

**Request for ‘Expression of Interest’ [EOI]
(Consulting Services-Consulting Firms’ Empanelment)**

Country	INDIA
Name of Client	Ministry of Railways (Railway Board)
EOI Object:	Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways

EOI Notification Reference No.: **HQ/EN/WC/EDAM(EOI)/1/2022/11dated-10-01-2023 [EOI-1] [hereafter known as EOI Notification Date]**

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1. Background

1.1 Railway Board, vide PED/Infra’s correspondence no-2022/Infra/Misc/1 dated 23-02-2022, assigned the task of empanelment of consultants, to the DFCCIL, in categories separately namely (i) DPR preparation works & Detailed Designing works and (ii) PMC works; for the Indian Railways.

1.2 EOI First Round (Round-1)

1.2.1 In compliance, DFCCIL floated EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/1 dated-04-03-2022 [EOI-1]. As per the provision stipulated there in the referred EOI Document [Ref-Sub Para -6.3.6] , **the referred EOI was open ended** and further, Consultants' Applications would be admissible thereafter as well which will be evaluated, **once every quarter and thus newly empanelled consultants would be added to the aforesaid approved list of empanelled Consultants**. As mentioned above and for the reference sake, let this EOI be referred as **-Round-1** of EOI Processing.

1.2.2 On the stipulated EOI Application submission deadline of date 06-05-2022, total 27 nos. Prospective Consultants submitted their EOI applications, seeking empanelment. One Consultant - Balaji Railroad Systems Private Limited - subsequently, withdrew their EOI Application for EOI-1 and thus were not considered during Evaluation.

1.2.3 As a result of successful Evaluation of submitted EOI Applications, **14 Consultants [EOI-1]** were adjudged as Eligible for empanelment.

1.2.4 Vide DFCCIL letter no- No-HQ/EN/WC/EDAM(EOI)/1/2022 (Computer no-13951) dated 14-06-2022, the results of evaluation of EOI-1 Applications were sent to Railway Board, seeking Railway Board directions to upload, in terms of EOI-1 Document Para no-6.3.5, the Evaluation results on DFCCIL Website.

1.2.5 Vide Letter no- No. 2022/CE-I/CT/07 New Delhi, Dated 28.06.2022, Railway Board directed the DFCCIL to upload the ‘approved List of Consultants for IR’ on DFCCIL web site with further directions that DFCCIL would keep the above EOIs open for evaluating the new applicants, every quarter and Panel will accordingly be appended. Also, at the end of two years DFCCIL will reprepare the aforesaid panels 'ab initio' through fresh EOIs, under advice to Railway Board.

1.2.6 Accordingly, vide Ref no-No-HQ/EN/WC/EDAM(EOI)/1/2022 (Computer no-13951) dated-29-06-2022, the results of the Evaluation (**Round-1**) were uploaded on the DFCCIL Website.

1.2.7 As conveyed vide the Railway Board aforesaid letter dated 28-06-2022, the validity of the entire Panel of the approved/empanelled Consultants, including the current one and subsequent periodical additions (on quarterly basis) of the Consultants, would be for a period of two Years, which, commencing from the **29-06-2022**, would be up to **28-06-2024**.

1.3 EOI Second Round (Round-2)

- 1.3.1 Pursuant to above and as conveyed in EOI Document dated 04-03-2022 & as directed by Railway Board and as a part of First Quarter addition of Fresh empanelled Consultants, to the currently existing Panel of Approved list of Empanelled Consultants uploaded on DFCCIL website on 29-06-2022, eligible firms were invited, vide **EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/9 dated-10-08-2022 [EOI-1]**, to submit EOI Applications.
- 1.3.2 On the stipulated EOI Application submission deadline of date 26-09-2022 (Ref-item No-1 of Addendum no-3 dated 08-09-2022), total 8 nos. Prospective Consultants submitted their EOI applications, seeking empanelment (Round-2).
- 1.3.3 As a result of successful Evaluation of submitted EOI Applications, **06 Consultants [EOI-1]** were adjudged as Eligible for empanelment.
- 1.3.4 Vide DFCCIL letter no- No-HQ/EN/WC/EDAM(EOI)/1/2022 (Computer no-13951) dated 15-11-2022, the results of evaluation of EOI-1 Applications were sent to Railway Board, seeking Railway Board directions to upload, in terms of EOI-1 Document (**Round-2**) Para no-4.3.5, the Evaluation results on DFCCIL Website
- 1.3.5 Vide Letter no- No. 2022/CE-I/CT/07 New Delhi, dated 12-12-2022, Railway Board directed the DFCCIL to take action pursuant to Railway Board directions contained in the earlier Railway Board letter dated 28-06-2022. In this direction, Railway Board letter conveyed that DFCCIL would keep the relevant Panel open for evaluating the New Applicants, every quarter and Panel would, accordingly be appended. Accordingly the approved list (Round-2) was uploaded on the DFCCIL Web site.
- 1.3.6 In compliance of the above cited **Second Approved list of Consultants dated 13-12-2022** was uploaded on the DFCCIL.

1.4 EOI Third Round (Round-3)

- 1.4.1 Pursuant to above and as conveyed in EOI Document **dated 10-08-2022 (Round-2)** & as directed by Railway Board and as a part of second Quarter addition of Fresh empanelled Consultants, to the currently existing Panel of Approved list of Empanelled Consultants uploaded on DFCCIL website on 13-12-2022, eligible firms are invited to submit Expression of Interest (EOI) Applications.
- 1.4.2 Those Consultants, who were unsuccessful during the Empanelment process linked with EOI-1 Notification dated 04-03-2022 (Round-1) & 10-08-2022 (Round-2), shall, also, be eligible to participate in this EOI process.
- 1.4.3 Those Consultants, who were empanelled during the Empanelment process linked with EOI-1 Notification dated 04-03-2022 (Round-1) & 10-08-2022 (Round-2) but are desirous of improving their Eligibility limit of Participation in the IR Tenders for Consultancy, shall, also, be eligible to participate in this EOI process.

2.0 Applicable law, Dispute resolution & Court's jurisdiction

Note-

- (i) *from here on afterwards, the Provisions mentioned therein this EOI document shall refer, unless mentioned otherwise, to the **EOI Third Round (Round-3)**.*
- (ii) *In this document from here on afterwards, the Term 'Consultant' or 'Applicant' shall, unless specifically mentioned otherwise, shall refer the Participating entity seeking empanelment under this EOI Notification.*

- 2.1 This EOI shall be governed by Applicable Law which shall mean, all Indian Laws, Bye-Laws, Statutes, Rules, Regulations, Notifications, Orders, ordinances, guidelines, Codes, Notices, directions, Judgments, decrees or other Requirements or Official directives and /or any Statutory Authority, in the Republic of India.
- 2.2 For this EOI Notification, the 'Parties' shall mean DFCCIL [Dedicated Freight Corridor Corporation of India with Address-DFCCIL Corporate Office, Fifth Floor, Supreme Court Metro Station Building Complex-New Delhi-110001], as Client and the Consultant submitting their Application for empanelment.
- 2.3 All the disputes, in connection with or arising out of this EOI Notification and related empanelment process shall be mutually & amicably settled using Alternate dispute resolution (ADR) techniques such as Negotiation/Mediation/Conciliation, failing which, the dispute shall, finally, be settled by (ad hoc Arbitration) Arbitration by the Parties. The Parties shall, through mutual selection, appoint a sole Arbitrator. In this direction, Parties may refer List of empaneled Arbitrators/Conciliators, as uploaded on DFCCIL Website. The Arbitration shall be subject to 'Arbitration & Conciliation Act 1996' (as subsequently amended during 2015, 2019 & 2021 and as may be amended from time to time, in future). The Seat & Venue of Arbitration shall be New Delhi. The Cost of Arbitration shall be shared, equally, by the Parties. The Arbitral Award shall be final and binding on both the Parties. As an interest barring Clause, It is provided that no interest shall be payable by the Award Debtor (loosing Party) on any moneys due to the Winning Party.
- 2.4 In the matter of all the litigious disputes, arising out of the entire EOI process, Parties agree to the exclusive jurisdiction of adequately competent [as per Applicable Law] Court of Delhi.

3 Invitation for EOIs

- 3.1 The Ministry of Railways (Railway Board), now, invites **eligible Consultancy firms** including single entities, Companies, Partnership Firms/LLPs/JVs/Subsidiary Units of foreign Based Consultancy Firms or Foreign Based Consultancy Firms, **all registered in India** ("Consultant") under the relevant Indian Laws such as the Indian Company's Act 1956 / The Companies Act 2013 or Limited Liability Partnership Act 2008 etc., to express their interest, in being empanelled for the aforesaid 'Consultancy Services'.
- 3.1.1 In addition, for the Consultancy entities registered in India [ref-Para 3.1 (above) of EOI Document and Section -1 of the Annexure-1], the experience of Parent company's subsidiary/ Sister company of the Participating Consultant, in each case, can be aggregated to the said Consultant, only If;
 - (i) The Parent company's subsidiary/ Sister company, which is, also, required to be registered in India, participates as the JV Partner with the aforesaid Consultant submitting Application for the empanelment.
 - or
 - (ii) The Participating Consultant, desirous of claiming the experience of their Parent Company, submits an unreservedly given **Parent Company Guarantee (PCG)**, in the format attached as **Form-10** to this EOI Document, by their Parent Company which is, also, required to be registered in India.

Post empanelment ,if it happens in case of the Consultant submitting the PCG, the **validity** of such unreservedly given **Parent Company Guarantee** shall, invariably, apply with equal vigor to the Indian Railway future Consultancy Tenders /Contracts (in case awarded to the Consultant referred in this sub-Para) **for the entire stipulated and as subsequently extended Completion periods of such future IR Contracts** and the aforesaid Validity of PCG ,in no case, shall be less than the **minimum two Year Period from the date of issuance of the PCG.**

3.1.1.1 In furtherance to sub para 3.1.1.(ii) above, Subsidiary Consultancy Company (only in case of the Parent Company providing 'Parent Company Guarantee' in Form-10) may borrow, for a two Year empanelment period, further extendable, to meet the requirements of execution of any IR Consultancy Contract, awarded, post empanelment to the aforesaid subsidiary Consultancy Company, Key Personnel on the permanent payroll of the Parent Company (being borrowed from). Such subsidiary Consultancy Company, after successfully borrowing from the Parent Company, may, in fulfillment of the eligibility requirements, as mentioned vide **sub section 2.4 of Annexure-1**, must reflect such borrowed Key Personnel in format appended as **Form-5** and furnish CVs of such Borrowed Key Personnel in **Form-8**.

The aforesaid subsidiary Company shall submit a certificate, in addition to 'Parent Company Guarantee', from their Parent Company to establish that Key personnel, referred therein, have been loaned to the Subsidiary Company for a minimum two year (further extendable, as required to meet the requirements of execution of any awarded Consultancy Contract) Borrow period.

3.1.2 Regarding the Consultants submitting EOI applications as Joint Venture (JV), following shall apply;

- i) The JV may be incorporated or unincorporated. **Consultant shall submit duly notarized JV agreement**, executed on Non-Judicial Stamp Paper, showing, specifically, the composition of JV and Percentage (**not to be less than 25% in case of Partner**) participation of each Constituent member. The submission of properly executed and a valid JV agreement, executed and notarised in India, shall be a **Pre-condition for the Consultants** submitting EOI applications as JV. **Any EOI Application, with participating Consultant being a JV, submitted without a JV agreement shall be rejected**
- ii) The JV shall be made between Consultancy Firms which are registered in India. JV shall be comprised by Lead Partner which shall be an entity having maximum participation Percentage in the JV and Partner with certain minimum Participation Percentage in the referred JV. The minimum Participatory percentage /stake for the Lead Partner and Partner has been , stipulated in the succeeding Para.
- iii) The minimum Participation (as Partner) of a constituent Consultancy Firm, in a JV & so reflected (in a visible manner), in a **properly executed & notarised JV agreement (to be submitted by the said JV)**, shall **not be less than (minimum) 25%**. **The aforesaid Minimum participation percentage In Case of Lead Partner shall not be less than 50% .**
- iv) In case of an Indian subsidiary, 100% owned by the foreign Based company, requiring accreditation of Parent Company's (**also registered in India**) credentials or vice versa, that Indian Subsidiary and its foreign Based (But also registered in India) Parent company can participate in the EOI, subject to the Sub Para 3.1.1, above.
- v) In case, the Work experience, claimed by the individual constituent Members of the JV (participating in the EOI), **pertained to the Works**, in which it [individual Constituent member] participated as JV/Consortium Member, the accreditation of such Work experience shall, only, be to the extent of that individual constituent's participation (expressed, clearly in percentage terms) in that respective JV/Consortium.
- vi) The experience of a JV, submitting EOI application for the empanelment, shall be the aggregate/ sum of the respective Individual experiences of the Constituent Firms of that JV, after being accorded the weightage, equivalent to the respective Percentage participation of the said Constituent Consultancy Firms in the referred JV(Applicant Consultant).

To cite an example- if two Consultancy Firms, 'X' & 'Y', both registered in India, respectively claiming experience, in a Consultancy Work of Value- 'E', executed earlier by a JV A-X [with 60:40 percentage Participation] and in another Consultancy Work of value-'F', executed earlier by a JV B-Y [with 70:30 percentage Participation], the respective/individual Experience of Consultancy Firms 'X' & 'Y' shall be treated, as under, for subsequent weighted accreditation;

(a) Experience of X= 0.4 x E

(b) Experience of $Y=0.3 \times F$;

If, the aforesaid two Consultancy Firms, 'X' & 'Y', both registered in India, subsequently, form a JV, named, say, as **X-Y JV** [with 55:45 percentage Participation], to submit their [X-Y JV] Application for the empanelment , the respective experience , considered for the X-Y JV shall be as under;

$$= 0.55 (0.4 \times E) + 0.45 (0.3 \times F)$$

Note-

- (i) *While claiming experience of Works, in which, the Consultant executed the Works as JV, the aforesaid Consultant **shall be required**, to mention in the Column No-5 of the Format given as **Form-4** the **specific Percentage participation of the JV**, which executed the said concerned Works. In Case, the specific Percentage participation is not mentioned at the required place in Form-4, that Work **shall not be considered for Evaluation**.*
- (ii) *The Consultant, while claiming Experience of a Mega Project (with DPR/Detailed Design forming Project components), shall be required to mention the **specific Payment** out of the total Payment received by the Consultant which is, **specifically, attributable/allocable to DPR / Detailed Design Component of such Works/Mega Project**.*
- vii) Any Change, post empanelment of the JV, in the constitution of the JV, unless subject to prior approval of the Indian Railway's Competent Authority, shall cause annulment of the aforesaid JV empanelment.
- viii) If, the aforesaid Consultancy Firms, registered in India, claim an experience of a Consultancy project, successfully completed / successfully ongoing, as on date of EOI Notification, in a Country outside India, **that experience**; substantiated by a valid Employer certification, which has been **duly apostilled by that origin Country**, in which the aforesaid Work, claimed , as work experience, was executed; **shall be accredited**, subject to all the applicable provisions, stipulated in this EOI Documents and as revised in subsequent Addendum, being, satisfactorily, met, by that claiming Consultant.
- ix) In case of such Work experience, as mentioned in preceding 'Note-viii' above, the Contract Price or Paid (to the Claiming Consultant) portion thereof, expressed (in the duly apostilled ,accompanying 'Experience certificate') in a Currency other than the INR, shall require to be converted to INR, based on the Reference rates, as published by **Financial Bench Marks India Pvt. Ltd (FBIL)**, corresponding to the date expressed as the 'date of successful completion or the 'date of experience certificate'(in case of successfully ongoing Works, as on date of EOI Notification), as mentioned in the Experience certificate issued by the original Contract Awarding entities/Employer."
- x) The JV Partners shall separately convey their Annual Turnover, in terms of Sub Para 1.2 (Financial Standing) read with Sub Para 2.2 (Financial Standing -Average Annual Turnover) of Annexure-1 to EOI Document, in the Format given as **Form-3** (Average Annual Turnover). Their Combined Average Annual Turnover shall be worked out after apportioning the same on the basis of their respective intra JV Participation (expressed in % terms). An Example is cited , as under;

For example

If an Consultancy entity 'X' with Average Annual turnover of 'A' crores of INR & entity 'Y' with Average Annual turnover of 'B' crores of INR are submitting their EOI Application in a JV with respective Participation percentage as 60% (For entity X) and 40% (for entity Y); the combined Average Annual Turn over of the JV 'X-Y' shall be taken (for the purpose of the Evaluation) as ;

$$60\% \text{ of } A + 40\% \text{ of } B \text{ i.e. } 0.6A+0.4B$$

Interested Consultants should provide the information demonstrating that they have the required qualifications and relevant experience to perform the Services. Empanelment will be subject to the consultants, satisfactorily, meeting the Empanelment criteria, attached as Annexure-1 to this EOI Notification, to prove their ability to perform the Consulting Services.

3.1.3 Each Consultant shall have a valid **PAN Number & GST Registration**. The details shall be mentioned in **Form-1** (attached).

3.1.4 In case of any Post Empanelment Change, in Consultant's constitution, in the name of the Consultant, or in the Key Personnel of the Consultant or any change, which have been the subject of Evaluation of the Consultant's Application for Empanelment, shall require prior approval of the Indian Railways. DFCCIL shall have no jurisdiction in such matters.

3.2 Confidentiality- Information relating to the evaluation of EOI Application and recommendation of resultant empanelment is confidential and the process is ongoing. As such, any information related with EOI Process shall not be disclosed to the Consultants or any other persons, in any manner.

3.2.1 Any attempt by a Prospective Consultant to influence the Client, in the evaluation of the EOI Application and resultant decision therefrom, may result in the rejection of its EOI Application. In this direction, any attempt by the Consultant, to contact (through any means) any Officer other than **Key person/Nodal officer for Communication' (as mentioned in Para-4.5, below)** , or any attempt at the submission of any written correspondence regarding this EOI Notification, to any authority/Official other than aforesaid **Key person/Nodal officer for Communication'**, if discovered, would constitute an attempt to influence the Client and may result in rejection of that Consultant's EOI Application.

3.3 Pre-EOI Application Conference

3.3.1 The Pre-EOI Application conference shall be held on the **20-01-2023 (Friday)** or such date, as subsequently conveyed through a separate notification. Pre-EOI Conference shall be held through Virtual mode (Video Conference) through a link which shall be notified on the websites <https://dfccil.com/Home/ActiveTender> , or, <https://indianrailways.gov.in/railwayboard/> → **tenders** → **railway board tenders** → **all active tenders**. However, those Consultants who are willing to attend the pre-EOI conference In person shall be allowed to attend (in person) the Pre EOI Conference on the above cited Date in Conference hall on the Fourth floor of the DFCCIL Corporate office. The Pre-EOI shall start at 1130 Hrs onwards on the aforesaid date.

3.3.2 Consultants, during the aforesaid Conference, can, if they choose to do so, present their queries on the EOI Notification to the Client, in writing within the **limiting period from three days prior to Conference date up to three days beyond held Conference date (query submission deadline)**. Consultants are requested to send/submit their queries, only, through E-Mail to above cited E Mail address empconsultantir@dfcc.co.in, **in PDF** & also, **in MS Word as prescribed in Form-6**.

3.3.3 Necessary clarification shall be provided to Prospective consultants' Pre-EOI Application queries or any amendment to this EOI Notification (as deemed necessary), in writing, by uploading on the **website mentioned in 'Para 3.3.1' above** against this EOI Notification, as appended under "Active tenders" for the Prospective Consultants to download from. Necessary clarification along with an amendment to this EOI notification (if any) shall be provided/uploaded up to the **seventh day after the aforesaid query submission deadline**.

3.3.4 In this direction, the prospective consultants are requested to, frequently, visit the mentioned websites. No separate communication regarding the aforesaid DFCCIL Clarifications to Pre EOI Consultants' queries & related Addenda to EOI Documents shall be made by the DFCCIL and **no Claim (by Prospective Consultants), for Consultants not getting the aforesaid information [regarding DFCCIL Clarifications to Pre EOI Consultants' queries & related Addenda to EOI Documents] in time or otherwise, shall be admissible, in any manner.**

4 Preparation of EOI Application

- 4.1 Prospective consultants are requested to, first, carefully & thoroughly, peruse the contents of this EOI notification and prepare their EOI application, in terms of the provisions/stipulations, as made in this EOI notification. In Case of any doubt, Consultants are requested to seek clarifications, adopting procedure, as mentioned in the preceding **Para 3.3**.
- 4.2 Consultants shall be required to submit **covering letter**, in terms of **Form-7**, along with their EOI Application and other relevant documentation, as necessitated and required to be submitted in this EOI Document.
- 4.3 It is a mandatory precondition that each and all the pages of the EOI Application shall be uniquely numbered and self explanatorily, cross-referenced. The cross Referencing of all the pages shall be visibly reflected (the specific Page number, at which ‘a clearly described Document’ is placed in the EOI Application, shall be required to be mentioned, clearly, in “**Check List**” (**Annexure-2**”), appended just after the aforesaid **Covering Letter**, to facilitate the Client in ready referral.
- 4.4 In addition, all the Pages i.e., each Page of the EOI Application shall be initialed, on the round stamp of the Consultant, by the same authorized representative of the Consultant who signs the EOI Application. At the required places, the Consultant shall fill the required details in the Signature block(s), appended thereunder.
- 4.5 During the period from issuance of this EOI Notification and till declaration of ‘approved list of empaneled Consultants for the Consultancy Services’, the DFCCIL’s ‘**Key person/Nodal officer for Communication**’ shall be ;
- 4.6

‘Key person/Nodal officer for Communication’	E Mail ID for communication and submittal of EOI Application
Mr. Anil Kumar Sharma Position : JGM/Asset Management/WC , Room No. 410,4 th Floor, Supreme Court Metro Station Building, New Delhi – 110001, INDIA	All Communications , required to be made through E Mail only , shall be made to the following E Mail address; empconsultantir@dfcc.co.in

Important Note-

Any communication with any Officer /Authority, other than the above mentioned specific ‘Key Person / Nodal Officer for Communication with Client’ shall attract the provisions, as contained in sub Para 3.2.1, above.

5. Submission of EOI Application

- 5.1 In compliance with the EOI Documents, as contained in above cited EOI Notifications, the Consultant shall, submit, the color scan copy [(PDF) digital copy, while retaining the original Hard copy, for the Client’s scrutiny, as & when demanded by the Client) of their, duly serially numbered, cross referenced, Indexed (**Ref-Para 4.3**) & signed on each Page (**Ref-Para-4.4**] EOI Application, only through E mail to the designated (Ref- sub Para 3.3.2 of EOI notification) **E Mail ID “empconsultantir@dfcc.co.in”**. Consultant shall submit their EOI Application no later than/up to **1500 hrs on the date 10-02-2023**.

In this Direction, it shall be mandatory on part of the prospective Consultant to submit a duly filled in ‘**Check List for Submission of Documents for EOI Application**’, in the form, as attached under **Annexure-2**.

Further, it is mentioned that in case of, Consultant finding it difficult to send File (containing Consultants' EOI Applications) through E Mail due to enhanced file size, Consultant can share, in their E Mail in conveyance of their EOI Application, the specific '**Google link**' (**unrestricted access i.e. to be shared with anyone who opens the Google Link**) of the File containing the aforesaid EOI Application.

5.2 Post EOI Application Submission-Client seeking clarification of consultants

- 5.2.1 To assist in the examination, evaluation of the EOI Applications, the Client reserves the right to and may, at its discretion, ask any Consultant for a clarification of their EOI Application. Consultant shall provide, within the time frame conveyed by the client in their correspondence conveying the Post EOI Application submission Query, the requisite Consultant's Clarification.
- 5.2.2 Any clarification submitted by a Consultant that is not in response to a request by the Client shall not be considered and may constitute an attempt, on Consultant's part, to influence the Client (Ref-**Para 3.2.1**, above) in the evaluation of the EOI Application and resultant decision therefrom which may result in the rejection of concerned Consultant's EOI Application. The Employer's request for clarification and the response shall be in writing.

5.3 Client's evaluation of EOI Application

- 5.3.1 The Client shall examine the Consultants' EOI Applications, to confirm that all requisite documents, as requested in or as required in terms of this EOI notification, have been provided, and to determine the completeness of each document submitted.
- 5.3.2 The Client shall treat the information and documentation, as supplied by the consultant, in fulfilment of the eligibility criteria, in their EOI Application, as correct & complete, placing reliance on the Consultant's averments, made in their covering Letter [**Ref-Para 4.2, above**] & on the EOI Forms, as to their correctness and completeness. The Client shall not, during Evaluation of EOI Applications, make any attempt at separate verification/ authentication [from the issuing source] of the aforesaid information and documentation supplied by the Consultant. Any misrepresentation/deviation (from stated facts/Incorrect statements, if detected in the Consultant submitted EOI Application, shall result in rejection of the Consultant's EOI Application or cancellation /annulment of the Consultant empanelment with consequent Blacklisting/Banning of Business with that Consultant for a period up to five years from the EOI Application submission date, as the case may be.
- 5.3.3 Client shall, during their evaluation of the EOI application adopt a marking system [Called technical score out of Maximum Marks-100], as reflected in the Empanelment criteria, attached as **Annexure-1** to this EOI Notification the Consultant's empanelment shall be subject to consultant scoring a **minimum of 70 marks out of the maximum Marks of 100**. Merely securing the 70 marks, will not, automatically, qualify a consultant for empanelment as eligible consultant. The Empanelment shall, also, be subject to the Consultant, also, securing the **minimum marks**, stipulated in **Section-1[Minimum Eligibility Criteria] of Annexure-1**.
- 5.3.4 Notwithstanding anything stated above or anywhere else in this EOI Notification, the Client reserves the right to assess the EOI Applicants' eligibility i.e., their capability and capacity to perform, should the circumstances warrant such assessment in the overall interest of the Client.

- 5.3.5 After Evaluation of Applications and assigning of technical Marks secured by the consultants, a list of the empaneled Consultants with Technical Score -70 and above, shall be prepared and shall constitute and be known as the **‘Approved list of Consultants for IR’ for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways i.e. for engagement by the Indian Railways (IR).** Such Approved list shall be uploaded on the websites (i) <https://dfccil.com> or (ii) <https://indianrailways.gov.in/railwayboard> , for onward engagement and be communicated to each of the Empaneled Consultant vide Email to their pre-conveyed ‘E-Mail IDs’ of their authorized Representatives.
- 5.3.6 All the consultants, borne on the ‘Approved list of Consultants for IR’ , as displayed prominently on the DFCCIL Website “Active tender” shall be required, first of all, to **Register with IREPS [Indian Railways E-Procurement System] Application.**
- 5.3.7 This EOI continues to be open ended, meaning thereby, that after empanelment of Consultants, Further, Consultants’ EOI Applications will be sought, through fresh subsequent notifications, thereafter ,as well which will be evaluated once every quarter and thus newly empaneled consultants would be added to the aforesaid approved list of empaneled Consultants.

Encl: -

- 1. Annexure-1 - Empanelment criteria to this EOI Notification**
- 2. Appendix to Annexure - 1 (Formats to be filled)**

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Annexure 1 to EOI Document

Eligibility Criteria:

The evaluation of the proposals from Consultants for the Consultancy Services for the Detailed Project Report (DPR)/Detailed Design Consultancy (DDC) including ROB Works shall be carried out in three stages

- **Minimum Eligibility-** All the Consultants must qualify the Minimum Eligibility Criteria mentioned in Section-1 below, for further evaluation of the proposal
- **Evaluation Methodology-** The Evaluation of the Consultants capability is detailed in Section-2
- **Eligibility of participation for the Consultants-** The Eligibility of the empanelled consultants will be as per the criteria mentioned in Section-3

Section-1: Minimum Eligibility Criteria

Sl.No.	Criteria	Minimum Requirement for eligibility
1	Establishment and Certification of Firm	<p>The Consultant's Firm shall have been established (registered in India) for a minimum period of 5 Years from the EOI Notification date i.e. the period from Consultant's Year of establishment to EOI Notification date shall be minimum Five years.</p> <p>In Case of Consultant being a JV, the Year of establishment shall require to be mentioned, each constituent member / Partner wise, in the Form-1 (Appendix to Annexure-1)</p>
2	Financial Standing	<p>Consultant's Firm shall furnish data regarding 'Net worth', calculated as the difference of Total assets and total liability for the Last five Years, in the Form -2 (Appendix to Annexure-1) , given in Appendix, average of such Net worth values (for the last five FYs) shall be assessed which is required to be positive. The FYs, during which Consultant registered negative Net worth, shall not exceed two.</p> <p>In case of a Financially sound Consultant, submitting EOI Application, being wholly owned entity of Government [Entity, wholly owned by a National Government, other than Indian Government, must be registered [Ref- Para 3.1 (Invitation for EOI)], in India, entirely funded or which is, regularly, receiving financial support from the aforesaid National Government, the requirement of "Net Worth" shall not be applicable and as such entities are not required to submit the details in the 'Form-2'</p> <p>And instead, below the aforesaid Form-2, such entity may submit a self attested statement to the effect as under;</p> <p><i>That We</i> (name of the Consultant, as mentioned on the Registration Certificate), being fully cognizant of Facts, hereby aver that We are a 'Non Stock' Government owned entity which is entirely funded by that Government or which, regularly, receives financial support from the Government.[strike whichever is not applicable]</p> <p>Note- The aforesaid/ concerned entities are required to attach Government shareholding / Government Ownership certificate and in case of the owner Government, being other than Indian Government, such entities are required to submit (in addition) a valid Registration [to establish the said entity being registered in India- (Ref- Para 3.1 (Invitation for EOI)], Certificate."</p> <p>In Case of Consultant being, JV, each Constituent Member (Lead Partner and each of respective Partners) shall be required to, separately, furnish data regarding 'Net worth' in the Format appended as Form-2.</p>

		<p>And,</p> <p>The Average Annual Turnover for the last five years should be a minimum of Rs. 10 Crores. Details to be given in Form -3(Appendix to Annexure-1)</p> <p>In Case of Consultant being, JV, each Constituent Member (Lead Partner and each of respective Partners) shall be required to, separately, furnish data regarding 'Average Annual Turnover' in the Format appended as Form-3</p>
3	Work experience	<p>Consultant's firm must secure a minimum of 20 marks, in the evaluation (Ref- Para 2.3 of Annexure-1). The eligible Works should be of Railway/Metro Projects/Highways projects. Details to be given in Form-4 (Appendix to Annexure-1).</p> <p>In this case of Work Experience, If, the Consultant secures less than Minimum 20 Marks, their EOI Application shall be rejected.</p>
4	Key Personnel on Roll	<p>The Consultant's Firm must secure a minimum of 15 marks, in the evaluation mentioned (Ref-Para-2.4 of Annexure-1). Details to be given in Form-5 (Appendix to Annexure-1).</p> <p>In case, the Consultant secures less than minimum 15 Marks, their EOI Application shall be rejected.</p>

Section-2: Evaluation Methodology

2.1 Establishment and Certification of Firm

2.1.1 Year of Establishment-The Consultant shall, in their EOI Application, reflect the Year of establishment in India, in Form-1- **Maximum Marks (MM) -10**

Sl.No	Years of Establishment	Marks
(i)	> =5 years <= 10 years	05
(ii)	> 10 years <=15 years	7
(iii)	More than 15 years	10

Note-In Case of Consultant being, JV; Following shall apply in case of ‘data regarding ‘Year of establishment in India’

- each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish data regarding ‘Year of establishment in India’ in the Format appended as **Form-1**;
- The marks obtained, in terms of the above Marking criteria, by the respective Members of the JV shall be averaged out and thus worked out average shall be taken as the Marks obtained by the JV.

2.1.2 Availability of ISO Certification- Maximum Marks -05

S.no	Parameter	Marking criteria	Maximum Marks
1	Availability of a valid ISO Certification	(If valid ISO Certificate available)= 5 Marks If Not available= 0 Marks	5

Consultant shall furnish the required information in the **Form-1**, given in Appendix to Annexure-1;

Note-In Case of Consultant being, JV; Following shall apply in case of ‘data regarding ‘Availability of a valid ISO Certification’

- Each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish data regarding ‘‘Availability of a valid ISO Certification’ ’ in the Format appended as **Form-1**;
- The marks obtained, in terms of the above Marking criteria, by the respective Members of the JV shall be averaged out and thus worked out average shall be taken as the Marks obtained by the JV.

2.2 Financial Standing -Average Annual Turn over-(Max Marks 20)

Consultant shall furnish the Annual turnover Data for the last five years, in **Form 3**, given in Appendix. The average of these Annual Turnover amounts shall be worked and be subject to assessment as below

S.no	Average Annual Turnover	Marking criteria	Maximum Marks
1.	>=Rs.10 crores < =20 crores	5	20
2.	> Rs 21 crores < =30 crores	10	
3.	>Rs.31 crore and <= Rs.50 crores	15	
4.	>Rs.50 crores	20	

Note-In Case of Consultant being, JV; Following shall apply in case of ‘data regarding ‘Average Annual Turnover’

- Each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish data regarding ‘Annual turnover Data ’ in the Format appended as **Form-3**;
- The Evaluation / assessment of the ‘Average Annual Turnover’ of the JV Consultant shall be in terms of the **Para 3.1.2.(x)** [Invitation for EOIs].

2.3 Work Experience (Max Marks 40)

In order to be eligible for award of marks under this criterion, the Consultant shall submit, details of Number of, **Project Feasibility Studies/Detailed Project Report (DPR) /Detailed Design Consultancy contracts/assignments, successfully completed/ successfully ongoing Works, as on date of EOI Notification**, during the **last 7 years (from EOI Notification Date)** for Rail / Metro/ Highway projects in INDIA and outside India [Outside India experience is **subject to Note no-3.1.2 (viii) & (ix)** (Sub Para title-‘Invitation of EOIs’), of the **minimum Contract value of INR 2.0 crores** out of which **Minimum 02 nos. (two) works should have been successfully completed/ successfully ongoing Works, as on date of EOI Notification** , for **Railway /Metro projects**. The aforesaid details to be given in the **Form 4**, given in the Appendix.

The text ‘**minimum Contract value**’, as appearing, in the first sub-Para of Para 2.3, above, **shall mean the total Contract Amount**, as referred in the respective & relevant **Experience certificate (issued by the respective Client)**, submitted by the Consultant for that Work (claimed as Work experience).

Marking Criteria (Maximum Marks 40; Minimum Marks-20 Marks)

S.no	No of Eligible Projects (Railway /Metro/Highway) successfully completed/ Successfully ongoing during the last 7 years(from EOI Notification Date)	Marking criteria	Maximum Marks	Documents required
1.	04-07 Projects of Rs. 2 crs & above or; 02-04 Projects of Rs. 5.0 crores and above	20 marks	40	<p>(i) In Case of “successfully completed Works”</p> <p>Self-Attested Copies of completion certificates (also mentioning, in case of executing Agency being JV/Consortium, the Consultant Participation, in % terms) issued, by the original Contact Awarding entities like Railway’s, NHAI or relevant Metro organization or any Central/State Government Department/PSU of India or Autonomous Body of Central/State Government of India or the awardee concessionaire.</p> <p>In Case of an Experience Certificate (issued to the Consultant submitting the EOI Application) by the awardee Concessionaire (which may be public listed infrastructure companies), the aforesaid experience certificate, must be accompanied by the self attested copy of the Award of Concession/ Concession Certificate, issued in award (by the Original Govt. entities to the aforesaid awardee concessionaire) of the Concession to the awardee concessionaire. Any such Experience certificate, unaccompanied by the aforesaid self attested copy of the Award of Concession/ Concession</p>
2	08-12 Projects of Rs. 2 crs & above or; 05-06 Projects of Rs. 5.0 crores and above	30 marks		
3	Above 12 Projects Rs. 2 crs & above or; Above 06 projects of Rs. 5.0 crs and above 03 Projects and above of Rs. 25 crores & above or; 02 Projects and above of Rs. 50 crores & above	40 marks		

			<p>Certificate shall be given no cognizance by DFCCIL."</p> <p>(ii) In Case of “Successfully ongoing Works”</p> <p>(a) the self-attested copy of the Letter of Acceptance (LOA) issued by the original Contract Awarding entities like Railways, NHAI or relevant Metro organization or any Central/State Government Department/PSU of India or Autonomous Body of Centre/State Government of India or the awardee concessionaire.</p> <p>In Case of 'Letter of Acceptance' (LOA) (issued to the Consultant submitting the EOI Application) by the awardee concessionaire (which may be public listed Infrastructure companies), the aforesaid LOA, must be accompanied by the self-attested copy of the Award of Concession/ Concession Certificate, issued in award (by the Original Govt entities to the aforesaid awardee concessionaire) of the Concession to the awardee concessionaire. Any such Experience certificate, unaccompanied by the aforesaid self-attested copy of the Award of Concession/ Concession Certificate shall be given no cognizance by DFCCIL."</p> <p>(b) self-attested copy of (duly signed by the parties) Main Contract Agreement (usually in five to six pages) and (c) a self-attested copy of the ‘Last paid invoice’ and (d) an averment, submitted, each work wise, i.e. in each case, as an attachment to the form-4 to the effect, as under,</p> <p>“Ref-</p> <ul style="list-style-type: none"> a) Serial No of works Claimed in Form-4 b) Brief Description of the Work- c) Contract Agreement no- d) Contractor- e) JV Participation %- f) Total Contract Amount- g) Apportionment of Contract Amount, pertaining to DPR/Design component of the Works
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				<p>h) Payment released to the Contractor-</p> <p>i) In Case of executing Entity being a JV, the Payment released (Under that Contract) to the Consultant (Claiming Entity for this EOI)-</p> <p><i>We, the Consultant, being in full grasp of the associated facts, do, hereby & truthfully, certify that In the Contract related with successfully ongoing Work , as mentioned above, there has not been initiated or has not been in progress any case /matter/dispute referred to ‘Dispute adjudication Board (DAB)’ or to Arbitral tribunal (AT). We, also, certify that In the aforesaid Contract, No matter/dispute / Case is under Litigation in Court of appropriate competence.”</i></p>
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2.4 Key personnel on the Permanent payroll of the Consultant (Max Marks 25)

In its endeavor, to gauge the collective professionals’ expertise currently available with the Consultant, a self-attested Statement in the following **Form- 5** given in Appendix is required to be given. Key Expert Positions along with desirable qualification and experience is tabulated as under:

Sn	Key Expert Position	Minimum Requirement for Proposal of Position		Marking Criteria	Max. Marks Allocation
		Minimum Qualification	Relevant Experience (Minimum)		
1	Civil Engineering Expert	Graduate in Civil Engineering	Minimum 10 years professional experience in the field of Railway/Metro/Highway infrastructure studies such as Feasibility Study, Preliminary and Detailed Engineering Studies, Front-end Engineering and Design etc., out of which at least 5 years’ experience, preferably, as Team Leader/Project Director/ Project Manager/ Chief Resident Engineer.	Relevant Experience: <10 Year - 0 marks ≥10 and < 15 Years- 1 Mark ≥15 and < 20 Years - 2 Marks ≥20 years - 4 Marks	4
2	Survey Expert	Graduate in Civil Engineering	5 years professional experience in the field of Topographical survey/Alignment design of Railway/ Metro/Highway projects, also using & conversant with latest software in this area	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 2 Marks ≥10 years - 3 Marks	3

EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023 [hereafter known as EOI Notification Date] for Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways [EOI-1]

Sn	Key Expert Position	Minimum Qualification	Relevant Experience (Minimum)	Marking Criteria	Max. Marks Allocation
3	Bridge design Expert	Graduate in Civil Engineering	5 years professional experience in the field of design of bridges for Railway/Highway/Metro projects	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 2 Marks ≥10 years - 3 Marks	3
4	Geo-Tech Expert.	Graduate in Civil Engineering/ MSc. In Engineering Geology	5 years professional experience in the field of Geotechnical Investigations for Railway/Metro/Highway infrastructure projects.	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 1.5 Marks ≥10 years - 2 Marks	2
5	Tunnel Expert	Graduate in Civil Engineering	5 years professional experience in the field of design of Tunnel for Railway/Highway/Metro/Road project.	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 2 Marks ≥10 years - 3 Marks	3
6	Railway Electrification Expert	Graduate in Elect Engg	5 Years Professional experience as design expert for Railway /Metro Electrification Projects	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 2 Marks ≥10 years - 3 Marks	3
7	Railway Signaling Expert	Graduate in Electronics and Communication Engineering recognized Institution from a recognised University/Institution.	5 Years Professional experience as Signalling and / or Telecommunication design expert for Railway /Metro Projects.	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years – 1.5 Marks ≥10 years - 2 Marks	2
8	Traffic Survey expert	Master in Transportation Planning/ Transport Management/ Transport Economics/ Master in Economics	5-years professional experience in the field of Traffic studies	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 2 Marks ≥10 years - 3 Marks	3
9	Quantity & Cost Estimation Expert	Graduate in Civil Engg/Quantity Surveying.	5-years professional experience in the field of Quantity and Cost Estimation for Large infrastructure Projects- Railways/Highways/Metro	Relevant Experience : <5 Year - 0 marks ≥5 and < 7 Years- 1 Mark ≥7 and < 10 Years - 1.5 Marks ≥10 years - 2 Marks	2
					25 Marks

Note:

- 1- Weightage / Marks for the above Key Personnel will be given only if he/she is employed (on permanent roll having EPF A/c) with the Applicant Firms for more than 01 Year from the date of EOI.

In Substantiation, the Consultant is required to **submit, the following documents** [each document to be certified by the Consultant as “True Copy”] **along with CV [in Form-8] of each of such Key Personnel,** mentioned above ;

- (i) latest, as issued [& duly certified by the Consultant, as True copy'] Salary slip of each of the said professionals with details like Description of the Employer, Employee No., Year of Employment, PF Account No. (PF Account No. is not, a mandatory requirement) mentioned therein and the associative details of salary, clearly mentioning therein.

And/or;

Form-16.

And /or

Form 26-AS of the professional

- 2- **Non submission of the above cited document** (as mentioned above in preceding Para) **along with CV [in Form-8] of Each Key Personnel, in isolated cases**, shall result in marks, allocated to such Professionals (in this document above) being deducted by the Client. **Non submission of the above cited document along with CV [in Form-8] of each Key Personnel, in case of all the above-mentioned Professional positions**, may result in the Consultant's EOI Application, being rejected by the DFCCIL.
- 3- Any one or more specific noncompliance, with the above minimum eligibility requirements, per se, shall not result in rejection. Client shall assume that Consultant shall, if the need arises, engage more Professionals of requisite educational Qualification and Work Experience for the Physical execution of Consultancy Services Contract, as & when awarded, post Empanelment to the respective consultant, by the Indian Railways.
4. Post empanelment, any Change/replacement [with a suitable Professional having equivalent or better qualification and experience, as compared to the Professional being replaced] of "Key Personnel on the Permanent Payroll of the Consultant" shall be subject to prior approval of the Indian Railways.
5. DFCCIL-Client/Employer reserves the right to, independently, assess the CVs and the documents, attached therewith.

-x-

Section -3 : Eligibility of Participation for the Consultants

The Consultant shall eligible for the projects as per the marks obtained by the Consultant in the section 2 'Evaluation Methodology' shall be as below –

S.No	Marks obtained by the Consultant	Eligibility (Contract Value)
1	< 70 Marks	Ineligible for the empanelment
2	70 -80 Marks	Eligible for IR Consultancy Works of value up to 02 crores
3	Above 80 Marks	Eligible for IR Consultancy Works of value up to 10 crores
4	91-100	Eligible for all values of IR Consultancy Works

-x-

Appendix to Annexure-1

Form—1

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Ref-Section-1(Minimum Eligibility criteria) with Sub Section-2.1.1 (Establishment and certification of firm), Sub Section 2.1.2 (Availability of ISO Certification) of Annexure-1 and Sub Para 3.1.3 (requirement of PAN Number & GST Registration) of Request for ‘Expression of Interest’ [EOI]

1. Consultant Name-

1.1 Single Entity, Lead Partner or Partner *(strike whichever is not applicable)-*

1.2 In Case of Lead Partner , the Name of Consultant Entity-

JV Participation (%)-

1.3 In Case of First Partner, the Name of Consultant Entity-

JV Participation (%)-

1.4 In Case of Second Partner, the Name of Consultant Entity-

JV Participation (%)-

(In Case of 1.2,1.3 & 1.4 above, strike whichever is not applicable)

S. No.	Parameter	Marking criteria	Document required in support	Description of document attached	Attached Documents placed at Page no — Of EOI Application
1	Year of Establishment	MM -10	Self-attested copy of the Firm Registration		
2	Valid ISO Certification	MM-05	Self-attested copy of the ISO Certification		
3	GSTIN No.	Submission mandatory	Self-attested copy of GST Registration Certificate		
4	PAN Card no.	Submission mandatory	Self-attested copy of PAN Card		

MM-Maximum Marks

Note-In Case of Consultant being, **JV**; **Following shall apply in case of ‘data regarding ‘Availability of a valid ISO Certification’**

- c) Each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish the above required data in this **Form-1**;
- d) The marks obtained, in terms of the above Marking criteria, by the respective Members of the JV shall be averaged out and thus worked out average shall be taken as the Marks obtained by the JV.

Full Signature on Claiming Consultant’s round Stamp	
Signature in initials	
Name	
Designation	
Cell phone number	
E Mail ID	

**Ref- Sub Section-1.2 (Minimum Eligibility criteria-Financial Standing) of Annexure-1
EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023**

1. Consultant Name-

1.1 Single Entity, Lead Partner or Partner *(strike whichever is not applicable)-*

1.2 In Case of Lead Partner, the Name of Consultant Entity- **JV Participation (%)**-

1.3 In Case of First Partner, the Name of Consultant Entity- **JV Participation (%)**-

1.4 In Case of Second Partner, the Name of Consultant Entity- **JV Participation (%)**-

(In Case of 1.2, 1.3 & 1.4 above, strike whichever is not applicable)

Financial Data	FY-1 (2021-22)	FY-2 (2020-21)	FY-3 (2019-20)	FY-4 (2018-19)	FY-5 (2017-18)
Net Worth (NW)					

Note –

- i. FY shall mean Financial Year. The data in the above Form shall be certified by the Independent Chartered Accountant.
- ii. In Case of Consultant being, **JV**, each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish data regarding ‘Net worth’ in this **Form-2**.
- iii. The FYs, during which Consultant [i.e. Single Entity or each Constituent Member of JV] registered **negative Net worth, shall not exceed two**.
- iv. In case, the Consultant [i.e. Single Entity or each Constituent Member of JV] fails to submit data for the FY 2021-22, the Consultant shall be awarded ‘Nil’ marks on this parameter during Evaluation.
- v. In case of a Financially sound Consultant, submitting EOI Application, being wholly owned entity of Government [Entity, wholly owned by a National Government, other than Indian Government, must be **registered** [Ref- Para 2.1 (Invitation for EOI)], **in India**, entirely funded or which is, regularly, receiving financial support from the aforesaid National Government, the requirement of “**Net Worth**” shall not be applicable and as such entities are not required to submit the details in the ‘**Form-2**’, such entity may submit, here under Form-2, a self-attested statement to the effect as under;

“That We (name of the Consultant, as mentioned on the Registration Certificate), being fully cognizant of Facts, hereby aver that We are a ‘Non Stock’ Government owned entity which is entirely funded by that Government or which, regularly, receives financial support from the Government.[strike whichever is not applicable]”

Note to (v) above- The aforesaid/ concerned entities are required to attach **Government shareholding / Government Ownership certificate** and in case of the owner Government, being other than Indian Government, such entities are required to submit (in addition) a valid **Registration** [to establish the said entity being registered in India- (Ref- Para 2.1 (Invitation for EOI)], **Certificate.**”

Verified by Chartered Accountant

Signature on Stamp	
Date of CA’s signature	
CA’s Name	
CA’s UDIN	
CA’s firm	
CA/CA’s Firm Address	
CA’s contact number	
CA’s E Mail	

Full Signature on Claiming Consultant’s round Stamp	
Signature in initials	
Name	
Designation	
Cell phone number	
E Mail ID	

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Ref-Sub Section-1.2(Minimum Eligibility criteria-Financial Standing) with Sub Section-2 (Financial Standing -Average Annual Turnover) of Annexure-1

1. Consultant Name-

1.1 Single Entity, Lead Partner or Partner *(strike whichever is not applicable)-*

1.2 In Case of Lead Partner , the Name of Consultant Entity- **JV Participation (%)**-

1.3 In Case of First Partner, the Name of Consultant Entity- **JV Participation (%)**-

1.4 In Case of Second Partner, the Name of Consultant Entity- **JV Participation (%)**-

(In Case of 1.2,1.3 & 1.4 above, strike whichever is not applicable)

Financial Data	FY-1 (2021-22)	FY-2 (2020-21)	FY-3 (2019-20)	FY-4 (2018-19)	FY-5 (2017-18)	Average Annual Turn Over
Information from Audited Balance sheet						
Annual Turn over						

Note - The data in the above Form shall be certified by the Independent Chartered Accountant.

Note-

1. In Case of Consultant being, **JV**; **Following shall apply in case of ‘data regarding ‘Average Annual Turnover’**
 - a. Each Constituent Member (**Lead Partner and each of respective Partners**) shall be required to, separately, furnish data regarding ‘Annual turnover’ in this **Form-3**;
 - b. The Evaluation / assessment of the ‘Average Annual Turnover’ of the JV Consultant shall be in terms of the **Para 3.1.2.(x)** [Invitation for EOIs].
2. In Case the Consultant fails to submit Average Annual turnover for the FY 2021-22, the Consultant shall be awarded ‘Nil’ marks on this parameter during Evaluation.

Verified by Chartered Accountant

Signature on Stamp	
Date of CA’s signature	
CA’s Name	
CA’s UDIN	
CA’s firm	
CA/CA’s Firm Address	
CA’s contact number	

Full Signature on Claiming Consultant’s round Stamp	
Signature in initials	
Name	
Designation	
Cell phone number	
E Mail ID	

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Ref- Sub Section -1.3 (Minimum Eligibility Criteria-Work Experience) with Sub Section -2.3 (Work experience) of Annexure-1

1. Consultant Name-

1.1 Single Entity, Lead Partner or Partner *(strike whichever is not applicable)-*

1.2 In Case of Lead Partner , the Name of Consultant Entity-

JV Participation (%)-

1.3 In Case of First Partner, the Name of Consultant Entity-

JV Participation (%)-

1.4 In Case of Second Partner, the Name of Consultant Entity-

JV Participation (%)-

(In Case of 1.2,1.3 & 1.4 above, strike whichever is not applicable)

Sn	Description of Project (DPR/Detailed Design Consultancy contracts) of Minimum Contract Value- INR 2.0 Crores –	Contract Agreement number & Date	Commencement Date & Completion date	Contract Amount (in Crores of INR)	Portion of Contract Amount pertaining to DPR/Detailed Design component of the Works (in Crores of INR)	Role on the Assignment ;As Prime Contractor JV/Consortium Partner	In case of JV, specific % Participation & Role in JV/Consortium]	Whether successfully completed/ / successfully Ongoing	Contractual Payment received by the Claiming Consultant till 31-12-2022(in Crores of INR)	Document submitted in substantiation	Documents placed at Page no — Of EOI Application

Note-

(i) In Case of “successfully completed Works”

Self-Attested Copies of completion certificates (also mentioning, in case of executing Agency being JV/Consortium, the **Consultant Participation, in % terms**) issued, by the original Contact Awarding entities like Railway’s, NHAH or relevant Metro organization or any Central/State Government Department/PSU of India or Autonomous Body of Central/State Government of India or the awardee concessionaire.

In Case of an Experience Certificate (issued to the Consultant submitting the EOI Application) by the awardee Concessionaire (which may be public listed infrastructure companies), the aforesaid experience certificate, must be accompanied by the self-attested copy of the **Award of Concession/ Concession Certificate**, issued in award (by the Original Govt. entities to the aforesaid awardee concessionaire) of the Concession to the awardee concessionaire. Any such Experience certificate, unaccompanied by the aforesaid self-attested copy of the Award of Concession/ Concession Certificate shall be given no cognizance by DFCCIL."

(iii) In Case of “Successfully ongoing Works”

(a) The self-attested copy of the **Letter of Acceptance (LOA)** issued by the original Contract Awarding entities like Railways, NHAH or relevant Metro organization or any Central/State Government Department/PSU of India or Autonomous Body of Centre/State Government of India or the awardee concessionaire.

In Case of 'Letter of Acceptance' (LOA) (issued to the Consultant submitting the EOI Application) by the awardee concessionaire (which may be public listed Infrastructure companies), the aforesaid LOA, must be accompanied by the self-attested copy of the Award of Concession/ Concession Certificate, issued in award (by the Original Govt entities to the aforesaid awardee concessionaire) of the Concession to the awardee concessionaire. Any such Experience certificate, unaccompanied by the aforesaid self-attested copy of the Award of Concession/ Concession Certificate shall be given no cognizance by DFCCIL."

(b) self-attested copy of (duly signed by the parties) Main Contract Agreement (usually in five to six pages) and (c) a self-attested copy of the ‘**Last paid invoice**’ and (d) an averment , submitted, each work wise, i.e. in each case, as an attachment to the form-4 to the effect , as under;

“Ref-

- a) Serial No of works Claimed in Form-4
- a) Brief Description of the Work-
- b) Contract Agreement no-
- c) Contractor-
- d) JV Participation %-
- e) Total Contract Amount-
- f) Apportionment of Contract Amount, pertaining to DPR/Design component of the Works
- g) Payment released to the Contractor-
- h) In Case of executing Entity being a JV, the Payment released (Under that Contract) to the Consultant (Claiming Entity for this EOI)-

We, the Consultant, being in full grasp of the associated facts, do, hereby & truthfully, certify that In the Contract related with successfully ongoing Work , as mentioned above, there has not been initiated or has not been in progress any case /matter/dispute referred to ‘Dispute adjudication Board (DAB)’ or to Arbitral tribunal (AT). We, also, certify that in the aforesaid Contract, No matter/dispute / Case is under Litigation in Court of appropriate competence.”

- i) In Case, the Consultant claims, as Work experience, of the DPR/Detailed Design Consultancy contracts in which it participated as JV/Consortium Member; the accreditation of such Work experience shall, only, be subject to ***Para 3.1.2.(vi) of Request for ‘Expression of Interest’ [EOI]***.
- ii) To impart awareness, it is conveyed that Client perception is that DPR Works, also, involve Key activities like Data Collection through Aerial LIDAR Survey and subsequent Data analysis on specialist software, Geo Tech Investigation, Traffic survey & Environmental impact assessment. In this direction, it is believed that the empanelled consultant, if bidding for a IR Consultancy Contract for DPR preparation, would be well equipped to engage a suitable/requisitely skilled and experienced Specialist Sub Consultants, if required, as per the requirement to implement the said Contract.
- iii) It is unambiguously, conveyed and so agreed by the Parties (EOI Applicant & DFCCIL) that in case of a Work being executed by a JV, the intra JV Participation Percentage must be mentioned (by the EOI Applicant) for that work. In case of an executed Work, claimed (by the EOI Applicant) as experience in the above Form-4; If the Client/DFCCIL is not able to ascertain, from the Form-4 and submitted documentation, the intra JV participation percentage, then, in such cases, the Client, during their Evaluation, would ignore the concerned Work (claimed as work experience) and would not accredit the related experience to the Claiming entity (EOI Applicant).

Consultant Averment

We, the Consultant, hereby declare that all the information & documents (in support) provided by us in this Form-4 above, being premised upon original Experience Certificates (the copies of which have been supplied) are correct and authentic. We, the Consultant, are fully responsible for the correctness for the information & documents, submitted by us and we accept that any misinterpretation or misrepresentation, subsequently detected and so adjudged (by the Client), in this Form may lead to our disqualification, during Client Evaluation of the EOI Applications.

Signature on Claiming Consultant’s round Stamp	
Name	
Designation	
Cell phone number	
E Mail ID	

Form-5

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Ref- Sub Section -2.4 (Key Personnel on the Permanent payroll of the Consultant) of Annexure-1

Consultant Name-

s n	Key Personnel	Name of Key Personnel	Firm	Description of Educational Qualification with Year of Passing	Claimed Work Experience (Period-from Year -to Year)	Documents placed at Page-No- of EOI application
						(i) CV at- (ii) Salary Slip at- and/or, (iii) Form-16 at- and/or, iv) Form-26AS at-

Note-

(i) Client would, normally, not be scrutinizing / verifying (from respective source) any Professional's CV for **Authentication of the details, mentioned therein the said Professional's CV (submitted by the Consultant)** and would be relying upon the Data furnished by the Consultant in their EOI Application **but reserves the right to seek, at any point of time, the original certification of any Professional, for further scrutiny and if considered necessary, the verification from source.**

(ii) Consultant Averment

We, the Consultant, hereby aver that all the information, provided by us in this Form-5 is, being premised upon Professional's relevant Certificates (viewed in original), correct and authentic. We, the Consultant, are fully responsible for the correctness for the information, submitted by us and we accept that any misinterpretation or misrepresentation, subsequently detected and so adjudged (by the Client), in this Form may lead to our disqualification, during Client Evaluation of the EOI Applications and Post empanelment, empanelment shall be annulled/cancelled with consequent Blacklisting/Banning of Business with that Consultant for a period up to five years from the EOI Application submission date, as the case may be.

We, the Consultant, further, aver that the above cited Key Personnel on the Permanent payroll of the Consultant shall, always, be available for execution of any Indian Railway Consultancy Contracts, awarded Post empanelment to the Consultant. Any change in such Key Personnel shall be subject to prior approval of the Indian Railway's Competent Authority.

Signature on Claiming Consultant's round Stamp	
Name	
Designation	
Cell phone number	
E Mail ID	

Ref-Para-3.3.2 (Pre EOI Application Conference) of notification

FORMAT FOR CONSULTANT'S (PRE- EOI SUBMISSION) QUERY

(To be submitted through E Mail [empconsultantir@dfcc.co.in], both in PDF & MS Word)

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Name of the Consultant Firm:

Name of the Authorized Representative:

Designation:

Cell phone number:

E-Mail ID:

Date of Pre-EOI Submission conference:

Sl. No.	Reference Section / Clause	EOI Page No.	Consultant Query with Justification	Existing Clause	Proposed amendment-Amended Clause

Signature on Claiming Consultant's round Stamp	
Name	
Designation	
Cell phone number	
E Mail ID	

Format of 'Covering Letter' to be submitted by the Consultants

To,

Mr. Praveen Kumar
Executive Director/Asset Management/WC
Room No. 505, DFCCIL Corporate Office
5th Floor, Supreme Court Metro Station Building,
New Delhi - 110001, INDIA

Ref- EOI for Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways-**EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023**

Dear Sir,

We, the Consultant;

comprised by a single Entity (Mention the full Name of the Consultant with complete postal address) or by a JV comprised by [mention the full name of the JV with JV's Postal address , Name of Lead Partner , Name of First Partner and Name of second Partner (as applicable) along with their respective postal Addresses with their respective JV Participation percentage] and;

being represented (for all intent & purpose, in relation with this EOI) by **Mr.** [insert Name of Authorised Signatory with Designation; a duly Notarised Power of Attorney (POA), in whose Favour, duly executed, in Form-9 or Form- 9.1 (as applicable), by the Consultant's Competent Authority (who has been Authorised by the Consultant's Board of Directors (BoD) to delegate the Authority and issue 'Power of Attorney'), is attached along with this Consultant's covering Letter], in full cognizance of and in complete agreement with the EOI Notification [**No- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023**] as amended through all subsequently issued Addenda, except as reflected specifically, clause wise under a separately given Consultant's Statement titled "Statement of Deviation with the EOI Notification and all subsequently issued Addenda", are, hereby, submitting our EOI Application, through E mail, for the empanelment. In case of no 'Statement of Deviation', being submitted by us, our EOI application shall be deemed to be in strict accordance with/in compliance with the aforesaid EOI notification notwithstanding anything mentioned to the contrary in our EOI application.

We, the consultant, undertake, to aver that

- a) Our EOI Application has been prepared after thorough application of mind and due diligence.
- b) Our EOI Application is complete in all respect, in terms of EOI Notification. All the required substantiating Documents have been attached and the required averments have been appended in this EOI Application.
- c) We, the consultant, are, fully aware that We shall be, fully, responsible for any omission or any deficiency in information, required averments or documentation.
- d) We, the Consultant shall desist from submitting, after formally submitting our EOI Application, any information or any document unless specifically asked by the Client.
- e) We, the Consultant, fully meet (in letter & spirit) the eligibility criteria, as stipulated in **Annexure-1 of the EOI Document** , as amended vide subsequently issued Addenda.
- f) We, the consultant, undertake, to observe, at all times, the Indian laws against fraud and corruption, including bribery, in force at the time of EOI Application submission.

- g) We, the consultant, unequivocally, convey that We have not been Blacklisted/Debarred/sanctioned by any Union Govt. / State Govt./ Ministry of Railways/ any multi-lateral Funding Agency. Further, We, the consultant, are not ineligible for this EOI, under Indian Laws.
- h) We, the consultant, hereby declare that all the information, statements, averments & Documents provided/made/attached in this EOI application is correct and authentic. We, the Consultant are fully responsible for the correctness of the information, statements, averments & Documents, submitted by us and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to rejection of the our (Consultant's) this EOI Application or cancellation /annulment of the Consultant empanelment with consequent Blacklisting/Banning of Business with that Consultant for a period up to five years from the EOI Application submission date, as the case may be.
- i) We the Consultant understand that if the certificates regarding empanelment criteria submitted by us are found to be forged/false or incorrect any time after empanelment that our empanelment shall be annulled/cancelled with consequent Blacklisting/Banning of Business with that Consultant for a period up to five years from the EOI Application submission date, as the case may be.
- j) We the Consultant ,fully, understand that DFCCIL-Client reserves the right to cancel any or all of the EOI applications without assigning any reason.

Full Signature on Claiming Consultant's round Stamp	
Signature in initials	
Name	
Designation	
Cell phone number	
E Mail ID	

Form no-8

Form: Curriculum Vitae (CV) for Key personnel on Permanent pay role of the Consultant [Ref- Para 2.4 [EOI-1] - Key personnel on Permanent pay role of the Consultant

1. EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

2. General

Position Title and No.	[e.g., K-1, TEAM LEADER] [<i>Note: Only one candidate shall be nominated to each position.</i>]
Name of Key Expert	[<i>Insert full name</i>]
Name of the Firm proposing the Key Expert	
Date of Birth	[<i>day/month/year</i>]
Nationality	
Country of Citizenship/Residence	

3. Education: [*List college/university or other specialized education, giving names of educational institutions, dates attended, degree(s)/diploma(s) obtained*]

4. Employment record relevant to the assignment: [*Starting with present position, list in reverse order. Please provide dates, name of employing organization, titles of positions held, types of activities performed and location of the assignment, and contact information of previous clients and employing organization(s) who can be contacted for references.*]

Period of Employment		Employing organization and your title/position. Contact information for references	Country	Summary of activities performed relevant to the Assignment
From (Date) to (Date)	Time expressed in Y/M/D			
[e.g., May 2021-present]		[e.g., Ministry of, advisor/consultant to... For references: Tel...../e-mail.....; Mr. Hbbbb, deputy minister]		

5. Membership in Professional Associations and Publications:

6. Language Skills (indicate only languages in which you can work): _____

7. Certification:

I, the undersigned, certify to the best of my knowledge and belief that:

- (i) This CV correctly describes my qualifications and my experience;
- (ii) In the absence of medical incapacity, I will undertake the assignment, as assigned to my position, in the Contract, for the stipulated duration;

I understand and do hereby aver that any misstatement/misrepresentation, in the information described herein this CV may lead to my disqualification or dismissal, if engaged.

Full Signature of Professional	
Name	
Designation	
Cell phone number	
E Mail ID	

I certify that I have, personally, scrutinized all the details, mentioned above in this CV. I have matched the aforesaid/ above mentioned details with the Original Documents, as satisfactorily submitted by the Professional and hereby, vouch for the authenticity of the details mentioned above in this CV.

I understand and do hereby aver that any misstatement/misrepresentation, in the information described herein this CV, may lead to disqualification or dismissal, of the Expert.

Full Signature of EOI Applicant Firm's representative	EOI Consultant Firm's Authorised representative
Name	
Designation	
Cell phone number	
E Mail ID	

Annexure-2

Check List for Submission of Documents for EOI Application [Para 4.3 & Para 5.1 of EOI Document, to be submitted as an essential Annexure to the covering letter-Form-7]

While submitting the EOI Application, this check List shall require to be submitted along with Covering Letter

EOI Notification no-HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023

Sl. No.	Requirements of Technical Bid	Reference Clause No. of Bid Documents	Bidder's Name:-----	
			Yes / No	Ref. #
1	Covering Letter with the EOI Application	Form-7 & Para 4.2 of EOI Document		
2	This Check List with the above cited Covering Letter	Para 4.3 of EOI Document		
3	Form-1 (Establishment and certification of firm), GSTIN No & PAN Card Number	Sub Section-2.1.1, Sub Section 2.1.2 of Annexure-1 and Sub Para 3.1.3 of Request for 'Expression of Interest' [EOI]		
4	Form-2 (duly certified by Independent Chartered Accountant) related with Financial Data -Net Worth	Sub Section-1.2 (Minimum Eligibility criteria-Financial Standing) of Annexure-1		
5	Form-3 (duly certified by Independent Chartered Accountant) related with Financial Data-Annual Turn over	Sub Section-1.2 with Sub Section-2.2 of Annexure-1		
6	Form-4 related with Work experience	Sub Section -1.3 with Sub Section -2.3 of Annexure-1		
7	Form-5 related with Key Personnel on Permanent Roll of the Consultant	Sub Section -2.4 of Annexure-1		
7.1	Form-8 related with Curriculum Vitae (CV) for Key personnel on Permanent pay role of the Consultant - Key personnel on Permanent pay role of the Consultant.	Sub Section 2.4 (Key Personnel on Permanent Roll of the Consultant) of Annexure-1		
7.2	Power of Attorney (POA)-Form-9 or Form-9.1	Covering letter-Form-9 or Form 9.1		
7.3	Properly executed JV Agreement reflecting composition and percentage (Not less than 25% in any case) participation of each Constituent member	Para-3.1.2 of EOI Document		

Mention specifically, the 'clearly & indelibly marked page number' of the EOI Application.

Certificate

This is to certify that our EOI Application is in full compliance with all the conditions, requirements and stipulations, as included in this EOI Documents including all the related Notifications and Addenda thereto.

Full Signature of EOI Applicant Consultant's Authorised representative	
Name	
Designation	
Cell phone number	
E Mail ID	

Power of Attorney for Authorized Signatory of Single Entity

Ref- EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated- **dated-10-01-2023**

(to be executed on non-judicial Stamp paper of appropriate value & Notarised)

“Know all persons by these presents, we _____ do hereby constitute, appoint and authorize Mr/Ms _____ who is presently employed with us and holding the position of _____ & who is located at Address-----, as our **Authorised Representative** (our attorney), to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our Application for this EOI [**EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023**] for the works;

Including signing and submission of all documents and providing information/responses to Dedicated Freight Corridor Corporation of India Limited, representing us in all matters, dealing with Dedicated Freight Corridor Corporation of India Limited in all matters in connection with our Application for the aforesaid EOI till empanelled list of Consultant is published. The Said Authorised representative shall continue to represent us, in case of the Consultant being empanelled, in subsequent Tenders / Contracts floated by Indian Railways till the revocation of this POA with the prior permission of DFCCIL (prior & up to the empanelment) or Indian Railways (after empanelment), as the case may be.

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

We, in addition, unequivocally, certify that the Signatory of this Power of Attorney (POA) has been duly authorised by Our Board of Directors (BoD) to issue POA, such as this one..

Dated this the _____ day of _____ 200_____.

(Signature of Authorized Signatory)

(Signature and Name in Block letters of Signatory, Designation, Company, Cell number & E Mail ID)
Seal of Company

Witness

Witness 1:

Name:

Address:

Occupation:

Cell no-

E Mail ID

Witness 2:

Name:

Address:

Occupation:

Cell no-

E Mail ID

Notary Attestation
Notary Stamp & Signature

Notes: The extract from BoD minutes, conveying authorisation of the Authorised signatory [for issuing this POA] to issue the POA, such as this one, shall be attached along with this POA.

Power of Attorney for Authorized Signatory in case of Consultant being Joint Venture (JV),

**Ref- EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated- ~~dated-10-01-2023~~
(to be executed on non-judicial Stamp paper of appropriate value & Notarised)**

Whereas Dedicated Freight Corridor Corporation of India Limited has invited 'Expression of interest (EOI) related with EOI Notification number---- dated---[Insert description of EOI], and

Whereas, the members of the Joint Venture [mention the Name of the JV--] comprising of M/s. _____ (lead partner) _____, M/s. _____, M/s _____, and M/s----- (Constituent Members or Partners) are interested in submission of EOI Application, in accordance with the terms and conditions, as contained in the EOI Document.

Whereas, it is necessary for the members of the Joint Venture (JV) to designate representative of the Lead Partner (Constituent Consultant Entity, having the maximum Stake in the JV), as the authorized representative of the JV, with all necessary power and authority to do, for and on behalf of the Joint Venture, all acts, deeds and things as may be necessary in connection with the Joint Venture's EOI Application.

NOW THIS POWER OF ATTORNEY WITNESSETH THAT:

*We, M/s. _____ (Lead Partner) _____, M/s. _____, M/s _____, [Partner] and M/s----- [Partner] hereby designate Mr/Ms. _____, _____, being representative of the lead partner of the Joint Venture, as the **Authorized Representative of the Joint Venture**, to do on behalf of the Joint Venture;*

all or any of the acts, deeds or things necessary or incidental to the Joint Venture's EOI Application, including submission of EOI Application, participating in conferences, responding to queries, submission of information/documents and generally to represent the Joint Venture in all its dealings with DFCCIL, in connection with the aforesaid EOI until culmination of the process of EOI i.e. till the empanelment of Consultant is published and in case of JV being an empanelled Consultant, thereafter (after the empanelment), in subsequent Tenders / Contracts floated by Indian Railways till the revocation of this POA with the prior permission of DFCCIL (prior to & up to the empanelment) or Indian Railways (after empanelment), as the case may be..

We hereby agree to ratify all acts, deeds and things lawfully done by the aforesaid Aauthorized Representative, [our said attorney, pursuant to this power of attorney] and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by our Joint Venture

Signatory-1 (Lead Partner)		Signatory-2 (Partner)	
Signature		Signature	
Name in full		Name in full	
Designation		Designation	
Company		Company	
Cell Phone no-		Cell Phone no-	
E Mail ID		E Mail ID	

EOI Notification no- HQ/EN/WC/EDAM(EOI)/1/2022/11 dated-10-01-2023 [hereafter known as EOI Notification Date] for Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways [EOI-1]

	Witness-1- Signatory-1		Witness-2- Signatory-1		Witness-1- Signatory-2		Witness-2- Signatory-2	
Signature								
Name in full								
Designation								
Company								
Cell Phone no-								
E Mail ID								

Notes: The extract from respective BoD minutes, conveying authorisations of the each Authorised signatory [issuing this POA] to issue POA, such as this one, shall be attached along with this POA.

Notary Attestation
Notary Stamp & Signature

FORM OF PARENT COMPANY GUARANTEE

(To be furnished, on Non Judicial Stamp Paper after due notarisation, by the Parent Company)

From: [Insert Consultant's Parent Company (GUARANTOR) Name]

Having its office at:

As Subsidiary Company for [Insert Consultant's/ Subsidiary (CONSULTANT) Company Name]

Having its office at:

Date: _____

To:

Dedicated Freight Corridor Corporation of India (DFCCIL-Client)
DFCCIL Corporate Office
Fifth Floor, Supreme Court Metro Station Building complex
New Delhi-110001

Ref.: EOI Notification Reference No.: HQ/EN/WC/EDAM(EOI)/1/2022/11 dated 10-01-2023 for Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways

-x-

1. WHEREAS, vide above referred EOI Notification, The Client has invited Expression of Interest (EOI) applications from eligible consultants for Empanelment of eligible consultants / Firms for undertaking consultancy services for Detailed Project Report (DPR) / Detailed Design Consultancy (DDC) including ROB for the Projects of Indian Railways ;
2. The Consultant _____ (as Subsidiary company of the Parent Company), submitting EOI Application for the empanelment for the above referred IR Consultancy Service Contracts [as defined under aforesaid EOI document] wishes to utilize the **Experience** of _____ its (Parent Company) to meet the **Eligibility Requirement/Criteria , as mentioned under Annexure-1 of the referred EOI Document .**
- 2.1 Further, The Consultant _____ (as Subsidiary company of the Parent Company), submitting EOI Application for the empanelment for the above referred IR Consultancy Service Contracts [as defined under aforesaid EOI document] wishes, in terms of **sub Para 3.1.1.1 of the EOI Document, to borrow for a minimum Two Year period from the date of the issuance of this PCG**, further extendable, to meet the requirements of execution of any IR Consultancy Contract, awarded, post empanelment to the aforesaid Consultant _____ (as Subsidiary company of the Parent Company), the **Key Personnel**, as defined under **Sub section 2.4 of the Annexure-1** to the EOI Document and more as per the requirement of the execution of any IR Consultancy Contract , **on the permanent payroll of the Parent Company** [*strike this sub para, if inapplicable*]
- 3 Now, in compliance to the requirement of Sub Para 3.1.1.(ii) of EOI Document & On the request of the Consultant (Subsidiary company), the Parent Company-----, unconditionally, issues /submits the **'Parent Company Guarantee' (PCG)** for the purpose(s) mentioned under Para-2 and sub Para 2.1 above, as under the aforesaid Parent Company [*mention the full name of the Parent Company*] aver / unconditionally undertakes as under;

- 3.1 THIS GUARANTEE (“Guarantee”) is issued on the _____ day of 2023 , by a [*Mention name of the Parent Company*] Company organized and existing under the laws of Country (*mention the Name of the Country*) having its Registered Office at _____ (hereinafter referred to as the “Guarantor”) in favour of Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), 5th Floor, Supreme court Metro Station Building Complex, New Delhi, India - 110001 (hereinafter referred to as “Client”) and in consideration of same, following is mentioned:
The Guarantor is the legal and beneficial owner of the Company (mention the name of the Parent Company) having _____% (_____ percent) (the “Shares”) of the total fully paid up share capital.
4. The Guarantor hereby undertakes to the Client that, without the written consent of the Client, it shall not:
- (a) Sell, transfer and / or otherwise dispose of or deal with the whole or any part of the Shares in any way which will affect the beneficial ownership and control of the Guarantor in the Lead member/Constituent member/Sub Consultant [whichever applicable];
 - (b) create or attempt to create or agree to or permit the creation of any security and / or charge and / or encumbrance on the Shares in favour of any person; and the creation of any security and/or charge and / or create any lien and / or encumbrance or an attempt to create any of the above on the Shares without the prior written consent of the Client shall be null and void and shall be deemed to be a breach of this Guarantee; and,
 - (c) Take any action which directly or indirectly may result in the Consultant (Subsidiary Company) being unable to comply with its obligations or perform in any way the execution of the IR Consultancy Contract(s).

NOW IT IS HEREBY UNDERTAKEN AND AGREED AS FOLLOWS: -

1. In connection with Para-2, above, the Parent Company (Guarantor), unconditionally communicates to the Client (DFCCIL) that the Consultant (subsidiary Company) may use the experience of the Parent Company to meet the Eligibility criteria, as stipulated under Annexure-1 to the EOI Document. Accordingly, the Consultant can reflect the information regarding the Experience, as required under Sub Section 2.3 to the Annexure-1 to the EOI Document and can, duly, reflect the same in Format appended as Form-4 (Appendix to Annexure-1 to the EOI Document)
2. In connection with Para-2.1, above The Parent Company (Guarantor), unconditionally communicates to the Client (DFCCIL) that the Guarantor undertakes to loan, **for a minimum Two Year period from the date of the issuance of this PCG**, further extendable, to meet the requirements of execution of any IR Consultancy Contract(s), awarded, post empanelment to the aforesaid Consultant _____ (as Subsidiary company of the Parent Company), the **Key Personnel**, as defined under **Sub section 2.4 of the Annexure-1** to the EOI Document and more as per the requirement of the requirements of execution of any IR Consultancy Contract , **on the permanent payroll of the Parent Company** [*strike this sub para, if inapplicable*]
3. The Guarantor (the Parent Company) hereby irrevocably and unconditionally guarantees, undertakes, covenants and / or confirms to the Client, that the Guarantor shall do all acts, deeds, matters and things in order to ensure that the Subsidiary Company (the Consultant) shall at all times continue to be the Related Party and that the Subsidiary shall not transfer, assign, dispose of, pledge, charge or create any lien or in any way encumber any shares, in any manner whatsoever, which directly or indirectly, is in contravention of any of the terms and conditions of the Guarantee.
4. The Guarantor hereby irrevocably and unconditionally guarantees to the Client that Subsidiary Company (Consultant) shall perform its obligations, stipulated under the IR Consultancy Contracts, awarded to the Consultant after empanelment, under this EOI, of the Consultant.

5. The Guarantor unconditionally and irrevocably guarantees that it shall make available or cause to be made available to the Subsidiary company (the Consultant) all financial, technical and other resources as may be required and shall do all acts, deeds, matters and things so as to ensure that the Subsidiary company can duly carry out its obligations as per the terms and conditions of the IR Consultancy Contracts awarded to the Consultant after empanelment, under this EOI, of the Consultant. The Guarantor hereby covenants, confirms and undertakes that the Subsidiary company (the Consultant) shall at all times fully and effectively discharge their obligations under the terms and conditions of aforesaid IR Consultancy Contracts.
6. The Guarantor hereby agrees that in the event that the Subsidiary company (Consultant), in any respect commits any breach and / or default or fails to fulfill any of the terms of the Bid Documents and / or the IR Consultancy Contract, then the Guarantor will forthwith perform the same and fulfill all the obligations required under the terms and conditions of the same IR Consultancy Contract on behalf of the Subsidiary Company without any extra cost and time implications.
7. The Guarantor further undertakes to indemnify all losses, damages, expenses, claims, costs and proceedings which may be suffered or incurred by Indian Railways due to the failure or breach on the part of the Guarantor to comply with the terms of this Guarantee.
8. The Guarantor assures and undertakes that during the term of the contract or of any guarantee for performance as per the IR Consultancy Contract(s), the Guarantor shall continue to be the parent company of the Subsidiary company and the Guarantor's liability shall not be affected due to any incapacity or lack of power or legal personality or change in the status of the Guarantor and / or the Subsidiary Company.
9. The obligation of the Guarantor shall take effect from the date of issue of this Guarantee and shall remain in full force until all the obligations under the Contract have been fully performed and discharged.
10. The Guarantor (the Parent Company), unconditionally, avers that this Parent Company Guarantee shall remain valid **for a minimum Two Year period from the date of the issuance of this PCG**, further extendable, to meet the requirements of execution of any IR Consultancy Contract(s), awarded, post empanelment to the aforesaid Consultant _____ (as Subsidiary company of the Parent Company).
11. The liabilities of the Guarantor under this Guarantee shall remain in full force and effect and shall not be discharged, diminished or otherwise affected by: -
 - (a) Any change in the charter documents, articles of association, memorandum of association or bye – laws or constitution of the Guarantor;
 - (b) Any time, indulgence, waiver or consent given to the Guarantor by the Indian Railways/Client;
 - (c) Any amendment to this EOI Document / IR Consultancy Contract (as awarded post empanelment to the Consultant) and to any supplemental agreement and / or arrangement thereto agreed between the Client and the Guarantor; and.
 - (d) The dissolution, amalgamation, reconstruction or reorganization of the Guarantor.

Yours faithfully,

Signed by: _____

Date: _____

For and on behalf of: _____

(Name of Consultant's Parent company)

[Attach the Power of Attorney (POA), signed by the Parent Company Authority, competent to issue such Parent Company Guarantee (attach relevant extracts from relevant Board of Director-BoD Minutes), duly authorising the above Signatory to sign and issue this irrevocable Parent Company Guarantee (PCG)]