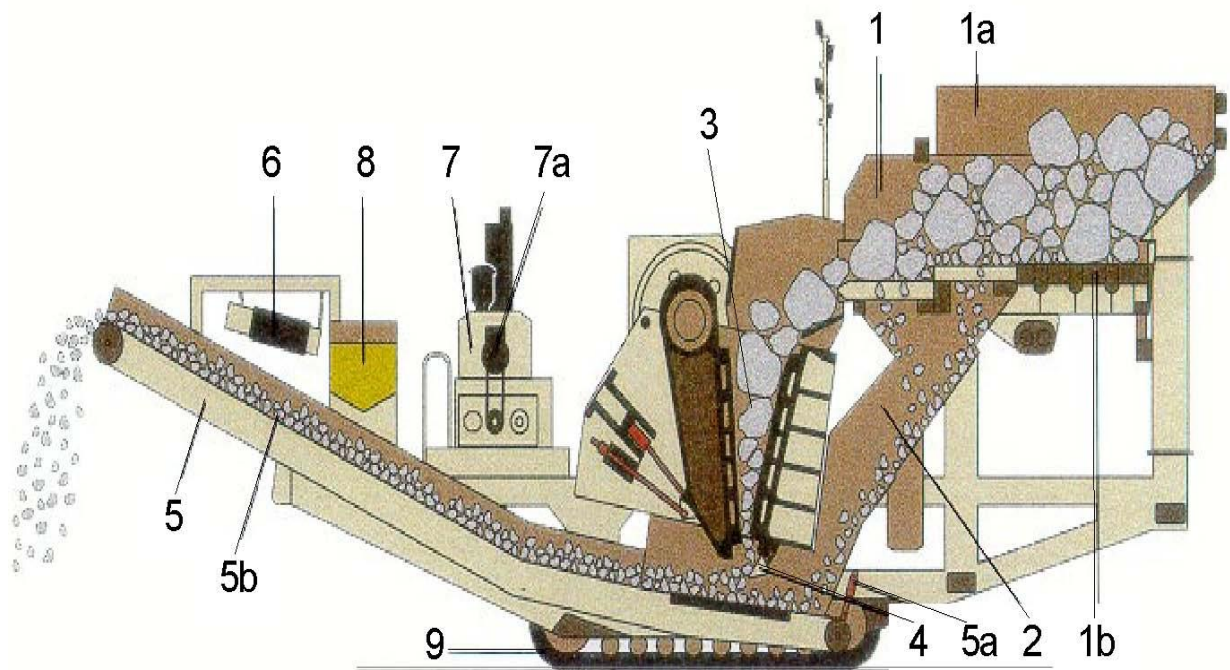




## South Delhi Municipal Corporation

DEMS DEPARTMENT

Collection and Transportation of Construction & Demolition (C&D) Waste generated within jurisdiction of Najafgarh Zone and Processing and Management of Construction & Demolition (C&D) Waste at Ghumanhera, Najafgarh South Delhi Municipal Corporation, (SDMC).



Section - I

Expression of Interest & Conditions for Pre-Eligibility

## Glossary

1.	A&M	Approach & Methodology
2.	ATS	Annual Technical Support
3.	CCN	Change Control Notes
4.	CD	Compact Disc
5.	COTS	Commercially Off The Shelf
6.	CV	Curriculum Vitae
7.	CVC	Central Vigilance Commission
8.	DD	Demand Draft
9.	DR	Disaster Recovery
10.	EMD	Earnest Money Deposit
11.	EMS	Enterprise Management System
12.	EOI	Expression of Interest
13.	ESH	Extended Service Hours
14.	GFR	General Financial Rules
15.	GIS	Geographical Information System
16.	GoI	Government of India
17.	INR	Indian National Rupee
18.	IP	Implementation Partner
19.	IT	Information Technology
20.	LD	Liquidated Damages
21.	LLP	Limited Liability Partnership
22.	LOA	Letter of Award
23.	LOI	Letter of Intent
24.	Agreement	Contract Agreement
25.	O&M	Operations and Maintenance
26.	OEM	Original Equipment Manufacturer
27.	PAN	Permanent Account Number
28.	PBG	Performance Bank Guarantee
29.	POA	Power of Attorney
30.	QCBS	Quality Cum Cost Based Selection
31.	RFP	Request for Proposal
32.	RFP	Request for Proposal
33.	ROC	Registrar of Companies
34.	SLA	Service Level Agreement
35.	SOW	Scope of Work
36.	T&M	Time and Material
37.	TOR	Terms of Reference
38.	SDMC	South Delhi Municipal Corporation. [Also referred to as the 'Nodal Agency']

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## 1.1. Expression of Interest

# SOUTH DELHI MUNICIPAL CORPORATION DEMS DEPARTMENT INVITES EXPRESSION OF INTEREST (EOI) FOR C&D WASTE MANAGEMENT



1. South Delhi Municipal Corporation invites Expression of Interest (EOI) from expert firms/agencies to provide necessary services to the corporation for its project: Collection, Transportation, Processing and Management of Construction & demolition (C&D) Wastes generated within jurisdiction of South Delhi Municipal Corporation (SDMC) at Ghummenhera Najafgarh Zone on PPP model basis for a period of 10 years.
2. The EOI is required to be submitted in a sealed envelope bearing the name as "EOI for C&D Waste in SDMC" on the top. The envelope should bear the name and address of the sender. The envelope containing the proposal may be sent either by register post to Room No. 30, Main Zonal Building, South Zone, Green Park, New Delhi-110016 or drop in the box place in the same office on all working days from 10:00 AM to 5:00 PM. Hardcopy of the EOI can be obtained from the office mentioned above after depositing a fee of Rs. 5000/-draft in favour of Commissioner/SDMC.
3. The form for submission of EOI criteria, scope of the work, terms and conditions can be downloaded from the corporation's website [i.e. www.mcdonline.gov.in](http://www.mcdonline.gov.in)
4. The last day for submission of EOI is 08.04.2015 upto 3:00 PM.
5. The corporation (SDMC) shall not be responsible for any misplacement, loss or premature opening of the EOI and postal delays. Such cases will be deemed rejected.
6. The sealed EOI will be opened by a committee of SDMC for short listing the firms/agencies. The proposal will be evaluated on the basis of essential criteria for selection prescribed in the EOI document, which is available on the above mentioned corporation's website. The decision of the corporation in this regard shall be final and the list of shortlisted firms/agencies will be posted on the corporation's website. Thereafter, the shortlisted firms/agencies will be asked to submit the project proposals in prescribed format as per project's guidelines within the time limit given by corporation.
7. The SDMC reserves the right, without any obligation or liability, to except or reject any or all of the EOIs at any stage of the process, to cancel or modify the process or any part thereof, or to vary any of the terms and conditions at any times, without assigning any reason thereof.
8. For any information in this regard, Shri Rajesh Arora, Executive Engineer, EMS/SZ, contact no. 9717788407, e-mail: eeemssz123@gmail.com may be contacted.
9. The cost of documents Rs.5000/- by Pay Order/Demand Draft, in favour of "Commissioner, South Delhi Municipal Corporation" shall be submitted along with the proposal.

## **1.2. Invitation for Expression of interest**

The South Delhi Municipal Corporation (SDMC) (Hereafter referred to as the Nodal Agency ) invites EOIs from Vendors (hereafter referred as 'Agencies') for the Project : **Collection, Transportation, Processing and disposal of Construction & Demolition Waste generated within the Jurisdiction of SDMC at Ghummenhera, Najafgarh (thereafter referred as the project)**. The Work will have to be carried out in accordance with the scope of work and specification as detailed out in Request for proposal (RFP) document. The project is proposed to be implemented through the short listed **Agencies** on a PPP Model basis. SDMC now seeks EOI from agencies of repute for the Project to Design, Develop. The agencies who meet the prequalification criteria specified in this document will be short-listed for the issue of the detailed Request for Proposal.(RFP).

## **1.3. Introduction to the Project**

*Please refer to Terms of Reference section-II specified in term of reference of project and scope of work.*

## **1.4. Broad Scope of Work**

*Please refer to Terms of Reference section-II specified in term of reference of project and scope of work.*

## **1.5. Instruction to the Participants.**

*Please refer to Terms of Reference section-II specified in term of reference of project and scope of work.*

### **a. Completeness of response.**

- a. Participants are advised to study all instructions, forms, terms, requirements and other information in the EOI documents carefully, Submission of the Proposal shall be deemed to have been done after careful study and examination of the EOI document with full understanding of its implications.
- b. The response to this should be full and complete in all respect. Failure to furnish all information required by the EOI documents or submission of a proposal not substantially responsive to the EOI documents in every respect will be at the participant's risk and may result in rejection of its submission.

### **b. EOI Proposal Preparation Costs & related issues**

- a. The Participant is responsible for all costs incurred in connection with participation in this process, including, but not limited to, costs incurred in conduct of informative and other diligence activities, participation in meetings/discussions/presentations, preparation of proposal, in providing any additional information required by Nodal Agency to facilitate the evaluation process.
- b. Nodal Agency will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the EOI process.
- c. This EOI does not commit Nodal Agency to award a contract or to engage in negotiations. Further, no reimbursable cost may be incurred in anticipation of award or for preparing this EOI.

- d. All materials submitted by the Participants will become the property of Nodal Agency and may not be returned and it will be at the sole discretion of the SDMC.
- c. **Pre-Bid Meeting**
  - a. Nodal Agency shall hold a pre-bid meeting with the prospective Participants on Date & time and at Address of the Venue mentioned on the data sheet.
  - b. The Participants will have to ensure that their queries for Pre-Bid meeting should reach at the Name, Address, Fax and e-mail ID of the Nodal Officer (specified in Data Sheet) by post, facsimile or e-mail on or before Date & time specified in the data sheet.
  - c. All queries to be raised in the pre-bid meeting will relate to the EOI alone and no queries related to detailed analysis of Scope of work, payment terms and mode of selection will be entertained. These issues will be amply clarified at the RFP stage.
- d. **Responses to Pre-Bid Queries and Issue of Corrigendum**
  - a. The Nodal Officer notified by the Nodal Agency will endeavour to provide timely response to all queries. However, Nodal Agency takes no responsibility or guaranty as to the completeness or accuracy of any response made in good faith, nor does Nodal Agency undertake to answer all the queries that have been posed by the Participants.
  - b. At any time prior to the last date for receipt of bids, Nodal Agency may, for any reason, whether at its own initiative or in response to a clarification requested by prospective Participants, modify the EOI Document by a corrigendum.
  - c. The Corrigendum (if any) & clarifications to the queries from all Participants will be posted on the website mentioned on data sheet and e-mailed to all participants of the pre-bid conference.
  - d. Any such corrigendum shall be deemed to be incorporated into this EOI.
  - e. In order to afford prospective Participants reasonable time in which to take the corrigendum into account in preparing their bids, Nodal Agency may, at its discretion, extend the last date for the receipt of EOI Bids
- e. **Right to Terminate the Process**
  - a. Nodal Agency may terminate the EOI process at any time and without assigning any reason Nodal Agency makes no commitment, expression or implied that this process will result in a business transaction with anyone.
  - b. This EOI does not constitute an offer by Nodal Agency. The participant's participation in this process may result in Nodal Agency short listing the Participants to submit a complete technical and financial response at a later date.
- f. **Submission of Responses**
  - a. The bids shall be submitted in a single sealed envelope and superscripted<"Name of the Assignment"> and <EOI No.>. This envelope should contain two hard copies of EOI proposal marked as "First Copy" and "Second Copy" and one soft copy in the form of a non-rewriteable CD. CD media must be duly signed using a Permanent pen Marker and should bear the name of the Participants.
  - b. Bids shall consist of supporting proofs and documents as defined in the Pre-qualification section
  - c. Participants shall submit all the required documents as mentioned in Para 1.10 and Appendix SI-II including various templates (Form 1 to Form 5). It should be ensured that various formats mentioned in this EOI should be adhered to and no changes in the format should be done.

- d. Envelope should indicate clearly the name, address, telephone number, E-mail ID and fax number of the Participants
  - e. Each copy of the EOI should be a complete document and should be bound as a volume. The document should be page numbered, must contain the list of contents with page numbers and shall be initialed by the Authorized Representative of the Participants.
  - f. Different copies must be bound separately.
  - g. Participants must ensure that the information furnished by him / her in respective CDs is identical to that submitted by him in the original paper bid document.
  - h. In case of any discrepancy observed by the Nodal Agency in the contents of the CDs and original paper bid documents, the information furnished on original paper bid document will prevail over the soft copy.
  - i. EOI document submitted by the Participants should be concise and contain only relevant information as required under this EOI.
- g. Bid Submission Format**  
The entire proposal shall be strictly as per the format specified in this Invitation for Expression of Interest and any deviation may result in the rejection of the EOI proposal.
- h. Venue and Deadline for Submission**
- a. Proposals must be received at the address specified in data sheet latest by the Date & time specified in the data sheet and at the address, as mentioned in the data-sheet.
  - b. Any proposal received by the Nodal Agency after the above deadline shall be rejected and returned unopened to the Participants.
  - c. The bids submitted by telex/telegram/fax/e-mail etc. shall not be considered. No correspondence will be entertained on this matter.
  - d. Nodal Agency shall not be responsible for any postal delay or non-receipt/ non-delivery of the documents. No further correspondence on the subject will be entertained.
  - e. Nodal Agency reserves the right to modify and amend any of the above-stipulated condition/criterion depending upon project priorities vis-à-vis urgent commitments.
- i. Short Listing Criteria**
- a. Nodal Agency will shortlist Participants who meet the Pre-Qualification criteria mentioned in this Invitation to Expression of interest.
  - b. Any attempt by a Participant to influence the bid evaluation process may result in the rejection of its EOI Proposal.
- j. Evaluation Process**
- a. Nodal Agency will constitute a Proposal Evaluation Committee to evaluate the responses of the Participants.
  - b. The Proposal Evaluation Committee constituted by the Nodal Agency shall evaluate the responses to the EOI and all supporting documents & documentary evidence. Inability to submit requisite supporting documents or documentary evidence, may lead to rejection of the EOI Proposal.
  - c. Each of the responses shall be evaluated to validate compliance of the Participants according to the Pre-qualification criteria, Forms and the supporting documents specified in this document.

- d. The decision of the Proposal Evaluation Committee in the evaluation of responses to the Expression of Interest shall be final. No correspondence will be entertained outside the evaluation process of the Committee.
  - e. The Proposal Evaluation Committee may ask for meetings with the Participants to evaluate its suitability for the assignment
  - f. The Proposal Evaluation Committee reserves the right to reject any or all proposals
- k. **ELIGIBILITY OF APPLICANTS**
- 1.5.11.1. Consortium can be considered for situations, where subsequently it would get transformed into a Special Purpose Vehicle. In such a case, each of the consortium partners would have an equity stake. This would also ensure that Nodal Agency does not get involved in reviewing the consortium agreements of each of the Participants and discourage the practice of “name lending”.
  - 1.5.11.2. Applicant may be a single entity or a group of entities (the **“Consortium”**), coming together to implement the Project. However, no applicant applying individually or as a member of a Consortium, as the case may be, can be member of another Applicant. The term Applicant used hereinafter would therefore apply to PPP a single entity and/or a Consortium/joint venture. The term Applicant Members used hereinafter shall refer to the members of a Consortium/joint venture.
  - 1.5.11.3. However, no applicant applying individually or as a member of a Consortium, as the case may be, can be member of another Applicant.
  - 1.5.11.4. The Applicant should submit a Power of Attorney as per the format enclosed in this EOI, authorizing the signatory of the Application to commit the Applicant. In the case of a Consortium, the Members should submit a Power of Attorney in favour of the Lead Member as per format prescribed.
  - 1.5.11.5. Any Applicant who has been barred by the SDMC or NDMC/EDMC, Central/State Government or any other Government/Semi-Government authority, from participating in any project (PPP or otherwise), and the bar subsists as on the date of Application, would not be eligible to submit an Application, either individually or as a member of the Consortium.
  - 1.5.11.6. An Applicant that is under a declaration of ineligibility by SDMC, NDMC/EDMC or any other Government/Semi-Government authority in India at the date of submission of the Proposal or thereafter shall not be eligible to submit an Application, either individually or as a member of the Consortium.
  - 1.5.11.7. The entities having any outstanding dues against SDMC are not eligible to submit an Application.
  - 1.5.11.8. The Applicant shall not be permitted to submit an Application if any near relative is posted as divisional accountant or as an Engineer in any capacity between grades or Engineer-in-Chief and Junior Engineer (SDMC/NDMC/EDMC) PPPh inclusive. Applicant shall also intimate the names of persons who are working with him in any capacity or are subsequently employed by him and who are near relative to divisional accountant or of an Engineer in any capacity between grades or Engineer-in-Chief and Junior Engineer (SDMC/NDMC/EDMC) PPPh inclusive. Near relative means wife/ husband/ parents/ grandparents/ children/ grandchildren/ brothers/ sisters/ aunts/ cousins etc. and their corresponding in-laws.



1.5.11.9. Where the Applicant is: (i) a single entity and/or (ii) a single entity which is an entity incorporated and registered as a company outside India; and/or (iii) a Consortium where any one member is an entity incorporated and registered as a company outside India, it shall be required to form an appropriate Special Purpose Vehicle (the “SPV”), incorporated under the Indian Companies Act 1956 to execute the Concession Agreement and implement the Project.

1.5.11.10. In case the Applicant is a Consortium, it shall, in addition to forming an SPV, comply with the following additional requirements:

- (a) There shall be a maximum of 3 (three) Members in the Consortium at the time of submission of Proposal.
- (b) Subject to the above provisions, the Application should contain the information required for each member of the Consortium.
- (c) Members of the Consortium shall nominate one member as the lead member (the “Lead Member”). The nomination(s) shall be supported by a Power of Attorney, as per the format at **Appendix-V**, signed by all the other members of the Consortium; the Application should include a brief description of the roles and responsibilities of individual members, particularly with reference to financial, technical and O&M obligations.
- (d) Besides the Lead Member, there may be two (2) other consortium/joint venture member(s). In such a case, the Lead Member as the case may be, along with the associate Member(s) should satisfy the Proposal Eligibility Criteria. The Lead Member would be required to commit to hold a minimum equity stake equal to ≥ 51% of equity capital in the Consortium/joint venture in the Project at all times during the Concession Period.

Consortium/Joint Venture		
1	If, Two Members	<p><b>Lead Member</b> : &gt; 51% of equity capital in the Consortium in the Project at all times during the Concession Period.</p> <p><b>Other Member</b> :- If his experience is used for proposal purposes, then he/she should hold minimum 26% of equity capital in the consortium for a minimum period of 3 years, after the Commercial Operation date (COD)</p>
2	If, Three Members	<p><b>Lead Member</b> : &gt; 51% of equity capital in the Consortium in the Project at all times during the Concession Period.</p> <p><b>Other Member</b>: -If his experience is used for proposal purposes, then he/she should hold minimum 15% of equity capital in the consortium for a minimum period of 3 years, after the Commercial Operation date (COD).</p>

- (e) For Financial Capability assessment of a Consortium Lead Member, Lead member would need submit Audited Annual Reports in respect of annual turnover and net worth of the Applicant(s) (of each Member in case of a Consortium) for the last 2 (two) financial years, preceding the year in which the Application is made. The annual turnover and net worth would be taken as an arithmetic sum of the annual

turnover and net worth of the Lead Member along with the associate Member(s) of the Consortium/joint venture, as applicable.

- (f) In case the annual accounts for the latest financial year are not audited and therefore the Applicant could not make it available, the Applicant shall give an undertaking to the same effect and the statutory auditor shall certify the same. In such a case, the Applicant shall provide the Audited Annual Reports for two years preceding the year for which the Audited Annual Report is not being provided.
- (g) No change in composition of the Consortium shall be allowed between the Proposal Due Date and the date of issue of Letter of Award
- (h) The Proposal shall contain a notarized original copy of the Memorandum of Agreement (MOA) entered into between the Consortium Members. Each Member of the Consortium shall duly sign the MOA, making each of the Consortium Members, liable for their respective roles and commitments relating to the technical and financial requirements of the project. In the absence of such a document, the Proposal would not be considered for evaluation and will be rejected. The MOA entered into between the members of the Consortium should be specific to the Project and should fulfil the above requirements, failing which the Proposal shall be considered non-responsive. The MOA shall not be amended without the explicit approval of SDMC. The MOA shall, inter alia:
  - (i) Convey the intention of the Applicant Member(s) for entering into a long term legally binding MOU for implementation of this project, as per the terms and conditions of this document;
  - (j) Clearly outline the role and responsibilities of each Applicant Member;
  - (k) Specify the percentage equity participation of each Applicant Member(s) in the project. The equity participation shall be in real term(s) i.e. the equity must be invested in the Project components, such as site development, buildings, equipment, manpower and maintenance;
  - (l) Confirm that a copy of the balance sheet of each Applicant Member shall be filed in the SDMC at the end of each financial year, to show the equity participation in real term(s) i.e. the equity must be invested in the Project components, such as site development, buildings, equipment, manpower and maintenance;
  - (m) Demonstrate its intent, in forming a special purpose vehicle (SPV) for execution of the Project. The now formed SPV would enter into Concession Agreement with SDMC and subsequently carryout all the responsibilities of the Successful Applicant; and
  - (n) Indicate that each Applicant Member shall be liable jointly to each activity in the Project, in accordance with the terms of the Concession Agreement.

#### **1.6. Conflict of Interest**

Applicants shall not have a conflict of interest (the "Conflict of Interest") that affects the EOI Process. Any Applicant found to have a Conflict of Interest will be disqualified. An Applicant may be considered to have a Conflict of Interest that affects the EOI 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; provided that this qualification shall not apply in cases where the direct or indirect shareholding in a Applicant or a constituent thereof in the other Applicant(s) (or any of its constituents) is less than 1% of its paid up and subscribed capital; 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 legal 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.
- (f) Any applicant having awarded, the C&T contract (Project Name: 'Collection and Transportation of Municipal Solid Waste, Street Sweeping Waste, Drain Silt, Green Waste and Construction and Demolition Waste in the Najafgarh Zone.)

### 1.7. Pre-Qualification Criteria

S. No.	Basic Requirement	Specific Requirements	Documents Required
1	Sales Turnover. [Total for Consortium]	Annual Sales Turnover during each of the last three financial years as per audited Balance Sheets should be at least <b>Rs. 25.00</b> Crores each year.	Extracts from the Required sheet and Profit & Loss; OR Certificate from the statutory auditor
2	Profit making Company	<i>The Lead-Partner should not have incurred financial losses in more than two years during the immediate last five consecutive financial years.</i>	Certificate from the statutory auditor
3	Net Worth	Net Worth = (Equity Capital + Reserves & Surplus – Revaluation Reserve)-(Accumulated Losses)  Applicant or Collective members of consortium must have a minimum Net worth of <b>Rs 15.00</b> Crores.	Certificate from the statutory auditor
4	Technical Capability	Agency must have <b>successfully completed at least the following numbers of projects /engagement(s) during last 5 years</b> of value specified herein : - One project of Collection, Transport & Processing of Construction & Demolition Waste of Minimum 200 TPD; <b>OR</b> - Two projects of processing of C&D/MSW of minimum 200 TPD <b>OR</b> - Two projects of collection/transportation of C&D/MSW of minimum 200 TPD	Completion Certificates from the client; OR Work Order + Self Certificate of Completion (Certified by the Statutory Auditor); OR Work Order + Phase Completion Certificate from the client
5	Certifications	Client Satisfaction Certificates in respect of projects mentioned at 4 above.	Copy of certificate
6	Legal Entity	Should be Company registered under Companies Act, 1956 or a partnership firm registered under LLP Act, 2008 Registered with the VAT/ Service Tax Authorities Should have been operating for the last three years	Certificates of incorporation Registration Certificates

S. No.	Basic Requirement	Specific Requirements	Documents Required
7	Manpower Strength	<p>Each of the Consortium Members should have minimum employee strength of 15.</p> <p>The total Manpower strength of the Participants/ consortium should be more than 50.</p>	Self-Certification by the authorized signatory with clear declaration of staff – year wise, level/designation wise.
8	Blacklisting	<p><i>Any Firm/ Company/ Entity/ partner blacklisted by SDMC/NDMC/EDMC/or any other government agency shall not be eligible to apply. In case of Consortium, none of the members should be blacklisted by SDMC/NDMC/EDMC/or any other government agency.</i></p>	A Self Certified letter

#### **1.8. Other Documents and Certificates to be submitted with EOI**

1. Power of Attorney in the name of the Authorized Signatory from all members of Consortium (Appendix SI-IV)
2. In case of Consortium, A copy of the Jt. Bidding Agreement among the Consortium members (Appendix SI-V) to be submitted.
3. Copy of BOARD RESOLUTION OF Participants and each member of consortium to be submitted. (Appendix SI-VI)
4. Earnest Money Deposit (EMD) for Amount mentioned in Data sheet in the manner as mentioned in the datasheet.
5. Anti-Collusion Certificate (Appendix SI-VII)
6. Bank Draft for Rs. 5000/- towards cost of Tenders.

**Appendix SI-I:  
Data Sheet for Expression of Interest**

<b>Clause</b>	<b>Particulars</b>	<b>Details</b>	
1.3	Project Name	Collection, Transportation, Processing and disposal of Construction & Demolition Waste (also known as Malba) generated within the Jurisdiction of SDMC at Ghummenhera Najafgarh.	
1.2	Nodal Agency	South Delhi Municipal Corporation (SDMC)	
1.1	Start date of issuance / sale of EOI document	18.02.2015	
1.1	Cost of Tender Document	Rs. 5000/-	
1.6.3 (a)	Pre-Bid Conference	17.03.2015	2:00 PM
1.6.3 (a)	Venue of Pre-bid Conference	Director, DEMS South Delhi Municipal Corporation 2 <sup>nd</sup> , Floor, E-2 Block, Civic Centre,	
1.6.3 (b)	Last date for Submission of Queries	17.03.2015	1:00PM
1.6.3 (b)	Nodal Officer for Submission of Queries	Executive Engineer, EMS/SZ South Delhi Municipal Corporation Room No. 30, Main Zonal Building, South Zone, Green Park, New Delhi-110016 Ph.: 9717788407	Email: eeemssz123@gmail. com
1.6.3		S.E., QC, 19 <sup>th</sup> Floor, Civic Centre, New Delhi-110002	
1.6.8 (c)	Corrigendum, if any will be placed on website	27.03.2015	
1.6.8 (a)	Last date and time for EOI Submission	08.04.2015	Till 3:00PM

Clause	Particulars	Details	
1.6.8 (a)	Address for submission of EOI	Executive Engineer, EMS/SZ South Delhi Municipal Corporation Room No. 30, Main Zonal Building, South Zone, Green Park, New Delhi-110016 Ph.: 9717788407	Email: eeemssz123@gmail. com
1.8	EMD Amount	Not Required at the Stage of EOI EMD shall be asked for at the stage of submission of RFP.	
1.8	EMD Manner		

**Appendix SI- II:  
Bid Submission forms**

The Participants are expected to respond to the EOI using the forms given in this section and all documents supporting Pre-Qualification / EOI Criteria.

Proposal / Pre-Qualification Bid shall comprise of following forms:

Form 1: Covering Letter with Correspondence Details

Form 2: Details of the Participants' Operations & Business

Form 3: Compliance Sheet for Pre-Qualification Criteria

Form 4: Details of Technical Capacity

Form 5: Details of Financial Capacity



**Appendix SI- II:**  
**Form-1 :Covering Letter with Correspondence Details**

<Location, Date>

<Name of the Nodal  
Officer><Address of the  
Nodal Agency>

Dear Sir,

We, the undersigned, offer to provide the EOI under PPP model for <Name of the  
Assignment>Our correspondence details with regard to this EOI are as per Form 2:

We are hereby submitting our Expression of Interest in PPP printed format (2 copies) and as a soft copy  
in a CD. We understand you are not bound to accept any Proposal you receive.

We fully understand and agree to comply that on verification, if any of the information provided here is  
found to be misleading the short listing process or unduly favors our company in the short listing  
process, we are liable to be dismissed from the selection process or termination of the contract during  
the project.

We hereby declare that our proposal submitted in response to this EOI is made in good faith and the  
information contained is true and correct to the best of our knowledge and belief.

Sincerely,

[Participants's/ Lead Member's Name with

seal+ Signature: <<Insert Signature>>

Particulars of the Authorized Signatory of the Applicant:

- (a) Name:
- (b) Designation:
- (c) Address:
- (d) Phone Number:
- (e) Fax Number:
- (f) E-mail

**Appendix SI- II:**  
**Form 2: Details of the Participants's Operations and C&D/MSW Business**

SI. No	Information Sought	Details to be Furnished
A	Name and address of the bidding company	
B	Incorporation status of the firm (public limited/ private limited, etc)	
C	Year of Establishment	
D	Date of registration	
E	ROC Reference No.	
F	Details of company registration	
G	Details of registration with appropriate authorities for service tax / VAT	
H	PAN No	
I	Country of incorporation In case, outside India, Address of the corporate head quarters sand its branch office(s), if any, in India:	
J	Brief description of the Company including details of its main lines of business and proposed role and responsibilities in this Project:	
K	Name, Designation, Address, email, Phone No., FAX No, and Mobile number of Contact Person	

S. No.	Information	Details
1	Name of the Contact Person	<Insert Name of Contact>
2	Address of the Contact Person	<Insert Address>
3	Name, designation and contact, address of the person to whom, all references shall be made, regarding this	<Insert Name of Contact>
4	Telephone number of the Contact Person.	<Insert Phone No.>
5	Mobile number of the Contact Person	<Insert Mobile No.>
6	Fax number of the Contact Person	<Insert Fax No.>
7	Email ID of the Contact Person	<Insert Email.>
8	Corporate website URL	<Insert Website URL.>

[Participants's/ Lead Member's Name with

seal+ Signature: <<Insert Signature>>

Particulars of the Authorized Signatory o the Applicant:

(a) Name:

(b) Designation:

NOTE: In case of a Consortium:

The information above (A-K) should be provided for all the members of the Consortium.

**Appendix SI- II:**

**Form 3: Compliance Sheet for Pre-Qualification Criteria**

*[Please customize this list on the basis of guidance provided in this document]*

S. No.	Basic requirement	Document Required	Provided	Reference No. & Page
1	Sales Turnover	Extracts from the audited Balance sheet and Profit & Loss; OR Certificate from the statutory auditor (Appendix SI- VIII)	Yes/No	Form 5
2	Net Worth	Certificate from the statutory auditor (Appendix SI- VIII)	Yes/No	Form 5
3	Technical Capability	Completion Certificates from the client; OR Work Order + Self Certificate of Completion (Certified by the Statutory Auditor); OR Work Order + Phase Completion Certificate from the client	Yes/No	Form 4
4	Certifications	Copy of certificate	Yes/No	
5	Power of Attorney	Copy of Power of Attorney in the name of the Authorized signatory (Appendix SI- IV) from all members of Consortium	Yes/No	
6	Legal entity	Copy of Certificate of Incorporation; and Copy of Service Tax Registration Certificate	Yes/No	
7	Manpower strength	Self-Certification by the authorized signatory	Yes/No	
8	Blacklisting	A self-certified letter	Yes/No	
9.	EMD	Bank Guarantee (Appendix SI- III)	Yes/No	
10	Tender Cost	Bank Draft	Yes/No	
11	CONSORTIUM PROPOSAL	A copy of the Jt. Bidding Agreement among the Consortium members (Appendix SI- V)	Yes/No	
12	Board Resolutions	Board Resolutions of Participants/ Each member of Consortium (Appendix SI- VI)	Yes/No	
13	Anti-Collusion Certificate	Certificate executed by all members in case of Consortium (Appendix SI- VII)	Yes/ No	

**Appendix SI- II:**  
**FORM 4 : DETAILS AND PROOF OF TECHNICAL CAPACITY**

(a) EXPERIENCE IN COLLECTION / TRANSPORTATION OF MSW/C&D WASTE (MINIMUM 200 TPD)

Year	Names of Projects related to Collection and Transportation of MSW/ C&D Waste.	Name of the Client*	Activities performed by the Participants in the project	Annual Turnover / Revenues from the project.

(\*attach documents in support)

(b) EXPERIENCE IN CONSTRUCTION, OPERATION AND MANAGEMENT OF C&D WASTE PROCESSING FACILITY.

Name of Member	Processing Facility Location (*)	Technology(*)	Capacity ( TPD) (*)	Area (Hectares)	Period of operation (*)	Quantity of raw materials TPD) (*)	Quantity of Waste materials TPD	Quality of residual recovered( TPD)
					Total			

(\*) Attach relevant certificates obtained from the authorities/statutory auditors as proof of work/operations.

**Appendix SI- II: FORM 5 : DEALS AND PROOF OF FINANCIAL CAPACITY Consortium**

Member:

YEAR	Turnover**	Net Worth**	Profit/(Loss)**
2011-13			
2012-13			
2013-14			

Consortium Member:

YEAR	Turnover**	Net Worth**	Profit/(Loss)**
2011-13			
2012-13			
2013-14			

Consortium Member:

YEAR	Turnover**	Net Worth**	Profit/(Loss)**
2011-13			
2012-13			
2013-14			

Consortium Member:

YEAR	Turnover**	Net Worth**	Profit/(Loss)**
2011-13			
2012-13			
2013-14			

(\*\*Attach copies of audited copies of Turn Over, P&L account and Balance sheets and calculation of net worth for last three years)

**Appendix SI –III:  
Format for Bank Guarantee for submission of EMD**

Note: EMD is not required to be submitted at the time of submission of EOI. EMD shall be sought at the time of submission of proposals in response to RFP that shall be issued to qualified Participants.

**Appendix SI- IV:**  
**FORMAT FOR POWER OF ATTORNEY FOR SIGNING OF PROPOSAL**

**[One person to be nominated by each member of the Consortium]**

(On Non- Judicial Stamp Paper of Rs.100/-)

**POWER OF ATTORNEY**

Know all men by these presents, We, \_\_\_\_\_ (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorize Mr. / Ms (Name), son/daughter/wife of \_\_\_\_\_ and presently residing at \_\_\_\_\_ who is [presently employed with us/ the Lead Member of our Consortium and holding the position of \_\_\_\_\_] as our true and lawful attorney (hereinafter referred to as the "Attorney") to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our bid for the **Collection, Transportation and Processing of Construction & Demolition (C&D) waste generated within jurisdiction of South Delhi Municipal Corporation**, (hereinafter referred to as SDMC) Project proposed by the South Delhi Municipal Corporation (hereinafter referred to as "SDMC" ) including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Applicants' and other conferences and providing information / responses to SDMC, representing us in all matters before the SDMC, signing and execution of all contracts including the Concession Agreement and undertakings consequent to acceptance of our bid, and generally dealing with SDMC in all matters in connection with or relating to or arising out of our bid for the said Project and/or upon award thereof to us and/or till the entering into of the Concession Agreement with SDMC.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things lawfully 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 \_\_\_\_\_,  
2013**

(Signature)

(Name, Title and Address of the Attorney)

Date : .....

Witnesses:

1 .

2 .

Accepted [Notarised]

(Signature)

(Name, Title and Address  
of the Attorney)

Note:

- (a) In case of Applicants who are not resident in India, the Power of Attorney may be submitted on plain paper attested by any authorised officer of the Embassy of India and duly stamped by the Department of Stamps & Registration, Government of NCT Delhi.
- (b) The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law [Indian Laws Only] 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.
- (c) Also, wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a 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.

- (d) In case an authorised Director of the Applicant signs the Application, a certified copy of the appropriate resolution conveying such authority may be enclosed in lieu of the Power of Attorney.



**Appendix SI-V:  
CONSORTIUM PROPOSAL**

**(ON NON-JUDICIAL STAMP PAPER OF RS 100 DULY ATTESTED BY NOTARY PUBLIC)**

**This Memorandum of Understanding (MOU)** entered into this day of 2012 at

**Among**

\_\_\_\_\_ (hereinafter referred as" ----- ") and having office at India  
**Party of the First Part**

**And**

\_\_\_\_\_ (hereinafter referred as" ----- ") and having office at India  
**Party of the Second Part**

The parties are individually referred to as **Party** and collectively as **Parties**.

**WHEREAS**, South Delhi Municipal Corporation ("SDMC") has invited proposals from qualified Applicants for **Collection, Transportation and Processing of Construction & Demolition (C&D) waste generated within its jurisdiction**

**WHEREAS the said Authority** has invited Proposals from interested Firms / Consortiums for Appointment of Private operator for development of the [Project] through a Concession agreement

**AND WHEREAS** the Parties have had discussions for formation of a Consortium for bidding for the said Project and have reached an understanding on the following points with respect to the Parties "rights and obligations towards each other and their working relationship.

**And Whereas**, the Consortium being one of the Applicants is interested in bidding for the Project and implementing the Project in accordance with the terms and conditions of the Request for Proposal (RFP Document) and other connected documents in respect of the Project, and

**Whereas**, it is necessary under the RFP Document for the members of the Consortium to designate the Lead Member with all necessary power and authority to do for and on behalf of the Consortium, all acts, deeds and things as may be necessary in connection with the Consortium's Proposal for the Project or in the alternative to appoint one of them as the Lead Member who, would have all necessary power and authority to do all acts, deeds and things on behalf of the Consortium, as may be necessary in connection with the Consortium's Proposal for the Project.

**IT IS HEREBY AS MUTUAL UNDERSTANDING OF THE PARTIES AGREED AND DECLARED AS FOLLOWS:**

1. That M/s \_\_\_\_\_ who is the Lead Members of the Consortium commits to hold a minimum equity stake equal to [as per the provisions of the Bid document] of the aggregate shareholding of the Consortium at all times during the Concession Period. /or That the Parties will form a Special Purpose Vehicle (SPV) with the shareholding commitments expressly stated. The Said SPV shall not undertake any other business during the Concession Period.
2. That any dilution in the equity holding by the Parties in the consortium shall be as per the provisions of the Concession Agreement. /or That the equity shareholding of the Parties in the issued and paid up capital of the SPV shall not be less than as specified under the Bid documents.
3. That the shareholding commitments shall be recorded in the Concession Agreement and no changes shall be allowed thereof, except in accordance with the provisions of the Concession Agreement and the Request for Proposal.
4. We, M/s. ----- , and M/s (the names and address of the

registered offices), do hereby designate M/s .....being one of the members of the Consortium, as the Lead Member of the Consortium, to do on behalf of the Consortium, all or any of the acts, deeds or things necessary or incidental to the Consortium's Proposal for the Project, including submission of Proposal, participating in conferences, responding to queries, submission of information/ documents and generally to represent the Consortium in all its dealings with SDMC, any other Government Agency or any person, in connection with the Project until culmination of the process of bidding and thereafter till the Concession Agreement is entered into with SDMC.

5. We hereby agree to ratify all acts, deeds and things lawfully done by the Lead Member and our said attorney pursuant to this Power of Attorney and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us/Consortium.

Dated this ..... Day of .....2013

For \_\_\_\_\_  
(Name & Title)

For \_\_\_\_\_  
(Name & Title)

For \_\_\_\_\_  
(Name & Title)

Witnesses:

- 1 .  
2 .

(Executants)

(To be executed by all the Members of the Consortium) Notes:

- (a) The mode of execution of the MOU should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.
- (b) Also, wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a resolution/ power of attorney in favor of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.
- (c) For a MOU executed and issued overseas, 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.

**Appendix SI-VI:**  
**FORMAT FOR BOARD RESOLUTION OF COMPANIES**

**Format for Lead Member**

“RESOLVED THAT approval of the Board be and is hereby granted to join the consortium with and ----- (name and address of the consortium members) for joint submission of Proposal for appointment as a Private Service Provider to undertake the project on **Collection, Transportation, Processing including recycling and recovery of material and Management of Construction & Demolition (C&D) waste** of SDMC in the state of Delhi.

“RESOLVED FURTHER THAT the Memorandum of Agreement (“MoA”) to be entered into with the consortium partners (a copy whereof duly initialed by the Chairman is tabled in the meeting) be and is hereby approved.”

“RESOLVED FURTHER THAT Mr. ----- (name), (designation) be and is hereby authorized to enter into an MoA, on behalf of the company, with the consortium members and to sign the bidding documents on behalf of the consortium for submission of the bidding documents and execute a Power of Attorney in favour of ----- to act as the Lead Member.

**FORMAT FOR MEMBER**

“RESOLVED THAT approval of the Board be and is hereby granted to join the consortium with ----, -----and (name and address of the consortium members) for joint submission of Proposal to the Authority for appointment as a Private Service Provider to undertake the Project on **Collection, Transportation, Processing including recycling and recovery of material and Management of Construction & Demolition (C&D) waste at Ghummanhera in Najafgarh Zone**, on B.O.T. [Built, Operate and Transfer] basis in the state of Delhi of the Authority in the state of Delhi [Project State].

“RESOLVED FURTHER THAT the Memorandum of Agreement (“MoA”) to be entered into with the consortium partners (a copy whereof duly initialed by the Chairman is tabled in the meeting) be and is hereby approved.”

“RESOLVED FURTHER THAT Mr.----- (name), (designation) be and is hereby authorized to enter into an MoA with the consortium members and execute a power of attorney in **FAVOUR OF -----TO ACT AS THE LEAD MEMBER**”

**Appendix SI-VII:**  
**FORMAT FOR ANTI-COLLUSION CERTIFICATE**

**Anti-Collusion Certificate**

**To be executed by lead member, in case of consortium**

We hereby certify and confirm that in the preparation and submission of our Proposal for the properties listed below, we have not acted in concert or in collusion with any other Applicant or other person(s) and also not done any act, deed or thing which is or could be regarded as anti-competitive.

**We further confirm that we have not offered nor will offer any illegal gratification in cash or kind to any person or agency in connection with the instant Proposal.**

Dated this ..... Day of ....., 2013

(Name of the Applicant<sup>1</sup>)

(Signature of the Authorised Person)

(Name of the Authorised Person)

Note:

- (a) On the Letterhead of the Applicant
- (b) To be executed by all members in case of Consortium

**Appendix SI-VIII:**  
**FORMAT FOR CERTIFICATION BY STATUTORY AUDITOR**

This is to certify that M/s \_\_\_\_\_ (Name of the Applicant) has Turnover, Net Worth & Profit (Calculated in accordance with the Bid Document) as set out in the following tables

Name of Firm

In Rs Crores	Year 1	Year 2	Year 3
Turnover			
Net Worth			
Profit (Loss)			

Signature and Membership No. of Statutory

Auditor *Note:*

**1 Names of all members in case of Consortium**