



NATIONAL CAPITAL REGION TRANSPORT CORPORATION

Regional Rapid Transit System



Empanelment of Creative & Advertising Agencies for Three Years period

(No. EOI/COR-OF/CC/01)

(Empanelment Document – September 2022)

GatiShakti Bhawan, INA
New Delhi – 110023
www.ncrtc.in

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Empanelment of Creative and Advertising Agencies

A. GENERAL INFORMATION

1. National Capital Region Transport Corporation (NCRTC) is a joint venture of the Government of India and State governments of Haryana, Uttar Pradesh Rajasthan and NCT of Delhi. The company is mandated to execute three prioritized Regional Rapid Transit System (RRTS) corridors in National Capital Region i.e. Delhi-Ghaziabad-Meerut, Delhi-Gurugram-SNB-Alwar and Delhi-Panipat in the first phase.
2. NCRTC intends to empanel Creative & Advertising Agencies who can do the work of developing creatives of various information and advertising material such as Leaflets, pamphlets, posters, Hoardings, Books, Annual Reports, Brochures, Diaries, Calendars, Reports, Signages, digital Slides, Infographics, video clips, films etc. along with the work of publishing advertisements/NITs/notices in various print medium.
3. **NCRTC intends to empanel 5 (Five) Creative & Advertising Agencies (out of which at least 3 has to be Advertising Agencies) for a period of 3 years extendable to another year on satisfactory performance.**
4. **Creative Agencies who are not in the business of publishing advertisement/notices can apply for empanelment for Creative work only while, Advertising Agencies have to apply for both types of work i.e. for Creatives and Advertisement works.**
5. NCRTC intends to empanel 5 nos. of Creative & Advertising Agencies, out of which at least 3 have to be Advertising agencies. It means at the maximum 2 nos. of exclusive Creative agencies that are not in the business of publishing advertisements shall be considered.
6. NCRTC invites sealed applications for empanelment from established and qualified Creative Agency as well as Advertising Agencies for a period of three years, extendable for another year subject to satisfactory performance.
7. Application in the enclosed format and all desired documents as per Packet A and B, addressed to CPRO, National Capital Region Transport Corporation Ltd, GatiShakti Bhawan, INA, New Delhi – 110023, should be submitted **upto 1500hrs on 13.10.2022**. In case the date fixed is declared a holiday, the application should be submitted on the next working day upto 1500hrs without any further notice by NCRTC.
8. Application received after the stipulated date and time will not be accepted. NCRTC will not be responsible for any postal delay.
9. NCRTC reserves the right to reject the incomplete and conditional applications.

10. All the documents attached will have to be attested by the Company's Head of Department or authorised representative with company seal. All documents, data and other statements in the application will be subjected to strict proof check and verification by NCRTC, if felt necessary. **If the company seal is illegible, NCRTC reserves the right to reject such applications.**
11. NCRTC reserves the right to accept or reject any application or all applications without assigning any reason.
12. NCRTC reserves the right to seek performance report from other clients of the Creative & Advertising Agencies.
13. **Conflict of Interest:** An applicant (agency) or any of its constituents shall not have conflict of interest. All applicants found to have a conflict of interest shall be disqualified. An applicant shall be considered to be in a conflict of interest with one or more parties in this empanelment process, if, including but not limited to:
 - (a) they have controlling shareholders in common; or
 - (b) they receive or have received any direct or indirect subsidy from any of them; or
 - (c) they have the same legal representative for purposes of this application; or
 - (d) they have a business relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the empanelment application of another applicant, or
 - (e) an Applicant cannot participate as a single entity or as a partner of JV in more than one application for a package in this empanelment process. Participation by an applicant in more than one application will result in the disqualification of all applications in which the partner is involved. Also, an applicant cannot be a sub-contractor to another applicant. However, this does not limit the inclusion of the same subcontractor in more than one application: or
 - (f) an Applicant or its constituents participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Empanelment Application; or
 - (g) an Applicant was affiliated for any period(s) during last two years before the date of issue of this Empanelment document with an applicant or entity that has been hired (or is proposed to be hired) by the Employer as Engineer for the contract.
14. To assist in the examination, evaluation and comparison of the Empanelment Applications, NCRTC may, at its discretion, ask any Applicant for a clarification of its application. Any clarification submitted by an Applicant that is not in response to a request by the Applicant shall not be considered. NCRTC's request for clarification and the response shall be in writing. No change in the substance of the Application shall be sought, offered, or permitted, except to confirm the correction of errors discovered by the NCRTC in the evaluation of the Empanelment Application. The Applicant shall respond to the queries. If an Applicant does not provide clarifications of its application by the date and

time set in the NCRTC's request for clarification, their application shall be evaluated as per the available information in the submitted application.

15. NCRTC reserves the right to reject the application, in case the agency has been **blacklisted** by any of its client in the last 5 years.

B. SCHEDULE OF EMPANELMENT PROCESS

Sl. No.	Items	Details
1	Date of starting of the Empanelment Process (Notice publishing date on NCRTC website and in newspaper)	September 13, 2022
2	Downloading of application started from NCRTC website i.e. www.ncrtc.in	September 13, 2022, 1100 hrs
3	Last date of submission of application	October 13, 2022, 1500 hrs.
4	Place and Address for submission of application	CPRO, NCRTC Corporate Office, GatiShakti Bhawan, INA, New Delhi - 110023
5	Date, Time and Venue for the opening of the received applications	October 13, 2022, 1530 hrs. at Ground Floor, Conference Room, NCRTC Corporate Office, GatiShakti Bhawan, INA, New Delhi - 110023
6	Address for communication	CPRO, NCRTC Corporate Office, GatiShakti Bhawan, INA, New Delhi - 110023
7	Contact Officials	CPRO, Contact – 011 – 24666700, Email: pr@ncrtc.in

C. SCOPE OF WORK

Scope of work broadly consists of, but not limited to the following:

I. Work related to publishing of NIT/Public Notices/Advertisements etc.

1. To release the advertisements in the newspapers after taking approval of the design with all the details provided by the NCRTC corporate communications department.
2. To release the advertisement only to the publication as indicated in the Release Orders issued by Corporate Communications, NCRTC.
3. To ensure that the NCRTC advertisements/public notices/NITs appear in the specified newspapers in a conspicuous and impressive manner while occupying minimum space.
4. To undertake designing, typesetting, artwork, preparation of block and matrix as well as art pulls as required for the release of advertisement, free of cost/without any charges payable by NCRTC, irrespective of size of advertisement, or number of newspapers to which classified/display advertisement is to be released.

II. Work related to Creative works:

5. Preparation of entire range of Creatives (Leaflets, pamphlets, posters, Hoardings, Books, Annual Reports, Brochures, Diaries, Calendars, Reports, Signages, digital Slides, Infographics, TVCs, radio jingles, A/V products, video clips, films) for various requirement of outdoor, indoor, digital, electronic and social media applications.
6. To undertake designing, copywriting and printing of creatives like brochures, leaflets, folders, booklets, posters etc on required medium and scale as per the requirement.
7. To undertake Design and production of communication and creative elements for print, TV, radio and online channels for the period of engagement of identified theme and campaigns as decided by NCRTC.
8. To undertake installation of exhibitions, stalls at conferences, seminars and workshops.
9. To undertake outdoor display material and panels with all preparation, installation and running of NCRTC themed materials etc.
10. To have the capability to design and release creatives on the Internet and conduct SMS or any other campaign of electronic nature, if called upon to do so in administrative interest.

11. To also undertake planning, designing and maintenance of social media campaigns as well as open, maintain and monitor social media accounts on behalf of NCRTC.
12. Including but not limited to making of Gifs, Short Animated Clips, AVs, Films, interactive digital content including digital calendars, digital invites, etc.
13. Being empanelled does not guarantee for any work from NCRTC. Work allocation between empanelled agencies shall be done in the following manner:
 - i) **Work of Publishing NIT/Notices/Advertisement etc.:** Based on the NCRTC's advertising policy, allocation of publishing work shall be done among those empanelled agencies which are empanelled for advertising work. At present, this is being done on rotation basis.
 - ii) **Work related to creatives:** Opportunity will be given to all the empanelled agencies for specific works and the same would be allocated by adopting a suitable mechanism which would be informed in advance.

D. SELECTION PROCEDURE

NCRTC intends to empanel 5 (Five) Creative & Advertising Agencies (out of which 3 have to be advertising agencies required to do both creative & advertising work) for a period of three years, extendable for another year subject to satisfactory performance. The selection procedure has been divided into following two levels:

Level A Screening –

The Level A screening will evaluate whether the agencies have submitted all relevant documents in the prescribed format or not and whether they conform to the financial guidelines set by NCRTC. The documents submitted as per Para 'E' in Packet A will be evaluated for this purpose. The applications of the qualified agencies will be submitted for the Level B Evaluation for further processing.

Level B Evaluation –

The shortlisted agencies recommended after Level A screening along with documents & creatives submitted under Packet B (as per Para F) will then be analysed at Level B Evaluation.

The agencies will be shortlisted on the basis of evaluation of documents & creatives submitted under Packet B and marks awarded after critical review of applicant's Creative(s). **The agencies would be analysed on a scale of 100. The allocation of marks will be as follows:**

Z vSr. No.	Parameter	Maximum Marks
(i)	<u>Experience of handling 'Similar Works'.</u>	
	<i>"Similar Work" is defined as designing as well as printing or installation works of various creatives/exhibitions/advertisements, panels, Annual reports, Brochures, Pamphlets, Folders, banner, backdrops etc (other than publishing NIT).</i>	
	<u>Number of similar works executed in the last 5 years (Max 30 Marks)</u>	
	More than 20	30 marks
	11 to 20	20 marks
(ii)	<u>Experience of handling 'Similar Works' for Government/PSUs.</u>	
	Similar Works for Government/PSUs means those similar works executed for Government of India/State Government/Public Sector Undertakings/Autonomous Bodies under Government of India covering Government projects/initiative.	
	<u>Number of similar works executed in the past 5 years for Government/PSUs (Max 30 Marks)</u>	
	More than 10	30 marks
	06 to 10	20 marks
(iii)	<u>Quality of submitted creatives/designs executed in the last 5 years (on the basis of following parameters) (Max 40 Marks)</u>	
	Overall Quality of artwork/creative	10 Marks
	Treatment (Creative & Persuasive Approach)	10 Marks
	Clarity of information	10 Marks
	Design/Artwork aesthetics	5 Marks

Z vSr. No.	Parameter	Maximum Marks
	Impact <i>For evaluation in this parameter, bidder to submit its best 02 numbers of designs/creatives and at least one social media campaign/digital artworks/radio spot/TV spot, that they have executed for any client of various executed works related to advertisements, Annual reports, Brochures, Pamphlets, Folders, banner, backdrops, social media template etc. (Only in English/Hindi language), preferably of Infrastructure Sector, executed in the last 5 years to be provided in a pen drive or online link (open cloud link). This parameter will be evaluated by the committee.</i>	5 Marks
Total Marks		100

To decide upon the above parameters, the committee may also call agencies after opening of technical bid in writing by NCRTC for presentations if it considers necessary and bidder shall give presentation within 7 days from the date of communications (Presentation time – 30 minute). However, **no additional weightage** will be given for the presentation.

In case there is a tie in marks awarded to applicants, empanelment would be decided on the basis of the most number of similar works done by the agency for any government/PSUs for last 5 years ending the last day of the month previous to the month of end of EOI submission.

The minimum cut off criteria for shortlisting at Level B will be 60%, which means agencies scoring 60% or more percentage of marks at level B screening will only be considered for empanelment. If the number of shortlisted bidders is less, then the client may in its sole discretion shortlist the agencies whose technical score is less than 60%, the minimum prescribed, but not less than 50%. Top 5 (five) agencies scoring highest marks at level B screening will be empanelled as Creative & Advertising Agency (out of which at least 3 have to be advertising agency). It means at the maximum 2 nos. of exclusive Creative agencies that are not in the business of publishing advertisements shall be considered.

For Example: The top ten agencies scoring highest marks with respect to the work (for advertising & Creative work or for exclusively creative work only) applied for are as follows:

- Rank 1 - Agency applied for Creative work only.
- Rank 2 - Agency applied for Advertising & Creative work only.
- Rank 3 - Agency applied for Creative work only.
- Rank 4 - Agency applied for Creative work only.
- Rank 5 - Agency applied for Creative work only.
- Rank 6 - Agency applied for Advertising & Creative work only.
- Rank 7 - Agency applied for Creative work only.
- Rank 8 - Agency applied for Creative work only.
- Rank 9 - Agency applied for Advertising & Creative work only.
- Rank 10 - Agency applied for Creative work only.

So in this example, the empanelled agencies would be as follows:

- Empanelled Agency 1 - Agency at Rank 1 applied for Creative work only.
Empanelled Agency 2 - Agency at Rank 2 applied for Advertising & Creative work.
Empanelled Agency 3 - Agency at Rank 3 applied for Creative work only.
Empanelled Agency 4- Agency at Rank 6 applied for Advertising & Creative work.
Empanelled Agency 5 - Agency at Rank 9 applied for Advertising & Creative work.

Applicants shall be aware of the following:

1. All agencies willing to apply for the empanelment shall fill the application form along with Packet A and Packet B documents as per the requirements of selection procedure at 'D'.
2. NCRTC will scrutinize both Packets of documents in the process of finalisation of empanelment. Packet B documents will be opened only for those agencies who have been shortlisted after Level A Screening.
3. All the application documents as attached with application must be signed, along with seal by Authorized signatory of Agency.
4. All documents should be sealed inside Packet A and Packet B as per the mentioned requirements. At the time of submission both envelopes should be put in **one larger sealed envelope**. The Packet B documents will be opened for assessment only for the shortlisted agencies after the Level A Screening.
5. **All pages in the application envelope (Packet A) as well as the creative envelope (Packet B) have to be serially numbered, in the absence of numbering, NCRTC reserves the right to reject the application.**
6. **Company's CEO/ or authorised official on behalf of the applicant Creative Agency must fix seal and sign on each and every page of the application, terms and conditions and all documents submitted (in addition to verification/attestation, if required).**

The written confirmation of authorization to sign on behalf of the Applicant shall consist of:

- (a) In case of Private/Public Companies, a Power of Attorney (POA) from the Director of the Company who has been authorized by the Board of Directors through resolution to sign on behalf of the Company. Copy of Board Resolution shall also be submitted.
- (b) In case of proprietorship applicants, Power of Attorney by the Proprietor.
- (c) In case of partnership applicants, Power of Attorney duly signed by all the partners

7. Only INS accredited agency shall apply for the empanelment for the work of publishing NIT /Advertising/notices. **Continuous accreditation from INS for last 5 years is mandatory.**
8. If an application is not in prescribed format or not accompanied by all the necessary documents, it may be summarily rejected.
9. NCRTC reserves the rights to add, delete or revise any of the empanelment conditions, and also include special conditions as new ones, as and when required. The decision of NCRTC in this regard shall be final and binding on all.
10. An agency, which has been empanelled, may be removed from the panel in case it is observed that the agency has submitted incorrect documents during/after the empanelment process.
11. Canvassing or recommendations or putting pressure from any source to influence the process of empanelment of Creative Agency by National Capital Region Transport Corporation Ltd will lead to automatic disqualification and such applications will be summarily rejected / will not be considered

E. Documents to be furnished – (Packet A) for Level A Screening

1. PAN No. & GST registration certificate will have to be attached with the application.
2. INS accreditation certificate for last 5 years, in case applied for empanelment for advertising works.
3. Statement certifying turnover: (to be provided in the form Fin-2)
For agencies who have submitted applications for creative & advertising work:

Agency must have an average annual turnover of **Rs.2.25 crore** in the last 3 financial years from print media advertising work. Duly certified by Chartered Accountant/ Auditor of the Agency with proper seal and signatures.

or

For agencies who have submitted applications for creative work only:

Agency must have an average annual turnover of **Rs.26 lakhs** in the last 3 financial years from creative works. Duly certified by Chartered Accountant/ Auditor of the Agency with proper seal and signatures.

4. Copy of the memorandum of articles of association/partnership, deed/proprietorship deed/ certificate of incorporation (in case of company) etc. must be attached with the application without fail. Franchise is not permitted, application submitted by franchisees will not be entertained. Joint Ventures are not permitted, however incorporated JVs are permitted, in such cases credentials of such incorporated JVs shall be taken. (to be filled as per form ELI-1)

5. A document to ascertain that the Agency have a full-fledged office, with sufficient telephone numbers – both fixed and mobile and e-mail, which may be contacted even after office hours for work shall be submitted. An address proof of the existence of the office such as bills of landline telephone connections, electricity bills must be provided. NCR office must have staff, equipments, licensed softwares and tools to take up design, artwork, and design etc. An undertaking in this regard must be submitted as given in this empanelment document.

A document ascertaining that the Agency's office in NCR is in an area/building authorised for running agency. The Agency will have to attach a declaration to the effect, that its Delhi office is located in an area/building authorised for running agency. Details of offices located in Delhi and other cities (address, phone-both fixed and mobile, faxes and e-mail) must be provided. A declaration to the effect must be submitted along with the application by the Agency that the office premises/ building is authorised owned or rented by the agency. The above declaration must be given by authorised signatory in the undertaking form given with this empanelment document (to be filled as per form UT-1).

6. In case of incorrect declaration, the application/empanelment of the Agency will be rejected/ cancelled.

A Declaration form of not being blacklisted or terminated during the period of last 5 years by any client (to be filled as per form UT-3).

F. Documents & Creatives to be furnished – Packet B - for Level B Evaluation process

1. List of the professionals on rolls with agency's NCR office, mentioning their name, designation, academic and professional qualifications and length of service. Creative Agency must have In-House/contractual English and Hindi translators and copywriters. A declaration in this regard must be given in the undertaking form given with this empanelment document.

List of professionals must be signed by the authorised signatory of the agency and attested by the Chartered Accountant (to be filled as per form UT-2).

2. List of handling similar creative work (other than publishing of nit/advertisement) done for Government/PSUs from the last 5 years with supporting document such as copy of work orders/work completion certificate etc. duly certified by the agency's-chartered accountant.

The details are to be given as per form EXP-1.

List of Clients for the last 5 years, with dates from and to regarding period of engagement, must be attached with the application, duly certified by chartered accountant.

3. The Agencies should submit **two display creatives** such as Posters, hoardings, banners, brochures, paper advertisements, books, reports like annual reports, diary, calendar, signages etc. which they consider their best. These creatives must have been created and published within the last 5 years and they must attach their copies i.e. art pulls plus tear sheets with the application along with date/month of publication and respective release orders of the client. Testimonials from the clients of these creative artwork/advertisements must be attached with the application. Advertisements/Creatives without client testimonials from Marketing/PR departments/Chief Executive will not be considered. **Language for such creatives can only be English/Hindi.**
4. The Agencies should submit a Pen Drive (open drive link) consisting of screen shots, job orders, detail of creative work and completion certificates **for at least one** social media campaign/digital artworks/radio spot/TV spot that they have executed for any client. The campaign / digital artwork must have been executed for the last 5 years and testimonials from the clients of these campaigns must be attached. Submissions without client testimonials from Marketing/PR departments/Chief Executive will not be considered. **Language for such creatives can only be English/Hindi.**
5. **IMPORTANT: All documents must be for creative work done for other organisations and NOT FOR NCRTC.**

CHECKLIST OF DOCUMENTS AND DECLARATIONS TO BE SUBMITTED AND SIGNED BY THE AUTHORISED PERSON ALONGWITH SEAL (FORMAT ATTACHED)

G. Post Empanelment

1. The duration of the empanelment will be for a period of 3 (Three) years from the date of finalisation of empanelment further extendable to another year, subject to satisfactory performance from the date of issue of the letter of empanelment. **Annual performance reviews on the responsiveness of the empanelled agency will be conducted every year for the continuation or extension of the tenure of empanelment.**
2. NCRTC reserves the rights to terminate the panel/empanelment of any of the empanelled agency/ agencies at any time before expiry of the empanelled period without assigning any reasons by giving one month's notice.
3. NCRTC can also terminate the empanelment of any Agency at any time for not fulfilling any of the terms and conditions including special conditions. The Agency shall not be entitled for any damage or compensation against such termination.
4. **Arbitration** - All questions, disputes and /or differences arising under or in connection with this empanelment shall be resolved by Arbitration as per the provisions of 'The Arbitration and Conciliations Act -1996' and amended by arbitration and conciliations (amendment) at 2015 and any statutory modifications or reenactment thereof in accordance with this clause and

amended time to time. The event shall be referred to the sole arbitration of the officer or person nominated by the Managing Director/NCRTC whose decision in this regard shall be binding on the applicant. The venue of the arbitration shall be New Delhi. The Fee & expenses of the arbitration Tribunal shall be shared jointly in equal proportion by the parties.

5. In case of any dispute or difference arising between the parties under this Application and arising/ relating to this Application shall be governed by and construed in accordance with the laws of India and the parties hereto irrevocably submit to the exclusive, jurisdiction of the Courts in Delhi to try any suit, proceeding in connection herewith in that behalf.
6. In the event of any breach of the said terms and conditions of the empanelment, NCRTC may de-empanel and debar the agency from participating in the future works of NCRTC for a period of 1 year.

H. Work procedure

1. Being empanelled does not guarantee for any work from NCRTC. Work allocation between empanelled agencies shall be done in the following manner:
 - i) **Work of Publishing NIT/Notices/Advertisement etc.:** Based on the NCRTC's advertising policy, allocation of publishing work shall be done among those empanelled agencies which are empanelled for advertising work. At present, this is being done on rotation basis. However, NCRTC reserves the rights for release of any advertisement from any Advertising Agency on the panel.
 - ii) **Work related to creatives:** Opportunity will be given to all the five empanelled agencies for specific works and the same would be allocated by adopting a suitable mechanism which would be informed in advance.
2. It is made clear that no incidental charges of any nature will be payable by NCRTC, related to any cost incurred by the Agency during the process of receipt/execution of release orders pertaining to publishing of NITs/advertising/notices in newspapers by NCRTC's Corporate Communications office.
3. The empanelled agency shall ensure that advertisements are published in time, as stipulated in NCRTC's Corporate Communications office's release orders and if not stipulated, it should be published in the newspapers immediately without loss of time at any stage. It should be properly positioned and correctly reproduced as per NCRTC Corporate Communication office's order copy. In case of late publication of the advertisements after stipulated period/date, it will be the discretion of the Engineer/In charge, NCRTC to impose penalty and/or allow partial/ total payment.
4. The empanelled Agency (for advertising work) will be bound to obtain acknowledgment from the newspapers of the timely delivery of advertisement material and release order. Photocopy of the

acknowledgments should be kept in record as proof so that it could be ascertained that the agency has efficiently arranged to deliver the advertisement material/Release Order to all the newspapers in time. Any laxity in regard to non-deliverance or late delivery of Ad material or Release Order will be viewed very seriously. In case it is observed that Agency has frequently failed to deliver Ad material and respective release order in time or it is not arranging timely payment to the newspaper against publication of Advertisement, Corporate Communications office administration may stop utilization of the Advertising Agency temporarily or permanently. Business/ allotment of work will depend on efficient working of the Advertising Agency.

5. All the layouts including design and artwork of the display advertisements will be strictly subject to approval by NCRTC Corporate Communications office prior to release for publication in the daily newspaper & periodicals. Translation in newspaper's language and proof reading will be the responsibility of the Empanelled agency. Any complaint received in this respect will be viewed seriously and action may be initiated against the agency.
6. Size of NIT/advertisements/notices should be get approved from NCRTC Corporate Communication office prior to release to the newspaper and bills should be claimed strictly in accordance with the size/specifications/design approved.
7. Advertisement/NIT/Notices material taken by the empanelled agency, after typesetting/designing must be submitted on the same day for approval of NCRTC Corporate Communication office. Release order will be issued after approval of the type-set material/design.
8. The empanelled agency (for advertising work) will ensure supply of the copies of the newspapers in which the respective advertisement/NIT/notices has been published positively within a period of 10 days. Any failure in this respect shall be viewed seriously by the Administration and action may be initiated against the agency.
9. It is the responsibility of the empanelled agency to ensure that correct and readable advertisement/NIT/notice is published. In case, incorrect and not legible Ads are published by the newspapers, the agency must not accept advertising bill of the newspaper and send it back to the newspaper telling reasons in writing for not accepting the bill. Copy of such letter should be sent to NCRTC Corporate Communication office also for information.
10. **Penalty Provisions:** NCRTC Corporate Communications office, reserves the right for deduction of dues from empanelled Advertising Agency's Security amount on the following grounds:
 - i) Any amount imposed as penalty/fine in default of any work, which will not exceed the cost of work. The penalty amount will be in addition to the amount withheld in bill related with work.
 - ii) Any amount which NCRTC becomes liable to pay the Govt./third party on behalf of any of the default of the empanelled agencies or any servant/agent.

- iii) Any payment/fine made under the order/judgment of any court consumer forum or any law enforcing agency or any person working on behalf of the same.
 - iv) In case there is an error in publication of the advertisements as compared to advertisement's matter approved by NCRTC, then the empanelled agency (for advertising work) shall arrange to publish corrigendum immediately, under advice to this office, at its own cost. No bill should be raised to NCRTC for this advertisement and NCRTC will not pay any charges for publication of published corrigendum, whatsoever. Further, an **amount as full value of the published advertisement may be imposed as penalty by NCRTC, in case the corrigendum is not published in the same media list in addition to other penalty charges.**
11. The empanelled agency will ensure that the language of advertisements published in the newspapers should be same as the language of the newspapers until and unless specially instructed by the NCRTC Corporate Communication office on the Release order.
 12. The Agency will have to ensure compliance with copyright, patents and other Intellectual Property Laws, in all material, including art work/design, supplied by them. The Creative Agency will be completely liable in all such cases, and no liability shall lie with NCRTC.
 13. The agency should abide by and have good understanding of various laws/regulations governing advertisement/publicity such as:
 - a. The Emblems and Names (Prevention of Improper use) Act, 1950.
 - b. Indecent Representation of Women Act, 1989.
 - c. Monopolies & Restrictive Trade Practices Act, 1969. Now competitive Act, 2002.
 - d. Drugs and magic remedies Act, 1954.
 - e. Prize competition Act, 1953.
 - f. Section 24 of the Food Safety & Standard (FSS) Act, 2006.
 - g. RBI Rules and Regulations.
 - h. Prohibition Acts such as prohibition of smoking, defacing of public property, monuments, etc.
 - i. Defamatory Advertisements, etc.
 - j. Information Technology Act, 2000.
 - k. Other relevant Acts.
 14. The NCRTC Corporate Communications Office or its representatives have all rights to inspect Agency's premises during office hours on any working day and check /inspect any record of the Agency connected with the working related with NCRTC.
 15. NCRTC Corporate Communications office reserves the right to get Advt. designed as well as release any advertisement directly to the newspapers.
 16. NCRTC Corporate Communications reserves the right to use the logo, design, layout etc prepared by any Advertising Agency for releasing advertisements directly through any other Advertising Agency or any other

source as deemed fit by this organisation without Advertising Agency's consent, which designed the advertisement.

I. Billing/ Payment

1. Payment will generally be done within 30 days of the submission of the GST invoice, subject to satisfactory completion of the job.
2. The Agency will submit computerized bills along with the LOA and certification of deliverables. In case of NIT/notice/advertisement releases, tear sheets of newspapers containing published advertisements/NITs/notices shall be attached.
3. Agency shall be solely responsible for raising correct invoices/bills in all respect and a 'certificate' to this effect will have to be endorsed on all the bills.
4. NCRTC reserves the right to disallow a part or full payment against any bill, if any of the terms of agreement is violated.
5. The Agency will have to submit full & final bill, positively within 30 days from the date of work done. NCRTC will make payment after duly verifying the bill and documents submitted along with proof of complete work done.
6. The agency will also ensure to maintain all the records of timely/delayed receipt of the advertisement bills from the newspapers and payments received from NCRTC, so that in case of any complaint received from newspapers, it may be examined thoroughly by NCRTC Corporate Communications office.
7. The empanelled agency will deal with the newspapers in all matters at their level in respect of payments (as per INS rules), failing which empanelment of the agency may be cancelled. NCRTC will have no liability and/or responsibility in this regard.

J. Application Cost

The cost borne by the Agency for applying for empanelment with the NCRTC, cannot be claimed for refund or reimbursement. The agency shall bear all costs associated with the preparation and submission of its application of empanelment and NCRTC shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the empanelment process.

**CHECKLIST OF DOCUMENTS AND DECLARATIONS TO BE
SUBMITTED IN PACKET A & B**

Sl.No .	Checklist	Packet	Submitted / Not submitted
1.	Form ELI-1 (Agency's information sheet)	A	
2.	Form ELI-4 (Power of Attorney (POA))	A	
3.	PAN No. & valid GST registration certificate	A	
4.	INS accreditation certificate for last 5 years (In case applied for empanelment for advertising works).	A	
5.	<p>(For agencies who have submitted applications for creative & advertising work:</p> <p>Agency must have an average annual turnover of Rs.2.25 crore in the last 3 financial years from print media advertising work. Duly certified by Chartered Accountant/ Auditor of the Agency with proper seal and signatures</p> <p>Or</p> <p>For agencies who have submitted applications for creative work only:</p> <p>Agency must have an average annual turnover of Rs.26 lakhs in the last 3 financial years from creative works. Duly certified by Chartered Accountant/ Auditor of the Agency with proper seal and signatures.</p> <p>Details to be provided in Form- FIN-2 (Average Annual Turnover)</p>	A	
6.	<p>A document to ascertain that the Agency have a full-fledged office, with sufficient telephone numbers – both fixed and mobile and e-mail, which may be contacted even after office hours for work, shall be submitted. An address proof of the existence of the office such as bills of landline telephone connections, electricity bills must be provided. NCR office must have staff, equipment's, licensed software's and tools to take up design, artwork etc. An undertaking in this regard must be submitted as given in this empanelment document.</p> <p>Details to be provided in Form-UT-1.</p>	A	

7.	<p>A document ascertaining that the Agency's office in NCR is in an area/ building authorised for running agency. The Agency will have to attach a declaration to the effect, that its Delhi office is located in an area/building authorised for running agency. Details of offices located in NCR and other cities (address, phone-both fixed and mobile, faxes and e-mail) must be provided. A declaration to the effect must be submitted along with the application by the Agency that the office premises/ building is authorised owned or rented by the agency. The above declaration must be given by authorised signatory in the undertaking form given with this empanelment document.</p> <p>Details to be provided in Form-UT-1</p>	A	
8.	<p>Declaration form of not being blacklisted or terminated during the period of last 5 years by any client</p> <p>Declaration to be provided in Form-UT-3</p>	A	
a.	<p>List of the professionals on rolls with agency's NCR office, mentioning their name, designation, academic and professional qualifications and length of service. Creative Agency must have In-House/contractual English and Hindi translators and copywriters. A declaration in this regard must be given in the undertaking form given with this empanelment document.</p> <p>List of professionals must also be signed by the authorised signatory of the agency and attested by the Chartered Accountant</p> <p>Details to be provided in Form-UT-2</p>	B	
b.	<p>List of handling similar works (other than publishing of nit/advertisement) done for Government/PSUs from the last 5 years with supporting document such as copy of work orders/work completion certificate etc. duly certified by the agency's-chartered accountant</p> <p>Details to be provided in Form-EXP-1 separately for each client</p>	B	
c.	<p>List of clients from the last 5 years with dates from and to regarding period of engagement, must be attached with the application, duly certified by chartered accountant.</p> <p>Details to be mentioned in Form-EXP-1 separately for each client</p>	B	
d.	<p>Copies of two display creatives which they consider their best like Posters, hoardings, hoardings, banners, brochures, paper advertisements, books, reports like annual reports, diary, calendar, signages etc. along with date/month of publication and respective release orders of the client. These creatives must have been created and published from the last 5 years.</p>	B	

	<p><u>Testimonials from the clients of these creative artwork /advertisements must be attached with the application</u></p> <p>Language for such creatives can only be English/Hindi</p>		
e.	<p>A Pen Drive consisting of screen shots, job orders, completion certificates, detail of creative work etc. for at least one social media campaign/digital artwork/radio spot/TV spot that they have executed for any client. The campaign must have been executed for the last 5 years. <u>Testimonials from the clients of these campaigns must be attached.</u></p> <p>Language for such creatives can only be English/Hindi</p>	B	

Declaration: All the documents furnished by the
Creative & Advertising agency
 are genuine and original. The undersigned has verified the documents and takes full
 responsibility in ensuring their authenticity.

Signature of the Agency
official with designation and
official seal

FORMAT FOR SUBMITTING APPLICATION FOR EMPANELMENT IN
NATIONAL CAPITAL REGION TRANSPORT CORPORATION

Date: _____

Name of Agency _____
Address _____

To,
CPRO
NCRTC Corporate Office,
GatiShakti Bhawan, INA
New Delhi – 110023

Sub: Empanelment of Creative & Advertising Agencies for three years period.
Ref: Advertisement regarding Empanelment of Advertising agency by NCRTC.

Dear Sir,

1. With reference to invitation of empanelment of Creative & Advertising Agencies, I/We agree to offer following service(s) to NCRTC as per the terms & conditions specified in the empanelment document dated July 2022:

Advertising & Creative work Creative work only

(Please tick either of two, whichever is applicable.)

2. I/We have perused the attached terms and conditions stated in the EOI document for referred empanelment and hereby agree to abide by all the said conditions.
3. I/We have understood that along with this application, I/We must attach all documents and forms as per the check list of the EOI document, failing which my/our application will be deemed incomplete and will be summarily rejected.
4. I/We have understood and agree that in case we indulge in canvassing or trying to influence the process of empanelment or the decision of NCRTC before, during or after the empanelment process, our application will be summarily rejected.
5. I/We, including any subcontractors or suppliers for any part of the contract, do not have any conflict of interest.

6. I/We am/are not participating, as an applicant or as a subcontractor, in more than one application in this empanelment process.
7. While submitting this application, I/We certify that
 - a. I/We have not induced nor attempted to induce any other Agency to submit or not submit an application for restricting competition.
 - b. I/We agree with all the terms and conditions specified in the empanelment document.
 - c. I/We declare to the best of our knowledge and belief, that the information given in this application and attachments are correct, complete and true.
 - d. It is understood that this is not a tender form, but empanelment process and no business is guaranteed by NCRTC, on qualifying empanelment eligibility.
 - e. I/We understand that NCRTC reserves the right to accept or reject any or all applications at any time without assigning any reasons. I/We agree to abide by all the decisions of NCRTC in this regard.
 - f. Company details are provided in the form-ELI-1 (information sheet)
 - g. The accreditation certificate of the INS for the last 5 years has been submitted.
 - h. The turnover of the agency during the last **three years** has been submitted in the **Form – Fin-2**.
 - i. The certified/signed copy of the checklist of documents and declaration have been attached.
 - j. Experience of similar work done with Government/PSU along with clients name (Government, Semi Government, Private, others) for the last 5 years submitted (as per form EXP-1 separately for each contract/work)
 - k. **A declaration that the agency was not blacklisted or terminated during the period of last 5 years by any client submitted (to be given in the form UT-3).** (*Kindly specify the reasons for blacklisting or termination*):
 - l. I/We understand that our creatives (Packet B) will be assessed for empanelment only if the application documents provided in Packet A are found to be complete and in order.
 - m. I/We here by confirm that, we have downloaded / read the complete set of Empanelment documents /addendum/corrigendum along with the set of enclosures hosted on website of NCRTC. I/We confirm that we have gone through the empanelment documents, addendums/corrigendum's placed up to the due date of submission of the empanelment applications. I/ We confirm our unconditional acceptance for the same and have considered for these in the submission of our empanelment application both Packet A &B).

All pages of this application have also been signed by me/us. All pages in the Packet-A and Packet-B have been serially numbered.

Yours sincerely,

(Authorised Signatory)

Name

Designation and Seal

Name of the company

Address

Telephone

Mobile

Fax

Email

Place _____

Date _____

Form ELI - 1: Information Sheet

1. Bidder's Information	
Bidder's legal name	
In case of a Joint Venture, legal name of each partner	
Whether MSEs/Startup,	<input type="checkbox"/> MSEs <input type="checkbox"/> Startup
Bidder's country of constitution/Incorporation	
Bidder's year of constitution/Incorporation	
Bidder's legal address in country of constitution/Incorporation	
Bidder's authorized representative (Name, signature, address, telephone number(s), fax number(s), e-mail address)	
Bidder's bank account details	
Attached are copies of the following documents. <ul style="list-style-type: none"> <input type="checkbox"/> 1. In case of a single entity, articles of incorporation or constitution of the legal entity named above. <input type="checkbox"/> 2. Affidavit in case of Proprietary firm <input type="checkbox"/> 3. Partnership Deed in case of partnership firm. <input type="checkbox"/> 4. Authorization to represent the firm or Joint Venture named above. <input type="checkbox"/> 5. In case of a Joint Venture, Joint Venture agreement. <input type="checkbox"/> 6. In case of a government-owned enterprise, any additional documents not covered. <input type="checkbox"/> 7. In case of MSEs/Startup, attach required certificate. 	

Form FIN - 2: Average Annual Turnover

Each Bidder must fill out this form.

The information supplied should be the Annual Turnover of the Bidder in terms of the amounts billed to clients for each year for work in progress or completed for print media advertising works for Creative and Advertising agency and for creative works only for Creative agencies.

Annual Turnover	
Year	Turnover Amount in INR
Year 1*	
Year 2	
Year 3	

*Year 1 shall be the latest financial year.

Average Annual Turnover

Notes:

- The contents of this Form should be certified by a Chartered Accountant/Auditor (In case bidder or JV Partner is Indian, the Form should be certified by generating **Unique Document Identification Number (UDIN)** as per Gazette Notification No.1-CA(7)/192/2019 dated 02.08.2019), failing which Employer has right to reject the Bid.

SEAL AND SIGNATURE OF THE BIDDER

Certified that all figures and facts submitted in this form have been furnished after full consideration of all observations/notes in Auditor's reports.

(Signature of CA/Auditor)

Name of CA/Auditor: _____
Registration No: _____

(Seal)

UDIN No. _____

Form ELI-4: Power of Attorney (POA) for Submitting Bid

(For Single Entity/Sole Bidder only)

(To be executed on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper to be in the name of the company who is issuing the power of Attorney)

Know all men by these presents, we (name and address of the registered office) do hereby constitute, appoint and authorize Mr./Ms.(name and residential address) who is presently employed with us and holding the position ofas our attorney, to do in our name and on our behalf, all or any of the acts, deeds or things necessary or incidental to the bid for the contract, including submission of bid, withdrawal, substitution and modification of bid, participating in conferences, responding to queries, submission of information/ documents and generally to represent us in all dealings with National Capital Region Transport Corporation Limited or any other Government Agency or any person, in connection with the bid/contract for the said work until culmination of the process of bidding till the contract agreement is entered into with the National Capital Region Transport Corporation Limited and thereafter till the expiry of the contract agreement.

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

..... (Signature)

(Name, Title and address) of the **Person Accepting the POA.**

..... (Signature)

(Name, Title and address) of the **Person issuing the POA.**

Note:

- (i) The bidder should submit the notarized Power of Attorney. In case of Foreign Partners, Power of Attorney(s) and Board Resolution, constitution of the legal entity, memorandum & articles of association or other valid legal instruments acceptable to the Employer confirming authority on the persons issuing the Power of Attorney for such actions shall be submitted duly notarized by the notary public of country of origin and should be either stamped by Embassy/High Commission of India in Bidder's Country or Bidders from Partner Countries of Hague convention may submit these documents with "Apostille" stamp.

Also, in case these documents are in foreign language the translation of the same shall be authenticated by Embassy/High Commission of India in Bidder's Country.

- (ii) 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.

- (iii) The bidder should submit following additional document in support of the POA as case to case basis:

- a) In case of Private/Public Companies, a Power of Attorney (POA) from the legal representative of the company who has been authorized by the Board Resolution, constitution of the legal entity, articles of incorporation or other valid legal

instruments acceptable to the Employer. Copy of Board Resolution shall also be submitted, where applicable.

b) Proprietorship Affidavit in case of Proprietary bidder.

c) Partnership deed in case of partnership bidder.

d) In case of Limited Liability Partnership (LLP), a POA from the legal representative of the company who has been authorized by the Board Resolution, constitution of the legal entity, articles of incorporation or other valid legal instruments acceptable to the Employer. Copy of Board Resolution shall also be submitted, where applicable.

e) Memorandum & Articles of Association in case of a Public/Private Company.

**Form EXP – 1:
Contracts of Similar Size and Nature**

Fill out one (1) form per contract.

Contract of Similar Size and Nature	
Contract No of	Contract Identification
Award Date:	Completion Date:
Nature of Client for which work contract is executed.	<p>Government Private</p> <p align="center"> <input type="checkbox"/> <input type="checkbox"/> </p> <p align="center">(Tick whichever is applicable)</p>
Employer's name Address Telephone number Fax number E-mail	
Description of the Similarity in work	
*Description must include important information about the work.	

Notes:

1. The bidder shall attach a copy of the Certificate(s) issued by the employer in support of the information being furnished in **each** EXP-1 Form, failing which the claim of the bidder shall be liable to be rejected (in case of experience as a sub-contractor, the employer shall be the owner of the Project who has engaged the main Contractor).
2. The experience certificate issued by the Engineer acting on behalf of the employer (owner of the project) shall also be considered provided the documentary evidence establishing the appointment of the said Engineer by the owner of the project shall also be required to be submitted with the bid.
3. Performance /Completion certificates of these projects/engagements to be submitted. However, in case of non-availability of performance/ completion certificate, work order /agreements along with form 26AS as clearly indicating the receipt of payments from the client and a declaration of completion of work from the Managing Director/Whole time director of the company/CEO/CFO should be submitted.

4. The documentation/ information produced/ furnished by the bidder shall be subject to verification by the Employer at any stage during the bidding process or during the contract execution. In case of incorrect certification/ information furnished by any bidder, being noticed during such verification, the employer reserves the right to disqualify or take suitable action as per the extant contractual provisions, as the case may be against such bidder.
5. The Bidder shall also submit Documentary evidence / Client's Certificates in support of the Bidder's claim of the Work Experience in respect of each contract as included above clearly indicating the nature/scope of work, actual completion for such work should be submitted. The private Client's Certificate in support of the Bidder's Claims will be accepted only if such Private Clients is either a listed Company or having a net worth of INR 100 Crores or more (FORM- Private Client Information) in the latest financial year based on Audited Balance sheet not older than 18 months from submission of bids. In such cases where the work executed for private clients are claimed by the Bidder, it should be supported by the copy of work order along with completion certificate.

Form: UT-1

UNDERTAKING FORM FOR OFFICE

(On the Letterhead of Bidder)

We *(Name of the Agency)*
have read the EOI document for the empanelment of Creative & Advertising Agencies for Three Years period and hereby declare that we have a full-fledged office, with sufficient telephone numbers – both fixed and mobile and email, which may be contacted even after office hours for work. The office has staff, equipment, licensed software's, and tools to take up design, artwork etc. Our office is situated in the area/building authorized for running the agency.

Address proof of the existence of the office is enclosed as below (any one):

- | | |
|-----------------------------|--------------------------|
| Bill of Landline connection | <input type="checkbox"/> |
| Electricity bill | <input type="checkbox"/> |
| Rent Agreement | <input type="checkbox"/> |
| Others | <input type="checkbox"/> |

**STAMP & SIGNATURE OF AUTHORISED
SIGNATORY**

Note: To be submitted inside pocket A.

DECLARATION FORM FOR OFFICE STAFF

(On the Letterhead of Bidder)

We (Name of the Agency)
have read the EOI document for the empanelment of Creative & Advertising Agencies for Three Years period and hereby declare that we have sufficient in-house/contractual English and Hindi translators and copywriters.

Following professionals are on rolls of the agency:

Sl. No.	Name	Designation	Qualification	Years of Service

**STAMP & SIGNATURE OF
AUTHORISED SIGNATORY**

**STAMP & SIGNATURE OF
CHARTERED ACCOUNTANT**

Note: To be submitted inside pocket B.

Form: UT-3

DECLARATION OF NOT BLACKLISTED

(On the Letterhead of Bidder)

We *(Name of the Agency)*
have read the EOI document for the empanelment of Creative & Advertising Agencies for Three
Years period and hereby declare that we have NOT BLACKLISTED OR TERMINATED during the
period of last 5 years by any client.

**STAMP & SIGNATURE OF AUTHORISED
SIGNATORY**

Note: To be submitted inside pocket B.
