

Office of Transport Commissioner, Uttarakhand
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No. 1897 / Niyojan/ 13-245/2023

Date: 03 June 2023

Expression of Interest (EOI)/RFP

Ministry of Road Transport and Highways, Government of India, vide notification no. 652 (E) dated 23-09-2021 (as amended from time to time) has notified the processes for Recognition, Regulation and Control of Automated Testing Station, testing of fitness of vehicles through automated equipment and issue of fitness Certificate by Automated Testing Stations. As per the notification, the registration of Automated Testing Station is compulsory under rule 175 of Central Motor Vehicles Rules, 1989.

Under notification no. 652 (E) dated 23-09-2021 (as amended from time to time) Expression of Interest/Applications are invited from willing operators (individual/ Company/ Association/ Body of Individuals/ Special Purpose Vehicles) to establish and operate Automated Testing Stations at following locations:

- 1- Sub Region Vikasnagar, (near Selaqui)
- 2- Sub Region Roorkee, (near Roorkee)
- 3- Sub Region Ramnagar, (near Ramnagar)
- 4- Sub Region Champawat, (near Tanakpur)

Separate Expression of Interest/ Applications will be submitted for each location. Earnest Money Deposit will be Rs. 5.00 lakh per location and Tender/Application processing fee will be Rs. 5000 per EOI.

The eligibility criteria for Automated Testing Station for fitness testing of vehicles are given below:-

I. PRE-QUALIFYING CRITERIA FOR BIDDERS:

Bidders would be required to qualify the following eligibility conditions for the evaluation of their technical bids.

| S.No. | Qualification Conditions | Documents to be uploaded |
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| 1. | Proof of payment of Earnest Money Deposit (EMD). | Scanned copy of Receipt of payment of EMD amounting to Rs. 5,00,000/- per location in the form of Bank Draft / Bank Guarantee in the name of the 'Transport Commissioner, Uttarakhand'. |
| 2. | Proof of payment of Tender Processing Fee. | Scanned copy of Receipt of payment of Tender processing Fee. |
| 3. | The Bidder for all the purposes hereinafter shall mean a Company or Limited Liability Partnership (LLP), Firm or association of persons or body of individuals or an individual or consortium or special purpose vehicle taking part in the bidding process either directly or through public-private partnership and the meaning thereof shall be construed accordingly. Provided that the maximum number of members of consortium is restricted to three only. | Notarized copy of the following documents, as applicable: Certificates of Incorporation of the company OR Limited Liability Partnership Agreement OR Copy of the Partnership Deed duly registered under the Partnership Act 1932 OR Certificate of Shop & Establishment Act |

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| | | <p>OR Registration of UdyamAadhar. Copy of the Consortium Agreement/Memorandum of Understanding, shall be submitted.</p> |
| 4. | Any vehicle manufacturer/ dealer/service station or automobile spares parts manufacturer/dealer or automobile accessories manufacturer/ dealer shall not be eligible to participate in tender neither as a bidder nor as member of the consortium, if such vehicle/spare part/accessory has to get tested at the proposed ATS, in order to avoid any 'Conflict of Interest'. | Notarized affidavit in this regard is to be made by the Bidder. |
| 5. | The Bidder shall have atleast 6-month's experience of operation of Automated Testing Station (ATS)/ Inspection and Certification (I&C) Centre/ Automated Fitness Centre comprising of Roller Brake Tester, Side Slip Tester, Suspension Tester, Speedometer and Joint Play Tester in India in the last five years on or before the date of tender notification. | Notarized undertaking from the Bidder along with notarized copy from the client regarding operation of ATS in India. |
| 6. | The OEM/Equipment Supplier of Test Lane equipment shall submit an undertaking that it shall provide Warranty and AMC services of its Equipment uninterruptedly for the period of 10 (ten) years from the date of commissioning of the Equipment. | Notarized undertaking from OEM/Equipment Supplier. |
| 7. | The Bidder shall have a minimum net worth of Rs. 3.00 crore (Three crore) during the last financial year and should have a positive profit after Tax in the last two financial years. | Notarized copy of the audited Financial Statement of last three financial years, certified by a Chartered Accountant with UDIN. Net-worth Certificate duly issued by a Chartered Accountant with UDIN. |
| 8. | The Bidder shall have a minimum (Solvency) of Rs 1.00 (One Crore) during the last financial year. | Notarized copy of Solvency Certificate issued by competent authority. |
| 9. | The Bidder shall have a valid GST Number. | Notarized Copy of GST Registration. |
| 10. | The Bidder shall have a valid PAN Number. | Notarized Copy of PAN. |
| 11. | The Bidder and all members of the Consortium and their proprietor/ partners/directors etc. and other persons entrusted with the management of the Bidder shall not be under a declaration of ineligibility/banned/debarred/black listed by any State Government or Government of Union Territory or Central Government in India or Worldwide for corrupt and fraudulent practices on the date of | Notarized Affidavit. |

| submission of bid. | | |
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| S.No. | Qualification Conditions | Documents to be uploaded |
| 12. | The Bidder and all members of the Consortium, proprietor/partners/ directors etc. and other persons entrusted with the management of the Bidder shall give affidavit that he/they has/have not been convicted by any Court of Competent Jurisdiction on the date of submission of bids. | Notarized Affidavit |
| 13. | The Bidder shall submit a Power of Attorney (POA) in the name of Authorized Signatory. | Notarized Power of Attorney (POA) |
| 14. | In the case of a Joint Venture or Consortium, the Consortium members shall submit a Power of Attorney in the name of Lead Bidder for submitting Bid on their behalf. | Notarized Power of Attorney (POA) |
| 15. | Land proposed for establishment of ATS (area as prescribed in the policy/guidelines) shall either be owned or taken on lease or hired by the Bidder for a period not less than ten years. | Notarized document of land ownership (e.g. Transfer Deed/ Khatauni etc.) in the name of Sole Bidder/Member of Consortium (in case of consortium) or Copy of registered Lease Deed for a lease deed of at least ten years from the date of allotment of tender, in the name of Sole Bidder/Member of Consortium (in case of consortium) along with Location Map of the Project Land, demarcating the boundaries and separate Entry & Exit from National Highway. |
| 16. | The Bidder shall give affidavit that he shall submit Third Party Audit Report of the ATS within 150 days from date of issuance of Letter of Award. | Notarized Affidavit. |

II. CONDITIONS GOVERNING CONSORTIUM:

- (1) In case of Consortium, the maximum number of members shall be restricted to three only and one of the members of the consortium shall be the lead member to act as the nodal point to deal with the concerned department for all the purposes including communication and only the lead member shall be responsible to fulfill the financial criteria such as positive net worth, solvency and turnover. However, rest of the criteria pertaining to land, technical expertise etc. may be jointly met by all the members of the consortium.
- (2) Lead Member of a Consortium shall not be permitted to participate either in individual capacity or as a member of another Consortium in the same tender. The tender shall be submitted by the lead member in the name of and on behalf of the consortium.
- (3) EMD shall be submitted only by the lead Member of the Consortium.
- (4) A Copy of Consortium Agreement/Memorandum of Understanding (MOU), clearly specifying complete details of the members of the Consortium and responsibility in the Consortium etc. particularly with reference to financial, technical and other obligations shall be furnished along with the bid documents.

- (5) Once the tender is submitted, the Consortium Agreement/MOU shall not be modified/alterd/terminated during the validity of the tender.
- (6) After the contract has been awarded, alteration/change in the constitution of the Consortium shall not be allowed during the current contract period except replacement of any present member of Consortium with another member having the same or higher technical qualification and experience with consent of all consortium members and Transport Department, Uttarakhand.
- (7) On issue of Letter of Award (LOA), Consortium Agreement/MOU among the members of the Consortium (to whom the work has been awarded) shall be executed and get registered before the Sub-Registrar, under the Registration Act, 1908.
- (8) The consortium which proposes to establish a Special Purpose Vehicle (SPV) shall constitute the same in form of a legally recognized entity such as body corporate, LLP, Partnership firm etc. within 120 days of award of tender and intimate the concerned department within 30 days of incorporation of such SPV.

III. PROJECT LAND FOR ESTABLISHMENT OF ATS:

- (1) Technical Evaluation Committee shall analyze suitability of 'Project Land' proposed by the bidders for establishment of ATS. The decision of the Technical Committee for acceptance of proposed location shall be final and bids for only selected locations shall be opened.
- (2) Any change in the proposed 'Project Land' shall not be considered after submission of bid.

IV. BID EVALUATION PROCESS:

- (1) Any bid submitted without EMD and Bid Processing Fee shall be disqualified.
- (2) Pre-qualification Evaluation: All the bids shall be evaluated against mandatory Pre-qualification Criteria.
- (3) Suitability of proposed land for ATS: After completion of Pre-qualification Evaluation, Technical Evaluation Committee shall analyze suitability of proposed land for establishment of ATS proposed by the Qualified Bidders of Pre-qualification Criteria and submit its report regarding Selected Locations.
- (4) Technical Evaluation: After Pre-qualification Evaluation and analysis of suitability of proposed land for establishment of ATS, the Technical Bids will be opened and evaluated against Technical Evaluation Parameters explained below. The Bidder securing highest marks shall qualify for bid and the Technical Evaluation Committee shall submit a report with Technical Score of each Bidder and recommendations to the approving authority.

V. PRE-QUALIFICATION EVALUATION:

The Technical Evaluation Committee will assess mandatory Pre-qualification Criteria therefore the Bidder must submit the details as per requirement mentioned against respective prequalification criteria in FORM-

VI. TECHNICAL EVALUATION:

- (1) The Technical Evaluation Committee shall analyze suitability of 'Project Land for establishment of ATS' proposed by the Qualified Bidders as per Pre-qualification Criteria. The decision of Transport Department for acceptance of proposed location shall be final and Technical bid of bidders whose locations are accepted, will only be opened for evaluation.

- (2) After Pre-qualification Evaluation and analysis of suitability of proposed land for establishment of ATS, the Technical Bids will be opened and evaluated against Technical Evaluation parameters as explained below. The Bidder securing highest marks shall qualify for bid and the Technical Evaluation Committee shall submit a report with Technical Score of each Bidder and recommendations to the approving authority.

| S. No | Qualification Conditions | Scoring Criteria | Documents to be submitted |
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| 1. | The Bidder/any member of Consortium (in case of Consortium) must have experience of operation of ATS/ I&C Centre/ Automated Fitness Centre for at least six months. | (i) More than 6 months but below 12 months — 10 marks (ii) More than 12 months but below 18 months — 20 marks (iii) 18 months or above — 30 marks | Notarized undertaking from the Bidder along with certified copy from the client regarding experience of operation of ATS. |
| 2. | Equipment Supplier/ OEM must have supplied atleast 10 test lanes comprising of Roller Brake Tester, Side Slip Tester, Suspension Tester, Speedometer and Joint Play Tester in India and/or Globally in the last five years on or before the date of tender notification. | 10 Test Lanes — 10 marks 20 Test Lanes — 20 marks 30 Test Lanes and above — 30 marks | Notarized undertaking from the Bidder along with certified copy from the client regarding supply of specified Test Lane Equipment. |
| 3. | The Bidder must have suitable Project Land for establishment of ATS as accepted by the Transport Department in accordance with para III & VI (1) above. | 1. Distance of proposed land from NH or State Highway: (i) Up to 25 meters: 25 marks (ii) More than 25 meters to 75 meters: 15 marks (iii) More than 75 meters to 150 meters: 5 marks 2. Suitability of Land: Traffic conditions, operational challenge and amenities: Maximum 15 marks. | Notarized document of land ownership (e.g. Transfer Deed/ Khatauni etc.) in the name of Bidder or Copy of registered Lease Deed for a lease period of at least ten years from the date of allotment of tender, in the name of Bidder along with Location Map of the Project Land, demarcating the boundaries and separate Entry & Exit from National Highway. |

(3) DETERMINATION OF THE SUCCESSFUL BIDDER:

The Bidder securing highest marks as per the evaluation parameters as mentioned under para VI above shall be declared the successful bidder.

(4) CONFLICT OF INTEREST:

The Bidder or any of its constituent member, if any, shall not be engaged in activities that conflict with the interest of the ATS and at all times hold interest of the ATS paramount.

(5) FRAUD AND CORRUPT PRACTICES:

The Bidder and its respective officers, employees, agents and advisers shall observe the highest standard of ethics during the bidding process. Notwithstanding anything to the contrary contained herein, Transport Department, Uttarakhand may reject a bid without being liable in any manner whatsoever to the bidder if it determines that the bidder has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the bidding process for securing ATS from the Transport Department, Uttarakhand.

- a. "Corrupt Practice" means (i) the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the bidding process (for avoidance of doubt, offering of employment to, or employing, or engaging in any manner whatsoever, directly or indirectly, any official of Transport Department, Uttarakhand who is or has been associated in any manner, directly or indirectly, with the bidding process or this EOI or has dealt with matters concerning the ATS or arising there from, before or after the execution thereof, at any time prior to the expiry of one year from the date such official resigns or retires from or otherwise ceases to be in the service of Transport Department, Uttarakhand, shall be deemed to constitute influencing the actions of a person connected with the bidding process); or (ii) engaging in any manner whatsoever, whether during the bidding process or after the issuance of this EOI, any person in respect of any matter relating to the Transport Department, Uttarakhand Project or this EOI, who at any time has been or is a financial or technical adviser of Transport Department, Uttarakhand in relation to any matter concerning the Transport Department, Uttarakhand Project;
- b. "Fraudulent practice" means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the bidding process;
- c. "Coercive practice" means impairing or harming or threatening to impair or harm, directly or indirectly, any person or property to influence any person's participation or action in the bidding process;
- d. "Undesirable practice" means (i) establishing contact with any person connected with or employed or engaged by the Bidder with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the bidding process; or (ii) having a conflict of interest; and
- e. "Restrictive practice" means forming a cartel or arriving at any understanding or arrangement among bidders with the objective of restricting or manipulating a full and fair competition in the bidding process.

(6) GENERAL CONDITIONS:

- (1) No conditional bidding is allowed.
- (2) Permissible Vehicle Testing Fee is defined under the Fitness Testing Fee as per Rule 81 of CMVR. In case of upward or downward revision, the same will be applicable from the date of notification of the rule.


- (3) The Selected Bidder shall, during the contract period, levy, collect and appropriate the Vehicle Inspection Fee from the citizen for rendering the specified services of conducting Vehicle Fitness Test as per CMVR rule 63.
- (4) The bidder shall present monthly reports as to the number of tests performed with time stamp of each test.
- (5) Any attempt to misinform the department or noncompliance of directions as prescribed in the policy/rules/guidelines in this regard by both Government of India and the State Government, from time to time, shall be ground for immediate termination and cancellation of agreement/license or any appropriate action as the competent authority of Transport Department, Uttarakhand may deem fit.
- (6) Number of centers may be increased in future as per requirement.
- (7) The Jurisdiction of the Testing Center will be coterminous with the jurisdiction of the Assistant / Regional Transport Office at the locations mentioned in the EoI.

The Expressions of Interest/ Applications in original with all the prescribed documents and annexures can be submitted in the office of Transport Commissioner, Uttarakhand, Kulhan, Sahastradhara road, Dehradun by 4:00 pm on 27-06-2023.

Major stages in the process of EOI are as follows:

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| 1 | Publications of invitation of Expression of Interest/ Application | 03-06-2023 |
| 2 | Conference with willing Parties/ Applicants | 12-06-2023 at 3:00 pm |
| 3 | Last Date of submission of Expression of Interest/ Application | 27-06-2023 by 4:00 pm |
| 4 | Opening of proposal received regarding establishment of Automated Testing Stations | After deadline for submission of Expression of Interest/ Application |
| 5 | Issue of Preliminary Registration certificate and subsequent process | As per Central Motor Vehicles Rules, 1989 |

Note- The fee prescribed under rule 188 of Central Motor Vehicles Rule, 1989 and Earnest Money Deposit will be submitted in the form of Bank Draft in the name of Transport Commissioner, Uttarakhand.


(Arvind Singh Hyanki)
 Transport Commissioner,
 Uttarakhand