

नैट्रिप क्रियान्वयन समिति

(भारत सरकार के भारी उद्योग एवं लोक
उद्यम मंत्रालय के अंतर्गत पंजीकृत समिति)
उद्योग भवन, नई दिल्ली - ११००११

NATRIP

NATRIP Implementation Society

(A Registered Society under the Ministry of
Heavy Industries & Public Enterprises,
Government of India), Udyog Bhawan,
New Delhi- 110011

RFQ NO: NAT/PPP/CHN-IND/16/101/17621

Dated, 28th Nov, 2016

Corrigendum- 2

Sub: Seeking comment on the draft Request for Qualification (RFQ) for invitation of private partners for investment in NATRIP Projects at GARC - Chennai and NATRAX - Pithampur centers under PPP (Public Private Partnership) mode.

Dear Sirs,

With reference to the above subject NATRIP had uploaded the draft Request for Qualification (RFQ) vide letter no. NAT/PPP/CHN-IND/16/101/17404, dated 19th Sept, 2016.

Interested parties are requested to send their comments on the draft RFQ Document by email to anuraj.p@natrip.in, anuj.kumar@natrip.in, on or before 17.00 Hrs on 06th January, 2017.

Thanks & Regards,



**Project Officer (Procurement)
NATRIP Implementation Society**

राष्ट्रीय वाहन परीक्षण एवं शोध व विकास संरचना परियोजना
संयुक्त कार्यालय: एन.बी.सी.सी. प्लेस, साउथ टावर, तीसरी मंजिल, भीष्म पितामह मार्ग, प्रगति विहार, लोधी रोड, नई दिल्ली - ११०००३

National Automotive Testing and R&D Infrastructure Project

Corporate Office: N.B.C.C. Place, South Tower, 3rd Floor, Bhisma Pitamah Marg, Pragati Vihar, Lodhi Road, New Delhi - 110003

Tel.: +91-11-24368222, 49215555, Fax: +91-11-24369333, Website: www.natrip.in Email: team@natrip.in

RFQ NO: NAT/PPP/CHN-IND/16/101/17404

Dated, 19th September, 2016

Sub: Seeking comment on the draft Request for Qualification (RFQ) for invitation of private partners for investment in NATRIP Projects at GARC - Chennai and NATRAX - Pithampur centers under PPP (Public Private Partnership) mode.

Dear Sirs,

With reference to the above subject, NATRIP is in the process of finalizing the draft document for Request for Qualification for invitation of private partners for investment in NATRIP Projects at GARC - Chennai and NATRAX - Pithampur centers under PPP (Public Private Partnership) Model. Accordingly a draft document has been prepared.

But, prior to notifying RFQ documents formally, comments are solicited from all the stakeholders on the draft RFQ document at Annexure - I, for further review and consideration.

The summary of views given by Society of Indian Automobile Manufacturers (SIAM) on the said model is placed as Annexure -II.

The comments may be sent by post to NATRIP- HQ, New Delhi or by email to anuraj.p@natrip.in, anuj.kumar@natrip.in.

Thanks & Regards,

Anuraj
19/9/16



Project Officer (Procurement)
NATRIP Implementation Society



**National Automotive Testing and
R&D Infrastructure Project**

RFQ. NO. NAT/PPP/CHN-IND/16/101

Request for Qualification (RFQ)

For

**Invitation of private partners for investment in NATRIP Projects at GARC -
Chennai and NATRAX - Pithampur centers under PPP (Public Private
Partnership) Model**

Communication address:

NATRIP Implementation Society
NBCC Place, South Tower, 3rd Floor, Bhishma Pitamah Marg,
Pragati Vihar, Lodhi Road, New Delhi-110003



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Disclaimer

The information contained in this Request for Qualification document (the “RFQ”) or subsequently provided to Bidder(s), whether verbally or in documentary or any other form by or on behalf of the Authority or any of its employees or advisors, is provided to Bidder(s) on the terms and conditions set out in this RFQ and such other terms and conditions subject to which such information is provided.

This RFQ is not an agreement and is neither an offer nor invitation by NATRIP implementation Society (Authority) to the prospective Bidders or any other person. The purpose of this RFQ is to provide interested parties with information that may be useful to them in making their financial offers (Bids) pursuant to this RFQ. This RFQ includes statements, which reflect various assumptions and assessments arrived at by the Authority in relation to the proposal through PPP Model. Such assumptions, assessments and statements do not purport to contain all the information that each Bidder may require. This RFQ may not be appropriate for all persons, and it is not possible for the Authority, its employees or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses this RFQ. The assumptions, assessments, statements and information contained in the Bidding Documents, may not be complete, accurate, adequate or correct. Each Bidder should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this RFQ and obtain independent advice from appropriate sources.

Information provided in this RFQ to the Bidder(s) is on a wide range of matters, some of which may depend upon interpretation of law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. The Authority accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.



The Authority, its employees and advisors make no representation or warranty and shall have no liability to any person, including any Applicant or Bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFQ or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the RFQ and any assessment, assumption, statement or information contained therein or deemed to form part of this RFQ or arising in any way for participation in this Bid Stage.

The Authority also accepts no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Bidder upon the statements contained in this RFQ.

The Authority may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFQ.

The issue of this RFQ does not imply that the Authority is bound to select a Bidder or to appoint the Selected Bidder or Concessionaire, as the case may be, for the Proposal under PPP Model and the Authority reserves the right to reject all or any of the Bidders or Bids without assigning any reason whatsoever.

The Bidder shall bear all its costs associated with or relating to the preparation and submission of its Bid including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the Authority or any other costs incurred in connection with or relating to its Bid. All such costs and expenses will remain with the Bidder and the Authority shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by a Bidder in preparation or submission of the Bid, regardless of the conduct or outcome of the Bidding Process.



1. INTRODUCTION:

The NATRIP Implementation Society (NATIS) (the “**Authority**”) under Ministry of Heavy Industry & Public Enterprises, Govt. Of India is setting up various state of the art R&D, Certification & homologation centres with Proving Ground across the country under National Automotive testing and R&D infrastructure Project (NATRIP).

Department of Heavy Industry, Govt. of India is exploring the feasibility of funding by the Private sector in NATRIP facilities at GARC-Chennai & NATRAX-Indore (“**Proposal**”) through Public Private Partnership (the “**PPP**”), and has, therefore, decided to carry out the bidding process for selection of a private entity as the Bidder to whom the Proposal may be awarded. Brief particulars of the facilities are as follows:

The details of the testing facilities being setup in GARC-Chennai & NATRAX-Indore along with the investment & completion outlook are as under-

GARC-Chennai

Power train Lab, Passive Safety Lab, Electromagnetic Compatibility Lab, Fatigue & Certification Lab, Test tracks, Infotronics Lab, CAD/CAE Lab, Calibration Lab with an overall original investment of Rs. 963 Cr. and expected completion by Dec-2017. (For more details ref www.garc.co.in, www.natrip.in)

NATRAX-Indore

Power train Lab, Vehicle dynamics Lab, CAD/CAE lab, Test tracks, calibration lab with an overall original investment of Rs. 1321 Cr. and expected completion outlook by Dec-2017 except High speed track which is by June, 2019. (For more details ref, www.natrip.in)



1.1 Purpose:

NATIS wishes to assess whether there are sufficient numbers of interested and qualified private sector parties to participate in a competitive procurement process for this Proposal. If this can be ascertained, NATIS will invite eligible parties to submit their bid for this Proposal, and evaluate them for selection of successful bidder. NATIS is committed to ensure that the whole process is conducted in a fair, open and transparent manner.

The purpose of this Request for Qualifications (RFQ) is to ascertain levels of private sector interest in the Proposal and, if possible, to shortlist proponents who demonstrate appropriate qualifications to carry out the Proposal. This RFQ includes sufficient summary level information to assist proponents in preparing their RFQ Submission.

1.2 Procurement Process Overview:

The procurement process for this Proposal involves two phases:

- a) Phase-I, consisting of this RFQ to be responded to with a RFQ Submission, and
- b) Phase - II, consisting of a Request for Proposals (RFP) inviting formal proposals relating to the Proposal to be submitted.

A committee will be established by NATIS to guide both phases of the process.

The following timetable provides an overview of the main components of the procurement process for the Proposal. It should be noted that successful participation in Phase-I is a mandatory requirement for continued participation in the process.



PHASE –I, RFQ:

| Component | Date /Deadline |
|------------------------------------|-----------------------|
| Release of RFQ | [date] |
| RFQ Bidder meeting | [date] |
| RFQ Submission date | [date] |
| RFQ pre-qualification notification | [date] |

PHASE –II, RFP

| Component | Date /Deadline |
|--|-----------------------|
| Release of RFP | [date] |
| RFP Bidder meeting | [date] |
| RFP Submission due | [date] |
| Notification of selection of successful bidder | [date] |
| Execution of letter of intent with successful bidder | No later than [date] |
| Execution of Proposal agreements | No later than [date] |

RFQ Bidders should note that the high level description of the Proposal and the RFP set out in this RFQ represents NATRIP's present approach and is subject to final determination at a later date. A full description of the scope (if required) will be included in the RFP.



1.3 Legislative and Regulatory Background:

NATIS is a society registered at the instance of Ministry of Heavy Industries and Public Enterprises, Govt. Of India under the Societies Registration Act, 1860 as amended in the Union Territory of Delhi by Punjab Act 31 of 1957 for implementation of National Automotive Testing and R&D Infrastructure Project (NATRIP) in July 2005.

NATRIP is an important initiative by the Government of India to create world – class automotive testing, validation, R&D and homologation facilities in line with emerging requirements of the National Automotive Safety and Emission roadmap.

Certification is a sovereign function to be carried out in NATRIP funded projects. Such a system of certification is prevalent in most of the European countries, in which the government issues certificate for compliance to the relevant regulations as per the law of the country.

Under Rule 126 of the CMVR, various test agencies under NATRIP are also identified to test and certify the vehicles based on the safety standards, emission norms and road worthiness. In addition to the type approval/COP of vehicles the critical components essential for safety of vehicles like brakes, steering, lighting, tyres, wheel rims, safety glass, mirrors, seats, seat anchorage, belts etc. are also carried out.

NATRIP facilities would play a major role in the growth of the Indian automotive industry and contributing to the economy of the country. The infrastructure being setup under NATRIP is essential to adopt global best practices in design, testing and operations of motor vehicles in India which would result in India manufactured vehicles becoming globally competitive for export.



2. DESCRIPTION OF THE PROPOSAL

2.1 Scope of work:

To fund the NATRIP facilities at GARC-Chennai & NATRAX-Indore (the “**Proposal**”) through Public Private Partnership (the “**PPP**”).

Brief particulars of the Proposal are as follows:

The details of the testing facilities being setup in GARC-Chennai & NATRAX-Indore along with the investment & completion outlook are as under-

GARC-Chennai

Power train Lab, Passive Safety Lab, Electromagnetic Compatibility Lab, Fatigue & Certification Lab, Test tracks, Infotronics Lab, CAD/CAE Lab, Calibration Lab with an overall original investment of Rs. 963 Cr. and expected completion by Dec-2017.

NATRAX-Indore

Power train Lab, Vehicle dynamics Lab, CAD/CAE lab, Test tracks, calibration lab with an overall original investment of Rs. 1321 Cr. and expected completion outlook by Dec-2017 except High speed track which is by June, 2019.

Bidder’s Responsibilities:

- a) Funding of the Proposal
- b) Running of the test centres
- c) xxxxxxxxxx
- d) xxxxxxxxxxxx

2.2 Proposal Agreement:



The successful bidder will enter into a Proposal Agreement to carry out/invest in the Proposal. A draft for this agreement (the Proposal Agreement) is set out in Annexure xxxxxx of this RFQ. This agreement serves to define the Proposal and is intended to represent the basis of a financeable Proposal and have an allocation of risk to this end.

RFQ Bidders are invited to provide as part of their RFQ Submissions, any comments they might have on the Proposal Agreement. NATIS will analyse these comments and decide whether or not to make changes to the draft of agreement that will be attached to the RFP.

3. INSTRUCTION TO BIDDERS:

3.1 RFQ Submission deadline:

NATIS must receive RFQ Submissions no later than [time] on [date] at the Corporate Office, **NBCC Place, 3rd Floor, South Tower, Bhishm Pitamah Marg, Pragati Vihar, Lodhi Road, New Delhi, 110030**. RFQ Submissions must be delivered by hand/Courier/Post, and will not be accepted by fax or electronic mail.

NATIS may extend the RFQ Submission deadline for such period of time as deemed appropriate.

RFQ Submissions received after the RFQ Submission deadline may be returned unopened.

3.2 RFQ Submission Requirements:

RFQ Submissions must be in English and in compliance with the requirements set out in this RFQ. Each RFQ Submission must be delivered in sealed package marked "Technical and Commercial Information", which must contain one (1) original and two (2) bound copies of the remaining portions of the RFQ Submission requirements (as set out in Section 3.3).



The package must include the name and address of the RFQ Bidder.

RFQ Bidders should follow the format set out in Section 3.3 to facilitate evaluation of RFQ Submissions. Such RFQ Submissions should contain concise written material and illustrations that enable a clear understanding and evaluation of the RFQ Bidders' capabilities.

RFQ Submissions submitted in any other manner or form may be rejected. Only the information required for an RFQ Submission should be submitted in the package. Supplementary information included in the package that is not specifically required pursuant to this RFQ may be disregarded. RFQ Bidders should therefore review the RFQ and ensure that the appropriate information is submitted.

3.3 Content and format for RFQ Submission

| |
|--|
| Cover page(s): To include identification of RFQ Bidder and Submission Form |
| Table of Contents |
| Chapter 1- General Information |
| <p>1.1 Description of RFQ Bidder:</p> <p>Identify the nature of the business and the form and ownership of the RFQ Bidder's business structure (e.g., corporation, partnership, joint venture, consortium, special purpose vehicle).</p> <p>1.2 Description of Proposal Lead for the RFQ Bidder:</p> <p>Identify the individual who will be responsible for leading the Proposal, including title and any relevant experience.</p> <p>1.3 Contact Person</p> <p>Provide a single contact person for all future communication between [the Procuring Entity] and the RFQ Bidder. Identify the contact person's name, title, organization, address, telephone number, and fax number.</p> |



Chapter 2 – Technical and Operational Capability

RFQ Bidders must provide evidence of their ability to commission (incomplete works if any), operate and maintain the Facility. [include any specific criteria or requirement based on the characteristics of the Proposal]

Chapter 3 – Proposal Management Capability

RFQ Bidders must provide evidence of their ability to manage the implementation of the Proposal. [include any specific criteria or requirement based on the characteristics of the Proposal]

Chapter 4 - Financial Capability

RFQ Bidders must provide evidence of their ability to procure and finance the Facility. RFQ Bidders should note that information and materials submitted to demonstrate financial capability should also be provided along with the Proposal. [include any specific criteria or requirement]

Chapter 5 - Other Requirements

In addition to the above requirements, each RFQ Bidder must: [...XXX include any additional specific criteria or requirement based on the characteristics of the Proposal]

Chapter 6 - Comments on the Proposal Agreement Draft

RFQ Bidders may include comments on the Proposal Agreements drafts provided in this RFQ.

3.4 Consortium:

In case the Applicant is a Consortium, it shall, in addition to forming an SPV, comply with the following additional requirements:

- (a) Number of members in a consortium shall not exceed xxx (xxx), but information sought in the Application may be restricted to xxx (xxx) members in the order of their equity contribution.



-
- (b) subject to the provisions of sub-clause (a) above, the Application should contain the information required for each member of the Consortium;
- (c) members of the Consortium shall nominate one member as the lead member (the “Lead Member”), who shall have an equity share holding of at least 26% (twenty six per cent) of the paid up and subscribed equity of the SPV. The nomination(s) shall be supported by a Power of Attorney, as per the format at Appendix-xxxxx, signed by all the other members of the Consortium.
- (d) the Application should include a brief description of the roles and responsibilities of individual members, particularly with reference to financial and technical obligations.
- (e) an individual Applicant cannot at the same time be member of a Consortium applying for pre-qualification. Further, a member of a particular Applicant Consortium cannot be member of any other Applicant Consortium applying for pre-qualification.
- (f) the members of a Consortium shall form an appropriate SPV to execute the Proposal, if awarded to the Consortium;
- (g) members of the Consortium shall enter into a binding Joint Bidding Agreement, substantially in the form specified at Appendix-xxxxx (the “Jt.Bidding Agreement”), for the purpose of making the Application and submitting a Bid in the event of being short-listed. The Jt. Bidding Agreement, to be submitted along with the Application, shall, inter alia:
- (i) convey the intent to form an SPV with shareholding/ ownership equity commitment(s) in accordance with this RFQ, which would enter into the Concession Agreement and subsequently perform all the obligations of the Concessionaire in terms of the Proposal Agreement, in case awarded to the Consortium;
 - (ii) clearly outline the proposed roles and responsibilities, if any, of each member;
 - (iii) commit the minimum equity stake to be held by each member.
 - (iv) commit that each of the members, whose experience will be evaluated for the purposes of this RFQ, shall subscribe to 26% (twenty six per cent) or more of the paid up and subscribed equity of the SPV and shall further commit that each such member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity



share capital of the SPV; and (ii) 5% (five per cent) of the Total Project Cost specified in the Concession Agreement.

(v) members of the Consortium undertake that they shall collectively hold at least 51% (fifty one per cent) of the subscribed and paid up equity of the SPV at all times until the second anniversary of the commercial operation date of the Project; and

(vi) include a statement to the effect that all members of the Consortium shall be liable jointly and severally for all obligations of the Concessionaire in relation to the Project until the Financial Close of the Project is achieved in accordance with the Concession Agreement.

(h) Except as provided under this RFQ and the Bidding Documents, there shall not be any amendment to the Jt. Bidding Agreement without the prior written consent of the Authority.

3.5 Change in composition of Consortium:

Change in the composition of a Consortium will not be permitted by the Authority during the Qualification Stage.

Where the Bidder is a Consortium, change in the composition of a Consortium may be permitted by the Authority during the Bid Stage, only where:

- (a) the application for such change is made no later than 15 (fifteen) days prior to the Bid Due Date;
- (b) the Lead Member continues to be the Lead Member of the Consortium;
- (c) the substitute is at least equal, in terms of Technical Capacity, to the Consortium Member who is sought to be substituted and the modified Consortium shall continue to meet the pre-qualification and short-listing criteria for Applicants; and
- (d) the new Member(s) expressly adopt(s) the Application already made on behalf of the Consortium as if it were a party to it originally, and is not an Applicant/Member/Associate of any other Consortium bidding for this Project.

Approval for change in the composition of a Consortium shall be at the sole discretion of the Authority and must be approved by the Authority in writing.

3.6 Amendment of RFQ:



At any time prior to the deadline for submission of Application, the Authority may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the RFQ by the issuance of Addenda.

Any Addendum thus issued will be sent in writing to all those who have purchased the RFQ.

In order to afford the Applicants a reasonable time for taking an Addendum into account, or for any other reason, the Authority may, in its sole discretion, extend the Application Due Date.

The discussions in the Pre- bid meeting which are acceptable to NATIS shall be incorporated in the RFQ document and shall be a part of the final RFQ document.

3.7 Site Visit and verification of Information:

Applicants are encouraged to submit their respective Applications after visiting the site (GARC – Chennai & NATRAX – Indore) and ascertaining themselves the site condition, traffic, location, surroundings, climate, access to site, applicable laws and regulations, and any other matter considered relevant to them.

3.8 Acknowledgement by Applicant:

It should be deemed that by submitting the Application, the Applicant has:

- (a) made a complete and careful examination of the RFQ;
- (b) received all relevant information requested from the Authority;
- (c) accepted the risk of inadequacy, error or mistake in the information provided in the RFQ or furnished by or on behalf of the Authority relating to any of the matters referred to in Clause 3.7 above; and
- (d) agreed to be bound by the undertakings provided by it under and in terms hereof.

The Authority shall not be liable for any omission, mistake or error in respect of any of the above or on account of any matter or thing arising out of or concerning or relating to the RFQ or the Bidding Process, including any error or mistake therein or in any information or data given by the Authority.



4. REVIEW AND EVALUATION OF SUBMISSIONS:

4.1 RFQ Submission Review:

RFQ Submissions will be reviewed to ensure that all of the information requested is included and that the RFQ Submission is, therefore, complete. The completeness review will ensure that (i) the required contents have been submitted and (ii) that such contents have been submitted in the format as set out in this RFQ. Failure to provide a substantially complete RFQ Submission may result in the RFQ Submission not being evaluated for content. A substantially complete RFQ Submission means an RFQ Submission that, in NATIS's unqualified subjective discretion, represents a good faith effort to meet the requirements as set out in this RFQ.

4.2 RFQ Submission Evaluations:

All substantially complete RFQ Submissions will be evaluated by NATIS using the criteria set out in Section 5. If the RFQ Bidder fails to meet any of the evaluation criteria required to pass the RFQ Submission evaluation as set out in Section 5, NATIS will disqualify the relevant RFQ Bidder.

Meeting the criteria is an ongoing requirement that will continue even after the RFQ Submissions have been submitted and evaluated. RFP Bidders will be required to include an acknowledgement with their RFP Submissions that they continue to meet the RFQ evaluation criteria. Further details on the ongoing nature of the evaluation criteria will be set out in the RFP.

4.3 Clarifications:

During the evaluation of RFQ Submissions, NATIS may request the RFQ Bidder to provide further clarification of any part of its RFQ Submission.



NATIS may disqualify the relevant RFQ Bidder if the clarification reveals:

- That information contained in the RFQ Submission is materially inaccurate;

or

- Information that may materially adversely affect the ability of the RFQ Bidder, while making the relevant RFQ Submission, to deliver the Proposal.

RFQ Bidders should make no assumption in an RFQ Submission that NATIS has any knowledge of the RFQ Bidder or its team members, or of the experience, expertise or performance of the RFQ Bidder or team members on Proposals other than provided in a RFQ Submission.

4.4 RFQ Pre- qualification notification:

NATIS will issue the RFQ pre-qualification notification indicating which RFQ Bidders are eligible to [purchase/obtain] the RFP in order to participate in the second phase of the procurement process for the Proposal. NATIS will publish on its website a list of these pre-qualified bidders.

5. EVALUATION CRITERIA:

This section sets out the evaluation criteria that RFQ Bidders must meet.

5.1 Technical Capability:

- a) Each RFQ Bidder shall demonstrate the adequate technical capability (as defined at Appendix – 1) and experience with due diligence for the past 5 (five) financial years (either directly or through their Consortium partners) to undertake the investment in NATRIP Proposals as set out in the Scope of Work at Section 2.1. For GARC- Chennai site the RFQ bidder shall satisfy the Technical capability mentioned at Sr. No.



1&3 of the Appendix -1 and for NATRAX - Indore site the RFQ bidder shall satisfy the Technical capability mentioned at Sr. No. 2&3 of the Appendix -1

b) The Consortium members on whose strength the RFQ Bidder has been short listed should have a substantial stake in the said Proposal. Each member should, therefore hold at least 26% of the equity in the SPV (Special Purpose Vehicle) and should also hold equity equal to at least 5% of the total Proposal cost for a period of 2 (two) years from the date of commercial operation of the said proposal. The number of members in the consortium shall not exceed **xxx nos.**

c) Bidder shall be a Public listed company in any country under the Companies Act governing the company(ies)and shall be in the business in more than three countries.

d) The bidder shall be an agency involved in the business of automotive sector (i.e.automotive industry involved in design/development/manufacturing/testing of motor vehicles or its components)such as the Original Equipment Manufacturer (OEM)/Testing equipment manufacturer/automotive testing operations/facility owners including test tracks.

e) The bidder shall not have a conflict of interest among the OEMs due to confidentiality of the product while operating the two centres i.e GARC & NATRAX under NATRIP.

f) The bidder shall be liable for disqualification if convicted in any legal, financial, technical matter before the court of law of the country anywhere in the world, against the bidder or the Consortium partner. Any entity which has been barred by the Central/State Government or any entity controlled by it in India from participating in any project/similar works, and the bar subsists as on date of the Application, would not be eligible to submit the an Application, either individually or as a member of a Consortium.



5.2 Financial Capability:

Each RFQ Bidder must show that it has strong credit backing, and can directly or indirectly successfully arrange financing for the Proposal, and arrange the required security.

- a) The applicant shall have a minimum Net worth of Rs. xxCr at the close of the preceding financial year.
- b) In case of a Consortium, the combined Technical capacity and Net Worth of those members, who shall have an equity share of at least 26% (twenty six) each in the SPV (Special Purpose Vehicle), should satisfy the above conditions of eligibility; provided that each member shall, for a period of 2 years from the date of commercial operation of the Proposal, hold an equity share capital not less than (i) 26% of the subscribed and paid up equity of the SPV; and (ii) 5% of the Total Proposal Cost specified in the Agreement.
- c) The bidder shall comply with the Guidelines of the Department of Dis- investment, Govt. Of India issued vide Notification No: 6/4/2001-DD-II dated 13/7/2001. The bidders who do not comply with the guidelines shall be summarily rejected.

5.3 Proposal Management Capability:

Each RFQ Bidder must show that is has the ability to manage theProposal of this nature and scope as defined in this RFQ document.

A description of each Proposal should be presented. No more than [number (#)]Proposals should be submitted in response to this RFQ. Additional Proposals will not be reviewed or evaluated.

6. OTHER MATTERS:

6.1 Cost and Expenses of RFQ Bidders:



All costs and expenses incurred by an RFQ Bidder in the preparation and delivery of its RFQ Submission or in providing any additional information necessary for the evaluation of its RFQ Submission will be borne solely by the RFQ Bidder.

6.2 Changes to RFQ Bidders:

If there is a material change in the information provided to demonstrate technical, financial and Proposal management capabilities of a RFQ Bidder which has made an RFQ Submission, the applicable RFQ Bidder must notify NATIS in writing by delivery or facsimile/email (at the Submission Address), within five (5) working days of any such addition, deletion or change. NATIS has the right to disqualify any such RFQ Bidder and/or to reject the RFQ Submission of any such RFQ Bidder, if NATIS considers that the addition, deletion or change may have a material adverse impact on the ability of the RFQ Bidder to successfully implement the Proposal.

6.3 Examination and Interpretation of Documents:

Each RFQ Bidder is responsible for ensuring that it has all the information necessary to respond to this RFQ and for independently informing and satisfying itself with respect to the information contained in this RFQ, and any conditions that may in any way affect its RFQ Submission.

6.4 Rights of NATIS:

Notwithstanding anything else in this RFQ, NATIS has the right to change the dates, annex, deadlines and requirements described in this RFQ, to reject any or all RFQ Submissions, to disqualify any RFQ Bidder, to change the limits and scope of the procurement process and/or Proposal, to cancel this RFQ or the procurement process and/or Proposal



or to elect not to proceed with the procurement process and/or Proposal for any reason, whatsoever, without incurring any liability for costs and damages incurred by any RFQ Bidder.

6.5 No Collusion:

At all times, each RFQ Bidder will be responsible to ensure that its participation in this RFQ process is conducted fairly and without collusion or fraud. NATIS has the right to disqualify any RFQ Bidder and/or reject any RFQ Submission where it finds any evidence that an RFQ Bidder has taken part in collusive or fraudulent behaviour.

6.6 NATIS's Right to Verify:

NATIS may independently verify any information in any RFQ Submission. NATIS has the right to disqualify any RFQ Bidder and/or to reject the RFQ Submission of any RFQ Bidder whose RFQ Submission contains any false or misleading information. NATIS also has the right to disqualify any RFQ Bidder and/or to reject the RFQ Submission of any RFQ Bidder, who, in NATIS's discretion, has failed to disclose any information that would, if disclosed, materially adversely affect the evaluation of the relevant RFQ Bidder's RFQ Submission.

6.7 Failure to Comply:

Failure to comply with any requirements of this RFQ may result in disqualification of the RFQ Bidder and/or the rejection of its RFQ Submission.

6.8 Governing Law and Jurisdiction:

The said Proposal under this RFQ document shall be governed by the Law of India. Any dispute arising out of or relating to this proposal shall be settled under the Courts of Delhi.

Technical Capability:

The bidder (Individual/Consortium) shall have **any/at least xxx** number of the capabilities mentioned as under to demonstrate the Technical Capability as mentioned in the RFQ document at Section 5.1

| | |
|---|--|
| 1 | <p>Shall have the expertise in the testing of automotive vehicles of any class as per the regulatory requirements and prevailing global standards.</p> <p>This shall include the expertise in the Emission & Fuel Economy testing/Vehicle performance testing/Electromagnetic Compatibility Testing (EMC)/Crash testing (with Anthropomorphic Test Devices – ATDs)/Fatigue and Durability testing/ Vehicle Components Testing.</p> |
| 2 | <p>Shall have the capability of Design, Construction and management of Proving Grounds including the High Speed Oval tracks. The bidder shall also have the knowledge of running/management of such test centers (Proving grounds) to fulfill the regulatory requirements and prevailing global standards.</p> |
| 3 | <p>Shall have R&D Capabilities including design, development and manufacturing of Automotive Vehicle/ Vehicle testing equipments/Vehicle components.</p> |

Views of SIAM on Public Private Partnership for Investments on NATRIP Projects at GARC- Chennai and NATRAX – Pithampur:

“There are two major activities in any automotive testing centre namely vehicle certification testing and vehicle development testing. Globally it is observed that for the purpose of vehicle certification testing, the responsibility and authority of issuance of final certificate is always retained with the government or agencies directly under the control of the relevant ministry. However, it may also be noted that currently all development testing and the activities related to upkeep of test facility, test conduct, report preparation and test report release in many countries are being handled by designated accredited private agencies like TUV, IDIADA, SGS etc, with strict auditable quality systems in place.

Therefore in our view, in order to avoid conflict of interest, it may not be desirable to have involvement of OEM members in vehicle certification process through direct /indirect equity participation or management control. For the purpose of development testing, you may like to explore creation of Special Purpose Vehicle based on consortium approach for running the NATRAX type of centre which is primarily going to be used for vehicle validation and systems Development testing purposes. In our view, the management of facilities even on any commercial model should not have companies having direct or indirect interest in vehicles, engines or vehicle system developments. The entity selected shall be similar to IDIADA, Dekra etc which are not in to equipment manufacturing or engine / vehicle development.”