

**NATIONAL CAPITAL REGION TRANSPORT CORPORATION  
LIMITED**  
**(A JV of Government of India and participating State Governments)**



**NOTICE INVITING**

**Expression of Interest (EoI) for Empanelment of Legal firms and Techno-Commercial Legal firms.**

*Conceded*

*[Signature]*

*16.6.2022*

**No. NCRTC/Contract Cell/Empanelment of Legal Firms      Date: 08.06.2022**

National Capital Region Transport Corporation Ltd (NCRTC) invites Expression of Interest (EoI) for Empanelment of Legal firms and Techno-commercial Legal firms, for dealing with various legal /techno commercial issues which may arise in its operations. The terms and conditions, essential /desirable eligibility requirements for empanelment as Legal firms and Techno-commercial Legal firms are at Annexure-I. Interested Eligible firms may send their application duly signed by authorized representative (necessary power of attorney to act as an authorized representative of the firm to be attached) to:

**Group General Manager/Contract & Dispute Resolution  
National Capital Region Transport Corporation Ltd.  
GatiShakti Bhawan,  
INA, New Delhi  
New Delhi – 110023  
Tel : +91- 011 2466 6700**

The application with supporting documents (each document duly signed by the authorized representative) shall be submitted only at official e-mail id of Contract Cell i.e. [contractcell@ncrtc.in](mailto:contractcell@ncrtc.in). Submission of application through any other mode will be not be accepted. The applications for EoI shall be submitted on or before 20/07/2022 upto 1700 Hrs and any application received after this date/time shall not be considered.

Application for empanelment does not confer any right/assurance whatsoever that applicant will be empaneled–on the panel of NCRTC. Applications received will be examined by NCRTC. Each of the firm selected–for empanelment will be advised individually by NCRTC.

**Note: This EoI may be withdrawn by NCRTC without any prior notice and without assigning any reason therefor. No claim shall be entertained in this regard.**

  
16.6.2022

**Group General Manager/Contract & Dispute Resolution  
National Capital Region Transport Corporation Ltd.**

**TERMS AND CONDITIONS FOR EMPANELMENT OF LEGAL FIRMS AND  
TECHNO COMMERCIAL LEGAL FIRMS**

**1. Introduction**

National Capital Region Transport Corporation ( NCRTC) is a Joint Venture company of Government of India and participating State Governments of Delhi, Uttar Pradesh, Haryana and Rajasthan and is under the administrative control of Ministry of Housing & Urban Affairs ( MoHUA), Govt. of India (GoI) . NCRTC is mandated for designing, developing, implementation, financing, operating and maintaining Regional Rapid Transit System (RRTS projects) in National Capital Region of India (NCR) to provide comfortable and fast transit to NCR towns and meet the high growth in transport demand.

RRTS is a next generation, state of the art, eco-friendly, sustainable, high speed ( 180 kmph design speed) ,high capacity, safe and reliable interstate/city dedicated commuter rail network having multimodal integration (MMI) with other modes of transport which is-aimed at improving quality of life of people and for sustainable development of NCR.

Various RRTS corridors will connect economic centers in metropolitan cities with other sub-urban and urban nodes in NCR, thereby triggering sustainable economic development across NCR. Once operational, RRTS stations will become epicenters of commercial activities and catchment around these nodes will benefit from employment and entrepreneurial opportunities. The economic impact through investment in sustainable and resilient public transit infrastructure has a multiplier effect on the associated supply chains which, further generates employment opportunities in the form of induced and induced employment.



In Phase-I of RRTS project, three (03) RRTS corridors namely Delhi-Meerut, Delhi-Alwar and Delhi-Panipat will be implemented. These three corridors are being undertaken to create a direct link between the National Capital of India (Delhi), Meerut, Alwar and Panipat. These RRTS corridors would meet at Sarai Kale Khan in Delhi and are interoperable, thus providing seamless mobility across NCR towns.

Delhi-Ghaziabad-Meerut RRTS corridor was sanctioned by the Govt of India in March 2019. In this project which is partially funded by Multi-lateral funding agencies (ADB, NDB and AIIB), almost all major construction and supply contracts are at advanced stage of execution. Manufacturing and Supply of Rolling stock contract along with comprehensive long term maintenance and Signaling and Telecom Contract are also under implementation. The Operation and Maintenance contract for RRTS has been awarded to a private operator.

As is seen from the experience especially in the construction industry and operations thereafter, NCRTC may encounter commercial and techno-commercial disputes with the agencies (contractors/suppliers) engaged for the project implementation, which may have far reaching implications for the organization.

It is, therefore, considered prudent to have a panel of Legal firms and Techno-commercial Legal firms of repute to which the matters/issues having legal or techno-commercial legal implications could be referred for expert advice/opinion. The criteria for empanelment will be decided keeping in view the requirements of the organization.

## **2. Objective of Expression of Interest (EoI)**

The objective of this EoI is to solicit applications from the eligible (qualifying eligibility norms as per this EoI) Legal firms and Techno Commercial Legal firms who are interested in being empaneled as Legal firms or Techno Commercial Legal firms with NCRTC.

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### 3. Nature of Work

1. Matters pertaining to:

a. **DAB/Arbitration/Court cases:** The firms shall represent NCRTC before DAB/Arbitrators/Court and shall undertake all formal/informal Pre and Post Arbitral Proceedings like initiation of Arbitration, discussions pertaining to above, communication/correspondence with the Domestic/International Arbitral Forum/Tribunal, drafting pleadings/replies, filing of Statements/cross examination attending all hearings of the Tribunal, appeals, implementation/execution of awards and other related works while defending NCRTC. The firm shall advise on strategizing the claims of NCRTC and defense of NCRTC in countering the claims of various agencies keeping in view the contract documents and views of NCRTC officials dealing with the contract.

b. **Labour Law Compliance:** Advice on matters related to Labour Law compliance.

2. The services to be performed shall include general and commercial advice, legal opinion including review of all relevant agreements, documents, preparing Affidavits and presenting of Cases before various courts/Arbitrators/DAB in India/ outside India.

3. The firms will be required to visit and participate in meetings/ conferences with NCRTC representatives and render legal advice/opinion(s) on documents executed and other legal formalities entered into by NCRTC during the period of empanelment.

### 4. Eligibility Criteria

#### A) ESSENTIAL

1. The Firm should have an independent office set up in NCR with requisite infrastructure and resources and must have an adequate bench strength of



dedicated associates. The applicant firm is required to submit an organization chart showing the roles and responsibilities of partners/associates.

2. The Firm should have a minimum experience of 10 years on the date of publication of EOI in dealing with high value matters (Rs. 100 Crore & above) pertaining to contractual, legal/ techno commercial issues emanating from large construction infrastructure projects like Metro Rail Projects, Railway and Highway Projects, Airports; Dams, Tunnels, Townships etc. It is clarified that assignments undertaken for both client organization and contractors/suppliers will be considered. To substantiate the above, the applicant is required to submit the certificates/ engagement letters issued by clients
3. The firm should have dealt with atleast 7 Arbitration cases in infrastructure sector in the last five years on publishing of EoI, with claims/counter claims of Rs. 500 crores in total. Certified copies of relevant extract of Claims and Counter claims referred to Arbitration is to be submitted.
4. The Firm must have an average annual turnover of at least Rs. 5 crore only from professional legal/techno-commercial legal services during the last five financial years (17-18,18-19,19-20,20-21 and 21-22) per annum for the last 5 years. To substantiate above the applicant is required to submit certified copy of Financial Statements for the last five years:-

## **B) DESIRABLE**

1. The Firms who have represented Central or State Government Departments, Public Sector Undertakings (PSUs) will be preferred.
2. The Firms which have been counted amongst the top-50 in the country in accordance with then rankings given by the RSG (Research Scholar Grant), Leader League or other rating agencies, will be preferred. Copies of certificates/engagement letters may be settled.

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**5. Term:**

- i. The currency of the panel will be three years from the date of notification of panel which can be extended for a further period upto two years on mutually acceptable terms.
- ii. The empanelment of a firm can be terminated by NCRTC at any time by giving one month's notice. Similarly, any empaneled firm can seek termination of its empanelment by giving one month notice. However, any empaneled firm cannot seek termination once a case has been assigned by NCRTC to it.

**6. Procedure for Empanelment**

- (a) Firms meeting the eligibility criteria may submit applications in the prescribed format addressed to Group General Manager/Contract & Dispute Resolution, National Capital Region Transport Corporation Ltd. GatiShakti Bhawan, INA, New Delhi- 110023 at official email id of Contract cell i.e. [contractcell@ncrtc.in](mailto:contractcell@ncrtc.in).
- (b) The empanelment will be on the basis of various details/documents submitted by the applicant in support of fulfillment of eligibility criteria, past experience, credentials and suitability. Merely satisfying the eligibility criteria will not entitle a firm for empanelment and NCRTC's decision in such matters will be final and binding on all the applicants.

Depending upon the number of applications received, NCRTC reserves its right to empanel only the required number of Firms as it deems fit.

**7. Fees**

Whenever any matter having wide legal and techno- commercial legal implication/ Arbitral disputes, etc. is considered necessary to be referred for an expert opinion,



NCRTC shall invite commercial offers (financial quotes) from one or more empaneled legal firms or techno commercial legal firms having expertise in the area to which the issue pertains. On examination of various commercial offers received, NCRTC shall decide about the allotment of the case/matter to a particular empaneled firm.

NCRTC reserves the right for allotment of work to any empanelled firm and no claim of any nature will be entertained in this regard. The decision of NCRTC will be final and binding and no claim/correspondence of any nature will be entertained in this regard.

#### **8. Maintaining of Professional Ethics**

During the tenure of empanelment and thereafter the Empaneled Firm will maintain strict confidentiality of the matters pertaining to NCRTC and its contractors/suppliers/designers, etc. The empaneled firm will sign a non disclosure agreement with NCRTC.

#### **9. Removal from Panel**

Empanelment of Firm shall stand automatically cancelled due to any of the following acts of omission and commission on its part: -

- (a) Furnishing false information in the application for empanelment.
- (b) Failing in discharging assignment.
- (c) Not maintaining professional ethics.
- (d) Involvement of the firm or any of the associates in corrupt, fraudulent and coercive practices in the matters pertaining to NCRTC.
- (e) Firm becomes insolvent and found guilty of moral turpitude.

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(f) Abuse of the position to the detriment of NCRTC/work or for the purpose of gaining direct or indirect personal advantage.

(g) Passing on the information relating to NCRTC to third parties which may cause damage to NCRTC's interests in violation of non disclosure agreement.

**10.** Group General Manager/Contract & Dispute Resolution shall be the sole nodal officer for all correspondence pertaining to invitation of EOI.

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**ANNEXURE-A**

**To,**

**Group General Manager/Contract & Dispute Resolution  
National Capital Region Transport Corporation Ltd.  
GatiShakti Bhawan,  
INA, New Delhi – 110023**

**Subject: Application for Empanelment of Legal firms and Techno-Commercial Legal firms in NCRTC.**

1. Name of the Firm : .....
2. Address along with contact telephone/Mobile & Fax Nos.:
  - i. Office Address:  
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  - ii. Phone number/Mobile: .....
  - iii. Email id (email id is compulsory) .....
3. Name of Contact Person:
4. Income Tax/PAN: .....
5. Details of resources:

<b>S.No.</b>	<b>Particulars</b>	<b>Details</b>
1.	Office set up at New Delhi	
2.	Offices at other locations	
3.	Number of Partners	
4.	Number of Associates	
5.	Other Technical experts/professionals*	

*Note: Experience details including date and year of enrollment, period and area of practice, organization chart showing roles and responsibilities of partners/ associates etc. should be attached.*

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6. Details of dealing with high value matters pertaining to contractual, legal/techno commercial issues and labour related issues emanating from large construction infrastructure projects like Metro Rail Projects, Railway and Highway Projects Airports, Dams, Tunnels, Townships, etc. (high value Rs. 100 Crore & above)

S.No.	Details/Title	Period	Amount Involved (Rs. crores)

Note: Submit copies of self certified certificates/engagement letters issued by the Clients.

7. Detail of Arbitration cases dealt (in last five years):

S.No.	Title of the case	Period	Amount in dispute (Rs. crores)

Note: Submit self certified copy of relevant extract of Claims and Counter claims referred to Arbitration.

8. Details of Turnover of last five years:

S.No	Financial Year	Turnover (Rs. Crore)	Remarks (if any)
Average Annual Turnover for last 5 years			

Note: Submit copies of Financial Statements certified by a CA/Auditor for the last five years:-

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9. Details of dealings/Empanelment with Central or State Government Departments/Organizations and PSUs:

S.No	Department/ Organization/PSU	Nature of dealings	Period

Note: *Submit certificates/engagement letters issued by the Central/State Government Departments, PSUs.*

10. Ranking as per RSG, Leader League or other rating agencies: www.

S.No	Name of Ranking Agency	Rank allotted

11. Brief description of the Firm.

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12. Documents to be attached with the application:-

- a) Registration Certificate
- b) PAN (Firm)
- c) Declaration as per format (Annexure-B)
- d) Documentary evidence with respect to 5, 6, 7, 8, 9, & 10 duly certified.
- e) Any other (please specify)

Authorized Signatory (with seal)

Place: .....

Date: .....



Note: Additional Sheets regarding details can be attached.

**ANNEXURE-B**

**DECLARATION**

It is hereby declared that ..... have never been imposed any penalty arising out of any proceedings instituted against by any office. It is also certified that no Police Case/ CBI enquiry is pending against ..... as on date.

**Date:**

**Authorized Signatory (with seal)**

**Place:**

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