	To be Quoted by the Bidder (As Percentage of G) (upto one (1) decimal place i.e. XX.X% of G)
I	Fees payable to Agency <b>On Per Day Per Shift Per Bus Basis</b> (the "Bid Criteria")	G*(1+H/100) = I (Refer illustration in Note 8)

Note :

- (1) The Applicable minimum wage rate 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/doit\\_labour/Labour/Home/Minimum+Wages](http://www.delhi.gov.in/wps/wcm/connect/doit_labour/Labour/Home/Minimum+Wages). As on date of bidding, the latest notification is dated October 08, 2012.
- (2) Employees State Insurance Act, 1948 shall be applicable for ESI contribution to Agency's Personnel.
- (3) 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 subject to revision on account of any change in aforesaid amount of Rs. 6,500/- under the provisions of EPF Act 1952.
- (4) Statutory Bonus as per the Payment of Bonus Act, 1965. The Agency shall submit details of bonus amount due and payable alongwith details of eligible beneficiaries (employees) by 30<sup>th</sup> June every year to DIMTS and after undertaking necessary due diligence DIMTS shall make payment by 30<sup>th</sup> September every year. For the final year of the contract (1<sup>st</sup> 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.
- (5) Annual Leave with Wages as per the Motor Transport Workers Act, 1961
- (6) Gratuity to as per the Payment of Gratuity Act, 1972. The premium towards the Gratuity policy shall be paid to the Agency as reimbursement.
- (7) The Management Fee and Overheads shall include the following :

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- a) Cost of Third Party Verification
  - b) Necessary insurance cover for Personnel / losses in terms of good industry practices
  - c) Supervisors required for management of FCS Personnel. Minimum number of supervisors shall be as follows :
    - o Upto 100 Buses : 4 supervisors
    - o For each additional 50 Buses : 2 additional supervisors
  - d) Uniform for the Personnel
  - e) All other overheads costs, management fees, profits etc.
- (8)  $G*(1+H/100) = I$
- a) Let  $G = 394.80$
  - b) Let  $H = 11.1\%$
  - c) Therefore  $I = 394.8 * (1 + 11.1/100)$   
 $= 394.8 * (1.111)$   
 $= 438.6228$

**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 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
- 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 3<sup>rd</sup> day of the month.
- v.) Payments on account of provision of service on the national holidays, shall be paid at 100% additional Fees.
- vi.) Performance Adjustments and Recoveries
  - a) The performance standards and the default charges shall be in accordance with Schedule 4. 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.
  - b) 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.
  - c) 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. 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.

Signature of Bidder (With Stamp of the Bidder)

Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

\_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_