

**Eligibility Criteria**

**Eligibility Criteria of the Applicant**

**1.0 Eligibility Criteria**

The applicant's competence and capability is proposed to be established by the following parameters. The applicant should meet all the criteria given in this section.

- a) The applicant should be a sole proprietorship, registered partnership firm, LLP, public limited company, private limited company or Consortium of any of the above. Consortium members preferably should be of two & in no case more than three. The firms and the companies should be registered in India.

**b) Financial Capacity –**

The applicant's competence and capacity is proposed to be established in terms of average annual turnover ("Average Annual Turnover"), the Financial Capacity.

The applicant should have minimum average annual turnover of *INR 1.5 crores (Rupees One Crore Fifty lakhs only)* in the last three (03) Financial Years (2019-20, 2020 - 21 & 2021 – 22), preceding to the application submission date.

**Example:** *If the applicant is applying for Two (02) Metro Stations, the minimum average annual turnover of INR 3.00 crores (Rupees Three Crores Only) in the last 3 (three) Financial Years preceding application submission date is required. (Minimum average annual turnover per station \* Number of Stations = INR 1.5 crores x 2 Stations = INR 3.00 crores)*

In case of an application by a Consortium of firms, following shall be abided by their members:

- i) For the purpose of evaluation of the consortium, each member's contribution towards the turnover shall be considered in the same ratio of their equity participation in the consortium. (Illustration: Say If "A" and "B" are two members of Consortium. "A" is having 70% equity holding in Consortium and "B" is having 30% equity holding in Consortium. In such a condition, 70% of "A's" total turnover and 30% of "B's" total turnover will be taken into consideration for evaluation of eligibility of the Consortium).
- ii) The Lead Member of the Consortium shall maintain a minimum percentage share of 51% of the aggregate shareholding of the Consortium during full tenure of License Agreement
- iii) Any change in percentage stake of Consortium members without prior written approval of NMRC shall be treated as Material Breach of Contract and Licensee's Event of Default entitling NMRC to encash Interest Free Security Deposit/Performance Security and /or to terminate the License Agreement after 30 days notice.
- iv) Minimum percentage stake of any member in Consortium during license period (including lock-in period) shall not be less than 15%.

- v) Partners having less than 26% participation shall be considered as non-substantial partner and shall not be considered for evaluation which means that their eligibility shall not be considered for evaluation of Consortium.
  - vi) All members of such entity shall be jointly and severally liable for the due performance of License agreement.
- c) The applicant should not have been blacklisted/ banned/ declared ineligible for corrupt and fraudulent practices by the Government of India/ any State Government/ Government Agency and Supreme court in last 5 (five) financial years.

**The applicant shall also furnish the following duly signed/certified documentary proof:**

**For above criteria (a):-**

- i) Self-attested copy of Letter of incorporation, Memorandum and Article of Association showing objectives of the Company/firm/Partnership/Consortium & duly notarized power of attorney
- ii) Self-attested copy of PAN card of the company/firm/Partnership/Consortium; the GST registration & TAN No. (if applicable)

**For above criteria (b)**

- i) **Annexure C: Financial Capability Details**
- ii) A copy of the Audited balance sheets and Profit and Loss Statements for the last 3 (three) financial years (2019 – 20, 2020 – 21 & 2021 – 22) preceding to the application submission date (For all the members in case of Consortium)

In case the Financial Statements for the latest financial year (**FY – 2021 – 22**) is not audited and therefore the applicant cannot make it available, the applicant shall give an undertaking to this effect and the statutory auditor/chartered accountant shall certify the same. In such a case, the applicant shall provide the Audited Financial Statements for 2 (two) years preceding the year for which the Audited Financial Statement is not being provided. Also, pertaining to latest financial year, the applicant/bidder shall submit an affidavit certifying that “The Annual Accounts have not been audited so far. We are submitting the CA certified provisional accounts, which shall be substantiated by the Audited Accounts, when prepared.”

**For above criteria (c)**

- i) **Annexure D: Undertaking**
- ii) List of Pending Litigations, Non-Performing Contracts and Surrendered Contracts during last 5 (five) years  
Applicants have to also submit complete RFP document duly signed and stamped by authorized signatory

- 2.0** NMRC reserves the right to ask additional information/ documents from the applicant to substantiate their eligibility during the scrutiny of the application.
- 3.0** The applicant satisfying the above eligibility criteria shall be declared technically successful applicant.