

**Global Invitation for  
Supply of CNG and Battery Powered  
Passenger Transport Vehicles**

**November 13, 2015**

**Assistance By**

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**Issued by**

Transport Department,  
Government of National Capital Territory of Delhi  
5/9, Under Hill Road, Delhi - 110054

The information contained in this Expression of Interest (“Eol”) Document, or subsequently provided, whether verbally or in documentary or in any other form, by or on behalf of Transport Department (“DoT”), Government of National Capital Territory of Delhi (GNCTD), or any of their employees or advisors, on the terms and conditions set out in this Eol Document and such other terms and conditions as DoT may prescribe in this behalf, has been prepared solely to assist prospective Applicants in making their decision on whether or not to submit an application.

This Eol Document is not an agreement and is not an offer or invitation by DoT, to any other party. As mentioned above, the purpose of this Eol Document is to provide the Applicant with information to assist in the formulation of their applications. This Eol Document does not purport to contain all the information each Applicant may require. This Eol Document may not be appropriate for all persons, and it is not possible for DoT, their employees or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses this Eol Document. Each Applicant should conduct its own investigations and analysis and should check the accuracy, reliability and completeness of the information in this Eol Document and where necessary, obtain independent advice from appropriate sources.

DoT, their employees and advisors make no representation or warranty and shall incur no liability under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment for any loss, damage, cost or expense which may arise from or be incurred or suffered on account of anything contained in this Eol Document or otherwise including the accuracy, reliability or completeness of the Eol Document or any assessment, assumption, statement or information contained therein or deemed to form part of the Eol Document or arising in any way at this stage of the Eol Process.

The designs, drawings, technical data and any other information, if provided in this Eol Document, is only indicative and DoT, their employees and advisors have not made, will not make and will not be deemed to have made any current or future representation, promise or warranty, express or implied, as to the accuracy, reliability or completeness of the information contained herein or in any document or information, whether written or oral, made available to an Applicant, whether or not the aforesaid parties know or should have known of any errors or omissions or were responsible for its inclusion in or omission from this Eol Document.

This Eol Document is provided for information purposes only and upon the express understanding that such parties will use it only for the purpose set forth above. It does not purport to be all-inclusive or contain all the information about the **Supply of CNG and Battery Powered Passenger Transport Vehicles** in relation to which it is being issued.

The information and statements made in this Eol Document have been made in good faith. Interested parties should rely on their own judgments in participating in the said Project. Any liability of any nature whatsoever whether resulting from negligence or otherwise howsoever caused arising from reliance of any Applicant upon the statements and information contained in this Eol Document is accordingly expressly disclaimed.

This Eol Document has not been filed or registered in any jurisdiction. Recipients of this document should inform themselves of and observe any applicable legal requirements. Information provided in this Eol Document to the Applicants is on a wide range of matters, some of which may depend upon interpretation of law. The information given is not an exhaustive account of statutory requirements and should not be regarded as a complete or

authoritative statement of law. DoT, their employees and advisors accept no responsibility for the accuracy or otherwise for any interpretation of law expressed herein.

DoT, may, in their absolute discretion, but without being under any obligation to do so, update, amend or supplement the information in this Eoi Document. Any change to the Eoi Document will be notified to all those who have purchased the Eoi Document and to those who have downloaded the Eoi Document from the website and have duly intimated this fact to DoT giving their particulars including address for communication by fax/post (Registered Applicant). No part of this Eoi Document and no part of any subsequent correspondence by DoT, their employees and advisors shall be taken either as providing legal, financial or other advice or as establishing a contract or contractual obligation. Contractual obligations would arise only if and when definitive agreements are approved and executed by the appropriate parties with DoT approving and entering into such agreements. DoT, reserves the right to reject all or any of the Application(s) submitted in response to this Eoi Document at any stage without assigning any reasons whatsoever and the issue of this Eoi Document does not imply that DoT is bound to select one or more Applicants.

All Applicants are responsible for all costs and expenses incurred by them when evaluating and responding to this Eoi Document in connection with or relating to or in making their Application including any negotiation or other costs incurred by the Applicant thereafter. All such costs and expenses will remain solely with the Applicant. DoT, their employees and advisors shall not be liable in any manner whatsoever for the same or for any other costs or expenses incurred by an Applicant towards preparation or submission of its Application, regardless of the conduct or outcome of the Eoi Process. DoT, may in its sole discretion proceed in the manner it deems appropriate which may include deviation from its expected evaluation process, the waiver of any requirements, and the request for additional information. Unsuccessful Applicants will have no claim whatsoever against DoT, their employees and advisors.

# Global Invitation Expression of Interest (Eol)

## Supply of CNG and Battery Powered Passenger Transport Vehicles

Transport Department (DoT), Government of National Capital Territory of Delhi desires to introduce about 2000 clean/alternative fuel based passenger transport vehicles in Delhi and invites Expression of Interest (Eol) from eligible national or international business entities for supply of clean/alternative fuel (CNG and Battery Powered) based Air Conditioned (AC) and Non-AC passenger transport vehicles for public transportation complete with associated equipment. Seating capacity of the passenger transport vehicles in accordance with Code of Practice for Bus Body Design and Approval, Automotive Industry Standards (AIS)-052 shall be (i) Category A: up to 12 seats, (ii) Category B: 13 to 22 seats, (iii) Category C: 23 to 34 seats, (iv) Category D :35 to 70 seats, (v) Category E: Single Deck Articulated Buses (>70 seats), (vi) Category F: Single Deck Double Articulated Bus (>70 seats).

Delhi Integrated Multi-modal Transit System Limited (DIMTS) is assisting DoT in the procurement of passenger vehicles.

The Eol Document can be obtained by post/courier upon a written request to DoT accompanied by the processing cost of the Eol Document. DoT will not be responsible for any delay, loss or non-receipt of the Eol Document(s) sent by post/courier.

Interested entities shall submit INR 1,00,000/- or USD 1540 (inclusive of service tax) towards Processing Fee in the form of demand draft (non-refundable) in favour of DIMTS, payable at Delhi, India. The Eol Document can also be downloaded from the following website(s): <http://www.dimts.in> and/or <http://transport.delhi.gov.in>. Parties may contact DIMTS on telephone at (0091) (11) 43090157. Parties using the downloaded document, should inform by e-mail at [eoigreenbus@dimts.in](mailto:eoigreenbus@dimts.in) and submit Processing Fee in the form of demand draft while submitting their Application.

All subsequent notifications, changes and amendments would be posted only on the website <http://www.dimts.in> and/or <http://transport.delhi.gov.in> **Last Date for Submission of Applications ("Application Due Date"):** January 15, 2016 up to 1700 Hrs IST

Transport Department  
Government of National Capital Territory of Delhi  
5/9, Under Hill Road, Delhi, India,  
PIN Code – 110054

CNG	:	Compressed Natural Gas
DIMTS	:	Delhi Integrated Multi Modal Transit System Limited
DoT	:	Transport Department, Government of National Capital Territory of Delhi
DTC	:	Delhi Transport Corporation
EoI	:	Expression of Interest
GNCTD	:	Government of National Capital Territory of Delhi
GNCTD	:	Government of National Capital Territory of Delhi
IDFC	:	Infrastructure Development Finance Company
LOA	:	Letter of Award
PTV	:	Passenger Transport Vehicle
SEBI	:	Securities and Exchange Board of India

## Table of Contents

<b>1.</b>	<b>INTRODUCTION.....</b>	<b>8</b>
1.1	Background.....	8
1.2	Brief Description of Process.....	8
1.3	Schedule of Eoi Process.....	9
1.4	Role of DIMTS .....	9
<b>2.</b>	<b>INSTRUCTIONS TO APPLICANTS .....</b>	<b>10</b>
<b>A.</b>	<b>GENERAL .....</b>	<b>10</b>
2.1	Scope of Application .....	10
2.2	Eligibility of Applicants .....	10
2.3	Number of EOIs and costs thereof .....	11
2.4	Verification of Information & Local Condition.....	11
2.5	Savings.....	11
2.6	Right to Accept or Reject Any or All Applications .....	11
<b>B.</b>	<b>DOCUMENTS.....</b>	<b>12</b>
2.7	Content of the EOI Document .....	12
2.8	Clarifications .....	12
2.9	Amendment of EOI Document .....	13
<b>C.</b>	<b>PREPARATION AND SUBMISSION OF PROPOSAL.....</b>	<b>13</b>
2.10	Language.....	13
2.11	Processing Fee.....	13
2.12	Format and Signing of Application .....	13
2.13	Sealing and Marking of Applications .....	14
2.14	Application Due Date .....	14
2.15	Late Applications .....	15
2.16	Confidentiality .....	15
2.17	Consultant(s) or Advisor(s) .....	15
<b>D.</b>	<b>ASSESSMENT PROCESS .....</b>	<b>15</b>
2.18	Clarifications .....	15
<b>3.</b>	<b>CRITERIA FOR ASSESSMENT .....</b>	<b>16</b>
3.1	Evaluation Parameters.....	16
3.2	Technical Capability.....	16
<b>4.</b>	<b>FRAUD AND CORRUPT PRACTICES .....</b>	<b>18</b>
<b>5.</b>	<b>CONFERENCE /MEETING.....</b>	<b>20</b>
<b>6.</b>	<b>MISCELLANEOUS .....</b>	<b>21</b>

**APPENDIX**

Appendix 1: Schedule of Eoi Process.....	22
Appendix 2: Format for Application.....	23
Appendix 3: Format for Details of Applicant.....	24
Appendix 4: Format of Power of Attorney for Signing of Application.....	25
Appendix 5: Technical Expectations.....	26
Appendix 6: Format for Technical Experience of Applicant.....	30
Appendix 7: Format of Present Contract Commitments / Work in Progress.....	31

## 1. INTRODUCTION

### 1.1 Background

1.1.1 In Delhi, about 6,000 Compressed Natural Gas (CNG) public transport vehicles are being operated by Delhi Transport Corporation (DTC) and Private Sector Operators. DoT desires to introduce about 2000 clean/alternative fuel / New Energy passenger transport vehicles in Delhi and invites Expression of Interest (Eoi) from eligible national or international business entities for supply of clean/alternative fuel/New Energy (CNG /CNG Hybrid, Battery Powered etc.) based Air Conditioned (AC) and Non-AC passenger transport vehicles for public transportation complete with associated equipment (the “**Project**”).

1.1.2 Seating capacity of the passenger vehicles shall be :

- (i) Category A: 8 to 12 seats,
- (ii) Category B: 13 to 22 seats,
- (iii) Category C: 23 to 34 seats,
- (iv) Category D: 35 to 70 seats,
- (v) Category E: Single Deck Articulated Bus (>70 seats), and
- (vi) Category F: Single Deck Double Articulated Bus (>70 seats)

(hereinafter referred to as “Passenger Transport Vehicles” or “PTVs”). It must be ensured that at the time of supply the PTVs conform to Code of Practice for Bus Body Design and Approval, Automotive Industry Standards (AIS)-052 and shall meet relevant provisions of the Motor Vehicles Act, 1988 and rules and regulations made thereunder, road safety norms, emission and other applicable standards as revised from time to time.

1.1.3 Delhi Integrated Multi-Modal Transit System Limited (DIMTS) is assisting DoT in the procurement of PTVs.

1.1.4 DoT invites Applications in terms of this Expression of Interest Document from eligible entities.

1.1.5 The technical expectations from the Project are set out in the **Appendix 5**.

### 1.2 Brief Description of Process

1.2.1 DoT intends to follow a two stage process for selection of suitable entity(ies) for the Project. The first stage of the process involves inviting expression of interest from interested parties (the “**Applicants**”).

1.2.2 At Eoi stage, Applicants would be required to furnish the information as specified in this Eoi Document.

- 1.2.3 This Eoi is for identifying potential technological options and identifying, to the extent possible, potential Bidders for the Project. DoT at its own and sole discretion retains the right to allow additional applications i.e. in addition to entities that respond to this Eoi, for procuring PTVs. Such decision shall be based on the nature and number of proposals received in response to this invitation for Eoi and in this regard the decision of DoT shall be final.
- 1.2.4 Based on the Applications received, an RFP Document is proposed to be prepared and issued for participation.
- 1.2.5 Further details of the process, including the schedule of bidding process, to be followed at the RFP Stage, will be spelt out in the RFP Document.

### 1.3 Schedule of Eoi Process

Schedule of Eoi Process is set out in **Appendix 1** to this Eoi Document.

### 1.4 Role of DIMTS

- 1.4.1 DIMTS, a joint venture of GNCTD and IDFC Foundation, is assisting DoT in procurement of PTVs.
- 1.4.2 Notwithstanding anything contained in this Eoi Document, DIMTS shall not, in any manner whatsoever and by any person (whether natural or legal) whomsoever, be held responsible/liable for any loss, damages, cost, expense or alleged prejudice which may arise from or be incurred or suffered on account of anything done or caused to be done, in good faith and with reasonable diligence, during performance of any of its obligations for and on behalf of DoT.

## 2. INSTRUCTIONS TO APPLICANTS

### A. GENERAL

#### 2.1 Scope of Application

- 2.1.1 DoT wishes to receive application evidencing interest for the Project from suitable entities in response to this EoI Document.
- 2.1.2 Applicants would be, subsequently, invited to submit their Proposals in respect of the Project in response to the RFP Document.
- 2.1.3 The documents including this EoI Document and all attached documents, provided by DoT are and shall remain the property of DoT and are transmitted to the Applicants solely for the purpose of preparation and the submission of EoI in accordance hereunder. Applicants are to treat all information as strictly confidential and shall not use it for any purpose other than for preparation and submission of their EoI. The provisions of this Clause shall also apply mutatis mutandis to EoIs and all other documents submitted by the interested entities, and DoT will not return to the Applicants any Application, document or any information provided along therewith.
- 2.1.4 Any condition or qualification or any other stipulation contained in the EoI not in conformity with this EoI Document shall render the EoI liable to rejection as a non-responsive EoI.

#### 2.2 Eligibility of Applicants

- 2.2.1 The Applicants eligible for participating in the EoI process shall be a Business Entity<sup>1</sup> or a Consortium comprising not more than three entities of whom at least one should be a Business Entity. Both are referred to as the "Applicant" or the "Applicants" as the case maybe in this EoI.
- 2.2.2 The Applicant should submit Power of Attorney as per the format at **Appendix 4**, authorising the signatory to the Application on behalf of the Applicant.
- 2.2.3 Notwithstanding anything stated elsewhere in these documents, DoT shall have the right to seek updated information from the Applicants to ensure their continued eligibility. Applicants shall provide evidence of their continued eligibility in a manner that is satisfactory to DoT. Applicants have been on notice that an Applicant may be disqualified if it is determined by DoT, at any stage of the process, that the Applicant 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 Applicants at any time and it must be provided within a reasonable timeframe as stipulated by DoT.

<sup>1</sup> Shall mean either of the following:

- (i) A company incorporated under the Companies Act, 1956 or the Companies Act, 2013; or
- (ii) An entity incorporated outside India under equivalent law.

- 2.2.4 A Business Entity or Promoter(s) or Director(s) of a Business Entity which has earlier been barred by DoT/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.

### **2.3 Number of EOIs and costs thereof**

- 2.3.1 An Applicant can submit an Eol for one or more categories of PTVs individually or with partners. Different technological options/propulsion systems could also be indicated for a given category.
- 2.3.2 The Applicant shall be responsible for all of the costs associated with the preparation of their Applications and their participation in the Eol Process. DoT will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Eol Process.

### **2.4 Verification of Information & Local Condition**

- 2.4.1 Applicants are encouraged to submit their respective Applications after validating information, applicable laws and regulations, and any other matter considered relevant by them.
- 2.4.2 It will be imperative on each Applicant to fully acquaint himself with the local conditions and factors, which would have any effect on the performance of the service and/or the cost.

### **2.5 Savings**

- 2.5.1 DoT shall not be liable for any omission, mistake or error on the part of the Applicant in respect of any of the above or on account of any matter or thing arising out of or concerning or relating to the Eol Document or the Eol Process, including any error or mistake therein or in any information or data given by DoT.

### **2.6 Right to Accept or Reject Any or All Applications**

- 2.6.1 DoT reserves the right to verify all statements, information and documents submitted by the Applicant in response to the Eol Document and the Applicant shall, when so required by DoT, make available all such information, evidence and documents as may be necessary for such verification.
- 2.6.2 Notwithstanding anything contained in this Eol Document, DoT reserves the right to accept or reject any Application and to annul the Eol Process and reject all Applications, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons there for.
- 2.6.3 DoT reserves the right to reject any Application/Proposal if:
- a) at any time, a material misrepresentation is made or uncovered, or

- b) the Applicant does not provide within the time specified by DoT, the supplementary information sought by DoT for evaluation of the Application/Proposal.

Such misrepresentation/improper response shall lead to the disqualification of the Applicant.

- 2.6.4 DoT reserves the right not to proceed with the Eoi Process at any time, without notice or liability, and to reject any Application without assigning any reasons.

## B. DOCUMENTS

### 2.7 Content of the EOI Document

- 2.7.1 This EOI Document comprises the disclaimer set forth hereinabove, the contents as listed below, and will additionally include any Addenda issued in accordance with **Clause 2.9**.

Disclaimer

Advertisement

Instructions to Applicants

### 2.8 Clarifications

- 2.8.1 Applicants requiring any clarification on the EOI Document may notify DoT by e-mail in accordance with this Clause. They should send in their queries before the date specified in the schedule of Eoi Process as given in **Appendix 1**. DoT shall endeavour to respond to the queries within the period specified therein. The responses will be sent through e-mail. DoT will forward all the queries and its responses thereto, to all purchasers of the Eoi Document and Registered Applicants. Any queries or requests for additional information concerning this Eoi Document shall be submitted by e-mail as given in **Clause 2.13.3**. The communications shall clearly bear the following identification/ title:

**"Queries/Request for Additional Information: Eoi Document for Supply of CNG and Battery Powered Passenger Transport Vehicles"**

- 2.8.2 DoT shall endeavour to respond to the queries raised or clarifications sought by the Applicants. However, DoT reserves the right not to respond to any question or provide any clarification, in its sole discretion, and nothing in this Clause shall be taken or read as compelling or requiring DoT to respond to any question or to provide any clarification.
- 2.8.3 DoT may also, on its own motion, if deemed necessary, issue interpretations and clarifications to all Applicants. All clarifications and interpretations issued by DoT shall be deemed to be part of the Eoi Document. Verbal clarifications and information given by DoT or its employees or representatives shall not in any way or manner be binding on DoT.

## 2.9 Amendment of EOI Document

- 2.9.1 At any time prior to the deadline for submission of Application, DoT may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the Eoi Document by the issuance of Addenda.
- 2.9.2 Any Addendum thus issued will be sent by e-mail to all those who have purchased the Eoi Document and Registered Applicants. Applicants are advised to visit the website (<http://www.dimts.in> and/or <http://transport.delhi.gov.in>) regularly to keep themselves updated.
- 2.9.3 In order to afford the Applicants a reasonable time for taking an Addendum into account, or for any other reason, DoT, at its own discretion, extend the Application Due Date.

## C. PREPARATION AND SUBMISSION OF PROPOSAL

### 2.10 Language

The Application and all related correspondence and documents in relation to the Eoi Process shall be in the English language. Supporting documents and printed literature furnished by the Applicant with the Application may be in any other language provided that they are accompanied by appropriate translations of the pertinent passages in the English language. Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.

### 2.11 Processing Fee

- 2.11.1 Processing Fee would need to be paid in the form of Demand Draft (non-refundable) in favour of DIMTS, payable at Delhi for INR 1,00,000 or USD 1540 (inclusive of service tax).

### 2.12 Format and Signing of Application

- 2.12.1 The Application shall provide all the information sought under this Eoi Document. DoT will evaluate only those Applications that are received in the required formats and complete in all respects. Incomplete and/or conditional Applications shall be liable to rejection.
- 2.12.2 The Applicant shall submit one hard copy of the Application along with a soft copy of the Application on a CD or a pen drive.
- 2.12.3 The Application shall be typed or written in indelible ink and signed by the authorised signatory of the Applicant. All the alterations, omissions, additions or any other amendments made to the Application shall be initialed by the person(s) signing the Application.

## 2.13 Sealing and Marking of Applications

2.13.1 The Applicant shall submit the Application in the format specified at Appendices, together with the documents specified in **Clause 2.13.2**, and place them in a sealed envelope and mark the envelope as:

“Application for Supply of CNG and Battery Powered Passenger Transport Vehicles”

2.13.2 The sealed envelope shall contain:

Should include the following:	
i.)	Completed format for Application in terms of <b>Appendix 2</b> ;
ii.)	Details of Applicants in terms of <b>Appendix 3</b>
iii.)	Power of Attorney for Signing of Application in terms of <b>Appendix 4</b>
iv.)	Duly filled up Response to Technical Expectations in terms of <b>Appendix 5</b>
v.)	Details of Technical Experience of Applicant in terms of <b>Appendix 6</b>
vi.)	Details of Present Commitments/work-in-progress in terms of <b>Appendix 7</b>
vii.)	Copy of Applicant’s Registration Certificate with appropriate authority
viii.)	Copy of Memorandum and Articles of Association of the Applicant
ix.)	Other supporting documents as set out in Clause 3.2 and 3.3 of EoI Document
x.)	Proof of payment of Processing Fee

and shall clearly indicate the name and address of the Applicant. In addition, the Application Due Date should be indicated on the right hand corner of the envelope.

2.13.3 The envelope shall be addressed to:

ATTN. OF: Principal Secretary cum Commissioner (Transport)  
 ADDRESS: C/O  
 Delhi Integrated Multi-Modal Transit System Limited (DIMTS)  
 First Floor, Maharana Pratap ISBT Building,  
 Kashmere Gate,  
 Delhi-110006  
 Email: [eoigreenbus@dimts.in](mailto:eoigreenbus@dimts.in)  
 Tel. : +91-11-43090157, Fax: +91-11-23860966

2.13.4 If the envelope is not sealed and/or not marked as instructed above, DoT assumes no responsibility for the misplacement or premature opening of the contents of the Application and consequent losses, if any, suffered by the Applicant.

## 2.14 Application Due Date

2.14.1 Applications should be submitted by Application Due Date, at the address provided in **Clause 2.13.3** in the manner and form as detailed in this EOI Document. For the purposes of this EoI Document the “**Application Due Date**” shall mean the date and

time for submission of the Proposal as set out in the Schedule of EoI Process contained in **Appendix 1**.

2.14.2 DoT may, in its sole discretion, extend the Application Due Date by issuing an Addendum in accordance with **Clause 2.9** uniformly for all Applicants.

## 2.15 Late Applications

2.15.1 Applications received by DoT after the specified time on the Application Due Date are liable to be rejected.

## 2.16 Confidentiality

2.16.1 Information relating to the examination, clarification, evaluation, and recommendation for the Applicants shall not be disclosed to any person who is not officially concerned with the process or is not a retained professional advisor advising DoT in relation to, or matters arising out of, or concerning the EoI Process. DoT will treat all information, submitted as part of Application, in confidence and will require all those who have access to such material to treat the same in confidence. DoT may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or is to enforce or assert any right or privilege of the statutory entity and/ or DoT or as may be required by law or in connection with any legal process.

## 2.17 Consultant(s) or Advisor(s)

2.17.1 To assist in the examination, evaluation, and comparison of Applications, DoT may utilize the services of consultant(s) or advisor(s).

2.17.2 No entity including the Applicants can hold and DoT shall not be bound by the opinion or advice given by any Consultant or advisor referred to in **Clause 2.17.1**. The final determination as regards the Application shall vest in DoT.

## D. ASSESSMENT PROCESS

### 2.18 Clarifications

2.18.1 To facilitate evaluation of Applications, DoT may, at its sole discretion, seek clarifications from any Applicant regarding its Application. Such clarification(s) shall be provided within the time specified by DoT for this purpose. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing.

2.18.2 If an Applicant does not provide clarifications sought under **Clause 2.18.1** above within the prescribed time, its Application shall be liable to be rejected. In case the Application is not rejected, DoT may proceed to evaluate the Application by construing the particulars requiring clarification to the best of its understanding, and the Applicant shall be barred from subsequently questioning such interpretation of DoT.

### 3. CRITERIA FOR ASSESSMENT

#### 3.1 Evaluation Parameters

- 3.1.1 The Applicant's competence and capability is proposed to be evaluated in terms of past experience of the Applicant

#### 3.2 Technical Capability

- 3.2.1 The Applicants shall furnish information on the Technical Expectations of DoT by providing necessary information as set out in **Appendix 5**.
- 3.2.2 The Applicants shall furnish all information on past supplies and their satisfactory performance in terms of the formats provided in **Appendix 6** of this EoI Document. Further, Applicants need to submit past, present contract commitments and work-in-progress in terms of the **Appendix 7**.
- 3.2.3 Applicants shall furnish details of their plant, equipment and the manufacturing capacity to supply PTVs within the delivery schedule to be offered by the Applicant.
- 3.2.4 Applicants shall furnish details of their quality control system and processes in support of the capacity to ensure adequate quality control at all stages of the manufacturing process.
- 3.2.5 Applicants shall furnish details of their technically qualified and experienced personnel demonstrating adequate technically qualified and experienced personnel for the design, manufacturer, supply, testing, quality control, trials, and commissioning of PTVs.
- 3.2.6 Applicants should confirm and undertake adequate availability of spare parts and after sales service in Delhi for the PTVs.
- 3.2.7 In addition to the above, the Applicant, if required by the DoT shall extend all cooperation to the representatives of DoT for assessing his capacity/capability by actual visit to his works/office.
- 3.2.8 In case of Foreign Applicants, the Applicants should indicate whether:
- PTVs will be manufactured in India in ready to use condition or assembled from sourcing major components or completely knocked down kit from their manufacturing premises or supplied from their manufacturing premises located outside India, etc..
  - start-up trials, commissioning, periodic maintenance, repairs & annual maintenance will be done by Applicants or their Indian collaborator/partner.
  - There is any plan to establish manufacturing facilities in India on their own or with an Indian firm, with or without equity partnership.
- 3.2.9 In case foreign Applicant intends to supply the PTVs manufactured in India in collaboration with an Indian firm, the Applicant should give its details thereof.

- 3.2.10 The Applicants shall be required to provide a presentation highlighting salient features of the products, manufacturing process, technology etc. with the Application. Applicants may be invited to make a presentation. At least one week notice shall be provided for making the presentation.
- 3.2.11 Applicants shall submit a copy of results of emission test, performance test (for battery and power train), safety test and other relevant tests conducted on the PTVs.

## 4. FRAUD AND CORRUPT PRACTICES

- 4.1 The Applicants and their respective officers, employees, agents and advisers shall observe the highest standards of ethics during the Eol Process and subsequent to the issue of an LOA and during the subsistence of a supply agreement/contract. Notwithstanding anything to the contrary contained herein, or in an LOA or a supply agreement/contract, DoT may reject the Proposal, withdraw the LOA, or terminate the supply agreement, as the case may be, without being liable in any manner whatsoever to the Bidder(s) or Applicant(s), as the case may be, if it determines that the Bidder(s) or Applicant(s), 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 Eol Process. In such an event, the DoT 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 DoT towards, inter alia, time, cost and effort of the DoT, without prejudice to any other right or remedy that may be available to the DoT hereunder or otherwise.
- 4.2 Without prejudice to the rights of DoT under Clause 4.1 hereinabove and the rights and remedies which DoT may have under an LOA or a supply agreement/contract, or otherwise if an Applicant(s) or Bidder(s), as the case may be, is found by DoT 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 Eol Process, or after the issue of LOA or the execution of supply agreement/contract, such Applicant(s) or Bidder(s) shall not be eligible to participate in any tender or Eol/RFQ/RFQP/RFQP issued by DoT during a period of 2 (two) years from the date such Applicant(s) or Bidder(s), as the case may be, is found by DoT 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.
- 4.3 For the purposes of this Section 4, 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 Eol Process (for removal of doubt, offering of employment to, or employing, or engaging in any manner whatsoever, directly or indirectly, any official of DoT who is or has been associated in any manner, directly or indirectly, with the Eol Process or, LOA or, has dealt with matters concerning the supply agreement/contract or arising therefrom, 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 DoT, shall be deemed to constitute influencing the actions of a person connected with the Eol Process); or (ii) engaging in any manner whatsoever, whether during the Eol Process or after the issue of LOA or after the execution of supply agreement/contract, as the case may be, any person in respect of any matter relating to the Project or, LOA or, supply agreement/contract, who at any time has been or is a legal, financial or technical adviser of DoT 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 Eoi 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 Eoi Process;
- d) “**undesirable practice**” means (i) establishing contact with any person connected with or employed or engaged by DoT with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Eoi Process; or (ii) having a conflict of interest; and (e) “**restrictive practice**” means forming of a cartel or arriving at any understanding or arrangement among Applicants or Bidders with the objective of restricting or manipulating a full and fair competition in the Eoi Process.

Note: for avoidance of doubt, the person shall be a business entity providing such legal, financial or technical advice and not specific employees but shall include individuals if such services are provided by an individual of sole proprietorship firm.

## 5. CONFERENCE /MEETING

- 5.1 A conference/meeting of the interested parties shall be convened at the designated date, time and place.
- 5.2 During the course of the meeting, the Applicants will be free to seek clarifications and make suggestions for consideration of DoT. DoT shall endeavour to provide clarifications and such further information as it may, in its sole discretion, consider appropriate.

## 6. MISCELLANEOUS

- 6.1 The EoI 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 EoI Process.
- 6.2 DoT, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to;
- a) suspend and/or cancel the EoI Process and/or amend and/or supplement the EoI Process or modify the dates or other terms and conditions relating thereto;
  - b) consult with any Applicant in order to receive clarification or further information;
  - c) pre-qualify or not to pre-qualify any Applicant and/or to consult with any Applicant in order to receive clarification or further information;
  - d) retain any information and/or evidence submitted to DoT by, on behalf of, and/or in relation to any Applicant; and/or
  - e) 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.
- 6.3 It shall be deemed that, by submitting the Application, the Applicant agrees and releases DoT, its 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 and the EoI Document, pursuant hereto, and/or in connection with the EoI Process, to the fullest extent permitted by applicable law, and waives any and all rights and/ or claims it may have in this respect, whether actual or contingent, whether present or in future.

## Appendix 1: Schedule of Eoi Process

Activity Description	Date
<b>EOI Stage</b>	
Last date for receiving queries	December 15, 2015
The DoT's response to queries latest by	December 21, 2015
<b>Application Due Date</b>	January 15, 2016 up to 1700 hrs, Indian Standard Time
Presentation by the Applicant	To be indicated separately

## Appendix 2: Format for Application

Dated:

To,

Principal Secretary and Commissioner (Transport)  
Government of National Capital Territory of Delhi  
5/9, Under Hill Road  
Delhi 1100054

Subject: **Application for Supply of CNG and Battery Powered Passenger Transport Vehicles**

Dear Sir,

Being duly authorized to represent and act on behalf of .....  
(hereinafter referred to as "**the Applicant**"), and having reviewed and fully understood the Eoi for the Project, the undersigned hereby submits one set of Application in response to the Eoi.

Yours faithfully,

\_\_\_\_\_

(Signature of Authorised Signatory)

(Name, Title and Address)

Place:

### Appendix 3: Format for Details of Applicant

1.
  - a) Name:
  - b) Country of Incorporation:
  - c) Address of the 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 Company, 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 for DoT:
  - a) Name:
  - b) Designation:
  - c) Company:
  - d) Address:
  - e) Telephone Number:
  - f) E-Mail Address:
  - g) Fax Number:
  
4. Particulars of the Authorised Signatory of the Applicant:
  - a) Name:
  - b) Designation:
  - c) Address:
  - d) Phone Number:
  - e) Fax Number:
  
5. Nationality of Directors/Owners (\*)

		Name	Nationality
1.			
2.			
3.			

Note: Particulars of all consortium Members and Partners need to be filled as separate sheets.

**Appendix 4: Format of Power of Attorney for Signing of Application**

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 **Supply of CNG and Battery Powered Passenger Transport Vehicles**, including signing and submission of all documents and providing information / responses to Transport Department, Government of National Capital Territory of Delhi (the “DoT”), representing us in all matters before DoT, and generally dealing with DoT in all matters in connection with our bid for the said Project.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

IN WITNESS WHEREOF WE, ....., THE ABOVE NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS ..... DAY OF ....., 20.....

For  
.....  
(Signature, name, designation and address)

Witnesses:  
1.  
2.

Accepted  
.....  
(Signature)

Notarised

(Name, Designation and Address of the Attorney)

**Notes:**

- 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.
- Wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a board or shareholders’ resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.
- For a Power of Attorney executed and issued outside India, the document will also have to be legalised by the Indian Embassy and notarised in the jurisdiction where the Power of Attorney is being issued. However, the Power of Attorney provided by Applicants from countries that have signed the Hague Legislation Convention, 1961 are not required to be legalised by the Indian Embassy if it carries a conforming Appostille certificate.

## Appendix 5: Technical Expectations

- 1) Shall design, manufacture, supply, testing & commissioning of following Category of PTVs :

Seating capacity of the passenger vehicles in accordance with Code of Practice for Bus Body Design and Approval, Automotive Industry Standards (AIS)-052 shall be

- (i) Category A: up to 12 seats,
  - (ii) Category B: 13 to 22 seats,
  - (iii) Category C: 23 to 34 seats,
  - (iv) Category D: 35 to 70 seats,
  - (v) Category E: Single Deck Articulated Bus (>70 seats),
  - (vi) Category F: Single Deck Double Articulated Bus (>70 seats)
- 2) Supply necessary equipment and spare parts required for smooth operation of PTVs for a pre-specified period.
  - 3) Undertake regular and periodic maintenance of PTVs and associated equipment such as battery charging points during warranty period and support for maintenance during life cycle of equipment.
  - 4) Adhere to Technical specifications for each type of PTVs and other equipment which shall be provided during the RFP Stage.
  - 5) Comply with all the latest provisions of the Motor Vehicles Act, 1988 (MVA), the Central Motor Vehicles Rules, 1989 (CMVR), the Delhi Motor Vehicles Rules, 1993 (DMVR) along with any and all amendments therein and other statutory and legal requirements as applicable on the date of delivery/registration of PTVs with Transport Department, Government of NCT of Delhi.
  - 6) Shall be required to obtain necessary Type Approval for the PTVs and Conformity of Production (COP) as per prevalent CMVR from the authorized Test Agencies as per CMVR. In addition, Finite Element Analysis (FEA) approval shall be required to be taken from the authorized Test Agencies as per CMVR.
  - 7) Have adequate plant, equipment and manufacturing capacity to manufacture and supply the PTVs within the delivery schedule.
  - 8) Shall guarantee minimum average fuel efficiency/life of battery for each type of PTVs
  - 9) Adhere to low emission norms in terms of Technical Specifications
  - 10) Shall be responsible for any defect or failure of PTVs or equipment provided due to defective design, material or workmanship, for a pre-specified period or total kilometres operated, individually for each PTV, whichever is later.
  - 11) Have the capacity to ensure adequate quality control at all stages of the manufacturing and delivery process
  - 12) Ensure that adequate, technically qualified and experienced personnel are engaged/deployed for the design, manufacturer, supply, testing, quality control, trials, and commissioning of PTVs.
  - 13) Shall be responsible for obtaining necessary approvals and permissions from the Government of India and from the Government of National Capital Territory of Delhi, as the case may be and shall be responsible and liable for payment of all statutory and non-statutory dues.
  - 14) Impart necessary orientation training to DoT's technical and non-technical staff as per the schedule.
  - 15) Detailed table for Scope and Technical Expectations of Project

### Scope and Technical Expectations of Project

Sr. No.	Scope/ Requirement	Description	Vendor Data/ Details/ Description
1.	Service Requirement	For Providing Public Transport Service	
2.	Area of operations	Delhi and Adjoining Areas of the city (part of National Capital Region)	
3.	Operational Hours	16 to 20 hours per day	
4.	Vehicle Regulations	India uses following relevant regulations : Motor Vehicles Act 1988 (latest revision), Central Motor Vehicles Rules 1989 (latest revision), Delhi Motor Vehicles Rules, 1993 (latest revision)	
5.	Vehicle Manufacturing Certifications	India uses following relevant standards/ guidelines :  Central Motor Vehicles Rules 1989 (latest revision),  AIS 052 issued by Ministry of Road Transport & Highways  Urban Bus Specification II issued by Ministry of Urban Development	
6.	Estimated Time to Commencement of Delivery	From date of order placement	
7.	Expected Production/ Delivery Rate	No. of Vehicles/month	
8.	Relevant Technical Data		
		Driver Seat: Right Hand side of vehicle	
		Travel Speed Details	
		Terrain : Paved roads (Black top) / Concrete with Speed breakers, road bumps & pits	
		Power Train Details	
		Refueling/Recharging Details	
		Maximum Speed	
		Acceleration times in minutes 0-30 km/hour	
		Suspension System	

Sr. No.	Scope/ Requirement	Description	Vendor Data/ Details/ Description
		Braking System, regeneration if any	
		Infrastructure Requirement at Depots for Maintenance	
		Infrastructure Requirement at Depots/other places for Refueling/ Recharging	
		Details of Interiors including for passenger seating and standing area, driver and conductor areas	
		Safety/security systems such as CCTV/GPS etc.	
		Entry/Exit Gates/Emergency Evacuations	
		Windows	
		Floor Height	
		HVAC (Heating, Ventilation and Air-conditioning)	
		Lighting Details	
		Unladen weight of vehicle	
		Weight of Battery Packs in case of Battery Operated PTVs	
		Gross Vehicle Weight	
9.	PTV Dimensions		
		PTV length (over body excluding bumper)	
		Articulated with Details, if any	
		PTV width	
		PTV height	
		Wheel base	
		Front overhang	
		Rear Overhang	
		Floor height	
		First step height of Service door and number of steps	
		Axle clearance	
		Minimum ground clearance	
10.	Service Network, After sales services Process Details, Area Requirements		
11.	Estimated PTV Life along with details of relevant standard operating conditions		
12.	Estimated Cost of operations with		

Sr. No.	Scope/ Requirement	Description	Vendor Data/ Details/ Description
	details of various inputs		
13.	Production Facility Location		
14.	Whether willing to enter into long term maintenance agreement		
15.	Whether willing to enter into suitable operations agreement		

### Appendix 6: Format for Technical Experience of Applicant

Details shall be given for all types of PTV chassis/complete PTV supplied by the Applicant in past three years from Application Due Date.

Sr. No	Name and Address of Client /Purchaser (including Tel./ Fax no./email ID)	Contract No. & Date	Details of quantity and type of PTVs ordered	Contract value (in INR)	Date of actual delivery of complete order and delivery date as per the contract for each type of PTVs	Remarks indicating reasons for late delivery, if any.	Have the PTVs been satisfactorily commissioned and giving trouble-free service? (Attach a certificate from the Client)
1							
2							
3							
4							
5							
6							

**Note:**

- 1) The Applicant shall provide supporting documents for the aforesaid experience claim.

**Appendix 7: Format of Present Contract Commitments / Work in Progress**

All the Applicants should provide information on their current commitments on all contracts related to supply and maintenance of PTVs that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Sr. No	Name and Address of Client /Purchaser (including Tel./ Fax no./email ID)	Contract No. & Date	Details of quantity & type of PTVs ordered	Contract value (in INR)	Delivery date as per the contract for each type of PTVs	Estimate date for delivery for each type of PTVs
1						
2						
3						
4						
5						
6						

**Note:**

- 1) The Applicant shall provide evidence to substantiate the adequacy of the sources of manufacturing capacity to meet the Applicant's supply requirements on the above contracts.