

E-Tender for Production of Promotional TVC'S and Digital Video Creative Contents to Promote Tourism in Himachal Pradesh



Director, Tourism & Civil Aviation

**Department of Tourism & Civil Aviation,
Block No 28, SDA Complex, Kasumpti,
H.P. Shimla-171009.
Ph.0177-2625924.**



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Notice Inviting E-Tender for Production of Promotional TVC'S and Digital Video Creative Contents to Promote Tourism in Himachal Pradesh

The Department of Tourism & Civil Aviation, Himachal Pradesh invites e-Tender from the interested professional agencies / companies / production houses for production of Tourism promotional advertisement films (TVC's) and digital video creative contents for social media campaign for promotion of Tourism in Himachal Pradesh. The duration of the advertisement films (TVC's) will be 60 seconds, 30 seconds and the duration of social media video's creative contents will be of 3 minutes each which will be further edited to 60 seconds and 30 seconds to promote various unexplored tourist destinations of Himachal Pradesh. The TVC's and social media videos creative contents series should be prepared in such a way that it gives the viewers a high quality and engaging experience about Himachal Pradesh. The Bids/Tender must be uploaded online on or before **20/ 02 /2021 till 4:00 PM**. The original drafts of Tender fee and EMD must be submitted in the Department on or before the due date and time along with signed letter. The Technical Bid of only those bidders will be opened who have submitted the original demand drafts of earnest money and tender fee. The scanned copy of drafts of tender fee and EMD must also be uploaded with the Technical Bid on or before the due date and time. The Technical Bids will be opened on **22 / 02 / 2021 at 11:30 AM** in the Directorate of Tourism & Civil Aviation, Block 28, SDA Complex, Kasumpti, Shimla-9 (H.P) in the presence of bidders or their authorized representatives whosoever present at that time. Financial Bids of only technically qualified bidders will be opened later on and the date of opening of financial bids will be informed online separately.

The details and tender document may be downloaded from the website: **www.hptenders.gov.in**. Conditional, incomplete and tenders without requisite tender fee and earnest money will not be considered.

The Director, Tourism & Civil Aviation, H.P. reserve the right to accept or reject any or all the tenders without assigning any reason thereof.

Department of Tourism & Civil Aviation, Block No 28, SDA Complex, Kasumpti, H.P. Shimla-171009. Ph.0177-2625924.



Department of Tourism & Civil Aviation, Himachal Pradesh, Shimla

Block No 28, SDA Complex,
Kasumpti, Shimla-171009.
Ph.0177- 2625924; Fax: 2625456.
Email: tourismmin-hp@nic.in

TENDER DOCUMENT

Tender No: TSM-PUB/8-2/2020-21

Production of Promotional TVC'S and Digital Video Creative Contents for Social Media Campaign to Promote Tourism in Himachal Pradesh

SCHEDULE OF BIDDING PROCESS

Sr No	Particulars	Date and Time
1	Tender Publishing Date	15 / 01 / 2021
2	Document Download Start Date	15 / 01 / 2021
3	Last date for submission of queries through email at tourismmin-hp@nic.in	01 / 02 / 2021
4	Pre-Bid Meeting Date, Time and venue	On 01/ 02 / 2021 at 11:00 AM in the Directorate of Tourism & Civil Aviation, Block No 28, SDA Complex, Kasumpti, Shimla-171009 (H.P.)
5	Document Download End Date	20/ 02/ 2021
6	Bid Submission Start Date	04 / 02 / 2021
7	Bid Submission End Date	20 / 02 / 2021 till 4: 00 PM
8	Tender Opening Date (Technical Bid Cover) and Venue	22 / 02 / 2021 at 11:30 AM Directorate of Tourism & Civil Aviation, Block No 28, SDA Complex, Kasumpti, Shimla-171009 (H.P.)
9	Financial Bid Opening Date & Time (Financial Cover / Bid)	Will be intimated online to the shortlisted bidders separately.



INSTRUCTIONS TO BIDDERS AND TERMS & CONDITIONS:

The digitally signed and uploaded online bids under single stage two cover system are invited by the Department of Tourism and Civil Aviation, HP from the experienced professional agencies / companies / production houses with Technical and Financial capabilities as detailed in tender document. The bids should be submitted in accordance with the instructions mentioned in the bid document. Interested eligible bidders may obtain further information about the bid document from the Himachal Pradesh e-Procurement website <https://hptenders.gov.in>. The Bid document will be available for download from **15/01/2021** till due date on <https://hptenders.gov.in>.

The bidders have to submit their bids online at the e-procurement website <https://hptenders.gov.in> using valid Digital Signature Certificates and submit the requisite EMD Draft and Tender Fee Draft (Original copy) with signed letter in the Department of Tourism & Civil Aviation, Block NO. 28, SDA Complex, Kasumpti, Shimla-9, H.P, on or before due date and time. Scanned copy of EMD draft and tender fee draft shall be uploaded along with the Technical Bid at the e-procurement website <https://hptenders.gov.in>.

The documents submitted online in Technical Bid should be properly indexed with page number. No Bid will be considered, if the original copy of requisite **EMD (refundable)** and requisite **tender fee (non-refundable)** is not submitted in the Department as mentioned in Tender document. The EMD of unsuccessful bidder (s) will be returned by the Department.

The Department of Tourism & Civil Aviation, HP will not be responsible for any delay in online submission due to any reason. For this, bidders are requested to upload the complete bids in advance and in time, so as to avoid issues like slow speed, choking of website due to heavy load or any other unforeseen problems. The bidder (s) has also to ensure timely submission of requisite tender fee draft and EMD draft (original copy) in the Department and the Department will not be responsible for any postal /or courier delay.

Pre-bid replies / addendum / corrigendum/ amendments, if any etc. will be made available at the e-procurement website <https://hptenders.gov.in> only and bidders are requested to check and download the same for submission.

Online Technical Proposal / Bid (First Cover) uploaded at <https://hptenders.gov.in> will be opened on Due Date. **The Bids of those Bidders will not be opened in case the EMD and Tender Fee draft is not submitted as required for participation in tender.**

If the EMD and Tender Fee draft (original drafts) of the bidder (s) as described above is not received till due date and time, even though posted in time or online bids submitted after due date and time will be considered as late Bid and will not be accepted.

The bids shall remain valid for a period of 180 days from the opening of Technical Bid (First Cover).

Financial Bid (2nd cover): - The bidders shall submit his offer of Financial Bid online in the .xls file format only (**Appendix '2'**) provided in Bid document and no other format is acceptable. **Financial Bid should not be submitted in hard copy format in any case.**



ELIGIBILITY CRITERIA, SCOPE OF WORK / TERMS & CONDITIONS:

PART A: PRODUCTION OF PROMOTIONAL ADVERTISEMENT FILMS (TVC'S):

The promotional film making companies /agencies / production house etc. meeting the following minimum qualifying criteria are eligible to apply. Agencies / companies / production houses which do not meet the qualifying criteria will be rejected.

- The annual Turnover of the companies / agencies/ production house **should not be less than Rs. 25 crore each for the last 3 financial years.** i.e. 2016-17, 2017-18 & 2018-19 (Please Attach/upload Chartered Accountant's Certificate only in support of Turn Over). To calculate the average turnover (for evaluation only), the total turnover achieved by the Bidder (s) during last 3 years shall be divided by 3 for marks of Turnover. **In case of Joint Venture**, the annual Turnover of the **Lead Partner** (company / agency/ production house) **should not be less than 51% of required minimum Turnover of Rs. 25 Crore for the last 3 each financial years** i.e. 2016-17, 2017-18 & 2018-19 and combined Turnover should not be less than Rs. 25 crore each for the last 3 financial years stated above.
- The company / agency / production house should have been **in existence for a minimum of 10 (Ten) years.** Proof of the same is to be submitted/uploaded along with Technical Bid. In case of Joint Venture, the Lead Partner (company / agency/ production house) should also have been in existence for a minimum of 10 (Ten) years.
- The Technical Bid shall not include any financial information. A Technical Bid containing financial details will be declared as non-responsive resulting in the rejection of the bid.
- **The qualifying marks for Technical Eligibility are 70 (Seventy) out of 100 (hundred) marks.** The bidder (s) are required to achieve a minimum Technical Score of **70 marks** (benchmark score) in technical evaluation for being eligible for technical weightage and for opening of financial bids.
- The Financial Bid(s) of only those companies /agencies / production house will be opened, who qualify the Technical eligibility criteria. The intimation in this regard will be given online accordingly to the respective qualified bidders only. The eligibility criteria is at **Appendix '1'**.
- **Pre-Bid meeting** will be held on **01/02/ 2021** at 11:00 am in the Directorate of Tourism & Civil Aviation, Block No 28, SDA Complex, Kasumpti, Shimla-171009 to acquaint the bidders about the requirement of the Department. The queries of the bidder (s) related to this project will be entertained in writing or through email at: **tourismmin-hp@nic.in**, till the date of pre-bid meeting.
- Any correspondence will not be entertained either orally or written about the evaluation process of Bids.



- The company /agency / production house will be responsible for hiring of all necessary equipment's for shooting, hiring of professional anchor / narrator etc. and for post-production works covering editing, animation, graphics, sound track, music, voice over, royalty of music / song, composition /creation of original music etc. for TVCs and for Social Media digital videos.
- The Department of Tourism & Civil Aviation, H.P. shall not be liable for use of any copyright music, song, animation, graphics, pictures etc. used in the promotional TVC film (s) and in digital video contents by the selected agency/bidder.
- The company / agency / production house will have to make arrangements for traveling, boarding and lodging for the entire crew, aerial shooting with high quality drone camera/or higher quality film equipment's for shooting etc. at its own level.
- The Department of Tourism & Civil Aviation, H.P. will assist the agency / company for necessary permission for shooting in various locations in the State and the selected bidder has to submit the detailed itinerary in advance in this regard. However, the requisite entry fee or other charges (if any) for the site/location (like National Park/Heritage Monument) as prescribed by Govt institution shall be deposited by the selected bidder.
- To cover the locations in different parts of the State for shooting of the promotional TVC films and digital video contents series for social media campaign, it will tentatively take more than 30 days due to diverse topography of the State of Himachal Pradesh.
- The tourism promotional advertisement films i.e. TVC's will be shot in famous and unexplored destinations of Himachal Pradesh. The cost should cover proper general and technical recce and should cover shooting schedule across Himachal Pradesh (**for both the assignments**).
- The TVC's films should be shot using high quality cameras including high quality drone cameras. The aerial shots should be taken by using high quality drone cameras. The agency/company must have valid license /document for use of drone cameras.
- Master production in Hindi and English (Professionally edited-Hindi and English Subtitle) with proper music and voice over etc.
- Editing, Mastering and final delivery (both mixed and unmixed masters) in formats required by Department of Tourism & Civil Aviation, HP (DoTCA, HP), for publicity on Social Media / digital Platforms.
- The successful Agency/Company will provide all raw and final edited copies (Master version) in a separate Hard Disc's to DoTCA, HP, after completion of the work.
- The successful Agency / Company / Production house shall indemnify DoTCA, HP from any loss, damage or liability of property and life w.r.t this project.



- For participation in the tender, the Bidder (s) has to submit both Earnest Money Draft (EMD-refundable) of Rs. 1,00,000/- (Rs. One Lakh only) and non-refundable Tender Fee of Rs. 1000/- (Rs. One Thousand only) in the shape of Bank draft drawn in favour of Director, Department of Tourism & Civil Aviation, H.P. payable at Shimla, Himachal Pradesh. The EMD of unsuccessful bidder (s) will be returned by the Department. In case of successful bidder, the EMD amount will be returned only on submission of Security Deposit in the shape of Bank Draft before the award of assignment as mentioned in tender document.

CLARIFICATIONS:

- The Bidder(s) requiring any clarification on the Tender Document may send e-mail at: **tourismmin-hp@nic.in**, prior to the time and date given in the Tender Schedule.

AMENDMENT OF TENDER DOCUMENT:

- i. The Department of Tourism & Civil Aviation, HP, may, for any reason, whether at its own or in response to clarifications requested by the Bidder (s), modify the Tender Document (if required) prior to the Tender Due Date, through Addendum / Corrigendum, which will be posted on e-procurement website <https://hptenders.gov.in> only.
 - ii. The Department of Tourism & Civil Aviation, HP, at its sole discretion, may extend the last date for submission of online Tender by issuing an Addendum / Corrigendum on the website: <https://hptenders.gov.in> only.
- Bidders may note that the Department of Tourism & Civil Aviation, HP will not entertain any deviations to the Tender Document at the time of submission of Bid or thereafter. The Bid submitted by the Bidder (s) will be unconditional and the Bidder (s) would be deemed to have accepted the terms and conditions of the Tender Document with all its contents. Any conditional Bid shall be regarded as non-responsive and shall be rejected.

SCOPE OF WORK:

The Department of Tourism & Civil Aviation, HP (DoTCA, HP) intends to make promotional tourism advertisement film's TVC's of 60 seconds and 30 seconds duration (mentioned below in table) in Hindi language with subtitles. In addition, the duration of social media creative's series video will be of 3 minutes each which will be further edited to 60 seconds and 30 seconds to promote various unexplored tourist destinations in Himachal Pradesh. The TVC's and social media videos creative contents should be prepared in such a way that it gives the viewers a high quality and engaging experience about Himachal Pradesh.

Note: For production of promotional TVCs and social media videos creative content series, the single agency/company will be selected for the assignment, for which scope of work is mentioned in the Tender document.

Sr. No	Particulars	Quantity & Duration
1	The Tourism Promotional advertisement TVC's of 60 second duration and 30 seconds duration each for National & International promotion on following themes: i. Wellness Tourism of Himachal Pradesh. ii. General Tourism promotion of Himachal Pradesh. iii. Pilgrimage Tourism of Himachal Pradesh. iv. Adventure Tourism of Himachal Pradesh.	One 60 seconds and one 30 seconds One 60 seconds and one 30 seconds One 60 seconds and one 30 seconds One 60 seconds and one 30 seconds
2	Production of promotional digital video's creative contents series of minimum 3 minutes duration each in Hindi and English for campaign on social media platforms.	16 Nos videos (details mentioned separately below in scope of work)

- **Wellness Tourism:** This TVC film should cover all aspects of Wellness Tourism like Meditation, Ayurveda, Yoga, Spiritual etc. (in Hindi language with subtitles and shall be dubbed in English language also). The concept script/story board should be submitted in Technical bid indicating tentative locations.
- **General Tourism –** This TVC film should cover unexplored locations, Lakes, Landscapes, religious, Culture, heritage sites, Himalayas etc. depicting the tourism potential of Himachal Pradesh (in Hindi language with subtitles and shall be dubbed in English language also). The concept script/story board should be submitted in Technical bid indicating tentative locations.
- **Pilgrimage Tourism:** This TVC film should cover major Devi Temples (Sri Naina Devi, Sri Chintpurni, Sri Jwalaji, Sri Bajreshwari Devi, Sri Chamunda ji), Besides, Bhimakali Temple at Sarahan (Shimla), Baijnath Shiv Temple (Kangra), Chaurasi Temple Bharmaur, Lakshmi Narayan Temple, Chamba, Bala Sundri Temple at Trilokpur (Sirmaur), Gurudwara at Paonta Sahib, Mandi & Manikaran, Church at Shimla, Kasauli, Mcleodganj,



Dalhousie & Monasteries etc.. (in Hindi language with subtitles and shall be dubbed in English language also). The concept script/story board should be submitted in Technical bid indicating tentative locations.

- **Adventure Tourism:** This TVC should cover adventure tourism potential/activities like River Rafting, Paragliding, Skiing, Trekking, camping, mountaineering, water sports etc. available in Himachal Pradesh (in Hindi language with subtitles and shall be dubbed in English language also). The suggestive tentative locations would be Bir-Billing, Triund, Chamera lake (Chamba), Maharana Pratap Sagar lake (Kangra), Gobind Sagar lake (Bilaspur), Solang Valley, Kullu, Beas river, Tattapani (Mandi), Churdhar etc. The concept script/story board should be submitted in Technical bid.

Note: The promotional tourism advertisement films i.e. TVC's should be attractive & catchy and highlight Himachal Pradesh as a brand for tourism promotion at National as well as International level with attractive tagline. The promotional tourism advertisement films TVC's and digital video's contents series on themes/unexplored destinations etc. aims to provide a vivid showcase of Himachal Pradesh.

The concept script/story board should be submitted / uploaded in the Technical Bid for all above mentioned 4 TVCs themes i.e. for both 60 seconds and 30 seconds each in Hindi.

PROJECT AREA:

The Tentative project area for production of above promotional advertisement films i.e. TVCs would be the entire State of Himachal Pradesh that includes Kinnaur district, Lahaul-Spiti district, Chanshal valley (Shimla district), Mandi Town & Rewalsar (Mandi district), Dharamshala, capital city Shimla, Kalka-Shimla heritage railway, Kangra valley railway. Besides, pilgrimage places-Temples, Monasteries, Gurudwaras, Churches, unexplored areas like Rajgarh, Churdhar, Chopal, Pabbar valley, Karsog valley, Janjehli valley, Prashar, Barot, Shoja, Great Himalayan National Park (GHNP), Kullu, Solang, Naggar, Churah valley in Chamba, Maharana Pratap Sagar Lake (Kangra), Pragpur-Dadasiba, Masroor, Mcleodganj, Triund, Kangra valley, Sujanpur, Palampur valley, Bir-Billing etc.

The agency/company has to do the recce/research of locations at their own level for the concept script/story board to make the Advertisement films i.e. TVC's catchy and attractive for tourism promotion.

The format of film (s) would be HD master (and also in Hard Disc master copy, which will be compatible in all type of media).

DURATION OF PROJECT: The project is required to be completed by the successful bidder in a period of **5 (Five) months** from the date of award of assignment.



TIME FRAME FOR THE PROJECT:

- a). Scripts for the TVC films shall be submitted by the selected bidder within 15 days from the date of award of assignment for approval.
- b). Rough Cut shall be submitted within 3 (three) months from the date of award of assignment.
- c). All the final deliverables shall be submitted within one month after the final approval of TVC films and digital Video's creative contents series.

SECURITY DEPOSIT: The security deposit of **Rs. Five lakh** in the shape of Bank Draft drawn in favour of Director, Tourism & Civil Aviation, H.P. payable at Shimla shall be submitted by the **successful bidder only** before the award of work. The amount kept as security deposit with the Department of Tourism & Civil Aviation, Shimla, H.P. shall not bear any interest and the same shall be refunded after satisfactory completion of production of TVC films and Digital Video's Creative Contents series. The security deposit shall be valid for a period of three months beyond the date of completion of the project.

SUBMISSION OF BID (S):

TECHNICAL BID:

The Bidders are requested to submit documents in sealed envelopes clearly written on outer cover of envelope i.e. Earnest Money draft and Tender fee draft for **“E-Tender for Production of Promotional TVC'S and Digital Video Creative Contents to Promote tourism in Himachal Pradesh”**.

The Technical bid shall be uploaded online with proper indexing and page number of documents attached, along with scanned copy of draft of earnest money and tender fee. The original drafts of EMD and Tender fee along with signed letter shall be submitted in the Department of Tourism & Civil Aviation, HP, Block No 28, SDA Complex, Kasumpti, Shimla-171009, on or before the due date and time of submission of tender/bid.

In case, if any bidder(s) has submitted the Technical Bid online, but the requisite Tender fee and EMD drafts are not submitted in the Department, on or before the due date and time, the bid(s) of those bidder(s) will not be considered.

The Technical Bid (s) of only those companies / production house / agencies will be opened & evaluated who submits the requisite EMD and tender fee drafts.

The concept script/story board for TVC's must contain creative concept treatment i.e. how the concept follows, clearly mentioning about general shooting, drone camera /aerial shooting etc. and shall be uploaded with Technical bid online.

FINANCIAL BID: Only soft copy of the Financial bid shall be submitted **online in BoQ excel file format (.xls)** as mentioned, as per **Appendix '2'**.



In case the Bidder is a Joint Venture, the Members thereof should furnish a Power of Attorney in favour of the **Lead Member** in the format at **Appendix ‘4’** and **Joint Bidding Agreement** in the format at **Appendix ‘5’** shall be submitted by the bidder. **No Bidder shall submit more than one BID for the Project.** A Bidder bidding individually or as a member of a Joint Venture shall not be entitled to submit another Bid either individually or as a member of any Joint Venture, as the case may be.

In case the Bidder is a Joint Venture, it shall comply with the following additional requirements:

- (a) Number of members in a Joint Venture **shall not exceed 2 (two)**;
- (b) Subject to the provisions of clause (a) above, the Bid should contain the information required for each Member of the Joint Venture;
- (c) Members of the Joint Venture shall nominate one member as the lead member (the “Lead Member”). Lead Member shall meet at least 51% or above requirement of Technical and Financial Capacity. The nomination(s) shall be supported by a Power of Attorney, signed by all the other Members of the Joint Venture.
- (d) The Bid should include a brief description of the roles and responsibilities of individual members, particularly with reference to financial, technical and defect liability obligations;
- (e) An individual Bidder cannot at the same time be member of a Joint Venture applying for this Bid. Further, a member of a particular Bidder Joint Venture cannot be member of any other Bidder Joint Venture applying for this bid;
- (f) Members of the Joint Venture shall have entered into a binding Joint Bidding Agreement, substantially in the form specified at Appendix '5' (the “Jt. Bidding Agreement”), for the purpose of making the Application and submitting a Bid in the event of being pre-qualified. The Jt. Bidding Agreement, to be submitted along with the Application, shall, inter alia:
 - (i) Convey the commitment(s) of the Lead Member in accordance with this bid document, in case the contract to undertake the Project is awarded to the Joint Venture; and clearly outline the proposed roles & responsibilities, if any, of each member;
 - (ii) Commit the approximate share of work to be undertaken by each member;
 - (iii) Include a statement to the effect that all members of the Joint Venture shall be liable jointly and severally for all obligations in relation to the Project until the completion of the Project.

EVALUATION OF TECHNICAL BIDS:

The Technical Bids shall be evaluated on the basis of documents uploaded/attached by the bidder (s), as required for technical eligibility criteria in tender document. The tender evaluation shall be done on weightage with 70% Technical and 30% Financial. The scoring will be calculated as per QCBS template (as per world bank calculation).

OPENING AND EVALUATION OF FINANCIAL BIDS: The Financial Bids of only technically qualified bidders shall be opened separately in the presence of representatives of companies/agencies/ production house who so ever present at the time of opening of financial bids. Intimation in this regard will be given online separately. The scoring will be calculated as per QCBS template (as per world bank calculation).



AWARD OF WORK: After completing negotiations (if required), the Department of Tourism & Civil Aviation, H.P. shall award the assignment to the selected company / agency / production house. The selected company / agency / production house is expected to commence the work from the date of award of assignment.

CONFIDENTIALITY: Information relating to evaluation of bids and recommendations concerning awards shall not be disclosed to the company / agency / production house that submitted the bids or to other persons not officially concerned with the process, until the work / assignment has been awarded.

DELIVERABLES:

Rough Cut

i). The Rough Cut in Hard disc /or Pen drive is to be presented to the Department of Tourism & Civil Aviation, H.P. The Rough Cut should be as close as possible to the final version of the TVC's films.

FINAL TVC'S FILMS AND SOCIAL MEDIA VIDEO'S CREATIVE CONTENT SERIES IN HARD DISC:

- i. One Master copy of each TVC in **HD format** & soft copy preferably in HD MOV file format.
- ii. One unmixed master with international track without subtitles and supers.
- iii. One unmixed master with international track and with subtitles and supers.
- iv. Story Board- One hard copy and one soft copy of commentary of text used in TVC film (s).
- v. **100 Pen Drives of the TVC's films** (card type-visiting card size, along with packing box) with specially designed & both side printed cover.
- vi. Social media video's content creative series (all required videos).

SCHEDULE OF PAYMENT (PROJECT PART A & B):

Payment will be made on satisfactory delivery of the material in all the required formats.

- 1) 10% of the payment on approval of script/story board of TVC's.
- 2) 40% payment on approval of rough cut.
- 3) 50% payment on submission of final TVC films/ all deliverables including social media video's content creative series.

PENALTY & TERMINATION: If the assignment is not completed in stipulated time period or unnecessary delayed for editing or other reasons, the Director (Tourism), Shimla, H.P. reserve the right to deduct payment (@ 1% of total amount for per week delay) or to cancel the assignment by giving written notice. **In the event, if any** dispute arises, the issue will be resolved amicably and the decision of Director (Tourism & Civil Aviation), Shimla, H.P. in this regard will be final.

However, any legal proceeding (s), if necessity arises to institute, by any of the party (ies) needs to be lodged in courts situated in Shimla, (Himachal Pradesh) jurisdiction only.



OWNERSHIP / RIGHTS:

The Department of Tourism & Civil Aviation (DoTCA), Shimla, H.P. shall have all the rights to use the TVC film (s) and digital video's creative content (s). The ownership of the TVC film (s) and digital video's creative content (s) shall be with the DoTCA, Govt. of Himachal Pradesh, after making all payments to the selected bidder as per rates quoted in the bid for this project by the bidder and the agency will have no proprietary or other rights in respect of the same. A Certificate/undertaking on agency / company's letter head that all the rights/ownership of the TVC films and digital video's creative content (s) with sound/voice, music, artists, etc. shall be with Department of Tourism & Civil Aviation, H.P.

VALIDITY: The validity period of the tender is six months from the closing date of tender.

The Director (Tourism & Civil Aviation), Himachal Pradesh reserve the right to accept or reject the tender at any stage without assigning any reason thereof.

PART B: PRODUCTION OF SOCIAL MEDIA DIGITAL VIDEO CREATIVE'S CONTENTS SERIES:

The digital video creative contents on unexplored areas / tourist destination /circuit / theme / cuisine trails for tourism promotion on social media platforms as a campaign series and would be of **3 minutes duration each** in Hindi and English. The tentative destinations/themes/circuit for production of digital video contents series will be as under:

- Cuisine Trails of Himachal Pradesh (3 videos: covering cuisines of Kangra-Chamba, Mandi-Kullu, Sirmaur-Shimla-Kinnaur).
- Janjehli & Seraj valley including Shikari Devi Temple and Kamru Nag Temple in Mandi district (1 video)
- Karsog valley including Chindi, Tattapani in Mandi district (1video)
- Churdhar, Nohradhar, Haripurdhar, Rajgarh valley in Sirmaur district (1video).
- Karol Tibba, Mohan Shakti Park, Chail, Kali Ka Tibba in Solan district (1video).
- Pabbar valley, Chanshal valley, Narkanda in Shimla district (1video).
- Great Himalayan National Park in Kullu district (1video).
- Bijli Mahadev, Naggar, Atal Tunnel, Rohtang (1video).
- Mcleodganj, Triund, Naddi-Kareri lake (1video).
- Bir-Billing-Rajgundha-Barot valley (1video).
- Pong Dam Lake, Masroor, Pragpur, Kaleshwar Mahadev in Kangra district (1video).
- Churah valley, Devikothi, Saho & Chamba in Chamba district (1video).
- Tribal Circuit covering Sangla valley, Kalpa (Kinnaur), Tabo, Keylong, Trilokinath (Lahaul-Spiti) (1 video)
- Sujampur Fort & adjoining places (Hamirpur), Kamlah Fort (Mandi district) (1Video)



Note:

- The agency/company/production house, **has to plan the concept** for developing of digital video creative contents for the campaign for promotion of unexplored areas/circuit and detailed concept should be submitted by the selected bidder in the Department before finalization. The agency will have to further edit the above 3 minutes each final required videos of particular destination/circuit/theme in 60 seconds and 30 seconds duration also, compatible in all type of media formats for tourism promotion.
- The agency must have the capability and experience of designing & developing social media campaign (s) for Government Departments / Ministries / Organizations /PSU's /Pvt. companies etc.
- The digital video (s) would be in full HD format (compatible in all type of media).

TERMS AND CONDITIONS/INSTRUCTIONS:

- The digital video's contents will be based on facts, and related history/facts/information has to be verified by the selected agency for finalization of videos.
- The Social Media Video's content should have subtitles in English in all final videos of 3 minutes duration including edited video's in 60 seconds and 30 seconds.
- The rough cut of Social Media Video's should be as close as possible to the final version.
- The Director (Tourism), H.P. reserve the right in its sole and absolute discretion to change, modify or reduce the terms & conditions.

-Sd-
Director,
Tourism & Civil Aviation,
Shimla, Himachal Pradesh.



THE TECHNICAL BID SHOULD CONTAIN THE FOLLOWING DOCUMENTS:

The Agency/ Company/Production house has to submit the documents/proof in the Technical Bid as per details mentioned in tender document regarding production of the tourism promotional advertisement films i.e. TVC's and digital video contents series to promote tourism of Himachal Pradesh.

(Note: The uploaded/attached documents should be in sequence with page number. **For example:** EMD, Tender fee drafts scanned copy at page number or at Annexure, CA certificate at page number or at Annexure, Agency/Company Establishment/Existence proof at page number or at Annexure, Concept Scripts at Annexure and likewise other details etc.)

Sr. No	Particulars	Details / Documents / Remarks
1	Name of the Agency / Company / Production House submitting the Bid.	On letter head of Company (Appendix-3)
2	Earnest Money Draft (EMD-refundable) of Rs. 1,00,000/- (Rs. One Lakh only) and non-refundable Tender Fee draft of Rs. 1000/- (Rs. One Thousand only) in the shape of Bank draft drawn in favour of Director, Department of Tourism & Civil Aviation, H.P. payable at Shimla, Himachal Pradesh.	Attach /Upload scanned copy of both Bank Drafts. The original copy of drafts is required to be submitted in Tourism Department, HP on or before the due date and time along with signed letter.
2	Office details of Company/Agency/Production house Address: Phone no.: E-mail ID: Authorized Contact Person: Mobile no.:	On letter head of Company
3	Profile and track record of the company / agency	On letter head of Company
4	Details of Registered office of the company / Agency and contact person	On letter head of Company
5	a) Status of the Agency / Company (Partnership firm / Pvt. Ltd. Co. / Public Ltd. Co.) and Date of Establishment of Company / Agency. b) Copy of Memorandum.	Attach/Upload proof/document Attach/Upload copy
6	Details about organizational set up (Manpower including Directors/Partners): i.e. Concept creative & production; Scripting / editing & graphics / animation (Number of professionals/Persons with name & designation) =	Attach / Upload details on letter head of company
7	Experience of the Company/Agency since its existence. The company / agency should have been in existence for a minimum of 10 (Ten) years. And whether the agency / company has its own pre and post production facilities or will it complete the assignment by hiring it from the other agencies. (Give details about the agency).	Attach /upload details

Sr. No	Particulars	Details / Documents / Remarks
8	CA Certificate in support of Turn Over for the last 3 years i.e. 2016-17, 2017-18, 2018-19	Attach / upload copy of CA certificate.
9	Concept Scripts/Story Board for TVCs of both 60 seconds and 30 seconds duration in Hindi for all 4 Themes.	Upload attach Concept Scripts/Story Board
10	PAN and GST Number	Attach / upload both copies.
11	Format for Power of Attorney for signing of Bid	Attach/Upload copy Attach /Upload signed Format
12	Format for Joint Bidding Agreement for Joint Venture	Copy Attach/Upload Attach /Upload signed Format, if applicable

APPENDIX '1': EVALUATION OF TECHNICAL BID (S):

The Technical Bid has 70% weightage in the evaluation process. The Technical Evaluation shall be based on the parameters and weightage as mentioned below.

Criteria for Evaluation of Technical Bids: Total marks: 100; Qualifying marks: 70 Marks.

Sr. No	PARAMETER*	DOCUMENTARY PROOF	MAXIMUM SCORE												
1	<p>Turn Over (Required Turn Over in Crore: Minimum Rs 25 Crore each financial year i.e. 2016-17, 2017-18 and 2018-19) Example for evaluation of Turn Over for marks: if 2016-17 = 25 Cr if 2017-18 = 26 Cr if 2018-19 = 27 Cr. i.e. $25+26+27 = 78/3 = 26$ Cr = i.e. 12 marks. If min. Turn Over for the three years = $25+25+25$ Cr = $75/3$ Cr = 25 cr. i.e. 10 Mks. For Turn Over of Rs. 25 Crore = 10 Mks Above Rs. 25 Cr. to Rs. 30 Cr = 12 Mks Above Rs. 30 Crore to Rs.40 Crore = 14 Mks Above Rs.40 Crore to Rs.50 Crore =16 Mks Above Rs.50 Crore to Rs.60 Crore = 18 Mks Above Rs.60 Crore =20 Mks</p>	<p>CA Certificate only in support of Turn Over for the financial years indicated.</p>	<p>20 marks</p>												
2	<p>Film production experience and social media creative's Concept Script/Story Board for the TVC's 60 seconds and 30 seconds: 20 Marks.</p> <table border="1" data-bbox="316 1297 862 1514"> <thead> <tr> <th>Script Grade</th> <th>Marks</th> </tr> </thead> <tbody> <tr> <td>Excellent</td> <td>20</td> </tr> <tr> <td>Good</td> <td>18</td> </tr> <tr> <td>Average</td> <td>14</td> </tr> <tr> <td>Below Average</td> <td>08</td> </tr> <tr> <td>Poor</td> <td>00</td> </tr> </tbody> </table> <p>60 seconds and 30 seconds films earlier produced: 10 Marks. i.e. Upto 2 films produced earlier = 4 marks 3 films produced earlier = 7 marks 4 films produced earlier = 9 mks 5 films produced earlier = 10 marks.</p> <p>Social media campaign earlier produced creative's (Video's/ Static): 10Marks.</p>	Script Grade	Marks	Excellent	20	Good	18	Average	14	Below Average	08	Poor	00	<p>Concept script / story board for TVC's with catchy and attractive tagline for branding of Himachal Pradesh. (for all 4 themes i.e. Wellness Tourism; General Tourism; Pilgrimage Tourism; Adventure Tourism for both 60 sec and 30 seconds in Hindi). Attach work order copy / proof of earlier produced films i.e. either in single work order or in different work order copy/proof.</p> <p>Attach work order copy / proof of earlier</p>	<p>40 marks</p>
Script Grade	Marks														
Excellent	20														
Good	18														
Average	14														
Below Average	08														
Poor	00														

Sr. No	PARAMETER*	DOCUMENTARY PROOF	MAXIMUM SCORE
	i.e. Upto 2 digital creative's/ videos produced earlier = 4 marks 3 digital creative's/ videos produced earlier = 7 marks 4 digital creative's/ videos produced earlier = 9 marks 5 digital creative's/ videos produced earlier = 10 marks.	produced video digital creative's for social media platforms / or handled the Govt. client (s).	
3	Production Creative Team: Concept Creative / Production Section: 10 Marks. Scripting / Editing /Graphics/ Animation Section: 10 Marks. Upto 5 persons team in each section = 3 mks 6-10 persons team in each section = 2 mks Above 10 persons in each section = 5 mks (i.e. 3 +2 +5 = 10 marks)	Please mention name and designation of the professional team / persons (on letter head of company/agency)	20 marks
4	Award in Production of Tourism promotional films Award in producing promotional films on Tourism only. i.e. One award = 5 marks.	Please attach proof. (One award related to Tourism promotional films only)	5 marks
5	Experience/existence of agency / company / production house: Minimum required experience / existence in years =10 years. Existence/Experience of 10 years = 10 mks Above 10 years to 15 years = 11mks Above 15 years to 20 years= 12mks Above 20 years to 25 years= 13mks Above 25 years to 30 years = 14mks Above 30 years= 15mks	Please attach proof of Company / Agency's existence / date of incorporation.	15 marks
	Total		100 Marks

***Note: The bidder having qualification less than the prescribed minimum criteria will be scored zero.** The Technical Score for the Technical Bid will be the arithmetic sum of the marks assigned to the bidder (s) under each of the parameters listed above. The bidder is required to achieve a minimum Technical Score of **70 marks** (benchmark score) for opening of financial bids. The Technical Bid online (Packet -1) must also include documentation proofs as listed in tender document.

NOTE: The Technical Bid should not include any financial information. The technical bid containing any financial information will be considered as non-responsive and rejected.



APPENDIX '2': FORMAT FOR FINANCIAL BID

The Agency/Company/ Production house will submit the **Financial Bid online in BoQ.xls file format** only, regarding production of Tourism Promotional Advertisement Films i.e. TVC's and digital video creative contents series for social media campaign on unexplored places/destination/circuit, cuisine trails etc. for the projects indicated in the given format for the Department of Tourism & Civil Aviation, HP.

Sr. No	Particulars	Total Net Rates (In Indian Rupees) for the Production of Tourism Promotional Advertisement Films i.e. TVC's to promote Himachal Pradesh Tourism and digital video creative contents series for social media campaign. Applicable GST shall be extra.
1.	<p>A. Promotional TVCs of 60 seconds and 30 seconds duration in Hindi and the same shall be dubbed in English language for National & International promotion on following theme's:</p> <ul style="list-style-type: none"> a) Wellness Tourism of Himachal Pradesh. b) General Tourism promotion of Himachal Pradesh. c) Pilgrimage Tourism of Himachal Pradesh. d) Adventure Tourism of Himachal Pradesh. <p>(Note: The cost should include hiring of all necessary equipment's, drone camera for shooting, hiring of professional anchor / narrator, post-production works covering editing, animation, graphics, sound track, music, voice over, royalty of music / song, composing /creation of original music, boarding-lodging, transportation etc.)</p> <p>B. Production of digital video creative content (s) series for social media campaign. The cost should include, production, editing, back ground music, voice over, anchor, narrator (Hindi & English), graphics, accommodation, transportation for shooting in different unexplored destination / places etc. (details mentioned in scope of work). Total 16 Nos main videos will be prepared.</p> <p>The main final (16 Nos) required digital videos will be further edited in 60 seconds and 30 seconds duration also.</p>	<p>A:</p> <ul style="list-style-type: none"> a) Wellness Tourism TVC of 60 second and 30 second = Rs. = b) General Tourism TVC of 60 second and 30 second = Rs. = c) Pilgrimage Tourism TVC of 60 second and 30 second = Rs. = d) Adventure Tourism TVC of 60 second and 30 second = Rs. = <p>B = Lumsum amount for the 16 main videos of 3 minutes duration each = Rs. =</p>
	Total Amount both in words and figures	A+B= Rs.

Note: The Total rates of A+B quoted by the bidder (s) would be considered as the lowest rate.



SCORING METHODOLOGY AND EVALUATION:

The bids (Technical and Financial) will be evaluated on combined and final evaluation **i.e. Quality and Cost Based Selection (QCBS)**. i.e. 70% Technical and 30% Financial (as per world bank calculation).

Illustrative Example: Bidder A, Bidder B and Bidder C submit their Technical Bids to Department of Tourism & Civil Aviation, HP. According to the evaluation criteria outlined in the tender document the bids will be evaluated as follows:

1	2	3
Bidder	Technical marks	Weighted Technical Score (Column 2 x 70%)
A	80	56
B	55	38.5
C	75	52.5
D	90	63

The score of Bidder 'B' is 55 (≤ 70.00). Hence Bidder B will therefore not be eligible for consideration of the Financial Bid evaluation.

FINANCIAL BID CRITERION & WEIGHTAGE

For evaluation of the Financial Bid, the lowest bidder will be given a score of 100. The score of other bidders will be proportionately scaled down as per the following formula: $(\text{Lowest Bidder rate} / \text{Quoted rates of the Bidder}) \times 100$. The Financial score has 30% weightage in the evaluation process.

For example, if the lowest bid price is Rs. 100, the lowest bidder will get a score of 100. If the second lowest bid is Rs. 150, the bidder will get a score of $(100 / 150) \times 100 = 66.66$. The scores will be calculated up to 2 decimal places.

Calculating the Composite Final Score (S)

The composite final score will be calculated from the Technical and Financial scores as shown in the illustrative example below. The short-listed firms will be ranked as H1, H2 etc. (score calculated up to 2 decimal points), based on decreasing order of composite final scores and H1 (**Highest Composite Final score**) will be declared as the Lowest Bidder.

Illustrative Example:

Bidders A, C and D with Technical Bid marks of 80, 75, 90 respectively, have been shortlisted for consideration of their financial bids. The financial bids of the 3 bidders are as follows:

A= Rs. 5 lakhs, C= Rs.10 lakhs and D = Rs. 11 lakhs. The composite final score (s) for A, C and D will be calculated in the following manner:

1	2	3	4	5	6	7
Bidder	Technical marks	Weighted Technical score (column 2 x 70%)	Financial Bid quote (in Rs. Lakh) example	Proportionate Financial Score (lowest quote/bidder's quote) x 100	Weighted Financial Score (column 5 x 30%)	Final Composite Score (S= column3 + column6)
A	80	56	5	100.00	30	86.00
C	75	52.5	10	50.00	15	67.50
D	90	63	11	45.45	13.64	76.64

Since bidder A has the highest composite final score (S=86.00), it will be declared as Successful Bidder. In case the highest composite score is the same for more than one bidder, the bidder with the higher Financial bid score will be awarded the work.

In case, there is any problem in technical evaluation to calculate the scores on QCBS template, the same will be calculated manually and L1 will be decided on the basis of manual calculation.

Note: The marks/scores will be calculated up to 2 decimal places.



APPENDIX '3': Letter of Proposal/Bid

(On the letter head of the Bidder)

Dated:

To

The Director
Department of Tourism & Civil Aviation
Block No 28, SDA Complex,
Kasumpti, Shimla-9, Himachal Pradesh.

Dear Sir,

Sub: Tender for “Production of Promotional TVC'S and Digital Video Creative Contents for Social Media Campaign to Promote Tourism of Himachal Pradesh”

1. With reference to your Tender document dated --- /--- /2021, I/We, have examined the Tender Document and understood the contents, hereby submit our Proposal/Bid for the aforesaid work. The Proposal is unconditional.
2. All information provided by us in the Bid is true and correct and we shall provide any additional information to Department of Tourism & Civil Aviation (DoTCA), HP, if required, to supplement or authenticate the Bid.
3. I/We acknowledge the right of DoTCA, HP to reject our Bid without assigning any reason and this can't be challenged by us in any manner whatsoever.
4. I/We understand that you may cancel the tender at any stage and that you are neither bound to accept any bid that you may receive nor to invite the Bidders to bid for the work, without incurring any liability to the Bidder (s).
5. I/We hereby irrevocably waive any right which we may have at any stage at law or otherwise arising to challenge or question any decision taken by DoTCA, HP in connection with the selection of the Bidder, or in connection with the Selection Process itself, in respect of this tender.
7. I/We submit an EMD (refundable) of Rs.1,00,000/- (Rupees One Lakh Only) and Tender Fee (non-refundable) of Rs.1000/- (Rupees One thousand Only) to DoTCA, HP in accordance with the Tender Document.
8. I/We agree and understand that the Bid/Proposal is subject to the provisions of the tender document. In no case, I/We shall have not any claim or right of whatsoever nature if the tender is not awarded to us or our bid/proposal is not opened.



9. I/We agree to keep this offer valid for 180 days (One Hundred and Eighty days) from the Bid Due Date specified in the Tender document.

10. I/We agree and undertake to abide by all the terms and conditions of the Tender Document and submit this Bid/ Proposal.

11. I/We also declare and undertake that our Agency/Company i.e. M/s has not been blacklisted / debarred / suspended / banned from business dealings by any of Govt. organizations / PSU's etc. as on the last date of submitting this Tender.

Yours faithfully,

(Signature of the Authorized signatory)
(Name and designation of the Authorized signatory)
Name and seal of Bidder

Date:

Place:



CHECK LIST:

For submission of Bid (s) as per tender document for production of Tourism Promotional Advertisement Films i.e. TVC's and digital video creative contents series for Social Media campaign to promote Tourism of Himachal Pradesh.

Sr No	PARTICULARS	DOCUMENTS
1	Name of Agency / Company / Production house with brief profile and proper correspondence address, phone, email.	Attach/Upload: Yes/No The forwarding letter should be signed and scanned.
2	Earnest Money Draft of Rs 1,00,000/- Tender fee draft of Rs. 1000/- (Original drafts required to be submitted in the Dept. on or before due date & time)	Attach/Upload scanned copy: Yes/No
3	Turn Over 2016-17 = Rs. 2017-18 = Rs. 2018-19 = Rs.	Copy of CA Certificate only in support of Turn Over. (Attach/upload: Yes/No)
4	Experience / existence of company/ agency / production house. Status of Company, Date of Establishment etc.	Experience in years = (Please attach / upload proof in Technical Bid: (Yes/No)
5	Details about organizational set up (Manpower including Directors/Partners): i.e. Concept creative & production; Scripting / editing & graphics / animation (Number of professionals/Persons with name & designation) =	Details on company letter head - Upload / Attach: (Yes/No)
6	Copy of Memorandum	Attach/Upload: (Yes/No)
7	Whether the Agency/Company has its own Pre and Post Production facilities or will it complete the assignment by hiring it from the other agencies.	Yes/No Attach /Upload details on letter head of company about the agency to be hired etc.
8	PAN Number and GST Number of Company /Agency	Copy Attach/Upload (Yes/No)
9	Concept Scripts/Story board for all 4 themes	Copy Attach/Upload- (Yes/No)
10	Format for Power of Attorney for signing of Bid	Copy Attach/Upload - (Yes/No) Attach /Upload signed Format
11	Format for Joint Bidding Agreement for Joint Venture	Copy Attach/Upload - (Yes/No) Attach /Upload signed Format, if applicable.

-Sd-
Director,
Tourism & Civil Aviation,
Shimla, Himachal Pradesh.



APPENDIX ‘4’: Format for Power of Attorney for signing of Bid

Know all men by these presents, We, (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorize Mr. / Ms (Name), son/daughter/wife ofand presently residing at, who is presently employed with us / the **Lead Member of our Consortium/Joint Venture** and holding the position of, as our true and lawful attorney (hereinafter referred to as the “Attorney”) to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our bid for the (Name of the Project)

A Project proposed by the Department of Tourism & Civil Aviation, HP, SHIMLA (the “DoT&CA”) including but not limited to signing and submission of all applications, bids and other documents and writings, participate in bidder's and other conferences and providing information/ responses to the DoT&CA, representing us in all matters before the DoT&CA, signing and execution of all contracts including the Contract Agreement and undertakings consequent to acceptance of our bid, and generally dealing with the DoT&CA in all matters in connection with or relating to or arising out of our bid for the said Project and/or upon award thereof to us and/or till the entering into of the Contract Agreement with the DoT&CA.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

IN WITNESS WHERE OF WE,, THE ABOVE NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS DAY OF, 20.....

For
(Signature, name, designation and address)
Of the Person Authorised by the Board Resolution
in case of Firms/Company) Partner in case of Partnership Firms.

Witnesses:

- 1.
- 2.

Notarised
Person identified by me/personally appeared before me
/signed before me/Attested/Authenticated*



(*Notary to specify as applicable)

(Signature, Name and Address of the Notary)

Seal of the Notary

Registration Number of the Notary

Date _____

Accepted

(Signature, name, designation and address of the Attorney)

Notes:

- *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
- *Wherever required, the Bidder should submit for verification the extract of the charter documents and documents such as a board or shareholders resolution/power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Bidder.*



APPENDIX '5': Format for Joint Bidding Agreement for Consortium

(To be executed on Stamp paper of appropriate value)

THIS JOINT BIDDING AGREEMENT is entered into on this the day of 20...

AMONGST

1. Limited, and having its registered office at (Hereinafter referred to as the "**First Part**") which expression shall, unless repugnant to the context include its successors and permitted assigns)

AND

2. Limited, having its registered office at and (hereinafter referred to as the "**Second Part**") which expression shall, unless repugnant to the context include its successors and permitted assigns)

WHEREAS,

(A) THE DEPARTMENT OF TOURISM & CIVIL AVIATION, SHIMLA, Govt. of HP represented by its Director and having its office at Block No. 28, SDA Complex, Kasumpti, Shimla-171009, E-mail: tourismmin-hp@nic.in. (hereinafter referred to as the "**DoT&CA**") which expression shall, unless repugnant to the context or meaning thereof, include its administrators, successors and assigns) has invited bids (the "**Bids**") by its Tender No. dated(the "**Tender Document/RFP**") for (_____)

(B) The Parties are interested in jointly bidding for the Project as members of a Consortium and in accordance with the terms and conditions of the Tender Document and other bid documents in respect of the Project.

(C) It is a necessary condition under the Tender Document that the members of the Joint Venture/Consortium shall enter into a Joint Bidding Agreement and furnish a copy thereof with the Bid.

NOW IT IS HEREBY AGREED as follows

1. Definitions and Interpretations

In this Agreement, the capitalised terms shall, unless the context otherwise requires, have the meaning ascribed thereto under the Tender Document/RFP.

2. Consortium/JV

2.1 The Parties do hereby irrevocably constitute a consortium (the "**Consortium**") for the purposes of jointly participating in the Bidding Process for the Project.

2.2 The Parties hereby undertake to participate in the Bidding Process only through this Consortium and not individually and/ or through any other consortium constituted for this Project, either directly or indirectly or through any of their Associates.



3. Covenants

The Parties hereby undertake that in the event the Consortium / Joint Venture is declared the selected Bidder and awarded the Project, it shall enter into a Contract Agreement with the DoT&CA and for performing all its obligations as the Successful Bidder in terms of the Contract Agreement for the Project.

4. Role of Parties

The Parties hereby undertake to perform the roles and responsibilities as described below:

(a) Party of the **First Part shall be the Lead member of the Consortium**, who shall be responsible for the Creative Work and shall have the power of attorney from all Parties for conducting all business for and on behalf of the Consortium during the Bidding Process and until the Appointed Date under the Contract Agreement when all the obligations of the Joint Venture shall become effective;

(b) Party of the Second Part shall be the Technical or mention appropriate role of the Member of the Consortium;

5. Joint and Several Liabilities

The Parties do hereby undertake to be jointly and severally responsible for all obligations and liabilities relating to the Project and in accordance with the terms of the Tender Document/RFP and the Contract Agreement, till such time as the Financial Close for the Project is achieved under and in accordance with the Contract Agreement.

6. Shareholding

6.1 The Parties agree that the proportion of shareholding among the Parties shall be as follows:

First Party:

Second Party:

7. Representation of the Parties

Each Party represents to the other Parties as of the date of this Agreement that:

(a) Such Party is duly organised, validly existing and in good standing under the laws of its incorporation and has all requisite power and authority to enter into this Agreement;

(b) The execution, delivery and performance by such Party of this Agreement has been authorised by all necessary and appropriate corporate or governmental action and a copy of the extract of the charter documents and board resolution/ power of attorney in favour of the person executing this Agreement for the delegation of power and authority to execute this Agreement on behalf of the JV/Consortium Member is annexed to this Agreement, and **will not**, to the best of its knowledge:

(i) Require any consent or approval not already obtained;

(ii) Violate any Applicable Law presently in effect and having applicability to it;

(iii) Violate the memorandum and articles of association, by-laws or other applicable organisational documents thereof;



(iv) Violate any clearance, permit, concession, grant, license or other governmental authorisation, approval, judgement, order or decree or any mortgage agreement, indenture or any other instrument to which such Party is a party or by which such Party or any of its properties or assets are bound or that is otherwise applicable to such Party;

(v) Create and impose any liens, mortgages, pledges, claims, security, interest, charges or Encumbrances or obligations to create a lien, charge, pledge, security interest, encumbrances or mortgage in or on the property of such Party, except for encumbrances that would not, individually or in the aggregate, have a material adverse effect on the financial condition or prospects or business of such Party so as to prevent such Party from fulfilling its obligations under this Agreement.

(c) This Agreement is the legal and binding obligation of such Party, enforceable in accordance with its terms against it; and

(d) There is no litigation pending or, to the best of such Party's knowledge, threatened to which it or any of its Affiliates is a party that presently affects or which would have a material adverse effect on the financial condition or prospects or business of such Party in the fulfilment of its obligations under this Agreement.

8. Termination

This Agreement shall be effective from the date thereof and shall continue in full force and effect until the Financial Close of the Project is achieved under and in accordance with the Contract Agreement, in case the Project is awarded to the Consortium. However, in case the Consortium is either not pre-qualified for the Project or does not get selected for award of the Project, the Agreement will stand terminated in case the Applicant is not pre-qualified or upon return of the Bid Security by the DoT&CA, HP to the Bidder, as the case may be.

9. Miscellaneous

9.1 This Joint Bidding Agreement shall be governed by laws of India.

9.2 The Parties acknowledge and accept that this Agreement shall not be amended by the Parties without the prior written consent of the DoT&CA, HP.

IN WITNESS WHEREOF THE PARTIES ABOVE NAMED HAVE EXECUTED AND DELIVERED THIS AGREEMENT AS OF THE DATE FIRST ABOVE WRITTEN. SIGNED, SEALED AND DELIVERED

For and on behalf of
LEAD MEMBER by:
(Signature)
(Name)

SECOND PART
(Signature)
(Name)