

Addendum-4

'Licensing of Spare Optic Fibre Cables & Right Of Way for Laying Additional Cables at Mumbai Metro Line 3' RFP

Date: 22 December 2023

Ref: RFP for 'Licensing of Spare Optic Fibre Cables & Right Of Way for Laying Additional Cables at Mumbai Metro Line 3'
eTender No. MMRC/Planning/PLN/49(4)/NFBR/RFP/01/2023, dated 10-Nov-2023

Please note the following amendments to the aforesaid RFP considering various requests and queries/ clarifications sought by bidders -

SN	Original Clause	Revised Clause
1	3.6 Eligibility Criteria & Tender Structure: Financial Eligibility Criteria Networth of minimum Rs 5 Crore as of 31-Mar-2023	3.6 Eligibility Criteria & Tender Structure: Financial Eligibility Criteria Net Worth or Cash and Cash equivalent of minimum Rs 5 Crore as of 31-Mar-2023
2	3.6 Eligibility Criteria & Tender Structure iv. Consortium or Joint Ventures are not permitted.	3.6 Eligibility Criteria & Tender Structure iv. JV/Consortium is hereby permitted for up to a maximum of 2 members subjected to following conditions. a. JV/Consortium is only allowed only if it is between either a Parent Company and its subsidiary OR between companies having a common parent with majority, controlling stake. b. JV/Consortium shall submit an organisation chart in Excel clearly highlighting the shareholding of the members of the JV/Consortium up to Parent and Ultimate Parent along with supporting MCA/ROC filing. c. In case the Selected Bidder is a JV/Consortium, they shall be required to incorporate a new Special Purpose Vehicle ("SPV") (a Company) within 30 days of issuance of the LOA and the SPV shall enter into License Agreement with MMRC for implementation of the Project. The members of JV/Consortium are required to maintain 100% of the shareholding of the SPV throughout the subsistence of the License Agreement. In case company is not incorporated within 30 days of issuance of LOA, then the Authority reserves the right to cancel the LOA and forfeit the Security Deposit d. Each member of the JV/Consortium should have at least 26% shareholding in the JV/Consortium/SPV and the member of the JV/Consortium meeting the Financial Eligibility Criteria must have a minimum of 51% shareholding in the JV/Consortium/SPV at the time of the bid and throughout the subsistence of the contract. To further clarify, financial credentials (Turnover/Networth/Cash and Cash Equivalents) of the member of the JV/Consortium/SPV holding less than 51% shareholding in the JV/Consortium/SPV shall not be considered for the evaluation e. A Bidder or a member of a JV/Consortium can be a member in only one JV/Consortium. If a Bidder / member participates in more than one Bid for the same Tender, it shall be summarily rejected. f. All members of the JV/Consortium shall be jointly and severally liable for the execution of the Project during License Period in accordance with the terms of the License Agreement, and each member shall submit an unconditional undertaking to meet the expenses/liabilities of the SPV in case of inability of the SPV to do so by itself.

Sd/-

Director (Planning, Real Estate Dev./ NFBR)

DISCLAIMER:

All information provided as a part of this Addendum to Request for Proposal (RFP) to the prospective Bidding Entities by Mumbai Metro Rail Corporation Limited (MMRCL) is subject to the terms and conditions as laid down in the RFP. The objective of this Addendum to RFP is to provide information to the interested entities and to facilitate their application for the same. MMRCL makes no representation or gives any warranty and shall incur no liability under any law, statute, rules or regulations as to the accuracy, reliability or completeness of this document. Interpretation of the clauses in the RFP is at the sole discretion of MMRCL. Each Bidding Entity is advised to conduct its own assessment of the opportunity and obtain independent advice from appropriate sources as deemed necessary. MMRCL may, at their absolute discretion construe and interpret the clauses of this RFP, and without being under any obligation to do so, publish further addenda to this RFP document or terminate the same.

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