REOI DOCUMENT

Request for Expression of Interest (REOI)

Tender Reference Number: REOI/xxxx

For Procurement of Consultancy Services

Consultancy Services [Name of Services ----- To be filled]

[Month, Year to be filled by TIA]

(* Based on Std document of RITES, March 2024)

[*The details of Std document are given here for information of TIA, however the same may not be mentioned in the tender being invited]

RITES Limited

(Schedule 'A' Government of India Enterprise under Ministry of Railways)

Shikhar, Plot no 1, Sector-29,
Gurgaon – 122 001 (INDIA)

CIN: L74899DL1974GOI007227

[Respective Sub-unit/PU may insert their Complete address above]

RITES Ltd.

Request for Expression of Interest
Tender Reference Number: REOI/xxxx
For Procurement of Consultancy Services

Table of Contents

PART I: REOI PROCESS I

SECTION I: REQUEST FOR EXPRESSION OF INTEREST (REOI) 2

1. INVITATION 2
2. INSTRUCTIONS FOR EOI 2
2.1. Governing Language and Law 2
2.2. Acronyms 2
2.3. The Contents of the REOI document 3
2.4. Corrigenda/ Addenda to REOI document 4
3. PROCURING ENTITY - RIGHT TO REJECT ANY OR ALL EOIS 4
4. PARTICIPATION IN REOI – ELIGIBILITY CRITERIA 4
4.1. Eligibility Criteria 4
4.2. Eligibility of Consultants from Restricted countries 6
4.3. Sub-consultants/ Sub-contracting 10
4.4. Joint Venture/ Consortium (JV/C) 10
4.5. Conflict of Interest 11
5. PURCHASE PREFERENCE POLICIES OF THE GOVERNMENT 12
5.1. Relaxation in Prior Turnover and Experience to Startups 12
6. DOWNLOADING THE REOI DOCUMENT, CLARIFICATIONS AND PRE-EOI CONFERENCE 12
6.1. Availability and Downloading of the REOI Document 12
6.2. Clarifications 12
6.3. Pre-EOI Conference 13
7. PREPARATION OF EOIS 13
7.1. EOI Submission Formats: 13
7.2. EOI Validity 13
8. SIGNING AND UPLOADING OF EOIS 14
8.1. Relationship between Consultant and eProcurement portal 14
8.2. Signing of EOI 14
8.3. Submission/ uploading of EOIs 14
8.4. Modification, Resubmission and Withdrawal of EOIs 15
9. EOI OPENING 16
10. EVALUATION OF EOIS AND SHORTLISTING OF CONSULTANTS 16
10.1. General norms 16
10.2. Evaluation of EOIs and Shortlisting 17
10.3. Publication of RFP following this EOI 19
11. GRIEVANCE REDRESSAL/ COMPLAINT PROCEDURE 19
12. CODE OF INTEGRITY IN PUBLIC PROCUREMENT, MISDEMEANOURS AND PENALTIES: 20

SECTION II: APPENDIX 21

SECTION III: QUALIFICATION CRITERIA 29

PART II: SCHEDULE OF REQUIREMENTS 32

SECTION IV: TERMS OF REFERENCE (TOR) 33

PART III: EOI SUBMISSION FORMATS 35

FORM 1: EOI FORM (COVERING LETTER) 36

FORM 1.1: CONSULTANT INFORMATION 38

FORM 1.1-A: FORMAT FOR POWER OF ATTORNEY TO AUTHORISED SIGNATORY 40
FORM 1.1-B: FORMAT FOR POWER OF ATTORNEY TO LEAD MEMBER OF JOINT VENTURE 42
FORM 1.2: ELIGIBILITY DECLARATIONS 44
FORM 2: QUALIFICATION CRITERIA - COMPLIANCE 47
FORM 2.1: PERFORMANCE CAPABILITY STATEMENT 49
FORM 2.2 FINANCIAL CAPABILITY STATEMENTS 51
Form 2.2.1: Average Annual Turnover *51*
FORM 3: CHECKLIST FOR CONSULTANTS 53
FORMAT 1: AUTHORISATION TO ATTEND PRE-EOI CONFERENCE 54

Part I: REOI Process

Section I: Request for Expression of Interest (REOI)

1. Invitation

RITES Limited (Referred to as Procuring Entity in this document herein after)*/RITES Limited (Referred to as Procuring Entity in this document herein after) for and on Behalf of Principal/Employer*, through ----- (Insert designation of Tender Inviting Authority & SBU), invites Expression of Interest (hereinafter referred as the 'EOIs') from eligible and qualified Consultants for shortlisting for the delivery of Consultancy Services as described in 'Part II: Schedule of Requirements' (hereinafter referred to as 'the Services'). Interested Consultants should provide sufficient and relevant information demonstrating that they meet the specified eligibility criteria and have the required qualifications to be shortlisted for providing the Services. This Request for Expression of Interest (REOI) Document, reference number, REOI/ xxxx, details the process of such shortlisting. As part of this procurement process, a Request for Proposals (RFP) for selecting Consultants shall be subsequently issued to only such shortlisted Consultants.

* Strike out which ever is not applicable

2. Instructions for EOI

2.1. Governing Language and Law

1) The EOI submitted by the consultant and all subsequent correspondence and documents relating to the EOI exchanged between the consultant and the Procuring Entity should be written in the language specified in Section II: Appendix (or English, if nothing is specified - hereinafter referred to as the 'EOI Language'). However, the language of any printed literature furnished by a Consultant in connection with its EOI may be written in any other language provided a certified translation accompanies the same in the EOI language. For interpretation of the EOI, translation in the language of the EOI shall prevail.
2) The REOI process shall be subject to the laws of the Union of India and the exclusive jurisdiction of courts relevant to the address of the Tender Inviting Authority.

2.2. Acronyms

The following Acronyms have been used in this REOI document:

Acronym	Definition	Acronym	Definition
DPIIT	Department for Promotion of Industry and Internal Trade (DPIIT)	RFP	Request for Proposals
EOI	Expression of Interest	TIA	Tender Inviting Authority
JV/C	Joint Venture/ Consortium	TOR	Terms of Reference
REOI	Request for Expression of Interest		

2.3. The Contents of the REOI document

This REOI document provides the relevant information and instructions to assist the prospective Consultants in preparing and submitting EOIs. It also includes the mode and procedure for receipt/ opening, evaluation of EOIs, and shortlisting of consultants. The REOI document consists of the following parts. If additional sections/ appendices are included in a specific EOI, these would be detailed in Section II: Appendix.

Part I: REOI process

1) Section I: Request for Expression of Interest (REOI)
2) Section II: Appendix
3) Section III: Qualification Criteria

Part II: Schedule of Requirements

1) Section IV: Terms of Reference

Part III: EOI Submission Formats

1) Form 1: EOI Form (Covering Letter)

   a) Form 1.1: Consultant Information
      Form 1.1-A: Power of Attorney to authorized signatory
      Form 1.1-B: Power of Attorney to lead member of joint venture
   b) Form 1.2: Eligibility Declarations

2) Form 2: Qualification Criteria – Compliance

   a) Form 2.1: Performance Capability Statement
   b) Form 2.2: Financial Capability Statements

      i) Form 2.2.1: Average Annual Turnover

3) Form 3: Checklist for Consultants
4) Other Formats: Format 1: Authorisation to Attend Pre-EOI Conference

2.3.1 Section II: Appendix

Variable parameters and information related to this specific REOI process are summarised in the appendix.

2.3.2 Section III: Qualification Criteria:

This section lays down the Qualifying Criteria for shortlisting consultants. The Consultants must have requisite experience with assignments similar in nature relevant to the subject assignment. It may indicate the extent of dispensation, if any, allowed for Startups under Clause 5.1 below. Unless otherwise stated in Section II: Appendix, Consultants may associate with other firms to enhance their qualifications but should indicate clearly whether the association is in the form of a joint venture/consortium (JV/C) and/or a sub-consultancy. In response to this section, Consultant must submit Form 2: Qualification Criteria – Compliance and it's sub-forms 2.1, 2.2 and 2.2.1.

2.3.3 Section IV: Terms of Reference (TOR)

'Section IV: Terms of Reference (TOR)' describes the background, purpose/ objectives, description/ scope, deliverables/ outcomes, and timelines of Consultancy Services (hereinafter called the 'Service') required. The 'Service' may include incidental Goods, Works, and other Services if so indicated therein. Any generic reference to the 'Service' shall be deemed to include such incidental Goods, Works, and other Services.

2.3.4 EOI Formats for submission (To be filled, digitally signed, and uploaded by consultants)

The consultant must fill, digitally sign and upload the EOI in the Formats given in Part III: 'EOI Submission Formats'.

2.4. Corrigenda/ Addenda to REOI document

1) Before the deadline for submitting EOIs, the Procuring Entity may update, amend, modify, or supplement the information, assessment or assumptions contained in the REOI document by issuing corrigenda and addenda. The corrigenda and addenda shall be published in the same manner as the original REOI document. The consultants must check the website(s) for any corrigenda/ addenda. Any corrigendum or addendum thus issued shall be considered a part of the REOI document.
2) If considered necessary, the Procuring Entity may suitably extend the EOI submission deadline to give reasonable time to the prospective Consultants to take such corrigendum/ addendum into account in preparing their EOI. After the Procuring Entity makes such modifications, any Consultant who has submitted his EOI shall have the opportunity to either withdraw his EOI or re-submit his EOI superseding the original EOI within the extended time of submission as per Clause 8.4 below.
3) The Procuring Entity may extend the deadline for the EOI submission by issuing an amendment. In such a case, all rights and obligations of the Procuring Entity and the consultants previously subject to the original deadline shall then be subject to the new deadline for the EOI submission.

3. Procuring Entity - Right to Reject any or all EOIs

The issue of the REOI document does not imply that the Procuring Entity is bound to shortlist Consultants. The Procuring Entity reserves its right to accept or reject any or all EOIs, abandon/ bypass/ cancel the REOI process and issue another REOI for the same or similar Services before or after shortlisting Consultants. It would have no liability to the affected Consultant or Consultants or any obligation to inform the affected Consultant or Consultants of the grounds for such action(s).

4. Participation in REOI – Eligibility Criteria

4.1. Eligibility Criteria

Subject to other provisions in the REOI document, participation in this shortlisting process is open to all Consultants who fulfil the 'Eligibility' and 'qualification' criteria. Consultants should meet the following eligibility criteria as of the date of their EOI submission and should continue to meet these until the subsequent RFP process and contract award. Consultants shall be required to demonstrate

fulfilment of the Eligibility Criteria in Form 1.2 (Eligibility Declarations). Consultant unless otherwise stipulated in Section II: Appendix:

1) must be:

(a) a natural person (an individual Consultant), a private entity (a Consulting Company/ LLP /Partnership firm/ Society registered under an applicable Act in India), a public Entity (Government-owned enterprise or institution), or unless otherwise stipulated in Section II: Appendix - Joint Venture/ Consortium (an association of several persons, firms, or companies - hereinafter referred to as JV/C).

(b) a Consultancy Services provider with valid registration regarding GSTIN, PAN, EPF, ESI, Labour, or equivalent registration certificate issued by the concerned authority/government as applicable to the subject Services.

2) must:

(a) not be insolvent, in receivership, bankrupt or being wound up, not have its affairs administered by a court or a judicial officer, not have its business activities suspended and must not be the subject of legal proceedings for any of aforesaid reasons.

(b) (Including their affiliates, subsidiaries, or contractors/ sub-consultants for any part of the contract):

i) Not stand declared ineligible/ blacklisted/ banned/ debarred by the RITES Ltd. or Ministry of Railways/ Department from participation in its procurement processes; and/ or

ii) Not be convicted (within three years preceding the last date of EOI submission) or stand declared ineligible/ suspended/ blacklisted/ banned/ debarred by appropriate agencies of the Government of India from participation in procurement processes of all its entities, for:

- offences involving moral turpitude in business dealings under the Prevention of Corruption Act, 1988 or any other law; and/or
- offences under the Indian Penal Code or any other law for causing any loss of life/ limbs/ property or endangering Public Health during the execution of a public procurement contract and/ or
- suspected to be or of doubtful loyalty to the Country or a National Security risk as determined by appropriate agencies of the Government of India.

iii) Not have changed its name or created a new “Allied Entity”, consequent to having declared ineligible/ suspended/ blacklisted/ banned/ debarred as above.

(c) Not have an association (as a consultant/ partner/ director/ employee in any capacity)

- of any retired employee (of Gazetted Rank) or any retired Gazetted Officer of the Central or State Government or its Public Sector Undertakings, if such a retired person has not completed the one-year cooling-off period (or any other period stipulated by their erstwhile Employer) after his retirement. However, this shall not apply if such employees/ officers have obtained a waiver of the cooling-off period from their former organisation.

- of the near relations of executives of Procuring Entity involved/ likely to be involved in this procurement process

(d) Not have a conflict of interest (as defined in clause 4.5 below), which substantially affects fair competition. No attempt should be made to induce any other consultant to submit or not to submit an EOI to restrict competition.

(e) must fulfil any other additional eligibility condition, if any, as may be prescribed in the REOI document.

3) Consultant (s) from certain countries shall be eligible subject to certain conditions as detailed in Clause 4.2 below.

4) Consultant (s) must provide such evidence of their continued eligibility to the Procuring Entity if requested.

4.2. Eligibility of Consultants from Restricted countries

4.2.1 Restrictions based on Reciprocity.

Entities from countries (if so, identified in Section II: Appendix) as not allowing Indian companies to participate in their Government procurement shall not be allowed to participate (directly or as a sub-contractor or as a member of a JV/C) on a reciprocal basis in this REOI process under the "Public Procurement (Preference to Make in India) Order 2017[1]" (MII – para 10 -d) of Department for Promotion of Industry and Internal Trade, (DPIIT). Consultants must apprise themselves of the latest version of this order.

4.2.2 Restrictions Based on Land Borders

i) Orders issued by the Government of India (Order No. F-7/10/2021-PPD(1) Dated 23.02.2023 issued by Department of Expenditure, Ministry of Finance ,Govt. of India or any other latest order on the subject matter; also referred to as "the Order" in this clause) restricting procurement from consultants from certain countries that share a land border with India shall apply to this procurement. The provisions of the Order are included in the succeeding paras. The Consultant should however refer to "the Order" for actual provisions which shall prevail in case of any contradictions from the provisions mentioned herein.

ii) Any consultant from a country that shares a land border with India[2], excluding countries to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects (as listed on the website of the Ministry of External Affairs[3]), – hereinafter called 'Restricted Countries' shall be eligible to participate in this REOI, only if the consultant is

[1] No. P-45021/2/2017-PP (BE-II) dated 16th September 2020

[2] https://mea.gov.in/india-and-neighbours.htm

[3] http://meadashboard.gov.in/indicators/92

registered [4] with the competent authority i.e., Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT). Consultants shall enclose the certificate in Form 1.2 - EOI Form.

iii) Any Consultant (including an Indian consultant) who has a Specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India will be eligible to bid in this EOI only if the bidder is registered with the Competent Authority i.e. Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT). The provisions of requirement of registration of bidders and of other relevant provisions of Specified Transfer of Technology (ToT) arrangement as per Order at Para 4.2.2 (i) shall apply to this EOI (Applicable to all proposals/tenders issued after 01.04.2023). Consultants shall enclose the certificate in Form 1.2 - EOI Form

The provision of the Order on restrictions based on land borders will not be applicable for cases mentioned hereinunder:

A. In projects which receive international funding with the approval of the Department of Economic Affairs (DEA), Ministry of Finance, the procurement guidelines applicable to the project shall normally be followed, notwithstanding anything contained in this order and without reference to the Competent Authority. Exceptions to this shall be decided in consultation with DEA.

B. This order shall not apply to procurement by Indian missions and by offices of government agencies/ undertakings located outside India.

C. This order will not apply to bidders (or entities) from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are given on the website of the Ministry of External Affairs.

D. Procurement of spare parts and other essential service support like Annual Maintenance Contract (AMC)/ Comprehensive Maintenance Contract (CMC), including consumables for closed systems, from Original Equipment Manufacturers (OEMs) or their authorized agents, shall be exempted from the requirement of registration.

4.2.3 Compliance with Above Restrictions

1) In EOIs the successful Consultant shall not be allowed to sub-contract works to any contractor from such Restricted Countries unless such contractor complies with similar conditions.

[4] https://dipp.gov.in/sites/default/files/Revised-Application-Format-for-Registration-of-Consultants-15Oct2020.pdf

2) If Consultant has proposed to sub-contract Services or incidental Goods directly/ indirectly from the vendors from such countries. In that case, such a vendor must also comply with similar conditions. However, such restrictions shall not apply, if the Consultant procures raw material, components, and sub-assemblies from such countries.

Definitions:

3) *"Bidder''* for the purpose of the Order (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.

4) *"Bid/Tender''* for the purpose of the Order will include other forms of procurement, except where the context requires otherwise.

5) *''Transfer of Technology"* means dissemination and transfer of all forms of commercially usable knowledge such as transfer of know-how, skills, technical expertise, designs, processes and procedures, trade secrets, which enables the acquirer of such technology to perform activities using the transferred technology independently. (Matters of interpretation of this term shall be referred to the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade, and the interpretation of the Committee shall be final.)

6) *"Specified Transfer of Technology"* means a transfer of technology in the sectors and/ or technologies, specified in the order.

7) "Consultant (or entity) from a country which shares a land border with India" for the purpose of the order means: -

a) An entity incorporated, established, or registered in such a country; or
b) A subsidiary of an entity incorporated, established, or registered in such a country; or
c) An entity substantially controlled through entities incorporated, established, or registered in such a country; or
d) An entity whose beneficial owner is situated in such a country; or
e) An Indian (or other) agent of such an entity; or
f) A natural person who is a citizen of such a country; or
g) A consortium or joint venture where any member falls under any of the above

8) The beneficial owner shall mean:

a) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s),who, Whether acting alone or together or through one or more juridical persons, has a controlling ownership interest or who exercising control through other means.

Explanation-

i. "Controlling ownership interest" means ownership of or entitlement to, more than twenty-five percent of the shares or capital or profits of the Company;

ii. "Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;

b) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together or through one or more juridical persons, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;

c) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;

d) Where no natural person is identified under (a) or (b), or (c) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

e) In the case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

9) *An "Agent'* is a person employed to do any act for another, or to represent another in dealings with third persons.

[Note:

i. A person who procures and supplies finished goods from an entity from a country which shares a land border with India will, regardless of the nature of his legal or commercial relationship with the producer of the goods, be deemed to be an Agent for the purpose of the Order.

ii. However, a bidder who only procures raw material, components etc. from an entity from a country which shares a land border with India and then manufactures or converts them into other goods will not be treated as an Agent.]

10) The registration shall be valid at the time of submission of bid and at the time of acceptance of bid.

11) If the bidder was validly registered at the time of acceptance *I* placement of order, registration shall not be a relevant consideration during contract execution

12) **Sensitive Sectors/ Technologies** (relevant only for the provisions on ToT arrangements):

The Order may be referred for sectors/Technologies which have been identified as sensitive from the National Security Point of View. The Consultant with ToT arrangement in any sensitive Sector/Technology with a country which shares a land border with India shall require registration. The Order may be referred for details of sensitive sectors/Technologies.

13) **Validity of Registration**

In respect of bids/tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. If the bidder was validly registered at the time of acceptance *I* placement of order, registration shall not be a relevant consideration during contract execution.

4.3. Sub-consultants/ Sub-contracting

Consultants may propose to associate Sub-consultants for specialised parts of the Services provided their names and details are clearly stated in the EOI. Such Sub-consultants should not circumvent the eligibility condition laid down above. The value of such sub-contracts shall not exceed the limit specified (25% of the contract price, if not specified) in Section II: Appendix. Nevertheless, the consultant shall solely remain responsible for sub-contracted portions of the Services. Key and Non-key personnel, whether full-time employees or on contract, shall not be considered sub-consultants. Procurement of incidental goods, equipment hires, or labour engagement shall not be treated as sub-contracting.

4.4. Joint Venture/ Consortium (JV/C)[5]

1) In the case where a consultant is or proposes to be a Joint Venture/ Consortium (that is, an association of several persons, firms, or companies - hereinafter referred to as JV/C), then unless otherwise specified in Section II: Appendix, in JV/C:

   a) Members(including non-substantial member as defined herein after) should not be more than four (04)

   b) no member should have less than 10% participation;

   c) members having participation between 10% and 20% shall be termed as non-substantial members.

   d) Members having more than 20% participation shall be termed as substantial members.

   e) The Lead member must have at least 40% participation.

   f) The lead member/consultant and various categories of members of the JV/C must be identified.

   g) Number of non-substantial members shall not be more than one (01)

2) The JV/C and all members must satisfy all the eligibility requirements in this REOI document.
3) JV/C and its members must jointly meet the qualification criteria in Section III – Qualification Criteria. The technical/ experience qualification of all JV/C members (substantial members, Lead member and non-substantial members) shall be evaluated jointly as per Evaluation Criteria. However, for financial criteria of qualification, credentials of substantial and lead members (excluding non-substantial members) shall only be considered.

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[5] the expressions "Joint Venture" or "JV" shall mean a joint venture, association, consortium, or other unincorporated grouping of two or more persons, whether in the form of a partnership or otherwise. Similarly, in the context of Joint Venture as the context permits, the word "leader, is synonymous with the words "representative" and "Lead Partner"; the word "member" is synonymous with the word with "partner".

4) All the members shall be jointly and severally liable for the entire contract if selected in the RFP Process.

4.5. Conflict of Interest

1) Any consultant with a conflict of interest that substantially affects fair competition shall not be eligible to participate in this procurement process. EOIs found to have a conflict of interest shall be rejected as nonresponsive. Consultant shall be required to declare the absence of such conflict of interest in Form 1.2 - Eligibility Declarations. A consultant in this procurement process shall be considered to have a conflict of interest if the consultant:

   a) directly or indirectly controls, is controlled by or is under common control with another Consultant; or
   b) receives or has received any direct or indirect subsidy/ financial stake from another consultant; or
   c) has the same correspondence address or same legal representative/ agent as another consultant for purposes of this EOI; or
   d) has a relationship with another consultant, directly or through common third parties, which puts it in a position to have access to information about or influence the EOI of another Consultant; or
   e) would be providing goods, works, or non-consulting services resulting from or directly related to consulting services that it provided (or were provided by any affiliate that directly or indirectly controls, is controlled by, or is under common control with that firm) for the procurement planning (inter-alia preparation of feasibility/ cost estimates/ Detailed Project Report (DPR), design/ technical specifications, terms of reference (TOR)/ Activity Schedule/ schedule of requirements or the EOI/ RFP Document etc) of this procurement process; or
   f) has a close business or family relationship with a staff of the Procuring Organisation who:

      i) are directly or indirectly involved in the preparation of the REOI document or Terms of Reference of the procurement process and/or the evaluation in EOI and/ or RFP process; or
      ii) would be involved in the implementation or supervision of the resulting contract

   Any conflict stemming from such a relationship must be reported and resolved in a manner acceptable to the Procuring Entity throughout the REOI and RFP processes and execution of the contract.

2) A Consultant may participate as a sub-consultant in more than one bid but only in that capacity (i.e., without bidding in an individual capacity). Bids submitted in violation of this procedure will be rejected.
3) **Participation of only One Entity from Affiliates:** Only one entity from among a Consultant and its affiliates (that directly or indirectly control or are controlled by or are under common control with that firm) individually or as part of a joint venture or as a Sub-consultant shall be permitted to participate in EOI.

4) The consultant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this REOI and RFP process.

5. Purchase Preference Policies of the Government

5.1. Relaxation in Prior Turnover and Experience to Startups

1) In this REOI process, under the policy of the Government[6], the Procuring Entity reserves its right to relax the condition of prior turnover and prior experience for Startups (as defined by the Department for Promotion of Industry and Internal Trade) subject to meeting of quality & technical specifications. The quality and technical parameters shall not be diluted. The decision of the Procuring Entity in this regard shall be final.
2) Consultants with Startup status can claim relaxation for prior turnover and experience mentioned in Section III by providing a valid 'Certificate of Recognition' issued by the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce & Industry, Govt. of India. Such relaxation shall be given only for the specific domain of goods/ services they are registered for.

6. Downloading the REOI document, Clarifications and Pre-EOI Conference

6.1. Availability and Downloading of the REOI Document

The Request for Expression of Interest Document **including Correction Slips (if any)** shall be published on the eProcurement Portal (https://etenders.gov.in/eprocure/app). **The Correction Slips (CSs) are also available on RITES website www.rites.com and may be referred to by the bidder/consultant**. It shall be available for download after the date and time of the start of availability till the deadline for availability as mentioned in Section II: Appendix. Unless otherwise stipulated in Section II: Appendix, the downloaded Request for Expression of Interest is free of cost. If the Procuring Entity happens to be closed on the deadline for submitting the EOIs as specified above, this deadline shall *not* be extended. Any query/ clarification regarding downloading Request for Expression of Interest and uploading EOIs on the portal may be addressed to their Help Desk (contact details given in Section II: Appendix).

6.2. Clarifications

A Consultant may seek clarification of the REOI document through the eProcurement portal before the date and time prescribed in Section II: Appendix (or, if not mentioned, before fourteen days of the deadline for the EOI submission). This deadline shall not be extended in case of any intervening holidays. No other means of submission of queries shall be entertained. All such queries shall relate to the REOI document alone, and queries related to a detailed analysis of Terms of Reference, payment terms and mode of selection shall only be entertained during the RFP Process. The Procuring Entity shall respond no later than seven days before the deadline for EOI submission. The query and clarification shall be shared with all prospective consultants on the portal without disclosing its source. If required, the Procuring Entity may modify the REOI document that may

[6] Rule 173 (i) of GFR 2017

become necessary due to the clarification through an Addendum/ Corrigendum issued as per clause 2.4 above.

6.3. Pre-EOI Conference

1) If a Pre-EOI conference is stipulated in Section II: Appendix, prospective consultants interested in participating in this REOI may attend a Pre-EOI conference to clarify the conditions of the REOI process at the venue, date and time specified therein. Participation in the Pre-EOI conference is not mandatory but is restricted to prospective consultants who have registered through an email to office/contact person for clarifications mentioned in Section II: Appendix for the Pre-EOI conference.
2) The date and time by which the written queries for the Pre-EOI must reach the authority and the last date for registration for participation in the Pre-EOI conference are also mentioned in Section II: Appendix. If the dates are not mentioned, such date and time shall be seven days before the date and time of the Pre-EOI conference.
3) Delegates participating in the Pre-EOI conference must provide a photo identity and an authorisation letter as per Format 1: "Authorisation to Attend Pre-EOI Conference" from their organisation; else, they shall not be allowed to participate. The Pre-EOI conference may also be held online at the discretion of the Procuring Entity.
4) After the Pre-EOI conference, minutes of the Pre-EOI conference (including the questions asked in writing and those asked during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting, shall be published on the Procuring Entity's Portal within seven days from the Pre-EOI conference. If required, a clarification letter and corrigendum to the REOI document shall be issued, containing amendments, if any, of various provisions (including the TOR, if required) of the REOI document, which shall be deemed part of the REOI document. As per clause 2.4 above, the Procuring Entity may suitably extend by at least three days the deadline for the EOI submission to give reasonable time to the prospective consultants to consider such clarifications in preparing their EOIs.

7. Preparation of EOIs

7.1. EOI Submission Formats:

Consultants must fill and submit the EOI in the Formats in Part III - 'EOI Submission Formats'. EOI by the Consultant shall include inter-alia duly signed or digitally signed scanned copies of the original documents in pdf format.

7.2. EOI Validity

1) Unless specified to the contrary in Section II: Appendix, EOIs shall remain valid for a period not less than 60 (sixty) days from the deadline for the EOI submission stipulated in Section II: Appendix. An EOI valid for a shorter period shall be rejected as nonresponsive.
2) In case the day upto which the EOIs are to remain valid falls on/ subsequently declared a holiday or closed day for the Procuring Entity, the EOI validity shall automatically be deemed to be extended upto the next working day.
3) In exceptional circumstances, before the expiry of the original time limit, the Procuring Entity may request the consultants to extend the validity period for a specified additional

period. The request and the consultants' responses shall be made in writing or electronically. A consultant may agree to or reject the request. A consultant who has agreed to the Procuring Entity's request for extension of EOI validity, however, in no case he shall be permitted to modify his EOI.

8. Signing and Uploading of EOIs

8.1. Relationship between Consultant and eProcurement portal

The Procuring Entity is neither a party nor a principal in the relationship between the consultant and the organisation hosting the e-procurement portal (hereinafter called the portal). Consultants must comply with the rules, conditions, regulations, procedures, and implied conditions/ agreements of the eProcurement portal, including registration, compatible Digital Signature Certificate (DSC) etc. Consultants shall settle clarifications and disputes, if any, regarding the portal directly with them. In case of conflict between provisions of the portal with the REOI document, provisions of the portal shall prevail. Consultants may study the resources provided by the Portal for Consultants.

8.2. Signing of EOI

The individual signing/ digitally signing the EOI or any other connected documents should submit an authenticated copy of the document(s), which authorises the signatory to commit and submit EOIs on behalf of the Consultant along with Form 1.1: Consultant Information. Format for Power of Attorney is given at Form 1.1-A/ Form 1.1-B. Non submission of Power of Attorney in favor of the person authorized to sign the REOI document shall make the REOI as non responsive and shall lead to rejection of the REOI. Submission of improper Power of Attorney without proper witnesses shall be considered as minor deviation as indicated in sub-clause 10.2.3 and the Procuring entity shall be at liberty to ask for modified/proper Power of Attorney.

8.3. Submission/ uploading of EOIs.

8.3.1 Submission/ Uploading to the Portal

1) EOIs must be uploaded on the eProcurement Portal mentioned in Section II: Appendix until the submission deadline. If the office happens to be closed on the deadline to submit the EOIs as specified above, this deadline shall not be extended. Manual EOIs shall neither be made available nor accepted for submission. EOI submitted through modalities other than those stipulated in Section II: Appendix shall be liable to be rejected as nonresponsive.
2) In the case of downloaded documents, Consultants must not make any changes to the contents of the documents while uploading, except for filling in the required information. Otherwise, the EOI shall be rejected as nonresponsive. Uploaded Pdf documents should not be password protected. Consultants should ensure the clarity/ legibility of the scanned documents uploaded by them.
3) The date and time of the e-Procurement server clock, which is also displayed on the dashboard of the consultants, shall be taken as the reference time for deciding the closing time of EOI submission. Consultants are advised to ensure they submit their EOI within the deadline of EOI submission, taking the server clock as a reference, failing which the portal shall not accept the EOIs. No request on the account that the server clock was not showing the correct time and that a particular consultant could not submit their EOI

because of this shall be entertained. Failure or defects on the internet or heavy traffic at the server shall not be accepted as a reason for a complaint. The Procuring Entity shall not be responsible for any failure, malfunction or breakdown of the electronic system used during the e-Tender process.

4) Only one copy of the EOI can be uploaded, and the Consultant shall digitally sign all statements, documents, and certificates uploaded by him, owning sole and complete responsibility for their correctness/ authenticity as per the IT Act 2000 as amended from time to time. An EOI submitted by a Joint Venture shall be digitally signed by an authorised representative who has a written power of attorney signed by each member's authorised representative to be legally binding on all members. Format for Power of Attorney is given at Form 1.1-A/ Form 1.1-B.
5) All EOIs uploaded by Consultants to the portal shall get automatically encrypted. The encrypted EOI can only be decrypted/ opened by the authorised persons on or after the due date and time. The consultant should ensure the correctness of the EOI before uploading and take a printout of the system-generated submission summary to confirm successful EOI upload.

8.3.2 Implied acceptance of procedures by Consultants

Submission of EOI in response to the REOI document is deemed to be acceptance of the procedures and conditions of the e-Procurement and REOI document.

8.3.3 Responsibility of the Consultant to declare all changes.

Consultants must advise the Procuring Entity immediately in writing of any material change to the information provided in their EOI submission, including any substantial change in their ownership, eligibility, or financial or performance capacity. For shortlisted Consultants, this requirement applies until a contract is awarded in the following RFP process. For the consultant successful in the RFP process, this requirement shall apply till the execution of the resultant contract.

8.4. Modification, Resubmission and Withdrawal of EOIs

8.4.1 Modification & Resubmission

Once submitted in e-Procurement, Consultants cannot view or modify their EOI since it is locked by encryption. However, resubmission of the EOI by Consultants for any number of times superseding earlier EOI(s) is allowed upto the submission deadline by following procedures prescribed by the portal. Resubmission of an EOI shall require uploading all documents afresh. The system shall consider only the last EOI submitted.

8.4.2 Withdrawal

The consultant may withdraw his EOI before the submission deadline by following procedures prescribed by the portal, and it shall be marked as withdrawn and shall not get opened during the EOI opening. No EOI should be withdrawn after the submission deadline and before its validity period expires.

9. EOI Opening

EOIs received shall be opened online on or after the specified date and time in Section II: Appendix. EOIs cannot be opened before the specified date & time, even by the Tender Inviting Authority, the Procurement Officer, or the Publisher. If the specified date of EOI opening falls on or is subsequently declared a holiday or closed day for the Procuring Entity, the EOIs shall be opened at the appointed time on the next working day.

10. Evaluation of EOIs and Shortlisting of Consultants

10.1. General norms

10.1.1 Evaluation is based only on declared criteria.

1) The evaluation shall be based upon scrutinising and examining all relevant data and details submitted by Consultants in its/ his EOI and other allied information deemed appropriate by Procuring Entity. Evaluation of EOIs shall be based only on the criteria/ conditions included in the REOI document.
2) Information relating to the evaluation of EOIs and shortlisting results shall not be disclosed to any participant or any other persons not officially concerned with such process until the notification of shortlisting is made in accordance with clause 10.2.5 below.
3) The determination shall not consider the qualifications of other firms, such as the consultant's subsidiaries, parent entities, affiliates, or any other firm(s) different from the consultant.

10.1.2 Clarification of EOIs and shortfall documents

1) During the evaluation of EOIs, the Procuring Entity may, at its discretion, but without any obligation to do so, ask Consultants to clarify its EOI by a specified date (or, if not specified, seven days from the date of receipt of such request). Consultants should answer the clarification within that specified date. The clarification request and response shall be submitted in writing or electronically. No change in the substance of the EOI shall be sought, offered, or permitted that may grant any undue advantage to such a consultant. Any clarification submitted by a Consultant regarding its EOI that is not in response to a request by the Purchasing Entity shall not be considered.
2) The Procuring Entity reserves its right to, but without any obligation to do so, seek any shortfall information/ documents. Provided such information/ documents are historical, which pre-existed at the time of the EOI opening and which have not undergone change since then and do not grant any undue advantage to any consultant. There is a provision on the portal for requesting Short-fall documents from the consultants. The system allows taking the shortfall documents from consultants only once after the EOI opening.
3) If the consultant fails to provide satisfactory clarification and/or missing information, its EOI shall be evaluated based on available information and documents.

10.1.3 Contacting Procuring Entity during the evaluation

From EOI submission to shortlisting of Consultants, no Consultant shall contact the Procuring Entity on any matter relating to the submitted EOI. If a Consultant needs to contact the Procuring Entity

relating to this EOI, it should do so only in writing or electronically. Any effort by a Consultant to influence the Procuring Entity during the REOI process shall be construed as a breach of the Code of Integrity, and EOI shall be liable to be rejected as nonresponsive in addition to other punitive actions for such a breach as per the REOI document.

10.2. Evaluation of EOIs and Shortlisting

In evaluating the EOI, conformity to the eligibility and qualification criteria to those in the REOI document is ascertained. Additional factors incorporated in the REOI document shall also be considered as indicated therein.

10.2.1 Determining Responsiveness

Only substantively responsive EOIs shall be evaluated for shortlisting. A substantively responsive EOI is complete and conforms to the REOI document's essential terms and conditions. Unless otherwise stipulated in Section II: Appendix, the following are some of the crucial aspects for which an EOI shall be rejected as nonresponsive:

1) The EOI is not in the prescribed format or is not submitted as per the stipulations in the REOI document.
2) The consultant is not eligible to participate in the EOI as per laid down eligibility criteria;
3) The EOI validity is shorter than the required period.
4) The EOI departs from the essential requirements stipulated in the EOI document;
5) Non-submission or submission of illegible scanned copies of stipulated documents/ declarations, if any
6) The Consultant fails to provide and/ or comply with the required information, instructions etc., incorporated in the REOI document or gives evasive information/ reply against any such stipulations.
7) The Consultant furnishes wrong and/ or misguiding data, statement(s) etc. In such a situation, besides rejecting the EOI as nonresponsive, it is liable to attract other punitive actions under relevant provisions of the REOI document for breach of the Code of Integrity.
8) Non-submission of Power of Attorney in favor of the signatory of the REOI, in the format and in a manner prescribed in this document except as stated in clause 8.2 or elsewhere in this document

10.2.2 Evaluation of eligibility

Procuring entity shall determine, to its satisfaction, whether the Consultants are eligible as per Clause 4 above to participate in the REOI process as per submission in 'Form 1.2: Eligibility Declarations'. The eligibility evaluation shall be on a "pass" or "fail" basis. A Consultant must achieve a "pass" on all the criteria to proceed to the next step. Any Consultant not achieving a 'pass' in any of the eligibility criteria shall be rejected as nonresponsive.

10.2.3 Evaluation of Qualification Criteria

1) Procuring entity shall determine whether the Consultants are qualified and capable in all respects to be shortlisted to provide the 'Services' (subject to dispensation, if any, for Startups, as per clause 5.1 above), as per Section III: Qualification Criteria and submission

in Forms listed in Part III: 'EOI Submission Formats'. The determination shall not consider the qualifications of other firms, such as the consultant's subsidiaries, parent entities, affiliates, or any other entity different from the consultant. The Procuring Entity reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of a Consultant to perform the contract. The qualification and Experience of Key Experts are not included in the shortlisting criteria but shall be evaluated at the RFP stage.

2) Consultants planning to subcontract any of the Key Activities indicated in Part II, Schedule of Requirements to Sub-consultants in accordance with clause 4.3 above, shall specify the activity(ies) or parts of the Services to be subcontracted in their EOI identifying the proposed Sub-consultants in their EOI. Experience (but not Financial Qualifications) of such proposed Sub-consultant(s) can be used to meet the experience requirements of key activities specified in Section III, Qualification Criteria.
3) Unless otherwise stipulated in Section II: Appendix, assignments completed by the Consultant's individual experts working privately or through other consulting firms cannot be claimed as the relevant experience of the Consultant or that of the Consultant's partners or sub-consultants in Form 2.1: Performance Capability Statement.

10.2.4 Verification of Original Documents at RFP Process

The Procuring Entity reserves its right to call for verification, originals of all self-certified copies of uploaded documents from the Consultants during the following RFP Process. If the shortlisted consultant fails at that stage to provide such originals or, in case of substantive discrepancies in such documents, it shall be construed as a breach of the Code of Integrity (see clause 12 below). Such RFP proposals shall be liable to be rejected as nonresponsive in addition to other punitive actions for such a breach.

10.2.5 Declaration of Shortlisted Consultants

1) EOIs of Consultants that succeed in the above evaluation shall be shortlisted. Provisionally shortlisted consultants will be informed of the condition(s) that must be met before submitting their Proposal in the RFP process. Such shortlisting shall remain valid for a period specified in Section II: Appendix (six months from the date of declaration, if not so specified).
2) All shortlisted (including provisionally shortlisted) Consultants shall be invited to participate in the following RFP process.
3) The name and address of the shortlisted consultant (s) shall be published in the eProcurement Portal (https://etenders.gov.in/eprocure/app) of the Procuring Entity. All Consultants shall be advised about shortlisting of their EOIs or otherwise without disclosing the comparative position of their EOIs with that of others. Shortlisted Consultants must not advertise or publish the same in any form without the prior written consent of the Procuring Entity.
4) Shortlisting a consultant is an administrative process and does not confer any legal or contractual rights on him. Since original documents/ certificates are not being called for and examined at this stage, all shortlisted shall be conditional upon final verification of such documents/ certificates during the RFP Process.

10.3. Publication of RFP following this EOI

The Procuring Entity shall publish a Request for Proposal (RFP) addressed exclusively to shortlisted Consultants for the following procurement process through the eProcurement portal. Procuring Entity/ the Portal may issue notifications/ alerts to such Consultants but without any liability. Such Consultants shall be responsible for being on the lookout for the RFP on the portal. While publishing the RFP, the Procuring Entity reserves its right to elaborate further on the brief overview of the proposed procurement/scope of work, qualification Criteria and other terms & conditions without vitiating the shortlisting process. Shortlisted Consultants shall have no claim in this regard.

11. Grievance Redressal/ Complaint Procedure

1) Consultants have the right to submit a complaint or seek de-briefing if he is not shortlisted in this REOI process, in writing or electronically, within ten days of the declaration of EOI evaluation results. The complaint shall be addressed to the (mention complete address of Divisional Head) in the RITES Ltd.
2) Within five working days of receipt of the complaint, the Tender Inviting Authority shall acknowledge the receipt in writing to the complainant, indicating that it has been received. The response shall be sent in due course after a detailed examination.
3) The Tender Inviting Authority shall convey the final decision to the complainant within 15 days of receiving the complaint. No response shall be given regarding the confidential process of evaluating EOIs before the results are notified, although the complaint shall be kept in view during such a process. However, no response shall be given regarding the following topics explicitly excluded from such complaint process:

   a) Only a consultant who has participated in the REOI process and has not been shortlisted can make such a representation. Complaints regarding shortlisting or exclusion of other consultants shall not be entertained.
   b) No third-party information (EOIs, eligibility/ qualification) shall be sought and must not be included in the response.
   c) Following decisions of the Procuring Entity shall not be subject to review:

      i) Determination of the need for procurement.
      ii) Complaints against eligibility and qualification criteria except under the premise that they are either vague or too specific to limit competition.
      iii) Choice of the selection procedure.
      iv) Provisions limiting the participation of consultants in the REOI process, in terms of policies of the Government
      v) Provisions regarding purchase preferences to specific categories of consultants in terms of policies of the Government
      vi) Cancellation of the REOI process except where it is intended to subsequently re-tender the same Services

12. Code of Integrity in Public Procurement, Misdemeanours and Penalties:

Code of Integrity[7] and penalties for violating the Govt of India, Ministry of Finance, Department of Expenditure shall apply to this REOI process. Procuring authorities, consultants, suppliers, contractors, and consultants should observe the highest standard of integrity and not indulge in prohibited practices or other misdemeanours, either directly or indirectly, during the entire procurement Process (including this EOI) or the execution of resultant contracts.

Note: For further details, please refer to appended Section II: Appendix.

[7] as detailed in Rule 175 and Rule 151 of the General Financial Rules, 2017 (and its amendments, if any)

Section II: Appendix

Expression of Interest Document No. REOI/ xxxx; Tender Title: Consultancy Services

{Note for Procuring Entity: Some sections/ rows may be added/ deleted as per requirement.}

1.0 Basic REOI Details			
Tender Title	Request for Expression of Interest for Consultancy Services		
Name of Project	*[insert name of the project]*		
Tender Reference Number	REOI/ xxxx	Tender ID	*[Fill]*
Tender Type	*[Expression of Interest]*	Tender Category	*[Services]*
No. of Covers	Single Cover	Product Category	Consultancy
Domestic/ Global Procurement	*Domestic Procurement*	Organisation:	RITES Limited
The Procuring Entity:	RITES Limited	Authority on whose behalf EOI is invited	(Insert RITES Limited/Client as applicable)
Through the	[Insert Tender Inviting Authority]	Tender Inviting Authority (TIA)	*[Fill]*
Address	*[Fill]*	Tender Accepting Authority	*[Fill]*
2.0 Critical Dates (Clause 6; 7; 8, and 9)			
Published Date	*[Fill up]*	EOI Validity (Days from the date of EOI Opening) – REOI Clause 7.2	*[fill up both periods (default 60 days) in days and the calculated date]*
Document Download Start Date & Time	*[Normally start of business on the day after publishing]*	Document Download End Date & Time	*[Normally up to a few hours/ one day before the time of EOI Opening]*
Clarification Start Date & Time	*[Normally start of business on the day after publishing]*	Clarification End Date & Time (For seeking clarifications)	*[Normally not later than Fourteen days before the EOI submission deadline]*
		Clarification End Date & Time (For Reply to the clarifications by RITES)	*[Normally not later than Seven days before the EOI submission deadline, to give time to the Procuring Entity for a response]*
EOI Submission	*[Normally start*	EOI Submission Closing Date &	*[Normally up to a*

Start Date & Time	*of business on the day after publishing]*	Time	*few hours/ one day before the time of EOI Opening]*
EOI Opening Date & Time	*[Please allow enough time for consultants to prepare responsive EOIs, depending on the documents and details required to be submitted]*		
3.0 Eligibility and Qualification Criteria (Clauses 2.3.2, 4.1 to 4.5, 10.2 and Section III)			
Nature of Consultants eligible and association with sub-consultants/ JV	***[restriction, if any, on Individual Consultant/ Firms/JVs, sub-contracting, or any restriction on the structure of a JV]*** ***Note to TIA : JV/C can be allowed for estimated value of Consultancy services more than Rs 5 crore.***		
Any additional Eligibility or responsiveness Criteria	*[Mention any additional eligibility or responsiveness criteria, especially relating to clause 4.2.1, if any. Or any additional documents required to be submitted]*		
Maximum limit of the value of Subcontracting permitted	*[25%]*	Various JV parameters: Maximum number of members etc., as per clause 4.4.-1)	*[Specify if different]*
4.0 Obtaining the REOI document and clarifications (Clauses 6 & 8)			
eProcurement and Procuring Entity's Portal/ Help Desk	(https://etenders.gov.in/eprocure/app)	*[0120-4001 002; 0120-4001 005; 0120-6277 787 or support-eproc@nic.in]*	
	www.rites.com		
Cost of REOI document (INR)	*[Nil]* Note: The MSEs shall be exempted from cost of REOI Document even if any cost of REOI document is mentioned herein		
Office/ Contact Person/ email for clarifications	*[Same as TIA above]*		
The EOI Document shall be read with Correction Slip (CS) Nos. ___ to ___ (**to be filled by Tender Inviting Authority**)			

5.0 Pre-EOI Conference (Clause 6.3)	
Is a Pre-EOI Conference proposed to be held?	*[No]*
Place, time, and date of the Pre-EOI Conference	*[Fill if it is 'Yes' above or delete the row if it is 'No' above. If only a video-conference is to be held, then mention this fact along with credentials of the meeting, e.g., Meeting Link, Meeting Number and Password]*
Place, time, and date before which	*[Fill if it is 'Yes' above or delete the row if it is 'No' above.*

Written queries for the Pre-EOI conference must be received	*Please mention if queries are to be entertained only through the eProcurement Portal]*
Place, time, and date before which registration of participants for the Pre-EOI conference must be received	*[Fill if it is 'Yes' above or delete the row if it is 'No' above]*

6.0 Preparation and Submission and Opening of EOIs (Clauses 7 and 8)			
EOIs to be Addressed to	[Insert designation of Tender Inviting Authority, with complete address]		
Instructions for Online EOI Submission	*[https://etenders.gov.in/eprocure/app?page=HelpForContractors&services=page]*		
Language of Submission	*[English]*	EOI Validity	*[60 days from Bid opening date]*
EOI Opening Place	*[On e-procurement portal(s) mentioned above]*		

1. To participate in the E-Bid submission for RITES, it is mandatory for the bidders/consultants to get their firms registered with CPP Portal *https://etenders.gov.in/eprocure/app.*

2. The bidders/consultants are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders/consultants in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

3. REGISTRATION:

a) Bidders/consultants are required to enrol on the e-Procurement module of the Central Public Procurement Portal (URL: *https://etenders.gov.in/eprocure/app*) by clicking on the link **"Online Bidder Enrolment"** on the CPP Portal which is free of charge.

b) As part of the enrolment process, the bidders/consultants will be required to choose a unique username and assign a password for their accounts.

c) Bidders/consultants are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.

d) Upon enrolment, the bidders/consultants will be required to register their valid Digital Signature Certificate (Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India with their profile.

e) Only one valid DSC should be registered by a bidder/consultant. Please note that the bidders/consultants are responsible to ensure that they do not lend their DSC's to others which may lead to misuse.

f) Bidders/consultants can log in to the site through the secured log-in by entering their user ID/Password and the password of the DSC/e-Token.

4. SEARCHING FOR TENDER DOCUMENTS:

a) There are various search options built in the CPP Portal, to facilitate bidders/consultants to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the bidders/consultants may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.

b) Once the bidders/consultants have selected the tenders they are interested in, they may download the required documents/tender schedules. These tenders can be moved to the respective 'My Tenders' folder. This would enable the CPP Portal to intimate the bidders/consultants through SMS/E-mail in case there is any corrigendum issued to the tender document.

c) The bidder/consultant should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification/help from the Helpdesk.

5. PREPARATION OF BIDS:

a) Bidder/consultant should take into account any corrigendum published on the tender document before submitting their bids.

b) Bidder/consultant is advised to go through the tender advertisement/NIT and the tender document carefully to understand the documents required to be submitted as part of the bid. Bidder may please note the number of covers in which the bid documents have to be submitted, the number of documents – including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.

c) Bidders/consultant, in advance, should get ready the bid document to be submitted as indicated in the tender document/schedule and generally, they can be in PDF/XLS/RAR/JPG formats. Bid documents may be

scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.

d) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN Card copy, Annual Reports, Auditor Certificates etc.) has been provided to the bidders/consultants. Bidders/consultants can use "My Space" or "Other Important Documents" area available to them to upload such documents. These documents may be directly submitted from the "My Space" area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

6. SUBMISSION OF BIDS:

a) Bid can be submitted only during validity of registration of bidder with CPPP E-Procurement Portal.

b) Bidder/consultant should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder/consultant will be responsible for any delay due to other issues.

c) The bidder/consultant has to digitally sign and upload the required bid documents one by one as indicated in the tender document.

d) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the Bidders/consultants, opening of bids etc. The Bidders/consultants should follow this time during bid submission.

e) All the documents being submitted by the Bidders/consultants would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 Bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys.

f) The uploaded tender/EOI documents become readable only after the tender opening by the authorized bid openers.

g) Upon the successful and timely submission of bids (i.e. after clicking "Freeze Bid Submission" in the portal), the portal will give a successful bid submission message & a bid ID to the bid. A bid summary will be displayed with the bid ID and the date & time of submission of the bid with all other relevant details.

h) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. The acknowledgement may be used as an entry pass for any bid opening meetings.

i) Bidder/consultant who has downloaded the tender from Central Public Procurement Portal (CPPP) website *https://etenders.gov.in/eprocure/app* shall not tamper/modify the tender/EOI Document form in any manner. In case if the same is found to be tampered/modified in any manner, tender will be completely rejected and EMD would be forfeited and tenderer is liable to be banned from doing business with RITES Ltd.

7. ASSISTANCE TO BIDDERS/CONSULTANTS:

a) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Help Desk Number 0120-4200462, 0120-4001002, 0120-4001005, 0120-6277787, E-mail id: support-eproc@nic.in

b) Bidders/consultants information useful for submitting online bids on the CPP Portal may be obtained at: https://etenders.gov.in/eprocure/app?page=BiddersManualKit&service=page

c) It is mandatory for all Bidders/consultants to have Class-III Digital Signature Certificate (DSC) in the name of the person along with name of Company who will digitally sign the bid from any of licensed Certifying Agency (CA). Bidders/consultants can see the list of licensed CAs from the link *https://www.cca.gov.in*

d) Bidder/consultant shall ensure use of registered Digital Signature Certificate (DSC) only and safety of the same.

e) In case the Digital Signature Certificate (DSC) holder who is digitally signing the bid and the person having Authority to Sign as per Clause 8.2 of EOI Document are different, even then all the terms and conditions of the tender document will be binding upon the bidder/consultant.

8. PREPARATION AND SUBMISSION OF BIDS

a) Tender document may be downloaded from CPPP and from RITES

website *https://www.rites.com* under the link 'Tender' well before the deadline for submission of bids. The bids alongwith the information and documents specified in tender document, shall be submitted online following the instructions appearing on the screen.

Users are requested to map their system as per the System settings available on the link *https://etenders.gov.in/eprocure/app?page= BiddersManualKit&service =page* on the CPP portal.

b) After downloading/getting the tender document/schedules from *https://etenders.gov.in/eprocure/app* the Bidder/consultant should go through them carefully and then submit the documents as asked, otherwise bid will be rejected. It is construed that the Bidder/consultant has read all the terms and conditions before submitting their offer. Bidders/consultants are advised that prior to bid submission they should read the bid submission manual available on CPP Portal *https://etenders.gov.in/eprocure/app?page=BiddersManualKit &service=page* website

c) Bidders/consultants may ensure that all the pages of the documents mentioned in Clause 8.3 of EOI document & must be signed & stamped by authorized signatory and serially numbered. In case, it is found that Bidder/consultant has not complied with the same, the documents shall be deemed to be signed and stamped as this is a digitally signed e-tender.

d) The bids shall be submitted online following the instructions appearing on the screen. Bidders may insert their e-Token/Smart Card in their computer and Log onto CPP portal *https://etenders.gov.in/eprocure/app* using the User-Id and Password chosen during registration. Then they may enter the password of the e-Token/Smart Card to access the DSC.

Prior to bid submission, bidder should get ready with the documents to be uploaded as part of the bid as indicated in the tender document/schedule. Generally, they can be in Excel/PDF/RAR/JPG formats. No other format is accepted. If there is more than one PDF document, then they can be clubbed together in a Zip file for uploading. There is no limit for uploading file. Bids shall be submitted online only at CPP website *https://etenders.gov.in/eprocure/ app*

Bidders/consultant are advised to follow the instructions provided in the 'Instructions to the Contractors/Tenderer for the e-submission of the bids online through the Central Public Procurement Portal for e procurement at *https://etenders.gov.in/eprocure/ app*

Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.

Intending tenderers are advised to visit CPPP website

	https://etenders.gov.in/eprocure/ app till the specified date and time of opening of tender to check if there is any extension of deadline of submission of tender.		
7.0 Evaluation of EOI and Qualification Criteria (clause 10 and Section III: Qualification Criteria			
Maximum number of consultants on the shortlist and criteria on which it would be based	No restriction on number of consultants to be shortlisted shall apply. All consultants who meet the criteria, irrespective of the numbers shall be qualified/ shortlisted.	Minimum financial qualifications to be met by Lead Member and Substantial members	*[Lead members and Substantial members should meet a minimum of 40% & 20% of the qualifying criteria]*
8.0 About RFP that would follow – clause 10.3			
RFP to be issued	Limited to shortlisted Consultants from this EOI	Form of Contract from RFP	*[Mention as appropriate - [Time-based (inputs admeasurement) or Unit-Rate (Output admeasurement) or Lumpsum or Percentage-Based]*
Selection Method	*[QCBS/ LCS/ FBS/ SSS]*	Bid Security Requirements	*[Yes – shall be detailed in the RFP]*
Performance Security	*[Yes – shall be detailed in the RFP]*		

Section III: Qualification Criteria

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

(Ref REOI Clause 2.3)

[Note for Procuring Entity: Retain or change the relevant variables in the 2nd column of the table below and convert the font to regular and black. Procuring entity should mention if any and to what extent dispensation from qualifying criteria shall be permissible for Startups under REOI Clause 5.1).

Note for Consultants: Regarding this Section, Consultants shall submit the following forms:

1) Form 2: Qualification Criteria – Compliance

   a) Form 2.1: Performance Capability Statement
   b) Form 2.2: Financial Capability Statements

      i) Form 2.2.1: Average Annual Turnover

   c) Relevant date when the specified period ends for different supporting reports shall be:

      i) For all annual reports, the periods mentioned end with the financial *[31st March – mention the year]*.
      ii) For other statements, the periods mentioned end on the month before the last date of EOI submission.

Similar Assignments for Qualification Criteria The qualification criteria aim to shortlist Consultants who have been providing Consultancy services for at least the specified period and have completed the specified volume of assignments during the specified period. The contractor should demonstrate experience relevant to the subject assignment by way of the specified volume of assignments of similar nature.	
Similar Nature of Assignments	*[Define similar assignments based on value, sector or work, Key activities/ methodologies/ technologies etc.]* ****Note**: TIA shall Define Similar Consultancy assignment based on type of assignment.*** *[The value of the similar assignment may be taken as 60%-80% of the estimated value of consultancy services. For Startups this value of 60-*

	80% can be reduced upto ***ξ %*** *given below]* ***Example for Defining Similar Assignment****: Similar assignment shall mean completed or substantially completed assignment in [define the sector/activity of the proposed assignment] in his own name or proportionate share as member of JV/C, at least Rs …….[enter value of 60-80% of the estimated value of consultancy services] under a single contract (including additional services, if any, carried out under the contract) carried out in India .*

Criteria 1 General and Similar Experience:	**Variables**	**Submission Form**
i) Consultants must have at least α years' experience in Consultancy Services ii) During the last ***β*** years, Consultancy Assignments completed or substantially completed (at least **γ** payments received) should be at least **δ** iii) Out of the Consultancy Assignments mentioned above, **ε** should be similar assignments iv) The consultant should have completed at least one assignments of the value/quantity for each key activity during the last 7 years as defined under Section IV: Terms of Reference (TOR). The experience of sub-consultant(s) shall also be considered for key activity as per clause 10.2.3. This criteria shall be applicable only if Key Activities have been provided for under Section IV: Terms of Reference (TOR) Note: During the RFP Process, Original assignment experience certificates may be called for to substantiate qualifications. 1. Assignment experience certificate for completed and Substantial completed consultancy assignment issued by Govt. Organizations/Semi Govt. Organizations of Central or State Govt.; or by Public Sector Undertakings/Autonomous	***α*** *= [7]* ***β*** *= [7]* **γ** *= [80%]* **δ** *= [7]* **ε** *= [2]*	Form 1.1: Consultant Information Form 2.1: Performance Capability Statement.

Bodies of Central/State Govt. or their subsidiaries/by Public Ltd. Companies listed in Stock exchange in India or Aboard or subsidiaries of such companies shall only be accepted. 2.Substantial Completed Consultancy assignment shall mean whose at least 80% payment (excluding payment for adjustment of price variation (PVC),if any, and excluding GST) of the present value of assignment has been received.		
Criteria 2 - Financial Capability	**Variables**	**Submission Form**
Turnover: Minimum average annual turnover of at least Rs. **θ** Crores, at least **κ** of which should be from Consultancy Service Contracts, calculated as total certified payments received for contracts in progress or completed within the last **λ** Financial years., and *Note: During RFP Process Consultant shall be asked to furnish documentary evidence to demonstrate his current Financial Capability and demonstrate it as per Criteria 2.*	**θ** *= [consider 200% of the estimated value of this assignment]* ***κ*** *= [50%]* ***λ****= [3]*	Form 2.2: Financial Capability Statements
Qualification criteria in the table above can be relaxed upto ***ξ*** % for startups subject to meeting the quality and technical specifications during the RFP. **The relaxation for startup shall only be applicable in the value of Similar Assignments and Financial Turnover.**	***ξ*** *= [20% (twenty percent)]*	Refer to REOI clause 5.1

Note to Consultant: During RFP Process, while original documents/ certificates are called for to authenticate the qualification claimed, the following may be kept in mind:

1) When a joint venture or other association submits the bid, in that case, all members (other than non-substantial members) in the JV/C must submit their financial statements in order of the member's share in the partnership, greatest to least. The figures of members of a JV/C (other than non-substantial members) shall be added to determine compliance with the minimum financial qualifying criteria. However, unless otherwise stated in Section II: Appendix, for a JV/C to qualify, the Lead member must meet at least 40 percent of those minimum criteria for an individual Bidder and other members at least 20% of the criteria. Failure to comply with this requirement shall result in the rejection of the JV/C's bid.
2) The consultant shall submit the audited balance sheet and/or banking reference along with their RFP proposal. An authorised representative of the consultant must -sign the statement.

Part II: Schedule of Requirements

Section IV: Terms of Reference (TOR)

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

(Ref REOI Clause 2.3)

Terms of Reference

[Note for Procuring Entity: A suggested structure is given below]

1) **Recital and Objectives:**

   a) Background of RITES Ltd. and Services and impact on Procuring Organisation's performance/ objectives;
   b) Purpose and Service Outcomes Statement
   c) Upstream contract based on which this RFP is generated and/ or downstream work that would be required if any

2) **Form of BOQ/ Contract** – *[Time-based (inputs admeasurement) or Unit-Rate (Output admeasurement) or Lumpsum or Percentage-Based]*
3) **Description of Services**

   a) Short Description and Broad Scope of Services: *[Give an overview]*
   b) Key Activities and Dependencies: *[Break up the assignment into specific Service modules and Key activities. Mention inputs from Procuring Entity and third parties on which the activities would be dependent]*

      Note to TIA: Key activities should be defined only if the same can not be covered under the definition of Similar Assignment. The Key activities should be assignment specific and minimum nos.
   c) Incidental Goods, Works or other Services required, if any:
   d) Key Experts Required:
   e) Deliverables/ Outcomes and Timelines (frequency) thereof: *[including Know-how transfer/ training, reports/ reporting, Milestones]*
   f) Performance Targets/ Key Indicators for measuring impact, if feasible:

4) **Institutional and organisational arrangement for Services**

   a) Counterpart Contract Manager (or Contract Management Team) of the Procuring Entity:
   b) Chain of Command for reporting and monitoring:
   c) Consultancy Management reporting and monitoring procedures.

5) **Reporting Requirements and Time Schedule for Deliverables** (including Know-how transfer/ training, reports/ reporting, and Milestones)

   a) format, frequency, and contents of reports;
   b) number of hard copies and requirements for electronic submission;
   c) dates of submission;

d) persons (indicate names, titles, submission address) to receive and approve them, etc.

6) **Statutory and contractual obligations to be complied with by the consultant**:

Part III: EOI Submission Formats

Form 1: EOI Form (Covering Letter)

(Ref REOI Clause 2.3)

(To be submitted with supporting documents, if any)

(On Consultant's Letter-head)

(Strike out alternative phrases not relevant to you)

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

To

(Insert designation of Tender Inviting Authority & Division)

RITES Ltd.

[Complete address of the Procuring Entity]

Ref: Your REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Sir/ Madam

Having examined the abovementioned REOI document, we, the undersigned, hereby submit/ upload our Expression of Interest (EOI) for being shortlisted for the performance of the Services.

(Please tick appropriate boxes or strike out sentences/ phrases not applicable to you)

1) **About us:**

   We, M/s _____, hereby certify that We are a firm (or members of our JV/C are) of proven, established, and reputed Consultant having the required Experience, Past performance, Personnel, and Financial capability, with offices at _____.

2) **Our Eligibility and Qualifications to participate:**

   a) We comply with all the eligibility criteria stipulated in this REOI document, and the relevant declarations are made along with documents in Form 1.2 of this EOI-Form.
   b) We fully meet the qualification criteria stipulated in this REOI document, and the relevant details are submitted along with documents in Form 2: 'Qualification Criteria – Compliance' and its sub-forms.
   c) We undertake to provide originals of all self-certified copies of uploaded documents during the RFP Process. We have understood the ramifications of failure to do so as detailed in clauses 10.2.4 and 10.2.5 of Section I: REOI.
   d) We have / don't have any conflict of interest with any other Consultant as per clause 4.5 of Section I: REOI.
   e) ☐ No commissions and gratuities have been paid or are to be paid to agents or any other party by us relating to this REOI and RFP processes.

      ☐ Following commissions and gratuities have been paid/ are to be paid to agents or any other party by us relating to this procurement process: --------

3) **Affirmation of terms and conditions of the REOI document:**

We have understood the complete terms and conditions of the REOI document. We accept and comply with these terms and conditions without reservations, although we are not signing and submitting some of the sections of the REOI document.

4) **Abiding by the EOI Validity**

We agree to keep our EOI valid for acceptance for a period upto -------, as required in the REOI document, or for a subsequently extended period, if any, agreed to by us.

5) **Non-tempering of Downloaded REOI documents and Uploaded Scanned Copies**

We confirm that we have not changed/ edited the contents of the downloaded EOI Formats. We realise that any such change noticed at any stage, including after the contract award, shall be liable to punitive action in this regard stipulated in the REOI document. We also confirm that scanned copies of documents/ affidavits/ undertakings uploaded along with our EOI are valid, true, and correct to the best of our knowledge and belief. We shall be responsible if any dispute arises regarding the validity and truthfulness of such documents/ affidavits/ undertakings. Upon our successful shortlisting, we undertake to submit for scrutiny, on-demand by the Procuring Entity, originals and self-certified copies of all such certificates, documents, and affidavits/ undertakings.

6) **Signatories:**

We confirm that we are duly authorised to submit this EOI and make commitments on behalf of the consultant[8]. Supporting documents are submitted in Form 1.1, annexed herewith. We acknowledge that our digital/digitised signature is valid and legally binding.

7) **Rights of the Procuring Entity to Reject EOI(s):**

We understand that you are not bound to accept the lowest or any EOI you may receive against your above-referred REOI document.

……..

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of name, address, and seal of the Consultant]

[8] In the case of a Joint venture/ Consortium, the lead member/consultant shall sign the document on behalf of JV/C members.

Form 1.1: Consultant Information

(Ref REOI Clause 2.3)

(On Consultant's Letter-head)

(Along with supporting documents, if any)

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Note: Consultant shall fill in this Form following the instructions indicated below. Consultant shall enclose certified copies of the documentary proof/ evidence to substantiate the corresponding statement wherever necessary and applicable. Consultant's wrong or misleading information shall be treated as a breach of the Code of Integrity. Such EOIs shall be liable to be rejected as nonresponsive, in addition to other punitive actions provided for such a breach in the REOI document.

(Please tick appropriate boxes or strike out sentences/ phrases not applicable to you)

1) **Consultant/ Contractor particulars:**

a) Name of the Consultant's Organisation:	
b) Corporate Identity No. (CIN):	
c) Registration, if any, with The Procuring Entity:	
d) Date of incorporation/ start of business:	
e) Place of Registration/ Principal place of business":	
f) Number of Years in Business:	
g) Number of Years in providing Consultancy Services:	
h) Consultant's Website URL:	
i) Complete Postal Address:	
j) Pin code/ ZIP code:	
k) Telephone nos. (with country/ area codes):	
l) Mobile Nos.: (with country/ area codes):	
m) Contact persons/ Designation:	
n) Email IDs:	
o) PAN Number:	
p) GSTIN No:	

(In the case of JV/C, repeat these details for all members)

Submit documents to demonstrate eligibility as per REOI Clause 4.1-1) - A self-certified copy of registration certificate – in case of a partnership firm – Deed of Partnership; in case of Company – Notarised and certified copy of its Registration; In case of JV, letter of intent to form JV or JV agreement and in case of Society – its Byelaws and registration certificate of the firm.

2) Consultant/JV's Organisation Structure: *Submit the overall organisation structure of the firm.*

3) Consultant/JV's Overall profile: *Submit the overall profile of the firm, highlighting technical and managerial capabilities.*
4) Authorisation of Person(s) signing the EOI on behalf of the consultant

   a) Full name: _____
   b) Designation: _____
   c) Signing as:

   ☐ A sole proprietorship firm. The person signing the EOI is the sole proprietor/ constituted attorney of the sole proprietor,

   ☐ A partnership firm. The person signing the EOI is duly authorised being a partner to do so under the partnership agreement or the general power of attorney,

   ☐ A company. The person signing the EOI is the constituted attorney by a resolution passed by the Board of Directors or in pursuance of the authority conferred by the Memorandum of Association/ Articles of Association.

   ☐ A Society. The person signing the EOI is the constituted attorney.

   ☐ A Joint Venture/ Consortium. The person signing the bid is the designated lead member, as named in the JV/C agreement/ MOU or similar document in connection with the formation of the JV/C or are all future proposed members, in case (JV/C) has not been legally constituted at the time of bidding.

   Documents to be submitted: Registration Certificate/ Memorandum of Association/ Partnership Agreement/ Power of Attorney/ Board Resolution

   ** Format for Power of Attorney given at Form 1.1-A & Form 1.1-B as Applicable*

5) Consultant's Authorized Representative Information

   a) Name:
   b) Address:
   c) Telephone/ Mobile numbers:
   d) Email Address:

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of name, address, and seal of the Consultant]

DA: As above

Form 1.1-A: FORMAT FOR POWER OF ATTORNEY TO AUTHORISED SIGNATORY

POWER OF ATTORNEY

(To be executed on non-judicial stamp paper of the appropriate value in accordance with relevant Stamp Act. The stamp paper to be in the name of the firm/company who is issuing the Power of Attorney)

We, M/s……. (name of the firm/company with address of the registered office) hereby constitute, appoint and authorize Mr./Ms…….

(Name and residential address) who is presently employed with us and holding the position of …….. and whose signature is given below as our Attorney to do in our name and our behalf all or any of the acts, deeds or things necessary or incidental to our bid for the Services ……. (name of Services), including signing and submission of application/proposal, participating in the meetings, responding to queries, submission of information/documents and generally to represent us in all the dealings with RITES or any other Government Agency or any person, in connection with the services until culmination of the process of bidding, till the Contract Agreement is entered into with RITES and thereafter till the complete discharge of all the contractual obligations.

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

(Add in the case of a Joint Venture)

Our firm is a Substantial Member/ Non-Substantial Member /Lead Member of the Joint Venture of .....,

……. and ……

Dated this the …… day of …… 20…….

……..

(Signature and name of authorized signatory being given Power of Attorney)

……..

(Signature and name in block letters of *All the partners of the firm, *Authorized Signatory for the Company)

(*Strike out whichever is not applicable)

Seal of firm/ Company

Witness 1:	Witness 2:
Name:	Name:
Address:	Address:
Occupation:	Occupation:

Notes:

- In case the Firm/Company is a Member of a Joint Venture, the authorized signatory has to be the one employed by the Lead Member.
- 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.

FORM 1.1-B: FORMAT FOR POWER OF ATTORNEY TO LEAD MEMBER OF JOINT VENTURE

(To be executed on non-judicial stamp paper of the appropriate value in accordance with relevant Stamp Act. The stamp paper to be in the name of the company who is issuing the Power of Attorney)

Whereas ……. RITES Ltd. has invited Proposals/bids for ..... (Name of Services) for and on behalf of..... as an Agent /Power of Attorney Holder.

Whereas, the Members of the Joint Venture (JV) comprising of M/s……,

M/s……and M/s ..... (the respective names and addresses of the Registered offices to be given) are interested in bidding for the services and implementing the same in accordance with the terms and conditions contained in the bid documents.

Whereas, it is necessary for the members of the JV to designate one of them as the Lead Member with all necessary power and authority to do, for and on behalf of the JV, all acts, deeds and things as may be necessary in connection with the JV's bid for the services.

NOW THIS POWER OF ATTORNEY WITNESSETH THAT

We, M/s……,M/s……and M/s……hereby designate M/s …… being

one of the members of the JV, as the Lead Member of the JV, to do on behalf of the JV, all or any of the acts, deeds or things necessary or incidental to the JV's bid for the services, including submission of application proposal, participating in meetings, responding to queries, submission of information/documents and generally to represent the JV in all its dealings with RITES or any other Government Agency or any person, in connection with the services until culmination of the process of bidding till the contract agreement is entered into with RITES and thereafter till the complete discharge of all the contractual obligations.

We hereby agree to ratify all acts, deeds and things lawfully done by 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/JV.

Dated this the ……day of .....20 …….

(Signature and Name in Block letters of *All the Partners of the firm / * Authorised Signatory for the Company)

……..

(* Strike out whichever is not applicable)

Seal of firm / Company

Witness 1	Witness 2
Name:	Name:
Address:	Address:
Occupation:	Occupation:

Notes:

- To be executed by all the members individually, in case of a JV.
- 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.

Form 1.2: Eligibility Declarations

(Ref REOI Clause 2.3)

(On Consultant's Letter-head)

(Along with supporting documents, if any)

REOI document No. REOI/xxxx; Tender Title: Consultancy Services

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

[Note: The list below is indicative only. You may attach more documents as required to confirm your eligibility criteria.]

Eligibility Declarations

(Please tick appropriate boxes or cross out any declaration not applicable to the consultant)

We hereby confirm that we comply with all the stipulations of REOI Clause 4.1 of the REOI document and declare as under and shall provide evidence of our continued eligibility to the Procuring Entity as and when it may be requested:

1) **Legal Entity of Consultant:** We are:

   a) : _____ relevant documents enclosed)

   b) We are a Consultancy Services provider with valid registration regarding GSTIN, PAN, EPF, ESI, Labour, or equivalent registration certificate as applicable to the subject Services.

2) **Eligibility:** We solemnly declare that we (including our affiliates or subsidiaries, or constituents):

(a) are not insolvent, in receivership, bankrupt or being wound up, not have our affairs administered by a court or a judicial officer, not have our business activities suspended and are not the subject of legal proceedings for any of these reasons;

(b) (including our affiliates or subsidiaries, or constituents for any part of the assignment):

   i) Do not stand declared ineligible/ blacklisted/ banned/ debarred by the RITES Ltd. or Ministry of Railways/ Department from participation in its procurement processes; and/ or

   ii) Are not convicted (within three years preceding the last date of EOI submission) or stand declared ineligible/ suspended/ blacklisted/ banned/ debarred by appropriate agencies of the Government of India from participation in procurement processes of all its entities for offences mentioned in REOI document in this regard.

   iii) We have neither changed our name nor created a new "Allied Entity", consequent to the above disqualifications.

(c) Do not have any association (as consultant/ partner/ Director/ employee in any capacity) with such retired public official or near relations of such officials of Procuring Entity, as counter-indicated, in the REOI document.

(d) We have no conflict of interest, which substantially affects fair competition. The quoted prices are competitive without adopting unfair/ unethical/ anti-competitive means. No attempt has been made or shall be made by us to induce any other consultant to submit or not to submit an EOI to restrict competition.

(e) We certify that we fulfil other additional eligibility conditions if prescribed in the REOI document.

3) We certify that we are not an entity from a country identified to restrict Consultants from India from participation in their Government Procurements as per EOI clause 4.2.1

4) **Restrictions on procurement from consultants from a country or countries or a class of countries under Rule 144 (xi) of the General Financial Rules 2017:**

"We have read the clause regarding restrictions on procurement from a consultant of a country which shares a land border with India and on sub-contracting to contractors from such countries, and solemnly certify that we fulfil all requirements in this regard and are eligible to be considered. We certify that:

a) we are not from such a country or, if from such a country, we are registered with the Competent Authority (Where applicable, evidence of valid registration by the Competent Authority i.e., DPIIT shall be attached) and;

b) *we shall not subcontract any assignment to a contractor from such countries unless such a contractor is registered with the Competent Authority (Where applicable, evidence of valid registration by the Competent Authority i.e., DPIIT shall be attached).*

c) *"I have read the clause regarding restrictions on procurement from a bidder having Transfer of Technology (ToT) arrangement. I certify that this bidder does not have any ToT arrangement requiring registration with the competent authority."

OR

*"I have read the clause regarding restrictions on procurement from a bidder having Transfer of Technology (ToT) arrangement. I certify that this bidder has valid registration to participate in this procurement." (Evidence of valid registration by the Competent Authority i.e., DPIIT shall be attached)

* Delete whichever is not applicable

5) **Startup Status:**

We confirm that we are (Certificate of Recognition issued by the Department for Promotion of Industry and Internal Trade (DPIIT) enclosed herewith)/ are not a Startup entity as per the Department of Promotion of Industrial and Internal Trade – DPIIT.

6) **Penalties for false or misleading declarations:**

We hereby confirm that the particulars given above are factually correct and nothing is concealed and undertake to advise any future changes to the above details. We understand that any wrong or misleading self-declaration would violate the Code of Integrity and attract penalties.

……..	……..
(Signature with date)	(Name and designation)

Duly authorised to sign EOI for and on behalf of

…….

…….

[Name, address, and seal of the Consultant]

DA: As in Sr 1 to 6 above, as applicable

Form 2: Qualification Criteria - Compliance

(Ref REOI Clause 2.3, Section III: Qualification Criteria)

(Along with supporting documents, if any)

(On Consultant's Letter-head)

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

Note to Consultant: The Procuring Entity reserves its right to call for verification originals of all self-certified copies of stipulated documents supporting the fulfilment of qualifying criteria during the following RFP Process. If the shortlisted consultant fails at that stage to provide such originals or, in case of substantive discrepancies in such documents, it shall be construed as a breach of the Code of Integrity (see clause 12 above). Such RFP proposals shall be liable to be rejected as nonresponsive in addition to other punitive actions for such a breach.

Summary of Response to Qualification Criteria

Criteria 1 –General and Similar Experience:	**Quantum, as detailed in Sub-forms**	**Qualification Criteria Met (Yes, or No)**
a) The number of years of our experience in Consultancy Services is (see Form 1.1):		
b) In the specified period (as per Section III: Qualification Criteria), the number of Consultancy Services assignments completed or substantially completed by us is (see Form 2.1):		
c) In the specified period, out of the Consultancy Assignments mentioned above, the number of Similar assignments (as per Section III: Qualification Criteria) are (see Form 2.1):		
d) Key activities (if applicable) as per Section III: Qualification Criteria) are (see Form 2.1):		

Criteria 2 - Financial Capability	**Quantum, as detailed in Sub-forms**	**Qualification Criteria Met (Yes, or No)**
Average Turnover: During the specified period (as per Section III: Qualification Criteria): a) Average Total Turnover (see Form 2.2)		

b) Average Turnover from Consultancy Services (see Form 2.2)		

Note: Consultants shall provide evidence of their continued qualification to perform the Services satisfactorily to the Procuring Entity, as the Procuring Entity may request at any stage during the RFP process that would follow this EOI.

……..

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of

…….

[Name, address, and seal of the Consultant]

DA: As above, if any

Form 2.1: Performance Capability Statement

Statement of Performance of Consultancy Services
(Ref REOI Clause 2.3, Section III: Qualification Criteria)

(On Consultant's Letter-head)

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

Note to Consultant:

1. *Consultant or member of a Joint Venture/Consortium (JV/C) must fill in this Form to prove conformance to Criteria 1 –General and Similar Experience. Mention contracts in which a Consultant or a member of a JV/C is or has been a party, whether as a Consultant, affiliate, associate, subsidiary, Sub-consultant, or any other role. The list below is indicative only. You may attach more documents as required to highlight your past performance. Add additional details not covered elsewhere in your EOI in this regard. Statements and Documents may be mentioned/ attached here.*
2. *List only those assignments for which the Consultant was legally contracted as a company or was one of the joint venture members. Assignments completed by the Consultant's individual experts working privately or through other consulting firms cannot be claimed as the relevant experience of the Consultant or that of the Consultant's partners or sub-consultants but can be claimed by the Experts themselves in their CVs. Assignments of Sub-consultant(s) can be used to meet the Experience requirements specified in Section III, Qualification Criteria. The Consultant should be prepared to substantiate the claimed experience by presenting copies of relevant documents and references if the Client requests.*

    1) **The number of years of experience in Consultancy Services:** Provide evidence for the required length of experience in Consultancy Services and cross-reference the list of assignments below.
    2) **In the specified period, list Consultancy Services assignments completed or substantially completed, Key activities (if applicable) in a tabular form** (Period specified in Section III – Qualification Criteria Note: List only the most important and relevant ones. List the largest value and most relevant projects to this assignment first)

a) country, client, (source of funding),
b) For Completed Project : project title, project reference number, project value, project period-
c) For Substantially Completed Project : project title, project reference number, project value, project period
d) brief description of the consultant's role in the project
e) # of international staff months, # of national staff months deployed by you on the project
f) Is it a Similar Experience as per Section III: Qualification Criteria (Yes or No)

……..

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of

…….

…….

[Name, address, and seal of the Consultant]

DA: Performance records/ contracts

Form 2.2 Financial Capability Statements

(Ref REOI Clause 2.3, Section III: Qualification Criteria)

(On Consultant's Letter-head)

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

Note to Consultants: Fill out this Form for the consultant and each member of a joint venture or other association that is a party to the consultant to highlight conformance to Criteria 2: Financial Capability. The list below is indicative only. You may attach more documents as required. Add additional details not covered elsewhere in your EOI in this regard. Form should be CA Certified.

Form 2.2.1: Average Annual Turnover

(Ref REOI Clause 2.3, Section III: Qualification Criteria)

(On Consultant's Letter-head)

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

Note: Each Consultant or member of a Joint Venture/Consortium making up a Consultant must fill in these forms. Form should be CA Certified.

Annual Turnover Data (Rs Crores) for the Last Three (3) Financial Years		
Year	**Total Turnover Amount (Total certified payments received for contracts in progress or completed)**	**Turnover from Consultancy Services (Total certified payments received for contracts in progress or completed)** (supported by a certificate from the Chartered Accountants)

Average Annual Turnover		

……..

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of

…….

…….

[Name, address, and seal of the Consultant]

" Certificate of CA with UDIN

This is to certify that the information given in the above table is derived from audited B/S and P/L account and are true and correct reflection of company's financial performance and capability".

Form 3: Checklist for Consultants

(Ref REOI Clause 2.3)

(On Consultant's Letter-head)

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Note to Consultants: This checklist is merely to help the consultants to prepare their EOIs. It does not override or modify the requirement of the EOI. Consultants must do their due diligence also.

Sr	**Documents submitted, duly filled, signed**	**Yes/ No/ NA**
1.	Form 1.- EOI Form (to serve as covering letter and declarations)	
2.	Form 1.1: Consultant Information and Power of attorney and Registration Certificates etc.	
3.	Form 1.2: Eligibility Declarations, along with supporting documents	
4.	Form 2: Qualification Criteria - Compliance	
4.a	Form 2.1, 2.2 (and its sub-forms) to support Form 2 along with supporting documents	
5.	Form 3: This Checklist	
6.	Any other requirements, if stipulated in Section II: Appendix; or if considered relevant by the consultant	

……..

(Signature with date)

……..

(Name and designation)

Duly authorised to sign EOI for and on behalf of…….

[Name, address, and seal of the Consultant]

Format 1: Authorisation to Attend Pre-EOI Conference

(Refer to REOI Clause 6.3)

(On The Consultant Letter Head)

Consultant's Name_____

[Address and Contact Details]

Consultant's Reference No._____ Date…….

To

(Insert designation of TIA & Division)

RITES Ltd.

[Complete address of the Procuring Entity]

Ref: REOI document No. REOI/ xxxx; Tender Title: Consultancy Services

Subject: Authorisation to attend Pre-EOI Conference on _____ (date).

The following persons are authorised to attend the Pre-EOI Conference for the EOI mentioned above on behalf of _____ (Consultant) in the order of preference given below.

Sr.	**Name**	**Government Photo ID Type/ Number**
I.		
II.		
Alternate Representative		

Note:

1. Maximum of two representatives (carrying valid Government photo IDs) shall be permitted to attend the Pre-EOI opening. An alternate representative shall be permitted when regular representatives are not able to participate.

2. Permission to enter the hall where the Pre-EOI conference is conducted may be refused if authorisation as prescribed above is not submitted.

Signatures of consultant

or

The officer authorised to sign the EOI.

Documents on behalf of the consultant

[Name, address, and seal of the Consultant]