

National Capital Region Transport Corporation Limited
(JV of Government of India and participating State Governments)



Notice Inviting

Expression of Interest (EOI) of Empanelment of Chartered Accountant Firms for Statutory Auditors for the Operation & Maintenance Contract of the Delhi-Ghaziabad-Meerut Regional Rapid Transit System (RRTS) project awarded by NCRTC.

1. National Capital Region Transport Corporation Limited (NCRTC) (the “Employer”) has awarded contract for Operation & Maintenance (O&M) of the Delhi-Ghaziabad-Meerut Regional Rapid Transit System (RRTS) to M/s DB RRTS Operation India Private Limited (the “Operator”). The financial statements of the Operator are to be audited by a firm of Chartered Accountants, appointed as per the procedure laid down in the O&M Contract Agreement. The O&M Contract Agreement envisages

preparation of a panel of firms of Chartered Accountants having registered office in India and fulfilling the requisite qualifications and experience. NCRTC intends to prepare a panel of Chartered Accountant firms for this purpose. Accordingly, NCRTC proposes to invite offers from Chartered Accountant's firms, fulfilling the following **eligibility criteria**:

- (a) the firm should have conducted statutory audit of the annual accounts of at least five central public sector undertakings companies registered under the Companies Act, 2013/1956, including any re-enactment or amendment thereof;
 - (b) the firm should have at least 5 (five) practising Chartered Accountants on its rolls, each with a minimum experience of 10 (ten) years in the profession;
 - (c) the firm or any of its partners should not have been disqualified or black-listed by the Comptroller and Auditor General of India or the Employer; and
 - (d) the firm should have an office in National Capital Region or Delhi with at least 2 (two) practising Chartered Accountants in (b) above on its rolls in National Capital Region of Delhi.
2. Interested firms meeting the above eligibility criteria shall be required to submit a statement of their capability including the bio data of all the practising Chartered Accountants on its rolls. In particular, each firm shall be required to furnish year-wise information relating to the names of all the companies with an annual turnover exceeding Rupees Twenty-five crores whose annual accounts were audited by such firm in any of the preceding 5 (five) Accounting Years.

3. Scope of services

- 3.1 Audit and certification of accounts of the company providing O&M services.
- 3.2 Providing project specific information as mentioned in the O&M Contract agreement.
- 3.3 Providing any other financial, accounting or management or MIS, related information as may be considered reasonable by NCRTC or by other stake holders to the project.

4. Evaluation and selection

- 4.1 The information furnished by each firm will be scrutinised and evaluated and 1 (one) point will be awarded for each annual audit of the companies specified in Paragraph 2 above. (For the avoidance of doubt and by way of illustration, a firm which has conducted audit of the annual accounts of any such company for 5 (five) years shall be awarded 5 (five) points).
- 4.2 The NCRTC will prepare a list of all the eligible firms along with the points scored by each such firm and 5 (five) firms scoring the highest points shall be identified and included in the draft Panel of Chartered Accountants.

- 4.3 In case of tie in the points as per para 4.2, the firm who have conducted more statutory audit of the annual accounts of central public sector undertakings companies shall be considered.
- 4.4 Subsequently, the Operator will appoint a firm from the above list of 5 firms of chartered accountants. All fees and expenses of the Statutory Auditors will be borne by the Operator.

Expression of interest should be submitted in a sealed cover, delivered at the address given below upto 05.00 pm on or before 14.06.2023 along with the documents as mentioned in Annexure-I and be clearly marked "Expression Of Interest (EOI) for inclusion of name to the Panel of Statutory Auditors of the company providing services for the Operation & Maintenance as per Contract for the Delhi-Ghaziabad-Meerut Regional Rapid Transit System (RRTS) (awarded by NCRTC)".

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Annexure-I

Documents Required to be submitted for Empanelment of Chartered Accountant Firms

S.N	Particulars	Documents required
1	The firm should have conducted statutory audit of the annual accounts of at least five central public sector undertakings companies registered under the Companies Act, 2013/1956, including any re-enactment or amendment thereof	Proof of engagement /appointment letter issued by CA&G accompanies with audited Annual Reports of those companies for the year of appointment.
2	The firm should have at least 5 (five) practising Chartered Accountants on its rolls, each with a minimum experience of 10 (ten) years in the profession	(i) Copy of the latest certificate of the firm from the Institute of Chartered Accountants of India. (ii) CV of 5 (five) practising Chartered Accountants on its rolls with 10 year experience in profession.
3	The firm or any of its partners should not have been disqualified or black-listed by the Comptroller and Auditor General of India or the Employer	Form No-1 duly filled and signed by the authorised signatory to be submitted.
4	The firm should have an office in National Capital Region or Delhi with at least 2 (two) practising Chartered Accountants on its rolls in National Capital Region or Delhi	Address of branch office(s) where at least two practicing Chartered Accountants of the firm are available on its rolls is to be indicated along with the names and CV of these Chartered Accountants.
5	Firm shall be required to furnish year-wise information relating to the names of all the companies with an annual turnover exceeding Rs. 25,00,00,000 (Rupees Twenty-five crores) whose annual accounts were audited by such firm in any of the preceding 5 (five) Accounting Years	Form No-2 duly filled and signed by the Practicing Chartered Accountant (with UDIN). Practicing Chartered Accountant signing certification shall not be in any way related to the firm or partners' of the firm.

Signature and Seal of Authorized

Signatory of the Firm with date

Note:

1. No document other than mentioned in Annexure-I above needs to be enclosed at this stage. However, if required, the same may be requested to be submitted subsequently.
2. Wrong/ incorrect/ incomplete information may lead to disqualification/non-responsiveness.
3. Power of Attorney in favour of the authorized signatory shall be submitted with the application by the authorised person having power to issue POA (**Form No.-3**, POA to be signed).

AFFIDAVIT

*(To be executed in presence of Public Notary on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper has to be in the name of the firm)***

I **(Name and designation)****..... appointed as the attorney/authorized signatory of the firm (including its constituents), M/s. _____ (hereinafter called the firm) for the purpose of the work of _____ as per the EOI of NCRTC, do hereby solemnly affirm and state on behalf of the firm including its constituents as under:

1. We understand that Employer requires that firms must observe the highest standard of ethics during the execution of contracts. We confirm and undertake that we including our constituents, directly or otherwise have not been / shall not be engaged in corrupt, fraudulent, collusive, abusive, coercive, or obstructive practices or other integrity violations.

We understand that the Employer has the right to reject our bid/EOI at any stage if it determines that we have directly or otherwise, engaged in corrupt, fraudulent, collusive, abusive, coercive, or obstructive practices or other integrity violations in competing for the contract and will sanction a firm or its successor, including declaring ineligible for a stated period of time, to participate in Employer's activities, if it at any time determines that the firm has, directly or otherwise, engaged in corrupt, fraudulent, collusive, abusive, coercive, or obstructive practices or other integrity violations;

2. That the firm or any of its constituents included in the bid have not been blacklisted/banned for business dealings with Ministry of Housing and Urban Affairs (MoHUA) along with any of its attached and subordinate offices or by any metro rail organizations in India or by Ministry of Commerce issuing banning of business applicable over all departments with the banning being valid as on the last date of submission of bids, except in cases where such blacklisting/banning has been withdrawn by Competent Authority or has ceased on the deadline for submission of the bids, for which satisfactory evidence is to be produce.
3. That the Partner(s) of an existing firm who is not blacklisted/banned in its individual capacity by Ministry of Housing and Urban Affairs (MoHUA) along with any of its attached and subordinate offices or by any metro rail organizations in India or by Ministry of Commerce, shall be allowed to participate in the future Bids of the Employer.
4. That the Firm or any of its constituents is neither Bankrupt/Insolvent nor is in the process of winding-up nor such a case is pending before any Court on the deadline of submission of the bid/EOI.
5. That the name of the Firm or any of its constituents is not on the list of "Poor Performer" of MOHUA along with any of its attached and subordinate

offices or of any metro rail organizations in India as on the deadline for submission of bid/EOI.

6. We declare and certify that we have not made any misleading or false representation in the forms, statements and attachments in proof of the qualification requirements.
7. We declare that the information and documents submitted along with the bid by us are correct and we are fully responsible for the correctness of the information and documents, submitted by us.
8. We understand that Firms shall immediately inform the Employer, in case Firm ceased to fulfill eligibility or Employer requests to provide evidence for their continued eligibility. In case the firm fails to inform the Employer or submits a false affidavit, the Employer has the right to reject the bid/EOI and Firm shall also be liable for Banning of Business dealings by the Employer for a period of 02 (two) years.
9. We understand that in case it is found during the evaluation or at any time before signing of the Agreement or after its execution and during the period of subsistence thereof, that we have made material misrepresentation or has given any materially incorrect or false information, then remedial actions shall be taken against us.

(DEPONENT)

SEAL AND SIGNATURE OF THE FIRM

Verification:

Verified on _____ day of _____ at _____ that the contents of the above-mentioned affidavit are true and correct and nothing material has been concealed there from.

(DEPONENT)

SEAL AND SIGNATURE OF THE FIRM

*** The contents in Italics are only for guidance purpose and details as appropriate, are to be filled in suitably by Firm.*

Attestation before Magistrate/Public Notary

Form No-2

List of Audited Companies as per Annexure-1

S.No.	Name of the Audited Company with complete address and phone numbers	Turnover (Rs. In Crore) of the audited company	No. of Year(s) and Year- wise detail

Power of Attorney (POA) for Submitting Bid

(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 firm 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/partner 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/EOI, including submission of bid/EOI, withdrawal, substitution and modification of bid/EOI, 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/EOI for the said work until culmination of the process of bidding till the agreement is entered into and thereafter till the expiry of the 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 firm should submit the notarized Power of Attorney.
- (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 firm should submit following additional document in support of the POA as case to case basis:
 - a) Proprietorship Affidavit in case of Proprietary firm.
 - b) Partnership deed in case of partnership firm.

- c) 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.
- d) Memorandum & Articles of Association in case of a Public/Private Company.