

NOTICE INVITING E-TENDER (NIET)

1. E-Tender is hereby invited for granting concession for the following:

Name of Facility	Tender Processing Fees (in INR)	Earnest Money Deposit (EMD) (in INR)	Minimum Reserved License Fees (MRLF)/ Minimum Monthly Guarantee (MMG) (in INR)
License for Retail Outlet for selling Personal Protective Equipment (PPE) like Disposable Gloves, different category Face Masks (for Health Workers and General Public) Coverall / Gown, Disposable Goggles, Alcohol Based Hand Rubs / Hand Sanitizers etc. at Civil Airport Jammu.	Rs. 2,000/- (Rupees Two Thousand Only)	Rs. 50,000/- (Rupees Fifty Thousand Only)	Rs.100/- (Rupees One Hundred Only) Per Month, Plus Applicable Taxes Extra

NOTE:

- Offers below MRLF will not be considered for award.
- Highest quote/ offer over and above MRLF shall be the sole parameter for selection of highest bidder.
- License fees shall be the quoted fixed license fees/quoted MMG. The quoted fixed license fees is subject to annual escalation as detailed in NIT.
- In addition to the Concession Fees, the selected bidder shall be liable to pay:
 - Utility/ Facilitation Charges at 10% of normal space rent (or as may be notified by AAI from time to time, presently normal notified space rent is Rs. 1,460/-Per Sqm per month for AC premises and Rs. 1,020/- per Sqm per month for Non-AC premises subject to annual escalation of 10%) for allotted space.**
 - All applicable Government Taxes including GST (presently at the rate of 18%) or at the rates declared by Government of India or State Government from time to time.
 - Charges for the consumption of the electricity and water consumed for the purpose of use of the said license as becomes due and payable and in accordance with the directions of the Authority and at the rates as fixed by AAI from time to time.

2. **Location Details:** Indicative Auto CAD drawing of concession area layout along with detailed schedule of premises specifying area is at Appendix 3 & 4.
 3. **Period of Concession: 06 months extendable by 6 months.**
 4. **Rate of Escalation:**
 - a. License Fees shall be subject to annual escalation of 10% for subsequent years.
 - b. The first annual escalation will be applicable after completion of one year + six months (18 months) license period. Thereafter the same will be applicable after completion of subsequent one year period there from. Even if, on account of any delay whatsoever, licensee could not commence business operations on the expiry of gestation period stipulated in NIT, for the purpose of calculation of date on which 18 months of license are completed (date on which first escalation is applied) shall be deemed from next day of expiry of gestation period stipulated in NIT.
 5. The prospective bidders are requested to go through the tender conditions and visit the site / airport to assess the feasibility of business / undergo proper diligence study and thereafter may bid in the Tender. No reduction in license fee will be entertained by AAI at any stage for whatever reasons.
 6. Participants are advised not to give any conditional tender and adhere to the terms and conditions indicated in the tender documents provided by AAI. Conditional tenders would be summarily rejected.
 7. **Business Incubation Period** shall mean a period of **15** days from the date of issuance of LOIA to the selected bidder. The selected bidder will be under obligation to complete all the formalities/ conditions of award as will be specified in the LOIA.
 8. **Handing Over of Sites:**
 - a. Sites will be handed over to the selected bidder upon fulfillment of conditions of award within the stipulated time of business incubation period.
 - b. If the licensee fails to complete the conditions of award which are pre-requisite for handing over of site, then the gestation period will be deemed to have commenced on 16th day of issuance of LOIA i.e. immediately after expiry of business incubation period. However, actual handing over of sites shall only be done after completion of all conditions of award.
 - c. In case tender process has been completed and successful tenderer has been awarded LOIA, but, concession/ license period of incumbent licensee is not over, then, date of hand over of site should not be later than 7th day of expiry of incumbent license or expiry of business incubation period (whichever is later). However, in extreme circumstances, if due to some reason, the vacant site could not be made available, the Airport Director in consultation with concessionaire can identify an alternate location for commencement of concession/ license. Rebate shall not be considered in such a case.
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9. Gestation Period:

- a. Gestation period of **15 Days**, reckoned from the date of handing over of sites shall be permissible.
- b. No gestation period is to be permitted in case of renewal/award of the concession/ license in favor of the existing licensee in the same place (i.e. same area as well as location).
- i. Where there is change in location or due to suspension of the business to carry-out modification at the existing area etc. in the concession/ license premises, normal gestation period, as defined above, may be permitted.
- ii. If there is increase in the area in the new license at the same location awarded to existing licensee, the gestation period would be applicable for the incremental area only (if he continues with the business from the existing area and needs development period for the incremental area). In this scenario, licensee shall continue to be billed on the basis of quoted license fee on pro-rata basis for existing area. Billing for the newly developed/incremental area shall be started after expiry of gestation period.

10. Eligibility Criteria:

a. Technical Criteria:

1. Applicant can be Original Equipment Manufacturer (OEM) Or Brand owner Or Franchisee of the brand of any of the PPE products category.

OR

2. Applicant must have minimum one year experience in operating any Commercial license at any airport in India.

OR

3. Applicant must have minimum one year experience in operating Medical Shop at any airport in India or any City Municipal corporations in the state where the airport is situated.
4. Experience claimed for (2) and (3) above should be from any of the last 3 financial years.

b. Financial Criteria:

The applicant should have Positive Net worth at the time of applying for the tender and CA certified Net worth statement to be submitted with technical documents.

11. Only one e tender document shall be sold to a single party either a firm or an individual. The proprietor of more than one company or firm will be considered as single party and one legal entity.

12. Any party either a firm or an individual falling under the following categories is not eligible:

- a. De-barred/black listed by CBI or AAI or Undertakings/ Departments like; Railway, Defense, or any other Department of Govt. of India, State Govt. Deptt. etc. A declaration to this effect is also to be submitted by the party with tender documents.
- b. Parties facing action under PPE Act, with AAI.
- c. Parties either an individual or a business establishment, who has been ordered by a Court of Law to pay the outstanding dues of AAI at any of the airports as a whole and has not paid such dues to AAI shall also not be eligible for the e tender.
- d. If the entity participating in any of the tenders is a private or public limited company, Partnership firm or a Sole Proprietor and any of the Directors/Partners/Sole Proprietor of such company is also a Director of any other company or partner of a concern or a Sole Proprietor having established business with AAI and has outstanding dues payable to the Authority, then the said entity may not be allowed in AAI tenders.
- e. If the entity participating in any of the tenders is a private or Public Limited Company, Partnership Firm or sole proprietor and any of the Director/ partners/ sole proprietor of such company is also a Director of any other company or partner of a concern or a sole proprietor having established business with AAI and has outstanding dues payable to the **AAI except the dues pertaining to the current quarter i.e. the quarter in which the tender is invited**, then the said entity shall not be allowed to participate in AAI tenders.

The disputed amount which are referred for dispute Resolution/ Arbitration by the Competent Authority shall not be considered as outstanding dues provided the agency has furnished an additional validated Security Deposit (in addition to the Security Deposit as per the terms & conditions of the existing license/ concession) equivalent to 50% of the value of the disputed amount or as stipulated in the agreement. The period of this Security Deposit of disputed dues under arbitration shall be minimum 2 years from the date of DRC /Arbitration and further renewable.

In the event of specific Order/judgment from a Judicial Court/ Arbitral Tribunal staying/withholding the realization of certain dues, the adherence to the above condition will be exempted and regulated in accordance with the specific orders.

- f. A declaration to the effect that the Tenderer does not fall under the categories a), b), c), d), and e) above has to be submitted in the Technical Bid. **(Refer: Annexure: G)**. Following declaration will also be part of **Annexure: G**

“I/ We declare that “No raid/seizure/search has been carried out and/or pending by a Regulatory Authority in respect of the license granted by AAI in any of the Airport premises either against me and/or any member of the consortium or against our/its associates or against any of the Directors/Managers/Employees” (In case if raids/seizure/search conducted, please furnish all such relevant details).”

13. E-Tender documents indicating full details of the licence can be seen in the e-tender documents uploaded on the NIC CPPP E-Tendering Portal at etenders.gov.in

- a) The bids shall be submitted only on the NIC CPPP E-Tendering Portal at etenders.gov.in
- b) The bids shall not be accepted in any other form
- c) The e-tendering process is online at NIC CPPP E-Tendering Portal at etenders.gov.in
- d) Tenderers are requested / advised to get themselves acquainted for e-tendering participation requirement themselves at NIC CPPP E-Tendering Portal at etenders.gov.in mentioned above.
- e) Clarification needed, if any, may be sent through NIC CPPP E-Tendering Portal only.
- f) Cost of tender fees amounting to **Rs. 2,000/- (Rupees Two Thousand Only)**, shall be paid by the bidder before the scheduled time of e-tender submission through RTGS/NEFT in favor of **“Airports Authority of India Jammu**. No other mode of payment shall be acceptable.
- g) The amount of Earnest Money Deposit (EMD) **Rs. 50,000/- (Rupees Fifty Thousand Only)** shall be paid by the tenderers before the scheduled time of e-tender submission through RTGS / NEFT in favor **“Airports Authority of India Jammu”**. No other mode of payment shall be acceptable.
- h) The particulars pertaining to **“Airports Authority of India Jammu”** Bank account for RTGS / NEFT are as follows:-

Account Name	Airports Authority of India
Account Type	Current
Account No.	31302019260
Bank Name	State Bank of India
Branch	Shastri Nagar, Jammu
IFSC Code	SBIN0011857

- i) A copy of the proof / documents of the above payments (i.e. cost of tender document and EMD) made through RTGS / NEFT is to be uploaded (i.e. scanned copy) along with the technical bid documents to be submitted by the bidders(online).
- j) Non-submission of cost of tender document and EMD shall lead to disqualification of tenderers.
- k) E-bids shall be submitted in two bid system as follows:-
 - i. Technical bid – Earnest Money Deposit (EMD) and other documents as required under clause 3 of the general information / guidelines of Notice Inviting Tender.

- ii. Financial Bid – As required under clause 4 of general information/guidelines of Notice Inviting Tender.

14. **Critical Dates:**

S. No.	Activity	Scheduled Dates and Time
1	Download/Sale of e-Tender Document from NIC CPP portal	30.06.2020 (18:00 Hrs.)
2	Submission of queries related to e- Tender, if any; on NIC CPP portal only.	02.07.2020 (Upto 15:00 Hrs.)
3	Reply to the queries by AAI on NIC CPP portal	06.07.2020 (by 18:00 Hrs.)
4	Online submission of Bids / Proposal(s) (Technical Bid as well as Financial Bid) on e-tender portal	08.07.2020 (by 18:00 Hrs)
5	Opening of Technical Bids / Proposal(s) (online only)	09.07.2020 AT 15:00 Hrs.
6	Opening of Financial Bids / Proposal(s) (online only)	15.07.2020 AT 11:00 Hrs.

15. In case bidder withdraws from tender process before opening of technical bid date and time, 10% of EMD amount shall be forfeited.
16. After last date of submission of bid, at any stage if an agency withdraws from tender process, entire EMD amount shall be forfeited.
17. After opening of the technical bid and before opening of financial bid, if any agency withdraws from tender process, the EMD of the party shall be forfeited and the party liable to be debarred for participation in any tender at **Jammu Airport** for **one year** from the date of debarment. However, after opening of financial bid, being H1 in the tender of the party withdraws its bid or after issuance of award letter, the party does not complete the requisite formalities, EMD shall be forfeited and the said bidder will be liable to be debarred from participating in any tender of AAI for one year.
18. The agency does not complete the formalities within the stipulated date after award of license/concession; entire EMD shall be forfeited.
19. The agency submits false document(s) in the tender and his/their tender is cancelled, entire EMD shall be forfeited.
20. In case a party has deposited EMD and Tender Fees but did not participate in the tender process i.e. the party has not submitted his bid on CPP portal and his name is not appearing in the bids submitted list, then, on request of such party, amount paid towards EMD deposited by the party may be refunded after deduction of 10% of EMD amount. However, the Tender Fees shall not be refunded in this case.
21. AAI reserves to itself the right to reject the conditional tenders without assigning any reason thereto.

22. AAI reserves to itself the right to reject any or all the tenders without assigning any reason thereof and to call for any other detail or information from any of the tenderer(s).
23. On acceptance of the tender, the name of the authorize representative(s) of the tenderer who would be responsible for taking instructions from authorized official of the AAI is to be intimated.
24. In case tender process has been completed and successful tenderer has been awarded LOIA, but, concession/ license period of incumbent licensee is not over, then, date of hand over of site should not be later than 7th day of expiry of incumbent license or access date (whichever is later). However, in extreme circumstances, if due to some reason, the vacant site could not be made available, the Airport Director in consultation with concessionaire can identify an alternate location for commencement of concession/ license. Rebate shall not be considered in such a case.
25. In case of bare space handed over to the agency on which the agency has to construct their infrastructure, it shall be measured on the basis of bare space area allotted to the agency. The structure made by the agency should be within the allotted bare space. Any extra area (up to 10%) occupied by the agency for furthering its concession activities and found subsequently by AAI shall be charged on pro rata basis. In case extra area is beyond 10%, licensee will be charged at double the pro-rata amount. The height of the outlet should ideally be restricted to 10 ft. or availability of height, as the case may be.

**AIRPORT DIRECTOR
CIVIL AIRPORT JAMMU**

Signature Not Verified

Digitally signed by MADAN LAL
Date: 2020.10.23 15:11:11 IST
Location: eProcurement System for Central PSUs

