

## Corrigendum-VI

**RFP for Selection of Bus Operator for Supply, Operation and Maintenance of Buses for Managing Public Transport across the Cluster-II, III, IV & V routes under LAccMI Scheme on Gross Cost Contract (GCC) Model**

**RFP No. 1679 Date: 11/09/2023**

**No.1874/OSRTC/IM(TR)-11/2023(Pt.I)**

**Date:27.10.2023**

SI.No.	Section / Page No.	Existing Clause	Revised Clause
1.	Schedule-4.2 Bus Operation	The Operator shall provide duly licensed drivers, trained staff and personnel to ensure the continued and uninterrupted Bus Service in accordance with the terms contained herein and as per Applicable Law.	<p>The Operator shall provide duly licensed drivers, trained staff and personnel to ensure the continued and uninterrupted Bus Service in accordance with the terms contained herein and as per Applicable Law.</p> <ul style="list-style-type: none"><li>• Selected bus operators should not engage any blacklisted/terminated driver without written approval from the Authority.</li><li>• List of selected drivers must be approved by the Authority prior to their formal engagement.</li><li>• The Authority reserves the right to remove or include any driver under respective Cluster Bus operation.</li><li>• All selected drivers need to undertake a mandatory 7 days training (integrated training) and their completion certificate must be furnished within one month of completion of training. In case of failure towards producing such certificate, the Authority reserves the right to apply SLA upon the selected Bus Operator</li></ul>
2.	Addendum-I	Service Level Benchmark (Penalty)	In detail Service Level Benchmark attached as Annexure-I.

## Deficiency And Incident Wise Damages/ Fines

Parameters	Baseline Standard	Methodology for Calculation	Period of Inspection/ Calculation	Penalty /Fine/Damages
Assured Fleet Availability	<p>The Operator will make available fixed portion of each lot of Contracted Buses for maintaining continued and uninterrupted operations of Bus Services as follows :</p> <p>New Buses : 93%, 92%, 91% of each Lot of New Contracted Buses on a shift basis in the 1st, 2nd and 3rd year of the Contract Period respectively, and 90% thereafter up-to the end of the Contract Period .</p>	<p>Fleet availability (in percent) =            (Fleet made available for operation / Total Fleet of Contracted Buses) x 100.</p> <p>A Bus to be considered as being available if.</p> <p>It does not start/begin its scheduled trip beyond (+/-) 10 minutes from Scheduled trip Time .</p> <p>It should complete at least 90% of its planned scheduled Kilometres.</p>	Daily	<p>Any breach in standard due to acts of omission and performance of the Operator (such as driver absenteeism, poor maintenance etc.), <b>then damages/Penalty</b> would be payable by the Operator to Authority equal to <b>10% of revenue lost by Authority owing to such lower fleet availability.</b></p> <p><b>Illustration :</b></p> <p>Damages/Penalties payable for 86% Fleet Availability against requirement of 93% of Assured Fleet Availability.</p> <p>93% -86% = 7% Unavailable Fleet</p> <p><b>Penalties payable for the day</b> = 7% x Total assured fleet size for the particular type of Contracted Bus x ADR X 10%.</p> <p>ADR is Average Daily Revenue per Contracted Bus for each type of Contracted Bus in relevant Lot/Category/Bus Type in the preceding [15 (fifteen)] days prior to the day for which the losses are being calculated.</p>

SI No	Operation or Maint.	Inspection Frequency	Assessment Area	Evaluation Parameter	Method/Tool of Evaluation	Performance	Penalty in Rs per instance/action
1	Maintenance	Monthly	Regularly	PUC Certificate /Emission levels	Manual Inspection with emission check equipment	PUC Certificate not available or not renewed	Rs 500 per bus
2	Maintenance	Daily	Safety	Brake, Hand Brake and clutch functioning	Manual Inspection	Defective brakes or clutch	Bus taken off service with availability based fine as above
3	Operation	Monthly	Regularly	Insurance as per MV Act	Manual Inspection	Not maintaining Insurance Policies as per MV act	Bus taken off service with availability based fine as above
4	Operation	Monthly	Safety	Fatal Accident for the entire fleet	OSRTC (Team) / ITMS	Each Instance of fatal Accident which occurred due to irresponsible driving and or poor maintenance	Rs 10,000 per fatal accident.
5	Operation	Monthly	Regularly	Vehicle Registration Certificate	Manual Inspection	Driver does not carry the correct vehicle registration certificates required as per law	Bus taken off service with availability based fine as above

## Vehicle – Fine per deficiency per bus

SI No	Deficiencies	Fine in Terms of Charges per trip per Bus (in INR)
1.	Modification of the design destination board or paintwork of the exterior or interior of the bus without the authorization of Authority	500
2.	Missing bus body panels on the exterior/interior of the bus	500
3.	Defective or malfunctioning headlights, rear lights, brake light, turning indicators and parking lights, broken mirrors at the time of Bus Operations	500
4.	Dirty vehicle (i.e., dusty handrails, chairs and floor, litter of any kind on floor, foul odour; dirty windows and glass panels, Spots) inside or outside, at the time of start of first shift in the morning	500
5.	Broken/damaged windows, fixed glass, front windshield or rear windshield	1000
6.	Fire Extinguisher missing or beyond expiry date	1000
7.	Malfunctioning passenger door	500
8.	Broken/Loose/Missing Passenger Seat	1000
9.	Loose or missing handrails, roof grab rails and/or with Sharp edges	1000
10.	Visible dents more than 6" beyond 1 week on the bus exterior	1000
11.	Malfunctioning/Broken Light in the passenger compartment	1000
12.	Placing any decorative article/religious figure or symbol or political symbol inside or outside the bus without prior approval of the Authority	1000
13.	Placing any poster/advertisement/stickers or similar items inside or outside the bus which may or may not generate any revenue for the Operator unless authorized by Authority	1000
14.	Damage to the any vehicle tracking equipment or any ITMS device.	2000
15.	Deterioration of Bus Speed or AC Performance due to inefficiency/ malfunctioning of Battery Pack AND /OR Any other System, sub system, part	1000
16.	Damaged Tyre	1000
17.	ACs not running up to design capacity and /or any stoppages and/or leakages of water.	1000

### Bus Operation – Fine shall be applied per incident.

SI No	Deficiencies	Fine in Terms of Charges per trip per Bus (in INR)
1.	Arriving for a shift more than 10 min late than as given in Operating Plan for a given route for a given bus for Buses as per Assured Fleet Availability	25
2.	Delay of more than 20 min beyond the end of shift.	10
3.	Driver not responding to more than 3 consecutive directions sent by Authority Corporate office.	25
4.	Stopping at Bus Station for longer than authorized by Authority	25
5.	Improper Docking of the Buses	25
6.	Letting passengers access bus at locations other than Bus Depots and Bus Stands or as designated by Authority	25
7.	Not stopping at Station designated as per Operating Plan unless authorized by Authority	25
8.	Stopping at Station not designated as per Operating Plan unless authorized by Authority	25
9.	Changing bus route without authorization of Authority	25
10.	LED TV display not working (in bus)	50
11.	Break- down of Contracted Buses calculated in terms of number of break downs	<p>The Penalty per bus per instance shall be Rs. 5,000/-</p> <p>Penalty will be levied on the cancelled kms. If a bus is not operational or has breakdown, payment shall be made for the KMs covered by the Bus for all the fully completed trips for that day.</p>
12.	Punctuality (Adherence to timely delivery of vehicles post maintenance i.e., 30 minutes prior to departure schedule in the respective depots)	<p>For each case: In case the Operator fails to make the bus available before the scheduled time but provides the bus within 30 minutes after the schedule time , the Corporation shall levy a penalty of <b>Rs.1000/-</b> and if the bus is provided after</p>

SI No	Deficiencies	Fine in Terms of Charges per trip per Bus (in INR)
		60 minutes of the scheduled time, the Corporation shall levy a penalty of Rs.2,000/-. In case the bus is not provided even after one (1) hours of scheduled time, the Corporation shall levy a penalty of Rs. 5,000/- If bus is not provided on scheduled time, it is at District Manager's discretion to assign the bus to any other schedule. If District manager assigns the bus to any other schedule, then the payment for that particular bus for that particular day shall be made on the actual km not on the assured Kilometers.
13.	Abandoning bus during operating hours on the roads (not limited to Bus Stations, Terminals and Bus Lane)	200
14.	Operating bus with Defective/Broken Headlights, Rear lights, Brake lights, Turning indicators, Parking lights	25
15.	Use of electronic equipment like Radio or Music system unless authorized by Authority	25
16.	Use of Cell phone by Driver while driving	25
17.	Driver not wearing clean uniform as designed by Authority	25
18.	Driver in drunken state	100 (Operator shall change driver immediately)
19.	Misbehaviour by driver with Authority officials and with passengers	25
20.	Cause accident due to irresponsible driving	50
21.	Drive above speed limit set by Authority	25
22.	Withdrawal of bus for one day (i.e., of different days in a month) without permission (Penalty per day)	225
23.	Non-performance of schedule trips without valid reasons	50
24.	Deliberate non-adherence of the schedule timings including late running	25 (Operator should change the driver before next working day)

SI No	Deficiencies	Fine in Terms of Charges per trip per Bus (in INR)
25.	Driver committing fatal accident	200 (Operator should change the driver before next working day)
26.	Deliberate non-reporting to duty on time	50 (Operator should change the driver before next working day)
27.	Any other offence	As fixed by the Managing Director or officer empowered by him/her except overloading
28.	Insurance policy not in force	10000 (Liable for termination of agreement)
29.	Any bus provided for operation during the contractual period found deficient	The bus shall be terminated for operation of the Authority
30.	Parking buses in undesignated areas without prior permission	25
31.	PIS systems – serviceable / under break down repairs	50
32.	PIS systems – not installed as per Authority	50
33.	LED TV not working (in bus)	50
34.	LED TV not installed as per Authority	50
35.	Damage to the any vehicle tracking equipment or any ITMS installed by Authority	200
36.	Non-working of CCTV	50
37.	Damage to driver dashboard	50
38.	Installation of any type of decoration or non-functional items inside or outside the vehicle, not originally installed in bus.	100
39.	Applicable operations related reports e.g., vehicle productivity data - vehicle wise, route and trip wise; Data about incidents / accidents / fatalities en-route along with cause-wise details;	200
40.	Skipping of Designated Stops without Permission and Stopping and/ or Forcing Passengers to alight at Non-Designated Stops.	INR 250 / Stop Skipping Case INR 250 / Case As Identified through ITMS Reports, the Authority, Commuters, Random Checks

SI No	Deficiencies	Fine in Terms of Charges per trip per Bus (in INR)
41.	Unauthorized Stoppage	Authority will be provided with list of existing Bus stops to stop, if buses does not stop at the authorised stops declared in the existing/revised list then INR 500 will be fined per case.
42.	Defects/Malfunctioning	INR 500 / Case- Malfunctioning Passenger Doors. INR 1000 / Case- Broken / Loose / Missing Passenger Seat INR 500 / Day / Case- Driving Buses with lights malfunctioning/ switched off, (head lights, taillights, indicator lights, brake lights) Broken side, front or back window, dents or impacts/ protruding covers/cases etc
43.	Disobedience and misbehaviour on the part of driver, owner, or his representative.	For each case: First default – Rs 300/- Second default- Rs 500/- Third default- Termination of driver, police case
44.	Smoking and usage of cell phone during driving	For each case: First default – Rs 500/- Second default- Rs 1000/- Third default- Termination of driver
45.	Drunken driving/Intoxicated state during driving	Penalty- Rs. 1000 Immediate Termination of driver for on duty drunken driving cases. For reporting to work in inebriated state, the driver(s) shall not be allowed to join the duty/board the bus. Alcohol testing of drivers prior to each trip is mandatory and shall be carried out by OSRTC officials. Operator deployed employees must adhere to instructions issued by OSRTC and shall not object to such tests. In addition to this random alcohol and other tests may also be conducted.
46.	Keeping the ITMS / OBU Equipment Switched off Even if it is Functional or tamper of such devices	INR 1000 / Bus / Day No of Cases / No items of ITMS / OBU Equipment
47.	<b>Any other infraction identified and communicated to Operator by the Authority</b>	25 up to 200



Notes:

- All above mentioned penalties are exclusive to each other.
- If the penalty for any three consecutive months is greater than equal to 10% of monthly billing amount, the penalty shall be capped at 10% of the monthly billing amount and the penalty slab will change to 15% of the monthly billing amount for the succeeding month(s); after falling into the penalty bracket of 15% of monthly billing amount, the penalty shall be capped at 15% for penalties greater than equal to 15% of monthly billing amount. However, for penalties less than 15% of total billing amount, penalties will be paid as per actuals. The selected bidder(s) need to ensure penalties less than 10% of the monthly billing amount for three consecutive months to fall back into the previous 10% slab bracket. (10% of total billing amount).
- OSRTC would have right to invoke termination of the contract if the penalty applicable consistently remains greater than equal to 15% of the monthly billing amount for three (3) consecutive months.
- **No operational penalty shall be imposed on the Operators for a period of 1 (one) month from the Commercial Operations Date (COD).**

**By the order of the CMD**

**-Sd-**

**FA & CAO**

**OSRTC, Bhubaneswar**