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SHORT TERM
Request for Proposal (RFP)
FOR
SELECTION OF CONSULTANT FOR TRANSACTION ADVISORY SERVICES FOR
THE DEVELOPMENT OF INFORMATION TECHNOLOGY CITY - SPECIAL
ECONOMIC ZONE (IT CITY) ON DESIGN, BUILD, FINANCE, OPERATE AND
TRANSFER (DBFOT) BASIS AT CHACK GAJARIA FARMS, SULTANPUR ROAD,
LUCKNOW, IN THE STATE OF UTTAR PRADESH

Bid REFERENCE : UPLC-Consultant-IT City-02/07-07-2013
E-tender Portal : <http://etender.up.nic.in>

Critical Dates:

SN	Particulars	Date	Time
1	Publishing Date	7 th July 2013	06:00 P.M.
2	Bid Submission Start Date	8 th July 2013	09:00 A.M.
3	Bid Submission End Date	12 th July 2013	03:00 P.M.
4	Bid Opening Date	12 th July 2013	03:15 P.M.

Place of Opening e-Bids : UP Electronics Corporation Ltd
10-Ashok Marg,
Lucknow-226001

This Document Contains –33 Pages



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e-Bid NOTICE

FOR

SELECTION OF CONSULTANT FOR TRANSACTION ADVISORY SERVICES FOR THE DEVELOPMENT OF INFORMATION TECHNOLOGY CITY - SPECIAL ECONOMIC ZONE (IT CITY) ON DESIGN, BUILD, FINANCE, OPERATE AND TRANSFER (DBFOT) BASIS AT CHACK GAJARIA FARMS, SULTANPUR ROAD, LUCKNOW, IN THE STATE OF UTTAR PRADESH

Online e-bids are invited from the I.T. consultants, who are already empanelled with U.P. Electronics Corporation Limited as Consultants vide e-bid reference no UPLC-IT-CONSUL/11-12-01, UPLC-IT-CONSUL/11-12-02 and UPLC-IT-CONSUL/12-13-01 for providing consultancy services to the State Government Departments for implementation of e-Governance Projects/Schemes. The e-Bids shall be opened on the 12th July 2013 or afterwards. The details of submission of e-Bids are available in the e-Bid document uploaded on the e-tender portal <http://etender.up.nic.in> and website www.uplc.in. The Corporation reserves the right to cancel any or all the e-Bids or annul the Bidding process without assigning any reason thereof.

Managing Director
U.P. Electronics Corporation Ltd.
10 Ashok Marg
Lucknow-226001

e-Bid Ref No: UPLC-CONSULTANT-IT CITY-02/07-07-2013



**Request for Proposal
For
SELECTION OF CONSULTANT FOR TRANSACTION ADVISORY SERVICES FOR
THE DEVELOPMENT OF INFORMATION TECHNOLOGY CITY - SPECIAL
ECONOMIC ZONE (IT CITY) ON DESIGN, BUILD, FINANCE, OPERATE AND
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LUCKNOW, IN THE STATE OF UTTAR PRADESH**

Introduction

Uttar Pradesh has the potential to emerge as a hub for IT and ITES industry. It is focusing on developing necessary infrastructure, development of human capital, proactive engagement with investors and effective policy implementation so as to create a conducive ambience for IT industry. The state has set up Noida SEZ to facilitate exports of electronic software. Uttar Pradesh government is encouraging and inviting private investments in knowledge based industries at large. The availability of technical and manpower centers of excellence such as IIT Kanpur, IIM Lucknow makes the state ideally suitable for setting up of IT industry.

The state has Noida as one of the biggest IT/ITES hub in India. However, the rising infrastructure and employee cost in Noida is threatening to blunt its crucial cost advantage. The IT and BPO are losing their global cost advantage with the emergence of other cities which offer services at cheaper rates. Companies are increasingly finding it difficult to recruit quality employees in big cities. Also, infrastructure is a big constraint. According to a recent study, the IT and BPO business in the country is likely to grow by 2.5 times in the next 10 years. The growth cannot be absorbed in major cities.

As infrastructure in major cities is already under tremendous strain, the IT sector has started migrating to smaller cities. However, the volume of business in the IT sector likely to come to India is huge which even tier II & II towns are unlikely to handle, considering poor infrastructure. **In this context, the government of UP plans to build brand new IT cities designed to address some of these issues. IT is felt that these new towns will provide as steady supply of workers besides being specifically geared towards the needs of the IT and BPO sectors.**

According to the plan, in the first Phase, IT cities would be built in Lucknow and Agra. Each city will be set up in an area of around 100-500 hectares. These IT cities will consist of create self-contained satellite townships with commercial space for renting and commensurate increase in residential accommodation, education, healthcare, retail and recreational facilities.

The IT cities are likely to create more effective urban systems capable of addressing contemporary challenges and urban problems. They would create more innovative and competitive cities, based on knowledge cluster, people-led innovation and global networking; offering capacity of monitoring and management of environment issues; improves city transportation; more secure urban spaces.



SECTION I: LETTER OF INVITATION

Through this Request for Proposal (RFP), it is intended to invite e-Bids for the SELECTION OF CONSULTANT FOR TRANSACTION ADVISORY SERVICES FOR THE DEVELOPMENT OF INFORMATION TECHNOLOGY CITY - SPECIAL ECONOMIC ZONE (IT CITY) ON DESIGN, BUILD, FINANCE, OPERATE AND TRANSFER (DBFOT) BASIS AT CHACK GAJARIA FARMS, SULTANPUR ROAD, LUCKNOW, IN THE STATE OF UTTAR PRADESH.

1. Bidders are advised to study the e-Bid document carefully.
2. Submission of e-Bids against this tender shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the e-Bid document with full understanding and its implications.
3. The Corporation may, at its own discretion, extend the date for submission of e-Bids. In such case all the rights and obligations of the Corporation and Bidders previously subject to the deadline will thereafter be subject to the deadline as extended.
4. Only those IT Consultant Companies who are empanelled in U.P. Electronics Corporation Ltd as Consultants vide e-bid reference no UPLC-IT-CONSUL/11-12-01, UPLC-IT-CONSUL/11-12-02 and UPLC-IT-CONSUL/12-13-01 are eligible to participate in this Tender. e-Bids submitted by any other bidders will be treated as non responsive and will not be considered against this e-Bid.
5. Since the Project is of utmost importance, therefore there will be no extension of dates for Bid Submission. However, UP Electronics Corporation Limited reserves the right to extend the date for Bid Submission.
6. The e-Bid document is available on e-tender portal <http://etender.up.nic.in> and also on UPLC's website www.uplc.in. Interested Bidders may view, download the e-Bid document, seek clarification and submit these e-Bids online only on e-tender portal <http://etender.up.nic.in>, up to the date and time mentioned in the table below:-

e-Bid Reference No.	UPLC-CONSULTANT-IT CITY-02/07-07-2013
Purpose	Request for Proposal For the SELECTION OF CONSULTANT FOR TRANSACTION ADVISORY SERVICES FOR THE DEVELOPMENT OF INFORMATION TECHNOLOGY CITY - SPECIAL ECONOMIC ZONE (IT CITY) ON DESIGN, BUILD, FINANCE, OPERATE AND TRANSFER (DBFOT) BASIS AT CHACK GAJARIA FARMS, SULTANPUR ROAD, LUCKNOW, IN THE STATE OF UTTAR PRADESH
Date of Publication of e-Bid notice	7 th July 2013 on e-tender portal http://etender.up.nic.in and website of UPLC www.uplc.in
Last date for submission of e-Bids	12 th July 2013 up to 3.00 P.M.
Site for submission of e-Bid	http://etender.up.nic.in
Web site address	www.uplc.in
e-mail address	md@uplclko.in, uplclko@gmail.com



e-Bid Inviting Officer	Shri Prabhat Mittal, Managing Director
Date of opening of e-Bids	12 th July 2013 at 3.15 P.M. or afterwards
Venue of Pre Bid Meeting	UP Electronics Corporation Ltd, 10, Ashok Marg, Lucknow-226001
Venue of Opening of e-Bids	UP Electronics Corporation Ltd, 10, Ashok Marg, Lucknow-226001
Contact numbers	0522-2286808, 0522-2286809 0522- 4130303 Mob: 09235567201
Fax number	0522-2288583

7. UPLC reserves the right to cancel any or all the e-Bids or annul the e-Bid process without assigning any reason thereof.
8. All the required documents must be uploaded by the Bidders electronically in the PDF format. It is suggested that the PDF Files should be made in grayscale using the minimum readable appropriate resolution so that the size of the files is minimized for fast uploading on the e-Bid portal <http://etender.up.nic.in>. The required electronic documents for each document label of Technical (Annexure etc) schedules/packets can be clubbed together to make single different files for each label. The size of single label file should not exceed 6-7 MB size.



SECTION II: INSTRUCTIONS TO BIDDERS (ITB)

1. DEFINITIONS

In this Contract, the following terms shall be interpreted:

- a. “Purchaser” means the Purchaser with which the selected Bidder signs the Contract for the service. In this Project, the purchaser is the “UPLC” means U.P. Electronics Corporation Ltd., 10, Ashok Marg, Lucknow-226001 on the behalf of end-customer Department i.e. Dept of IT and Electronics, U.P. Government.
- b. “The Consultant” means only those IT Consultant Companies who are empanelled in U.P. Electronics Corporation Ltd as Consultants vide e-bid reference no UPLC-IT-CONSUL/11-12-01,UPLC-IT-CONSUL/11-12-02 and UPLC-IT-CONSUL/12-13-01.
- c. “e-Bid” means the Technical proposal and the financial proposal.
- d. “Instructions to Bidders” means the document which provides interested Bidders with all information needed to prepare their Bids. This document also details out the process for the selection of the Consultant for the work mentioned in this tender document.
- e. “Scope of work” (SOW) means Scope of work mentioned in Section III: Terms of Reference of the RFP which explains the objectives, Scope of work, activities, tasks to be performed, and expected results and deliverables of the assignment, payment terms, timelines and respective responsibilities of the Purchaser and the Bidder.
- f. “The Contract” means the agreement entered into between the UPLC on behalf of end Customer Department i.e. Dept of IT and Electronics, U.P. Government, Lucknow and the Consultant , as recorded in the Contract Form signed by the parties, including all the attachments and appendices thereto and all documents incorporated by reference therein;
- g. “The Contract rates” mean the charges for the various consultancy assignment payable to the Consultant under the Contract for the full and proper performance of its contractual obligations;
- h. “Services” means the Consultancy services and other obligations of the Consultant covered under the Contract;
- i. “The Project Site”, where applicable, means the sites indentified by the Government located in the State of Uttar Pradesh.
- j. “Day” means a calendar day.
- k. The “End-Customer/Client Department” means the Department Of IT And Electronics, U.P. Government.

2. THE BIDDING DOCUMENT

1. Availability of e-Tender Document

This e-tender document is available on the e-tender portal <http://etender.up.nic.in> and UPLC's website www.uplc.in to enable the Bidders to view and download the Bidding document, submit their e-Bids online up to the last date and time mentioned in e-tender document only on e-Bid portal <http://etender.up.nic.in>.



2. Contents of e-Bid Document

The nature and types of various consultancy services required, Bidding procedure, terms and conditions etc. are prescribed in the e-bid document. The e-bid document includes:

e-Bid Notice

SECTION I : Letter of Invitation

SECTION II: Instructions to Bidders (ITB)

SECTION III: Terms of Reference (TOR) and Scope of Work (SOW)

SECTION IV: Bidder's Eligibility Criteria & Evaluation Process / Method of Selection

SECTION V – Standard Terms and Conditions

Technical Proposal Submission Form (Annexure I-VI)

Financial Proposal Submission Form (Annexure V)

Undertaking alongwith Technical Proposal Submission Form (Annexure VI)

Agreement (Annexure VII)

The Bidders are expected to examine all the instructions, forms, terms and conditions, requirements and qualifications in the e-tender documents. Failure to furnish all the information required as per the Bidding documents or submission of an e-Bid not responsive to the e-tender document in every respect will be at the Bidder's risk and may result in the rejection of his e-Bid.

3. Clarifications of e-Tender Documents

A prospective Bidder requiring any clarification of the e-tender documents may raise his point of clarification to UPLC's e-mail md@uplclko.in or uplclko@gmail.com

4. Amendment of e-Tender Document

At any time prior to the deadline for submission of eBids, the UPLC may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, modify the e-tender document by amendments. Such amendments shall be posted/uploaded on the e-tender portal <http://etender.up.nic.in> through corrigendum and shall form an integral part of the eBid documents. The relevant clauses of the e-tender documents shall be treated as amended accordingly.

It shall be the sole responsibility of the prospective Bidders to check the e-tender portal <http://etender.up.nic.in> and www.uplc.in from time to time for any amendment in the e-Bid document. In case of failure to get the amendments, if any, the UPLC shall not be responsible for any negligence on part of the Bidder.

In order to allow prospective Bidders a reasonable time to take the amendment into account in preparing their e-Bids, UPLC at its discretion, may extend the deadline for the submission of e-Bids. Such extensions shall be posted/up-loaded on the e-tender portal <http://etender.up.nic.in>.



3. **PREPARATION & SUBMISSION OF e-Bids**

5. **Documents Constituting the e-Bid**

The e-Bids prepared by the Bidder shall comprise the following components:

e-Bids - e-Bids will comprise of :

- a) **Bidder's General Information** – includes filled-in signed statements as per Annexure I, II, III, IV, V & VI (in the PDF format)
- b) **Qualification Details** – includes copies of required documents as per ITB Clause 6 in PDF format justifying that the Bidder is qualified and meets the criteria for the appointment.

6. **Documents to be Submitted by the Bidder**

The Bidder shall furnish, as part of Technical Proposal (Annexure I to IV and Annexure VI), documents establishing the Technical qualification to perform the Contract. The documentary evidence in support of the information furnished should be submitted by the Bidder electronically in the PDF format. The Bidder's eligibility criteria and selection procedure are defined in Section IV of e-Tender document.

It is suggested that the PDF files should be made in grayscale using the minimum readable appropriate resolution so that the size of the files is minimized for fast uploading on the e-Bid portal.

7. **Period of Validity of e-Bids**

e-Bids shall remain valid for 180 days after the date of opening of e-Bids prescribed by the UPLC. An e-Bid with validity of a shorter period than specified, shall be rejected by the UPLC as non-responsive.

8. **Format and Signing of e-Bids**

The Bidder shall prepare one electronic copy for the e-Bids.

Bidder or a person or persons duly authorized to bind the Bidder to the Contract. All the pages/ documents of the e-Bid shall also be signed manually by the person authorized to sign the e-Bids before converting them into PDF and uploading them as bidding documents.

9. **Submission of e-Bids**

The e-Bid Submission module of e-tender portal <http://etender.up.nic.in> enables the Bidders to submit the e-Bid online against the e-tender published by the UPLC. Bid Submission can be done only from the Bid Submission start date and time till the e-Bid Submission end date and time given in the e-Bid. Bidders should start the Bid Submission process well in advance so that they can submit their e-Bid in time. The Bidders should submit their Bids considering the server time displayed in the e-tender portal. This server time is the time by which the Bid submission activity will be allowed till the permissible time on the last/end date of submission indicated in the e-tender schedule. Once the Bid submission date and time is



over, the Bidders cannot submit their e-Bid. For delay in submission of e-Bids due to any reasons, the Bidders shall only be held responsible.

The Bidders have to follow the following instructions for submission of their e-Bids:

For participating in e-tender through the e-Bidding system, it is necessary for the Bidders to be the registered users of the e-tender portal <http://etender.up.nic.in>.

In addition to the normal registration, the Bidder has to register with his/her Digital Signature Certificate (DSC) in the e-Bidding system and subsequently he/she will be allowed to carry out his/her e-Bids submission activities. Registering the Digital Signature Certificate (DSC) is a onetime activity till its validity. Before proceeding to register his/her DSC, the Bidder should first log on to the e-Bidding system using the User Login option on the home page with the Login Id and Password with which he/ she has registered as enumerated in the preceding paragraph above.

For successful registration of DSC on e-Procurement portal <http://etender.up.nic.in> the Bidder must ensure that he/she should possess Class-2/ Class-3 DSC issued by any one of certifying authorities approved by Controller of Certifying Authorities, Government of India. The Bidder may also apply to office of U.P. Electronics Corporation Limited, (UPLC) for getting DSC at the address given in the preceding paragraph above on a prescribed form available at UPLC's website www.uplc.in along with the payment of fee of Rs 1500/- per person, The Bidder is also advised to register his/her DSC on e-tender portal well in advance before Bid submission end date so that he/she should not face any difficulties while submitting his/her e-Bid against this e-tender. The Bidder can perform User Login registration/creation and DSC registration exercise as described in preceding paragraphs above even before e-Bid submission date starts. The UPLC shall not be held responsible if the Bidder tries to submit his/her e-Bids at the last moment before end date of submission but could not submit due to DSC registration or any other technical problems.

The Bidder can search for active Bids through "Search Active Bids" link, select a Bid in which he/she is interested in and then move it to 'My Bids' folder using the options available in the e-Bid Submission menu. After selecting and viewing the Bid, for which the Bidder intends to e-Bid, from "My Bids" folder, the Bidder can place his/her Bid by clicking "Pay Offline" option available at the end of the view Bid details form. Before this, the Bidder should download the Bid document and study hem carefully. The Bidder should keep all the documents ready as per the requirements of e-Bid document in the PDF format.

After clicking the 'Pay Offline' option, the Bidder will be redirected to the Terms and Conditions page. The Bidder should read the Terms & Conditions before proceeding to fill in the details. After entering and saving the Processing fee details, the Bidder should click "Encrypt & Upload" option given in the offline payment details form so that "Bid Document Preparation and Submission" window appears to upload the required documents Technical Proposal Submission Form etc (Annexure "I" to Annexure "IV") of this e-tender document. The details of the Demand Draft or any other accepted instrument which is to be physically sent in original before Bid submission and date and time, should tally with the details



available in the scanned copy and the data entered during e-Bid submission time otherwise the e-Bid submitted will not be accepted.

Before uploading, the Bidder has to select the relevant Digital Signature Certificate. He may be prompted to enter the Digital Signature Certificate password, if necessary. For uploading, the Bidder should click "Browse" button against each document label in Technical schedules/packets and then upload the relevant PDF files already prepared and stored in the Bidder's computer. The required documents for each document label of Technical Schedules/packets can be clubbed together to make single different files for each label.

The Bidder should click "Encrypt" next for successfully encrypting and uploading of required documents. During the above process, the Bid documents are digitally signed using the DSC of the Bidder and then the documents are encrypted/locked electronically with the DSC's of the Bid openers to ensure that the Bid documents are protected, stored and opened by concerned Bid openers only.

After successful submission of e-Bids, a page giving the summary of e-Bid submission will be displayed confirming end of e-Bid submission process. The Bidder can take a printout of the Bid summary using the "Print" option available in the window as an acknowledgement for future reference.

10. Deadline for Submission of e-Bids

e-Bids must be submitted by the Bidders on e-tender portal <http://etender.up.nic.in>, not later than the date and time specified in this e-tender document.

The UPLC may extend this deadline for submission of e-Bids by amending the e-tender document in accordance with ITB Clause 4, in which case all rights and obligations of the UPLC and Bidders previously subject to the deadline will thereafter be subject to the deadline as extended.

UPLC shall not consider any request for date-extension for e-Bid-submission on account of late downloading of e-tender (RFP) by any prospective Bidder. E-Bids should be uploaded on e-tender portal <http://etender.up.nic.in> on or before 03.00 P.M. of 12th July 2013.

11. Late e-Bids

The server time indicated in the Bid Management window on the e-tender portal <http://etender.up.nic.in> will be the time by which the e-Bids submission activity will be allowed till the permissible date and time scheduled in the e-tender. Once the e-Bids submission date and time is over, the Bidder cannot submit his/ her Bid. Bidder has to start the e-Bid Submission well in advance so that the submission process passes off smoothly. The Bidder only, will be held responsible if his/ her e-Bids are not submitted in time due to any reasons.



12. Clarification of Bidding Documents

A prospective Bidder requiring any clarification of the bidding documents may raise his point of clarification through Bid Management window after successfully logging to the e-procurement website <http://etender.up.nic.in>. The bidder may seek clarification by posting query in the relevant window after clicking “Seek Clarification” option in the view tender details window for tender which can be selected through my tender option of bid submission menu. The clarification will be replied back by the purchaser through the e-procurement website which can be read by the bidder through the “Clarification” option under Bid Submission menu. The purchaser may also respond to clarification raised by the prospective bidders on purchaser’s e-mail address md@upclko.in”.

13. Withdrawal and Resubmission of e-Bids

At any point of time, a Bidder can withdraw his/ her e-Bids submitted online before the e-Bids submission end date and time. For withdrawing, the Bidder should first log in using his/ her Login Id and Password and subsequently by his/ her Digital Signature Certificate on the e-procurement portal <http://etender.up.nic.in>. The Bidder should then select "My Bids" option in the Bid Submission menu. The page listing all the Bids submitted by the Bidder will be displayed. Click "View" to see the details of the Bid to be withdrawn. After selecting the "Bid Withdrawal" option, the Bidder has to click "Yes" to the message "Do you want to withdraw this Bid?" displayed in the Bid Information window for the selected Bid. The Bidder also has to enter the Bid Withdrawing reasons and upload the letter giving the reasons for withdrawing before clicking the "Submit" button. The Bidder has to confirm again by pressing "Ok" button before finally withdrawing his/ her selected Bid. Once the Bidder has withdrawn his /her Bid he/she cannot re-submit this Bid again.

The Bidder has to request the UPLC with a letter, attaching the proof of withdrawal and submission of e-Bids Processing Fee in the office of Managing Director, UPLC, to return back the e-Bids Processing Fee as per the procedure.

The Bidder can resubmit his/ her e-Bids as and when required till the Bid submission end date and time. The e-Bids submitted earlier will be replaced by the new one. The payment made by the Bidder earlier will be used for revised e-Bids and the new Bid submission summary generated after the successful submission of the revised e-Bids will be considered for evaluation purposes. For resubmission, the Bidder should first log in using his/ her Login ID and Password and subsequently by his/ her Digital Signature Certificate on the e-procurement portal <http://etender.up.nic.in>. The Bidder should then select "My Bids" option in the Bid Submission menu. The page listing all the Bids submitted by the Bidder will be displayed. Click "View" to see the details of the Bid to be resubmitted. After selecting the "Bid Resubmission" option, click "Encrypt & Upload" to upload the revised e-Bids documents by following the methodology provided in clauses 09 above.

The Bidders can submit their revised Bids as many times as possible by uploading their e-Bids documents within the scheduled date & time for submission of e-Bids.

No e-Bids can be resubmitted subsequently after the deadline for submission of e-Bids.



14. Receipt and Opening of e-Bids by the Purchaser

Bidders are advised to submit their e-bids in `Two-Bid` system with Technical and Financial bids separately on e-tender portal.

Please note that prices should not be quoted in the Technical Bid. The Prices should be quoted in the Financial Bid only. On receipt on e-tender portal, the technical proposals will be opened first by Consultant` Evaluation Committee (CEC) members in the office of U.P. Electronics Corporation Ltd, Lucknow.

UPLC will open all e-Bids, in the presence of bidder`s authorized representatives who choose to attend at 3:15 PM on 12th July 2013 at UP Electronics Corporation Ltd, 10 Ashok Marg, Lucknow-226010. The bidder`s representatives who are present shall sign a register evidencing their attendance. In the event of the specified date of e-Bid opening being declared a holiday for the Purchaser, the e-Bids shall be opened at the appointed time and place on the next working day.

The bidder`s names and the presence and other details as the Purchaser at its discretion may consider appropriate, will be announced at the opening. The name of such bidders not meeting the qualification requirement shall be notified subsequently.

After evaluation of technical e-Bids, UPLC shall notify those bidders whose e-Bids were considered non-responsive to the Conditions of the Contract and not meeting the Qualification Requirements indicating that they did not technically qualify for selection as Consultant. UPLC will simultaneously notify the bidders, whose technical e-Bids were considered acceptable and they have been shortlisted for opening of their financial e-bids.

15. Cost of preparation of eBids to be borne by the Bidders

Cost of preparation of the Bids shall be borne by the Consultant/ Consultancy concern regardless of the outcome of the bids.



SECTION III: TERMS OF REFERENCE AND SCOPE OF WORK (SOW)

The Scope of Work shall include but not limited to the following:-

1. Assistance in Investor's outreach
2. Interaction with IT Companies for marketing and to seek their inputs
3. Analysis of Fiscal Impact for Government incentives
4. Assistance in obtaining 'in principle' approval for SEZ benefits for the Project
5. Assistance in Investor Meet
6. Estimation of Government Fiscal & Non Fiscal incentives for Private Sector Participation
7. Estimation of expected direct or indirect employment generation from the project
8. Preparation of RFP, Concession Agreement documents for project IT City Lucknow
9. Preparation of Technical Schedules (Project Milestones, Standards Specifications, Service Level Agreements (SLAs))
10. Preparation of Lease Agreement
11. Assistance in preparation of response to clarifications raised by prospective Bidders.
12. Conduct Bid Process Management
13. Evaluation of RFP (Technical & Financial Qualification)
14. Evaluation of RFP Bids
15. Preparation of Bid Evaluation Report.
16. Assistance in preparation & issuance of Letter of Award.
17. Assistance in review of SPV formation documents (if required) in reference to the provision of Draft Concession Agreement
18. Assistance in finalization & signing of contract/ concession Agreement.
19. Assistance to provide documentary preparation support to Department for financial closure requirements

1. *Resource Deployment (Number of Experts, kind of expertise & qualification required)*

Bidders would be required to deploy an appropriate team consisting of members / Consultants as per below mentioned requirements. The Bidder shall deploy requisite number of personnel's depending on the allotted work, however Bidder need to provide following resources mentioned in below table for the assigned consultancy work purpose and these resources plus additional resources (if required) will have to be deployed by the Bidder on engagement for identified task as indicated. The expectations on the resources that would be proposed for the project are as follows:

- a) The team together should have a mix of experts as per the requirement of the project.
- b) The team should consist of resources with prior experience in IT/ITES/e-Governance projects/transport sector in PPP
- c) Each member of the team must be a full time employee of the Bidder and shall be working full-time and on the pay rolls of the Bidder atleast for the last three years. Legal Expert may be outsourced.
- d) In case of replacement of resource(s) or deployment of additional man-power, if any, the decision of Department shall be final and binding.



- e) The key team members should be available for all the meetings and discussions as and when required/requested by the Department.

S. No.	Type of Resource/ Expertise	Number (Minimum)
1	Team leader	01
2	Financial Expert	01
3	Procurement Expert	01
4	Technical Expert	01
5	Legal Expert	01

Other than above if any other professionals are required as per project's requirement, then it shall be the bidders responsibility to provide the same.

Project timelines for key deliverables

S. No.	STAGES OF WORK	DURATION from the date of signing of agreement
1	Draft Bidding Documents with all Schedules	Within 2 weeks
2	Final Bidding Documents with all Schedules	Within 3 weeks
3	On Submission of Evaluation Report for Qualification Bid	Within 1 week from receipt of bids from Developer(s)
4	On Submission of Evaluation Report for Financial Bid	Within 3 days from opening of financial proposal(s) opening date
5	On Issuance of LoA	
6	On Signing of Agreement with Bidder	
7	Assistance to Department to provide documentary preparation support for financial closure requirement	

Payment Terms

S. No	STAGES OF WORK	Payment (as percentage of total fee)
1	Mobilization advance	10%
2	Submission of draft Bidding Documents	20%
3	Submission of final Bidding Documents	30%
4	On Submission of Evaluation Report for Qualification Bid	10%
5	On Submission of Evaluation Report for Financial Bid	10%
6	On Issuance of LoA	10%
7	On Signing of Agreement with Bidder	5%
8	On achievement of financial closure by the successful bidder	5%



SECTION IV: BIDDER'S ELIGIBILITY CRITERIA & METHOD OF SELECTION, EVALUATION PROCESS

Only those consultants shall be eligible for bidding in this tender who are empanelled in UPLC vide e-bid reference no UPLC-IT-CONCUL/11-12-01, UPLC-IT-CONCUL/11-12-02 and UPLC-IT-CONCUL/12-13-01. Bids submitted by any other bidder will be treated as non responsive.

- a) Bid should comprise of following sections:
- i) Technical Bid
 - ii) Financial Bid
- b) Both the bids must be submitted separately on e-tender portal <http://etender.up.nic.in>. Prices should not be quoted in the Technical Bid. The prices should be quoted in the Financial Bid only.

1. Evaluation of Technical Bids: -

- Constitution of Consultant Evaluation Committee (CEC)
 - The evaluation of the e-bids shall be carried out by Consultant Evaluation Committee (CEC), which shall be constituted by UP Electronics Corporation Limited. The CEC will evaluate the tenders in two stages i.e. Technical & Financial.
- Technical bids should be analyzed and evaluated by a Consultancy Evaluated Committee (CEC). Technical bids in the following conditions will be summarily rejected as being non responsive
 - Technical Bids of those bidders, who are not empanelled with UPLC as Consultants.
 - Technical bids unsigned and incomplete, not responding to the TOR fully and properly and those with lesser validity than that prescribed in the RFP.

The Consultant Evaluation Committee (CEC) shall evaluate the e-Bids for short listing, inter alia based on their past experience of handing similar type of projects, strength of their manpower and financial strength as detailed here under:



Evaluation Criteria for Firm's Experience

S. No.	Evaluation Criteria	Marking Scheme	Max. Marks	Document Required
1	Firm's Experience			
1.1	Infrastructure including (Health/IT/ Education) project for the Selection of Private Sector Participation with State Government/Government of India in the last 05 years. The Project must be completed and successfully implemented. (1 Project, 20 marks)	1 x 20	20	Copy of Work Order /Client Certificate/ Public Domain information supporting the successful completion and implementation of the project
1.2	(A) Consultancy services for preparation of master plan, feasibility study report for IT / ITIR Projects in India in last 05 years. (Minimum One Project) - Completed / Ongoing. (1 Project, 10 marks) <i>and</i> (B) Consultancy services for bid process management for IT City / IT Park on PPP for any State Government/Government of India in last 05 years - Completed / Ongoing. (1 Project, 10 marks)	1 x 10 1 x 10	20	Copy of Work Order / Client Certificate
1.3	Consultancy project for State Level Investment Promotion in India. Minimum contract duration should be 12 months in India in the last 5 years-Completed/ Ongoing. (4 Project, 5 marks each)	4 x 5	20	Copy of Work Order / Client Certificate
1.4	Consultancy services for Infrastructure Project to conduct bid process management for the selection of Private Developer on PPP in State Govt./Govt. of India in last 05 years. Minimum Project Cost for each Project should be more than Rs. 100 crore. <i>Only Completed Projects will be considered for evaluation.</i> (2 Project, 5 marks each)	2 x 5	10	Completion certificate by Client/ Copy of agreement signed between Government & Developer
1.5	One International Project for Feasibility Study & Bid Process Management for setting up of an IT City / Education City. <i>Only Completed Project will be considered for evaluation.</i> (1 Project, 10 marks)	10	10	Completion certificate by Client/ Copy of agreement signed between Government & Developer



A) Key Experts' Experience

2	Proposed Manpower		Marks	
2.1	Team Leader - With atleast one completed project experience in Uttar Pradesh involving selection of private sector player for infrastructure project (including health and education)	Experience - More than 15 years - 7 Marks >=12 years – 4 Marks < 12 Years- 0 Marks Qualification - Graduate in Civil Engineering and Post-Graduation in Planning/ Business Administration (Finance)	7	Resume of the proposed staff
2.2	Financial Expert	Experience - More than 10 years - 4 Marks >=08 years – 2 Marks < 08 Years- 0 Marks Qualification - Graduate in Engineering and Post-Graduation in Business Administration	4	Resume of the proposed staff
2.3	Procurement Expert	Experience - More than 5 years - 3 Marks >=03 years – 2 Marks < 03 Years - 0 Marks Qualification - Post-Graduate (MBA or equivalent) or higher	3	Resume of the proposed staff
2.4	Technical Expert	Experience - More than 10 years - 3 Marks >=07 years – 1 Marks < 07 Years- 0 Marks Qualification - Post-Graduate (MBA in IT or equivalent) or higher	3	Resume of the proposed staff
2.5	Legal Expert	Experience - More than 10 years - 3 Marks Qualification - Graduate/Post Graduate in Law	3	Resume of the proposed staff



Technically Qualified Bidder(s) - The minimum technical qualification requirement for every bidder is to score minimum 80 marks based on the marks scored under firm's experience and key experts' experience. Bidder(s) who will not score 80 marks under technical evaluation criteria will not be considered for financial bid opening stage.

2. Evaluation of Financial e-Bids

- The financial e-Bids shall be opened by CEC in presence of representative of the technically qualified Bidders who chooses to attend. The name of the Bidders, the quality scores, and the proposed prices shall be read and recorded when the financial proposals are opened.
- If there are conditions attached to any financial e-bids which shall have bearing on the total cost, the Consultant Evaluation Committee will reject any such e-bids as non responsive financial proposal. However, if the CEC feels it necessary to seek clarifications on any financial proposals regarding Taxes, duties or any such matter, the CEC may do so by inviting responses in writing.
- The total cost will include all Taxes and duties for which the purchaser made payments to the bidder and other reimbursable expenses, such as Travel, Translation, report printing or expenses etc.

3. Negotiations

Negotiations are not an essential part of the selection process. However, many times, with the objective of optimal cost reduction in the interest of the State, it is felt necessary to conduct negotiations with the selected Consultant. Negotiations shall include discussions of the TOR, the methodology, the staffing, Government Department inputs and special conditions of the contract. These discussions shall not substantially alter the original TOR or the terms of the contract, test the quality of the final products, its cost and the relevance of the initial evaluation be affected. The final TOR and the agreed methodology shall be incorporated in "Description of Services" which shall form part of the contract.

4. Award of Contract

UPLC proposal based on the proposal of the winner bidder, which will be calculated after the Technical Score is found to be minimum 80 marks and then all the qualified bidders will be evaluated on the L-1 basis. The Lowest total cost received in the tender after negotiations (if required), will be submitted to the UP Govt. for approval of consultant. After acceptance of the said proposal by the Govt. the consultancy work shall be awarded to the successful consultant, whose bid will the Lowest-One (L-I) cost.

5. Confidentiality

The selected consultant will treat as confidential all data and information about the purchaser/end-customer, obtained during the execution of its responsibilities, in strict confidence and will not reveal such information to any other party without prior written approval of the purchaser/end-customer.



SECTION V: Standard Terms and Conditions

Without limitation on the generality of this rule, consultant shall not be permitted to perform themselves directly or indirectly in totality or in part, by any of its associated company/Firm/society or any entity with business interest, any of the subsequent IT implementation job concerned with the Project, for which the Consultancy has been awarded to the Consultant.

Application

These general conditions shall apply to the extent that provisions in other parts of contract do not supersede them. For interpretation of any clause in the RFP or contract agreement, the interpretation of the UPLC shall be final and binding.

The proposal offer should contain all the work envisaged under the scope of work and those proposals giving only part of the work will be rejected. Detailed scope of work is mentioned in Section III, Terms of Reference.

Conflict of Interest

The consultant shall not receive any remuneration in connection with the assignment except as provided in the contract. The consultant and its affiliates shall not engage in consulting activities that conflict with the interest of the client under the contract and shall be excluded from downstream supply of goods or construction of works or purchase of any asset or provision of any other service related to the assignment other than a continuation of the Services” under the ongoing contract. The consultants should provide professional, objective and impartial advice and at all times hold the client’s interests paramount, without any consideration for future work, and that in providing advice they avoid conflicts with other assignments and their own corporate interests. Consultants shall not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of being unable to carry out the assignment in the best interest of the Employer. Without limitation on the generality of the foregoing, consultants shall not be hired, under the circumstances set forth below:

- a) **Conflict between consulting activities and procurement of goods, works or services:** A Consultant/Consultancy concern that has been engaged to provide goods, works, or services for a project, and each of its affiliates, shall be disqualified from providing consulting services related to those goods, works or services. Conversely, a Consultant / Consultancy concern hired to provide consulting services for the preparation or implementation of a project, and each of its affiliates, shall be disqualified from subsequently providing goods, works or services for such preparation or implementation.



- b) **Conflict among consulting assignments:** Neither consultants (including their personnel and sub-consultants) nor any of their affiliates shall be hired for any assignment that, by its nature, may be in conflict with another assignment of the consultants. As an example, consultants hired to prepare engineering design for an infrastructure project shall not be engaged to prepare an independent environmental assessment for the same project, and consultants assisting a client in the privatization on public assets shall neither purchase nor advise purchasers of, such assets. Similarly, consultants hired to prepare Terms of Reference (TOR) for an assignment shall not be hired for the assignment in question.
- c) **Relationship with Employer's staff:** Consultants (including their personnel and sub-consultants) that have a business or family relationship with such member(s) of the Employees (UPLC) staff or with the staff of the project implementing agency, who are directly or indirectly involved in any part of ;
- (i) the preparation of the TOR of the contract,
 - (ii) the selection process for such contract, or
 - (iii) supervision of such contract; may not be awarded a contract unless it is established to the complete satisfaction of the employing authority, for the reason to be recorded in writing, that such relationship would not affect the aspects of fairness and transparency in the selection process and monitoring of consultant's work.

Unfair Competitive Advantage

Fairness and transparency in the selection process require that consultants or their affiliates competing for a specific assignment do not derive a competitive advantage from having provided consulting services related to the assignment in question. To that end, the request for proposals and all information would be made available to all short listed consultants together.

Disclaimer clause

The Employer or any of its officers, employees, contractors, agents or advisers, subject to any law to the contrary, shall not be liable for any loss or damage (whether foreseeable or not) suffered by any person acting on or refraining from acting because of any information including forecasts, statements, estimates, or projections contained in this RFP document or conduct ancillary to it whether or not the loss or damage arises in connection with any negligence, omission, default, lack of care or misrepresentation on the part of Employer or any of its officers, employees, contractors, agents or advisers.

Disclosure of Interests and Links

The Bidders should disclose whether the Bidder (of this RFP) Company or its any of its associated company/firm/society or any entity with business interest, are already empanelled with or have applied for their empanelment with UPLC under any of the business activities such as Software or Hardware or Computer Education and Training, etc. or with business interest, any of the subsequent



IT implementation job concerned with the Project. The e-Bids of such bidders will not be considered.

The Bidders should also disclose whether the Bidder Company or any of its associated company/firm/society or any entity with business interest have any association or link in any manner with the Consultant Evaluation Committee members or its family members of his/hers, associated this RFP. The e-Bids of such bidders will not be considered.

Standards of Performance

The consultant shall perform the services and carry out its obligations under the contract with due diligence efficiency and economy in accordance with generally accepted professional standards and practices. The consultant shall always act in respect of any matter relating to this contract as faithful advisor to the UPLC. The consultant shall always support and safeguard the legitimate interests of the UPLC, in any dealings with the third party. The consultant shall abide by all the provisions/Acts/Rules etc. of Information Technology prevalent in the country. The consultant shall conform to the standards laid down in the RFP in totality.

Consultant Personnel

- a) The Consultant shall deploy and provide such qualified and experienced personnel as may be required to perform the services under the requirement of project. There are specialized domains of e-Governance and it is desirable from the consultant to deploy the domain/subject specialists, from time to time, who have adequate experience in the domain related with the project. The deployed resources should be dedicated in nature.
- b) Without the consent of UPLC, no changes shall be made in the resources deployed on the project. If, for any reason beyond the reasonable control of the Consultant, as such retirement, resignation, death, medical incapacity, among others, it becomes necessary to replace any of the Key Personnel, the Consultant shall provide as a replacement a person of equivalent or better qualifications, with approval from the UPLC.
- c) Maximum number of replacements to be made in the team of resources deployed on the required project shall not exceed beyond 2 for one year of the contract signed between UPLC and Consultant.
- d) Consultant shall have no claim for additional costs arising out of or incidental to any removal and/or replacement of Personnel.
- e) If the UPLC requests to replace resource(s), then Consultant shall be required to replace the resource(s) within 2 weeks from the date of request raised.

Applicable Law

Applicable Law means the laws and any other instrument having the force of law in India as may be issued and in force from time to time. The Contract shall be interpreted in accordance with the laws of the Union of India and the State of Uttar Pradesh.

Assignment and Subcontracting



- a) Consultant shall not assign or transfer this contract or part thereof to any other party without written consent of the Competent Authority.
- b) For the purpose of the liabilities under this Bid, the Bidder will be considered as a solely liable for delivery of all the components of the Bid and scope of work.

Intellectual Property Rights

No services covered under the Contract shall be sold or disposed by the Consultant in violation of any right whatsoever of third party, and in particular, but without prejudice to the generality of the foregoing, of any patent right, trademark or similar right, or any charge mortgage or lien. The Consultant shall be indemnify the UPLC from all actions, costs, claims, demands, expenses and liabilities, whatsoever, resulting from any actual or alleged infringement as aforesaid and at the expenses of the Consultant, the ULC shall be defended in the defense of such proceedings.

Governing Language

The Contract shall be written in English Language. All correspondences and other documents pertaining to the contract, which are exchanged between the parties, shall be written in the English/Hindi.

Payment Terms

All payments from the client department i.e. U.P. government shall be received through Cheque/Draft in favoring U P Electronics Corporation Limited, payable at Lucknow. After receipt of the payment from the client department and running payment may be released to the concerned IT Consultant as per the terms and conditions of the contract awarded to the IT Consultant by UPLC and review of the progress in project.

Taxes

The Bidder may be subject to all applicable taxes (such as and Service Tax) on amounts payable by the Purchaser under the contract and applicable deductions such as TDS etc if any will be deducted from the amount payable to the consultant.

Termination of Contract

The Consultant's association with the UPLC will terminate in case of following conditions:

- a) The term of Contract expires.
- b) Performance is below expected level
- c) Non-adherence to the timelines of the project.
- d) Quality of work is not satisfactory and not acceptable to the end user.

Termination for Insolvency, Dissolution etc.



The UPLC may at any time terminate the Contract by giving written notice to the Consultant, if the Consultant becomes bankrupt or otherwise insolvent or in case of dissolution of company or winding up of company. In this event termination will be without compensation to the Consultant, provided that such termination will not prejudice or affect any right of action or remedy, which has accrued or will accrue thereafter to the UPLC.

Fraud and Corruption

Under the policy of “U.P. ELECTRONICS CORPORATION” policy the Bidder, if selected shall have to observe the highest standard of ethics during the selection and execution of such contracts. In pursuance of this policy, the UPLC

- ❖ Defines, for the purposes of this provision, the terms set forth below as follows:
 - “Corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the selection process or in contract execution; and
 - “Fraudulent practice” means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the “UPLC” and includes collusive practices amongst consultant (prior to or after submission of proposals) with Service Provider empanelled with UPLC, designed to establish prices at artificial, noncompetitive levels and to deprive the “UPLC” of the benefits of free and open competition.

- ❖ Will reject a proposal for award if it determines that the consultant recommended for award is/was engaged in corrupt / fraudulent / coercive activities in getting the contract in question;

- ❖ Will cancel the consultant’s contract if it at any time determines that its representatives are engaged in corrupt or fraudulent practices.

- ❖ Will declare a consultant ineligible, either indefinitely or for a stated period of time, to be awarded a “UPLC” contract if it at any time determines that the consultant has engaged in corrupt or fraudulent practices in getting or executing the “UPLC” contract;

- ❖ Will have the right to have them audited by auditors appointed by the “UPLC”

- ❖ Will cancel the contract if at any stage it comes to know that the selected Consultant or Consulting Company has any relation with any of the members of Consultancy Evaluation Committee (CEC) or the decision making authorities.

**Technical Proposal Submission Form****(A) Consultant's General Information**

SN	Particulars	Description/Details	Reference Documents	Page No.
A.	Name of Bidding Company			
B.	Contact Details			
	a) Address			
	b) Telephone			
	c) Fax			
	d) email			
	e) Website			
	f) Name of Managing Director/ CEO			
C	Incorporation Details		Certified(by Company Secretary)copies of Incorporation Certificate and Articles & Memorandum of Association	
	a) Incorporation number			
	b) Date of Incorporation			
	c) Registering Authority			
D	Service Tax Regn. Details		Certified copy of Valid Service Tax Registration in India	
	a) Service Tax No.			
	b) Date			
	c) Regn for (Name of Services)			
	d) Regn. Authority			
E	PAN No		PAN Certificate/Card	
F	TAN No		Registration certificate	
G	VAT No.		Registration certificate	



H	Project Brief (Firm's Experience)			
	a) Name of client			
	b) Address			
	c) Contact person Name & Mobile / Telephone			
	d) Project Name and brief scope			
	e) Start Date			
	f) End Date			
	g) Duration			
	h) Order Value			



ANNEXURE –II

Firm’s Past Relevant Experience – (to be submitted against each Eligible Project requirement)

Assignment name:		Country:
Location within the Country:		Professional Staff Provided by the Firm / entity (profiles):
Name of Client:		No. of Staff:
Address:		No. of Staff Months:
Start date (Month / Year):	Completion date (Month / Year):	Approx. Value of Services (INR)
Name of Associated Consultants, if any:		No. of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) involved and functions performed:		
Narrative description of project:		
Description of actual services provided by our staff:		

NOTE:

- 1. Bidder must enclose copy of the LOI/LOA/WO/Agreement / Client certificate placed by the Procurer /Department/sponsoring authority on the Bidder towards award of Consultancy assignments.**
- 2. The Bidder must enclose separate sheets for each Eligible Project requirements as mentioned in Section IV para 1.**

Signature.....
In the capacity of.....
Duly authorized to sign proposal for
and on behalf of.....
Date.....
Place.....



Team Composition and Task Assignments –

Technical / Managerial Staff

Sl. No.	Name	Qualification	Position	Task
1.				
2.				
3.				
4.				
..				
..				

Note: Each Key Expert (except Legal Expert) should be with the existing firm atleast for the last three years

Signature.....

In the capacity of.....

Duly authorized to sign proposal for

And on behalf of.....

Date.....

Place.....



Format of Curriculum Vitae (CV) for key professional staff –

Name	:	
Proposed Position	:	
Date of Birth	:	
Profession/ Present Designation	:	
Brief Description on Experience	:	
Experience:		
Description of Project (Include projects relevant to this Bid. Max citations 5)	Client	Role
1.		
2.		
3.		

Education:

Degree	Date/s	Institute	Location

Employment Record:

Organization	Period	Designation	Job Profile
1.			
(Add rows if required)			

Languages:

Language	Read	Write	Speak
(Add rows if required)			

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

Date:

[Signature of staff member and authorized representative of the Consultant]

Day / Month / Year

Full name of staff member:

Full name of authorized representative:

**FINANCIAL PROPOSAL SUBMISSION FORM**

(Separate Excel File)

Tender Inviting Authority: Managing Director, UP Electronics Corporation Limited , 10, Ashok Marg, Lucknow					
Name of Work: Transaction Advisory Services for the Development of Information Technology City - Special Economic Zone (IT CITY) on Design, Build, Finance, Operate and Transfer (DBFOT) Basis at Chack Gajaria Farms, Sultanpur Road, Lucknow, in the State of Uttar Pradesh as defined in Terms of Reference and Scope of Work given in Section-III of this RFP.					
Bid REFERENCE No. UPLC-Consultant-IT City-02/07-07-2013					
Bidder Name					
PRICE SCHEDULE Financial Proposal Submission Form (This BOQ template must not be modified/replaced by the Bidder and the same should be uploaded after filling the relevant columns, else the bid is liable to be rejected for this tender. Bidders are allowed to enter the Bidder Name and rates values only) (Amount in `)					
S.N.	Particulars	Amount	Service Tax (@12.36%)	Any other Taxes	Total Amount (Inclusive of all Taxes)
1	Transaction Advisory Services for the Development of Information Technology City - Special Economic Zone (IT CITY) on Design, Build, Finance, Operate and Transfer (DBFOT) Basis at Chack Gajaria Farms, Sultanpur Road, Lucknow, in the State of Uttar Pradesh as defined in Terms of Reference and Scope of Work given in Section-III of this RFP.				
Total in Figures					
Total in Words					



ANNEXURE VI - PROPOSAL SUBMISSION FORM

To:
The Managing Director,
U.P. Electronics Corporation Limited,
10, Ashok Marg,
Lucknow-226001

Ref: Submission of Proposal against your Tender Reference No UPLC-Consultant-IT City-02/07-07-2013

Dear Sir,

Having examined the RFP document, we, the undersigned, herewith submit our response to your RFP reference No. UPLC-Consultant-IT City-02/07-07-2013 for selection of Consultant(s) for Transaction Advisory Services for the Development of Information Technology City - Special Economic Zone (IT CITY) on Design, Build, Finance, Operate and Transfer (DBFOT) Basis at Chack Gajaria Farms, Sultanpur Road, Lucknow, in the State of Uttar Pradesh, for the project of Department of IT and Electronics, Government of Uttar Pradesh , in full conformity with the said Tender document and our technical proposal (bid).

1. Our proposal shall be binding upon us subject to the modifications resulting from contract negotiations, up to expiration of the validity period of the proposal.
2. We would like to declare that we the Bidder (of this Tender) Company or its any of its associated company/Firm/society or any entity with business interest, are neither already empanelled with nor have applied for their empanelment with UPLC under any of the business activities such as Software or Hardware or Computer Education and Training, etc. or with business interest, any of the subsequent IT implementation job concerned with the Project. We know that such bids will not be considered.
3. We would like to declare that we the Bidder (of this Tender) Company or any of its associated company/Firm/society or any entity do not have any with business interest association or link in any manner with the Consultant Evaluation Committee members or its family members of his/hers associated this Tender. We know that such bids will not be considered.
4. We would like to declare that we are not involved in litigation with, and we are not under a declaration of ineligibility by, any Central / State / UT Government in India for corrupt or fraudulent practices.
5. We hereby declare that we have not been blacklisted by any State / Central / UT Government Deptt/ Organization/ Institution.
6. We declare that we have not been charged with any fraudulent activities by any Central / State / UT Government Deptt / Organization / Institution.
7. We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf will indulge in bribery or any prohibited acts and behavior and we shall be responsible for any such acts.
8. We undertake that, in competing for (and, if the award is made to us, in executing) the above



contract, we will strictly observe the laws against fraud and corruption in force in India namely “Prevention of Corruption Act, 1988.”

9. We understand that UPLC is not bound to accept any or all bids received in response to this Tender.
10. We agree to abide by all the terms and conditions mentioned in the Request for Proposal UPLC-Consultant-IT City-02/07-07-2013 for selection of Consultant against this tender.
11. We agree to abide by all the terms and conditions of the Tender and also all the terms and conditions of the Contract that will be issued by UPLC in case we are selected as Consultant against this tender by the UPLC.

We remain, yours sincerely,

Authorized Signature:

Name and Title of Signatory: Seal of Bidder Company



ANNEXURE - VII

ANNEXURE VII- Format of Agreement

(To be executed on an **On Non Judicial Stamp Paper of Rs 100/-** by the successful Bidder)

This agreement is made this.....day of.....2013 at Lucknow between M/s.....
.....(name of the “Consultant”) for Transaction Advisory Services for the Development of Information Technology City - Special Economic Zone (IT City) on Design, Build, Finance, Operate and Transfer (DBFOT) Basis at Chack Gajaria Farms, Sultanpur Road, Lucknow, in the State of Uttar Pradesh - the project of Dept of IT and Electronics, Government of Uttar Pradesh, referred to as the “First Party”, which expression shall include his heirs, executors and administrators/ their successors and M/s U P Electronics Corporation Limited, 10, Ashok Marg, Lucknow (in short UPLC), referred to as the “Second Party”, through Managing Director, U P Electronics Corporation Limited, Lucknow, hereinafter include his successors and assignees.

That WHEREAS the First Party will render Transaction Advisory Services for the Development of Information Technology City - Special Economic Zone (IT City) on Design, Build, Finance, Operate and Transfer (DBFOT) Basis at Chack Gajaria Farms, Sultanpur Road, Lucknow, in the State of Uttar Pradesh- the project of Dept of IT and Electronics, Government of Uttar Pradesh, in accordance with all the terms and conditions contained in the Tender Document No. UPLC-Consultant-IT City-02/07-07-2013 and also the terms and conditions contained in the subsequent Work Orders to be issued by the Second Party to First Party and the same shall be binding on the First Party and shall be the integral part of this agreement.

IN WITNESS THEREOF THE ABOVE MENTIONED PARTIES HAVE PUT THEIR SIGNATURES ON THIS.....DAY OFTWO THOUSAND AND THIRTEEN.

Authorized Signatory of
“First Party”

Authorized Signatory of
“Second Party”

Signature:
Name and Address:

Signature:
Name & Address:

Witness for “First Party”
Signature:
Name & Address

Witness for “Second Party”
Signature:
Name & Address:

UP Electronics Corporation Limited, 10, Ashok Marg, Lucknow