

Request for Qualification  
(RFQ)  
FOR  
UPGRADATION OF EXISTING  
EMPANELMENT CONSULTANTS AND  
FOR INCREASE IN LIST OF  
EMPANELMENT OF CONSULTANTS



**Indian Ports Association**

1st Floor, South Tower, NBCC Place  
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New Delhi - 110 003  
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INR 5,000/-

(August 2021)

**LETTER FOR ISSUE OF RFQ FOR THE**

**“Upgradation of Existing Empanelment Consultants and for  
increase in list of Empanelment of Consultants”**

The set of RFQ document is issued to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The cost of the RFQ document is INR 5,000/- (Indian Rupees five thousand only)

**IPA**

Signature of the Officer Issuing the RFQ Document: \_\_\_\_\_

# Indian Ports Association

IPA/GAD/Consultant/2021

24.08.2021

## **Notice for upgradation of existing empanelment consultants and for increase in list of Empanelment of Consultants for Major Ports**

Indian Ports Association has been assigned by Ministry of Shipping, and Waterways, Government of India with the task of preparation of panel of consultants for different types of consultancy services for use by the Major Ports as and when required. Accordingly, Indian Ports Association invites Requests for Qualification (RFQ) for Upgradation of Existing Consultants and for increase in list of Empanelment of Consultants for consultancy in various disciplines, namely

### **A) Class-B (Consultants for the Projects with Estimated Cost of Project up to ₹ 200Cr).**

#### **Category – 1:**

- a) Marine Construction Works
- b) General Civil, Mechanical and Electrical works
- c) Railway Works
- d) Dredging Works
- e) Rock Dredging Works

#### **Category – 2:**

- a) Traffic Studies and Logistics Management Services
- b) Project Management

### **B) Class-A (Consultancy for the Projects with Estimated Cost of Project more than ₹ 200Cr).**

#### **Category – 1:**

- a) Marine Construction Works
- b) General Civil, Mechanical and Electrical works
- c) Railway Works
- d) Dredging Works
- e) Rock Dredging Works

#### **Category – 2:**

- a) Traffic Studies and Logistics Management Services
- b) Project Management

The panel will be valid for a period of One year. The panel may be used by Major Ports for inviting financial bids as and when required for their projects/works. The detailed terms and conditions including evaluation criteria and application fee are available in the web site [www.ipa.nic.in](http://www.ipa.nic.in) & <https://eprocure.gov.in/eprocure/app>.

The schedule for receipt of the application is as follows:

1. Submission of document fee of Rs. 5,000/- for each RFQ on or before **1500 Hrs** on **29/09/2021**.
2. Receiving of queries/request for clarifications on or before **1500 Hrs** on **30/08/2021**.
3. Pre-Bid meeting on **31/08/2021** at **1500 Hrs** at IPA, New Delhi.
4. Receipt of offers on or before **1500 Hrs** on **29/09/2021**.
5. Opening of offers at **1530 Hrs** on **29/09/2021**.

Reputed and interested consultants/consulting firms/consortia may download the RFQ from the above CPP Portal and website and send in their response to the Managing Director, Indian Ports Association, 1st. floor, South Tower, NBCC Place, Bhisham Pitamah Marg, Lodhi Road, New Delhi – 110 003.

In case, if RFQ is downloaded from website, the requisite document fee of Rs 5,000/- (five thousand rupees only) in form of Demand Draft/Pay Order, in favor of Indian Ports Association payable at New Delhi shall be submitted along with the bid. Bidder can also make payment through RTGS/NEFT/ONLINE TRANSFER. The copy of payment shall be submitted along with bid. The RTGS details are as follows:

**Indian Ports Association**

1st. floor, South Tower, NBCC Place, Bhisham Pitamah Marg, Lodhi Road, New Delhi – 110003

**Name of Bank:** Indian Overseas Bank, Lok Kala Manch, Institutional Area, Lodhi Colony, New Delhi- 110003

**Account No:** 14980100002360; IFSC Code: IOBA0001498

**Note:**

Applicant is required to submit separate bid for each category and Class for which he intends to be empanelled. For avoidance of any doubt, if the applicant wants to apply for (a) Marine Works (b) Railway work in Category 1 and Traffic study in Category 2, then he has to submit three different application for each class viz Class–A or Class-B, as the case may be. The bidder needs to submit only one EMD irrespective of the number of categories. The Bid document fee against each category must be submitted separately.

# **Indian Ports Association**

## **Upgradation of Existing Empanelment Consultants and for increase in list of Empanelment of Consultants of Consultants**

### **1. INTRODUCTION**

Post India's ratification of World Trade Organisation's (WTO) Trade Facilitation Agreement (TFA), there has been increased movement on the transformation of trade ecosystem, in India, through interventions focussed on reductions in time and cost, procedural simplifications, reduced human interventions, digitization, etc. The trade mosaic in the last few years in India was going through a period of momentous changes, with the policy establishment initiating an array of interventions directed towards trade facilitation. The focus towards smooth EXIM procedures at Indian borders has been a priority for quite some time with regular interventions being implemented on ground, also resulting in an upward movement in the ease of doing business rankings, particularly in the 'trading across borders' parameter wherein India ranked 68<sup>th</sup> in 2020 compared to 146<sup>th</sup> in 2018. The National Trade Facilitation Action Plan 2017-2020 laid out well defined objectives for providing necessary fillip to the country's trade prospects, which entail improving India's Ease of Doing Business rankings. This is envisaged to be achieved through reducing cargo release time, creating a paperless regulatory ecosystem, developing a transparent and predictable legal regime mandated to ensure consistent consultation with the trade on new rules/amendments. In the recent years, Indian Ports Association (IPA) has been focussing particularly on the digitization of the processes to reduce human intervention in EXIM procedures and achieving the goal of near paperless trading environment or enhanced digital trading environment. With the recent COVID-19 crisis the focus on digitisation is further important. Development of Port Community System (PCS) as the core multi stakeholder platform where all the stakeholders in the trade ecosystem are present and exchanging messages electronically becomes a very critical digital platform in the Post COVID scenario. Recently, IPA has enhanced the PCS 1x features for scanning of e-BL and letter of indemnity and brought digital documentation exchange platform Cargo for implementation of smart BL document transfer platform, using the neutral, public block chain Ethereum network. Ease of doing business (EoDB) reforms under the Ministry of Ports, Shipping and Waterways have also been at the core of IPA's initiatives. Development of digital platforms, identification of trade related bottlenecks and their solutions, implementation of initiatives, interaction with the Public/Private stakeholders in the port ecosystem, supporting the Ministry of Ports, Shipping and Waterways vision on

ease of doing business, etc are some of the works that IPA is actively involved in. Providing support to various inter-ministerial committees (IMCL) in the EoDB sphere is another scope that is handled at IPA. IPA has also come out with the managing the 'land portal' which will be key to port led industrialisation and development of areas around the major ports in India. It will help in boosting development of more coastal economic zones (CEZs), Special Economic Zones (SEZs) etc. which will link coastal districts to ports and also help in creating more employment. Attracting investments through this model will be key towards the development in the land portal. A special cell has been developed at IPA which will look at the Collection the information of land parcels, update various land policies announced by the Government of India from time to time at Portal, Manage the land registration portal centrally, CRM capabilities to store key contact information, email and communication history, purchase history, preferences, documents, contracts, Monitor allotment of land to different industries, Help market the port land to potential investors, etc these pillars i.e. digitisation, ease of doing business initiatives and Land Portal are the key functions which requires an additional resource to manage and monitor for effective implementation and output from these pillars. Indian Ports Association seeks to invite prospective applicants for applying towards empanelment of Consultants to work on the variety of initiatives being taken at major ports in India. The initiatives range from Ease of Doing Business, Digitisation, Port Land portal etc. The empanelled consultants will help to implement the initiatives at major ports and support in improving India's trading environment across the Major Ports. This call is for the engagement of consultants, well versed with India's port ecosystem and ease of doing business initiatives in the port ecosystem, to help improve our rankings in the trading across borders parameter of the World Bank's Ease of Doing Business.

To execute these projects, the Ports would require the services of the consultants to assist the Ports in various activities like preparation of Feasibility / Projects reports, tariff proposals, appointment of transaction advisors & independent engineers, preparation of EMP reports, and project monitoring etc. To this endeavour, Indian Ports Association on the direction of Ministry of Ports, Shipping and Waterways has been mandated to prepare a panel of consultants for the various types of consultancy services, which may help the Port Trusts in speedy selection/appointment of consultants as and when required.

The panel of consultants shall be prepared through assessment of technical and financial capacity for various disciplines of consultancy services that may be required by the Ports with reference to the estimated cost of the projects. The panel so prepared will be valid

for three years from the date of engagement. However, consultants who are already empanelled with Indian Ports Association, New Delhi in the respective category, may also apply again, if so desired & their empanelment against the RFP shall be subject to fulfilment of qualifying & other criteria's mentioned under this RFP.

## **2. Objective**

The objective of this RFQ is to prepare a panel of consultants for use by the major ports for the identified consultancy services. The individual Major Port seeking consultancy on their port activity shall then invite competitive price offers from the panel of Consultants so prepared for the respective activities and at that time shall also prescribe Terms of Reference and Terms of Payment.

## **3. Broad Role of Consultants**

Technical consultants are normally required for preparing Techno-economic Feasibility Reports setting performance targets and determining investment needs. They are expected to be well conversant with the physical aspects of the Port infrastructure under consideration. The Consultants should be capable of providing a range of skills and services including general and architectural design, costing and quantity surveying, planning and traffic studies, technical feasibility studies and reviews, life cycle costing and analysis, and project monitoring and management. In short, they shall be instrumental in conceptualization of the project till completion. However, while inviting the RFP, concerned Port will spell out the detailed scope of work of consultant.

## **4. Entering into Agreement**

- 4.1 On selection of the consultants, the concerned Major Port Trust shall enter into agreement in the form specified by them. The format of agreement shall be supplied by the Port Trust while seeking financial offers.
- 4.2 The invitation of the applications for enrolment as Consultant for various Port activities as mentioned above may have a stage of pre-bid conference before submission of final application for evaluation. The Pre-Bid conference will be held on **31.08.2021 at 03.00 pm (1500 hrs)** at IPA, New Delhi.

- 4.3 All the queries must be submitted at least one day before the pre-bid meeting. No fresh queries will be entertained thereafter. The clarifications if any, be issued as early as possible so as to give at least 10 days' time for submitting the bid.

## **5. CATEGORY OF EMPANELMENT**

### **5.1 Class-B Consultancy for the Projects with Estimated Cost of Project up to ₹ 200Cr.**

5.1.1 Empanelment shall be made in the following categories:

#### **Category – 1:**

- a) Marine Construction Works
- b) General Civil, Mechanical and Electrical works
- c) Railway Works
- d) Dredging Works
- e) Rock Dredging Works

#### **Category – 2:**

- a) Traffic Studies and Logistics Management Services
- b) Project Management

### **5.2 Class-A: (Consultancy for the Projects with Estimated Cost of Project more than ₹ 200Cr).**

5.2.1 Empanelment shall be made in the following categories:

#### **Category – 1:**

- a) Marine Construction Works
- b) General Civil, Mechanical and Electrical works
- c) Railway Works
- d) Dredging Works
- e) Rock Dredging Works

#### **Category – 2 :**

- a) Traffic Studies and Logistics Management Services
- b) Project Management



## **6. Brief scope in various disciplines**

### **6.1 Category -1**

- a) **Marine construction works:** This includes port planning and development covering construction of berths along with erection of mechanical and electrical equipment, construction of breakwaters, reclamation.
- b) **General civil, mechanical and electrical works:** This includes all general civil engineering works viz. architectural services, constructions of buildings, pavements and roads, yards for storage, warehouses and sheds, water supply and drainage systems including its infrastructure. General Mechanical and Electrical works in port works.
- c) **Railway Works:** This includes laying of new railway lines, revamping of existing railway lines, interlocking, signalling, development of inter-change yards and marshalling yards including drainage planning, platforms etc.
- d) **Dredging Works:** This includes capital and maintenance dredging works.
- e) **Rock Dredging Works:** This includes capital and maintenance of rock dredging works.

### **6.2 Category -2**

- a) **Traffic studies and Logistic Management Services:** This includes various traffic studies, Port and hinter land connectivity, CFS, ICD, Marketing etc.
- b) **Project Management Services:** This includes detailed engineering drawings, tender documents preparation, evaluation of offers and project execution supervision, etc.

### **6.3. BID SUBMISSION:**

Proposals have to be submitted as per the following directions:

- i. **Cover 1 (sealed)** (to be super scribed in capitals and bold letters as “TECHNICAL BIDCOVER”)
- ii. Covering letter on Letter Head of Company / Firm for Bid submission by the Bidder.
- iii. Authority letter authorizing the person of the bidder to sign the proposal and other documents.
- iv. Technical Bid shall also be submitted on CPP Portal in PDF format only and hard copy shall be submitted to IPA, along with soft copy of Technical Bid in PDF format in Pen drive.

## **7 Qualification Criteria for Empanelment of Consultant.**

### **Stage-I**

The Tenderers shall meet the following qualifying criteria:

- 7.1 Average annual turnover during the last 3 financial years ending with 31st March (2017-18, 2018-19 and 2019-20) should be at least Rs 200 lakhs for Class-A and Rs. 60 Lakhs for Class-B empanelment.
- 7.2 Experience of having successfully completed similar works during last 7 years, ending last day of the month previous to the one in which applications are invited should be either of following: -

### **For Class –A**

- a) Three completed similar works for the Project each costing not less than Rs 120 Crores.

OR

- b) Two completed similar works for the Project each costing not less than Rs.150 Crores.

OR

- c) One completed similar work for Project costing not less than Rs.100 crores.

### **For Class –B**

- d) Three completed similar works for the Project each costing not less than Rs 40 Crores.

OR

- e) Two completed similar works for the Project each costing not less than Rs.50 Crores.

OR

- f) One completed similar work for Project costing not less than Rs.80 crores.

**Similar Works:** The Bidder/Tenderer should have experience of providing advisory services as mentioned in respective Categories under Article - 6

**Note:**

The bidder who apply for the Class – A registration and, if getting qualified for Class-A, shall get qualified automatically to be registered under the Class – B category; for which the bidder may submit a Willingness Letter to get empanelled in Class –B and an undertaking stating that the bidder may fulfil all the eligibility criteria required for Class-B category..

**Stage II (Short Listing/Scoring criteria for empanelment of Consultants):**

**8.0 Evaluation criteria for Category – 1 &2 works:**

8.1 Experience			
8.1.1	For Category 1 & 2	The applicant should provide details of completed assignments in the last 07 years to demonstrate experience in providing the consultancy service.  For each assignment, the applicant should provide details of the nature of consultancy provided, the clients response, further action taken by the client in implementation and its status as also the duration of the assignment including date of start and completion of the assignment and cost of project and total fees etc.	Demonstration of appropriate experience up to 40 points as per criteria given Appendix -1
Response: The applicant should submit clients completion certificate for each assignment to support their claim along with firm’s experience and team experience separately in not more than 2 pages for specific assignments by the authorised person of the firm.			
8.2	Human Resources	The applicant should not have less than the following Full Time equivalent (FTE) professional staff in the field of relevant category.	
8.2.1	Full Time Equivalent (FTE) professional	Class A (Project value more than Rs 200 Crs)- <b>Min 20 FTE, minimum 12 FTE in case of Dredging works only.</b>  Class B (up to Project value Rs 200 Crs) – <b>Min 20 FTE, minimum 12 FTE in case of Dredging works only.</b>	Up to 10 Points as per criteria given Appendix-I

<p><b>Response:</b> The applicant should indicate the details of FTE professionals along with supporting documents for their engagement and provide an organisation structure of the applicant indicating the FTE professional in that category.</p> <p>The firm should also submit an “undertaking” that the FTE professionals would be maintained during the actual assignment to be awarded in case they are selected. In case replacement is inevitable, the equivalent qualification and experienced key personnel will be inducted to carry out the assignment in case of award.</p>			

Note: The ports will obtain such undertaking, as required, while calling financial bids from the empanelled consultants. The ports will call for the project specific key personnel in the RFP and evaluate separately with the price bid.

**Note:**

1. The applications, only of those bidders who qualify as per qualification criteria laid down under stage-I, shall be evaluated further against the qualification criteria laid down under Stage-II.
2. The applicant has to score minimum 50% points in each of above sub criteria viz 8.1.1 & 8.2.1 for getting qualified.

**8.3 Empanelment will be based on the marks obtained as per the follows (out of 50 points):**

CATEGORY	PERCENTAGE OF MARKS
Category A	>=90%
Category B	>=80% to <90%
Category C	>=70% to <80%
Shall not be considered for empanelment	<70%

**9. GENERAL CONDITIONS**

- 9.1 The applicant shall be required to submit their financial offer strictly on the basis of terms of reference provided by individual port without attaching any counter conditions and certificate to this effect has to be furnished.
- 9.2 The empanelment of consultants shall be valid for one year and extended period, if any as may be arrived at mutual consent from the date of original empanelment or any date stated in the empanelment letter. However, consultants who are already empanelled with Indian Ports Association, New Delhi in the respective category, may also apply again for upgradation in category, if so desired but their empanelment under this RFP shall be subject to fulfilment of qualifying and other criteria’s under this RFP.
- 9.3 The applicant has to submit along with the bid document Rs. 5,000/- as non-refundable application fee. This document fee shall be remitted by way of DD/Banker’s

cheque/RTGS in favour of Indian Ports Association payable at New Delhi.

- 9.4 The empanelment made by IPA is intended to be used by all the Major Ports.
- 9.5 In case of any dispute of difference arising out of the empanelment, the decision of the MD, IPA shall be final.
- 9.6 For bidders who are subsidiaries of foreign companies (Equity of Foreign entity more than 50%) and if their turnover are claimed, the IPA/Major Port shall insist a letter from the Parent Company to make their services available to Indian Company as required and demanded by IPA/Major Port without any extra financial liabilities.
- 9.7 The bidder must be a well-established consultant for more than 5 years having experience in conceptualizing/planning/engineering/design/proof checking, preparing feasibility reports, design and estimation, preparation of architectural / structural drawings, preparation of tender documents, evaluation of tenders, comprehensive project management with quality and quantity survey, preparation of bills etc. of the work (s) in the respective category.
- 9.8 The bidder must have regular set up of a team of Architects/ Engineers having sufficient experience.
- 9.9 The bidder shall be able to hire the services of some other suitable consulting agencies for specialised jobs such as Retrofitting/Rehabilitation of Civil and Marine structures. This includes health studies of the civil and marine structures, suggestion of treatments for rehabilitation / retrofitting / maintenance of the structures, preparation of scope of the work from execution point of view etc.
- 9.10 When two or more firms are forming a consortium to participate in RFQ then one firm shall become the lead member of the consortium and shall submit an authorisation letter for other members of consortium. The members of consortium shall not exceed three. The evaluation will be conducted on the basis of performance of consortium as a whole against evaluation criteria. However, no bidder applying individually or as a member of a consortium, as the case may be, can be member of another bidder. The consortium agreement shall be submitted along-with technical documents.
- 9.11 Even though applicants satisfy the necessary requirements they are subject to disqualification if they have:
  - (i) Made untrue or false representation in the form, statements required in the application document.
  - (ii) Records of poor performance such as abandoning work, not properly completing contract, financial failures or delayed completion.
  - (iii) Submit fake, fictitious or fabricated documents in support of their work experience, eligibility criteria etc.
- 9.12 It may be noted that after empanelment, works shall be allotted to various consultants commensurate to their capabilities and capacities as assessed by IPA/Major Port. No representation in this respect will be entertained.

- 9.13 For the purpose of empanelment, bids received shall be evaluated based on the details furnished and minimum criteria specified by the IPA para – 7 above. Further, the Consultants who had applied already and were/are in the services of the Major Port will be evaluated based on their past performance. If the existing consultants wish to apply against for upgradation of category this RFP, they may do so; if desired but their empanelment against this RFP shall be subject to compliance of qualifying and other criteria's under this RFP.
- 9.14 Bidder has to furnish following undertaking along with bid.

“I/We certify that in the last three years, we/any of the consortium members have neither failed to perform on **any contract**, as evidenced by imposition of Penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award, nor been expelled from any project or contract by any public authority nor have had any contract terminated by any public authority for breach on our part”.

## **10.0 EARNEST MONEY DEPOSIT**

No tender shall be considered which is not accompanied by a sum of Rs. 2, 50,000.00 (Two lakhs fifty thousand rupees only) as Earnest Money Deposit. In the event of the bidder withdrawing the tender before the expiry of 180 (one hundred and eighty) days from the date of opening of the tender, the tender shall be cancelled and the earnest money deposit therewith forfeited by the IPA.

The Earnest Money shall be paid in the form of Demand Draft (DD)/Pay Order or RTGS issue by a Nationalized Bank/Scheduled Bank drawn on New Delhi Branch of the Bank in favor of the Indian Ports Association, New Delhi. The EMD must be forwarded in separate cover (cover I) along with Tender. In case, it is not forwarded as stated above, the tender will be liable to be rejected. No cash remittance along with the tender will be accepted. The amount of earnest money will be refunded to disqualified Tenderers/non short listed tenderers, once the tender is finalised by IPA. No interest will be payable on the earnest money from the date of receipt until it is refunded. EMD of successful bidders/Empanelled bidders will be retained for entire period of empanelment i.e 1 year or such extended period by IPA. The RTGS details are as follows:

### **Indian Ports Association,**

1st. floor, South Tower, NBCC Place, Bhisham Pitamah Marg, Lodhi Road, New Delhi – 110003

**Name of Bank:** Indian Overseas Bank, Lok Kala Manch, Institutional Area, Lodhi Colony, New Delhi- 110003

**Account No:** 14980100002360; IFSC Code: IOBA0001498

## 11 **RIGHT TO ACCEPT OR REJECT ANY OR ALL OF PROPOSALS**

- 11.1 Notwithstanding anything contained in this document, the IPA reserves the right to accept or reject any Proposal/bid and to annul the Selection Process and reject all Proposals, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof.
- 11.2 IPA reserves the right to reject any Proposal if: (a) at any time, a material misrepresentation is made or discovered, or (b) the Applicant does not provide, within the time specified by the Authority, the supplemental information sought by the Authority for evaluation of the Proposal. Misrepresentation/ improper response by the Applicant may lead to the disqualification of the Applicant. If the Applicant is the Lead Member of a consortium, then the entire consortium may be disqualified / rejected. If such disqualification /rejections occurs after the proposals have been opened and the highest ranking Applicant gets disqualified / rejected, then the Authority reserves the right to consider the next best Applicant, or take any other measure as may be deemed it in the sole, discretion of the Authority, including annulment of the Selection process.

## 12. **LANGUAGE**

The Proposal with all accompanying documents (the "Documents") and all communications in relation to or concerning the Selection Process shall be in English language and strictly on the forms provided in this document. No supporting document or printed literature shall be submitted with the Proposal unless specifically asked for and in case any of these Documents is in another language, it must be accompanied by an authenticated accurate translation of the relevant passages in English, in which case, for all purposes of interpretation of the Proposal, the translation in English shall prevail.

## 13. **EVALUATION PROCESSES**

The applications shall be scrutinized as per the criteria given in the RFQ documents and a list of empanelled consultants shall be prepared and communicated to all the Major Ports. The Major Ports as and when required shall obtain financial offers (RFP)

along with key personnel required specifically for the project from the Consultants, who are empanelled and shall be evaluated as below:

- Key Personnel - 70 Points
- Financial Bid - 30 Points

#### **14 CORRESPONDENCE WITH APPLICANT**

Given and except as provided in EOI/RFQ, IPA shall not entertain any correspondence from any applicant in relation to be acceptance or rejection of any application/bid.

IPA, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time to:

- (a) Suspend and/or cancel the bidding process and/or amend and/or supplement the Bidding process or modify the dates or other terms & conditions relating there to.
- (b) Consult with any applicant in order to receive clarification or further information.
- (c) Empanel or not to empanel any applicant and/or to consult with any applicant in order to receive clarification or further information.
- (d) Retain any information and / or evidence submitted to the IPA by, on behalf of, and/or in relation to any applicant and/or.
- (e) Independently verify, disqualify, reject and/or accept any and all submissions or other information and/or evidence submitted by or on behalf of any applicant.

#### **15. FRAUD AND CORRUPT PRACTICES**

15.1 The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Selection' Process. Notwithstanding anything to the contrary contained in this document, the Authority shall reject a Proposal without being liable in any manner whatsoever to the Applicant, if it determines that the Applicant has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice (collectively the "Prohibited Practices") in the Selection Process. In such an event, IPA/the Authority shall, without prejudice to its any other rights or remedies, forfeit and appropriate the Bid Security or Performance Security, as the case



may be, as 'mutually agreed genuine pre-estimated compensation and damages payable to the Authority for, *inter alia*, time, cost and effort of the IPA/the Authority, in regard to this document, including consideration and evaluation of such Applicant's Proposal.

15.2 Without prejudice to the rights of IPA/the Authority herein above and the rights and remedies which IPA/the Authority may have under the LOA or the Agreement, if an Applicant or Consultant, as the case may be, is found by IPA/the Authority to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the Selection Process, or after the issue of the LOA or the execution of the Agreement, such Applicant or Consultant shall not be eligible to participate in any tender or RFP issued by IPA/the Authority during a period of three years from the date such Applicant or Consultant, as the case may be, is found by IPA/the Authority to have directly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as the case may be.

15.3 For the purposes of this Section, the following terms shall have the meaning hereinafter respectively assigned to them: (a) "corrupt practice" means (i) the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of any person connected with the Selection Process (for avoidance of doubt, offering of employment to or employing or engaging in any manner whatsoever, directly or indirectly, any official of the IPA/Authority who is or has been associated in any manner, directly or indirectly with the Selection Process or the LOA or has dealt with matters concerning the Agreement or arising therefrom, before or after the execution thereof, at any time prior to the expiry of one year from the date such official resigns or retires from or otherwise ceases to be in the service of IPA/the Authority, shall be deemed to constitute influencing the actions of a person connected with the Selection Process); or (ii) save as provided herein, engaging in any manner whatsoever, whether during the Selection Process or after the issue of the LOA or after the execution of the Agreement, as the case may be, any person in respect of any matter relating to the Project or the LOA or the agreement, who at any time has been or is a legal, financial or technical consultant adviser of IPA/the Authority in relation to any matter concerning the Project; (b) "fraudulent practice" means a misrepresentation or omission of facts or disclosure of incomplete facts, in order to

influence the Selection Process;(c) "coercive practice" means impairing or harming or threatening to impair or harm, directly or indirectly, any persons or property to influence any person's participation or action in the Selection Process; (d) "undesirable practice" means (i) establishing contact with any person connected with or employed or engaged by IPA/the Authority with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Selection Process; or (ii) having a Conflict of Interest; and (e) "restrictive practice" means forming a cartel or arriving at any understanding or arrangement among Applicants with the objective of restricting or manipulating a full and fair competition in the Selection Process.

## **16. CONFLICT OF INTEREST**

16.1 An Applicant shall not have a conflict of interest that may affect the Selection Process or the Consultancy (the "**Conflict of Interest**"). Any Applicant found to have a Conflict of Interest shall be disqualified.

16.2 It is necessary that the Consultant provides professional, objective, and impartial advice and at all times hold the interests of the Port Trust as paramount, avoid 2 conflicts with other assignments or its own interests, and act without any consideration for future work. The Consultant shall not accept or engage in any assignment that would be in conflict with its prior or current obligations to other clients, or that may place it in a position of not being able to carry out the assignment in the best interests of the Port Trust.

16.3 Addressing Conflicts of Interest have been illustrated in the Guidance Note at Schedule. Without limiting the generality of the above, an Applicant shall be deemed to have a Conflict of Interest affecting the Selection Process, if:

### **a) Major Ports/IPA and Consultant:**

- 1) Potential Consultant should not be privy to information from Major Ports/ IPA which is not available to others; or
- 2) Potential Consultant should not have defined the project when earlier working for the Major Ports/IPA; or
- 3) Potential Consultant should not have recently worked for the Major Ports/IPA overseeing the project in the capacity of Transaction Advisor for that project.

16.3 (aa) where any intermediary is controlled by a person through management control or

otherwise, the entire shareholding held by such controlled intermediary in any other person (the "Subject Person") shall be taken into account for computing the shareholding of such controlling person in the Subject Person; and

(bb) subject always to sub-clause (aa) above, where a person does not exercise control over an intermediary, which has shareholding in the Subject Person, the computation of indirect shareholding of such person in the Subject Person shall be undertaken on proportionate basis; provided, however, that no such shareholding shall be reckoned under this "sub-clause" (bb). if-the shareholding of such-person in the intermediary is less than 26% (twenty six per cent) of the subscribed and paid up 3 equity shareholding of such intermediary; (b) a constituent of such Applicant is also a constituent of another Applicant; or (c) such Applicant or its Associate receives or has received any direct or indirect subsidy or grant from any other Applicant or its Associate; or (d) such Applicant has the same legal representative for purposes of this Application as any other Applicant; or (e) such Applicant has a relationship with another Applicant, directly or through common third parties, that puts them in a position to have a access to each other's' information about, or to influence the Application of either or each of the other Applicant; or (f) there is a conflict among this and other consulting assignments of the Applicant (including its personnel and Sub-Consultant) and any subsidiaries or entities controlled by such Applicant or having common controlling shareholders. The duties of the Consultant will depend on the circumstances of each case. While providing consultancy services to the Authority for this particular assignment, the Consultant shall not take up any assignment that by its nature will result in conflict with the present assignment; or (g) a firm which has been engaged by the Authority to provide goods or works or services for a project, and its Associates, will be disqualified from providing consulting services for the same project save and except as provided conversely, a firm hired to provide consulting services for the preparation or implementation of a project, and its Members or Associates, will be disqualified from subsequently providing goods or works or services related to the same project; or (h) the Applicant, its Member or Associate (or any constituent thereof), and the bidder or Concessionaire, if any, for the Project, .its. \_contractors or sub-contractor(s) (or any constituent thereof) have common controlling shareholders or other ownership interest; provided that this disqualification shall not apply in cases where the direct or indirect shareholding or ownership interest of an Applicant, its Member or Associate (or any shareholder hereof having a share holding of more than 5% (five percent) of the paid up and subscribed share capital of such Applicant, member or Associate, as the case may be in the bidder of Concessionaire, if any, or its contractor (s) or sub-contractor (s) is less than 5 % (five percent) of the paid up and subscribed share capital of such Concessionaire or its

contractor(s) or sub-contractor(s) is less than 5 % (five per cent) of the paid up and subscribed share capital of such Concessionaire or its contractor(s) or sub-contractor(s) provided further that this disqualification shall not apply to ownership by a bank, insurance company, pension fund or a Public Financial Institution referred to in Section 4A of the Companies Act 1956. For the purposes of this sub-clause (h), indirect shareholding shall be computed in accordance with the provisions of sub clause (a) above.

- 16.4 For purposes of this bid, Associate means, in relation to the Applicant, a person who controls, is controlled by, or is under the common control with such Applicant (the "Associate"). As used in this definition, the expression "control" means, with respect to a person which is a company or corporation, the ownership, directly or indirectly, of more than 50% (fifty per cent) of the voting shares of such person, and with respect to a person which is not a company or corporation, the power to direct the management and policies of such person by operation of law or by contract.
- 16.5 An applicant eventually appointed to provide consultancy by any port trust or any specific project and its associate, shall be disqualified from subsequently providing goods or works or services related to the construction and operation - of the same Project-and-any breach -of this obligation shall be construed as Conflict of Interest; provided that the restriction herein shall not apply after a period of 5 (five) years from the completion of the original assignment or to consulting assignments granted by banks/ lenders at any time; provided further that this restriction shall not apply to consultancy/ advisory services performed for the Port Trust in continuation of a specific Consultancy or to any subsequent consultancy/ advisory services performed for the Port Trust in accordance with the rules of the Port Trust. For the avoidance of doubt, an entity affiliated with the Consultant shall include a partner in the Consultant's firm or a person who holds more than 5% (five percent) of the subscribed and paid up share capital of the Consultant, as the case may be, and any Associate thereof.

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## Guidance Note at Schedule

SCHEDULE-3  
(See Clause 16.3)

### **Guidance Note on Conflict of Interest**

1. This Note further explains and illustrates the provisions of Clause 16.3 of the RFQ and shall be read together therewith in dealing with specific cases.
2. Consultant should be deemed to be in a conflict of interest situation if it can be reasonably concluded that their position in a business or their personal interest could improperly influence their judgment in the exercise of their duties. The process for selection of Consultant should avoid both actual and perceived conflict of interest.
3. Conflict of interest may arise between the Major Ports/IPA and a Consultant or between Consultant and present or future concessionaires/ contractors. Some of the situations that would involve conflict of interest are identified below:

#### **(a) Major Ports/IPA and Consultant:**

- (i) Potential Consultant should not be privy to information from Major Ports/ IPA which is not available to others; or
- (ii) Potential Consultant should not have defined the project when earlier working for the Major Ports/IPA.
- (iii) Potential Consultant should not have recently worked for the Major Ports/IA overseeing the project.

#### **(b) Consultant and concessionaires/contractors:**

- (i) No Consultant should have an ownership interest or a continuing business interest or an on-going relationship with a potential concessionaire/ contractor save and except relationships restricted to project-specific and short-term assignments; or
- (ii) No Consultant should be involved in owing or operating entities resulting from the project; or
- (iii) No Consultant should bid for works arising from the project.

## **RFQ FOR SELECTION OF CONSULTANT**

The participation of companies that may be involved as investors or consumers and officials of the Major Ports/IPA who have current or recent connections to the companies involved, therefore, needs to be avoided.

1. The normal way to identify conflicts of interest is through self-declaration by Consultant. Where a conflict exists, which has not been declared, competing companies are likely to bring this to the notice of the Major Ports/IPA. All conflicts must be declared as and when the Consultant become aware of them.
2. Another approach towards avoiding a conflict of interest is through the use of “Chinese walls” to avoid the flow of commercially sensitive information from one part of the Consultant’s company to another. This could help overcome the problem of availability of limited numbers of experts for the project. However, in reality effective operation of “Chinese walls” may be a difficult proposition. As a general rule, larger companies will be more capable of adopting Chinese Walls approach than smaller companies. Although, “Chinese Walls” have been relatively common for many years, they are an increasingly discredited means of avoiding conflicts of interest and should be considered with caution. As a rule, “Chinese Walls” should be considered as unacceptable and may be accepted only in exceptional cases upon full disclosure by the Consultant coupled with provision of safeguard to the satisfaction of the Major Ports/IPA.
3. Another way to avoid conflicts of interest is through the appropriate grouping of tasks. For example, conflicts may arise if Consultant drawing up the terms of reference or the proposed documentation are also eligible for the consequent assignment or project.
4. Another form of conflict of interest called “scope-creep” arises when Consultants advocate either an unnecessary boarding of the terms of reference or make recommendations which are not in the best interest of the Major Ports/IPA but which will generate further work for the Consultants. Some forms of contractual arrangements are more likely to lead to scope-creep. For example, lump-sum contracts provide fewer incentives for this, while time and material contracts provide built in incentives for Consultants to extend the length of their assignment.
5. Every project contains potential conflicts of interest. Consultants should not only avoid any conflict of interest, they should report any present/potential conflict of interest to the Major Ports/IPA at the earliest. Officials of the Major Ports/IPA involved in development of a project shall be responsible for identifying and resolving any conflicts of interest. It should be ensured that safeguards are in place to preserve fair and open competition and measures should be taken to eliminate any conflict of interest arising at any stage in the process.

1.	Experience Criteria as Per Para 7.2	Points : 40
1.1	<p><b><u>For Class –A</u></b></p> <p>a) Three completed similar works for the Project each costing not less than ₹ 120 Crores.</p> <p style="text-align: center;">OR</p> <p>b) Two completed similar works for the Project each costing not less than ₹ 150 Crores.</p> <p style="text-align: center;">OR</p> <p>c) One completed similar work for Project costing not less than ₹ 240 crores.</p> <p><b>Note:</b> For each additional project – additional 2 points will be given if the similar project cost is not less than ₹ 120 Cr and 3 points if the similar project cost is not less than ₹ 150 Cr and 5 points if the similar project cost is not less than ₹ 240 Cr.</p>	<p>Initial three completed similar works for the project – 20 points.</p> <p>Initial two completed similar works for the project – 20 points</p> <p>Initial one completed similar works for the project – 20 points</p> <p><b>Max Points - 40</b></p>
1.2	<p><b><u>For Class –B</u></b></p> <p>a) Three completed similar works for the Project each costing not less than ₹ 40 Crores.</p> <p style="text-align: center;">OR</p> <p>b) Two completed similar works for the Project each costing not less than ₹ 50 Crores.</p> <p style="text-align: center;">OR</p> <p>c) One completed similar work for Project costing not less than ₹ 80 crores</p> <p><b>Note:</b> For each additional project – additional 2 points will be given if the similar project cost is not less than ₹ 40 Cr and 3 points if the similar project cost is not less than ₹ 50 Cr and 5 points if the similar project cost is not less than ₹ 80 Cr</p>	<p>Initial three completed similar works for the project – 20 points.</p> <p>Initial two completed similar works for the project – 20 points</p> <p>Initial one completed similar works for the project – 20 points</p> <p><b>Max Points - 40</b></p>

<b>2</b>	<b>Human Resources as per para 8.2.1</b>	<b>Points 10</b>
<b>2.1</b>	<b>For Class A</b> (Project value more than ₹ 200 Cr) – <b>Min 20 FTE</b>	For 20 FTE- <b>6 points</b>  More than 20 FTE – <b>10 Points</b>
<b>2.2</b>	<b>For Class B</b> (Project value more than ₹ 200 Cr) – <b>Min 20 FTE</b>	For 10 FTE- <b>6 points</b>  More than 10 FTE – <b>10 Points</b>



**(Technical Proposal-Standard Forms)**

Form TP 1: Letter of Proposal submission

Form TP 2: Consultant's organization & experience

Form TP 3: Curriculum vitae

Form TP 4: Information regarding any conflicting activities and declaration thereof.

**Technical Proposal-Other Undertakings**

1. An undertaking stating that firm/organization is not blacklisted by Government or its agencies including Central/State Level Public Enterprises.
2. Undertaking stating that "Team Leader/Members would be maintained during the actual assignment to be awarded in case they are selected. In case replacement is inevitable, the equivalent qualification and experienced team/lead/member will be inducted to carry the assignment in case of award."
3. Undertaking stating that "I/We certify that in the last three years, we/any of the consortium members have neither failed to perform on any contract, as evidenced by imposition of Penalty by an arbitral or Judicial authority or a Judicial pronouncement arbitration award, nor been expelled from any project or contract by any public or authority nor have had any contract terminated by any public authority for breach on our part."
4. An undertaking regarding non-disclosure/sharing of confidential information with third parties.

**LETTER OF PROPOSAL SUBMISSION**

TO: [Name and address of Employer]

Dear Sirs,

We, the undersigned, offer to provide the consulting Assignment/job for [Empanelment of Consultants-] in accordance with your Request for Proposal dated [insert date] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal sealed under a separate envelope and requisite EMD.

We are submitting our Proposal in association with [Insert a list with full name and address of each Consultant]

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

If negotiations are held during the period of validity of the Proposal, we undertake to negotiate on the basis of the proposed staff. Our Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely

Authorized Signature [in full and initials];

Name and Title of Signature:

Name of Firm:

Address:

**CONSULTANT'S ORGANIZATION AND EXPERIENCE**

**A- Consultant's Organization**

[Provide here a brief description of the background and organization of your firm/entity and each associate for this Assignment/job. The brief description should include ownership details, date and place of incorporation of the firm, objectives of the firm etc. Also if the consultant has formed a consortium, details of each of the member of the consortium, name of lead members etc shall be provided along with consortium agreement]

**B- Consultant's Experience**

Using the format below, provide information on each Assignment/job for which your firm, and each member of the consortium or joint venture, was legally contracted either individually as a corporate entity or as one of the major partners within an association, for carrying out consulting Assignment/job similar to the ones requested under this Assignment/Job (if possible, the employer shall specify exact assignment/job for which experience details may be submitted). In case of consortium, association of consultants, the consultant must furnish the following information for each of the consortium member separately along with consortium agreement.

**A) Organizational Experience**

Sl no.	Name of the Entity with complete communication address	Order No and Date	Scope of Consultancy Work	Date of award of contract and Contract Period	Value of Contract	Actual Date of Completion	Person/Project authority who could be contracted for further information	Supporting Document

**B) Skill & Competencies & Key Personnel**

SL. No.	Name of the Key personnel	Qualification/ Professional qualification	No. of years of experience	No of years of experience in the category	Details of Experience

**C) Gross Annual Revenue/Turn-over ( in Rs.)**

Financial year	Gross Annual revenue/Turnover	Revenue/Turnover from consultancy business	Remarks
2017-18			
2018-19			
2019-20			

**(Seal & Signature of Bidder)**

**Note:** Please provide documentary evidence from the client i.e. copy of work order, contract and completion certificate for each of above mentioned assignments. The Competent Authority of the consulting firm shall self-certify if the firm has non-disclosure agreements with its clients. The experience shall not be considered for evaluation if such requisite support documents are not provided with the proposal. In case of selection, the details of work order, contract and completion certificate which have non-disclosure agreements shall be submitted for verification.

2. Copies of Audited Balance Sheet in support of annual turnover/Revenue Consultancy business as per Column (C) on pre-page should be submitted.

**COMMENTS AND SUGGESTIONS ON THE TERMS OF REFERENCE AND ON  
FACILITIES TO BE PROVIDED BY THE EMPLOYER**

**1. on the Terms of Reference**

[Suggest and justify here any modifications or improvement to the Terms of Reference you are proposing to improve performance in carrying out the Assignment/job (such as deleting some activity you consider unnecessary, or adding another, or proposing a different phasing of the activities). Such suggestions should be concise and to the point, and incorporated in your proposal]

**DESCRIPTION OF APPROACH, METHODOLOGY AND WORK PLAN FOR  
PERFORMING THE ASSIGNMENT/JOB**

Technical approach, methodology and work plan are key components of the Technical Proposal. You are suggested to present your Technical Proposal divided into the following three chapters:

- a) Technical Approach and Methodology,
- b) Work Plan, and
- c) Organisation and Staffing

- a) **Technical Approach and Methodology:** In this chapter you should explain your understanding of the objectives of the Assignment/job, approach to the Assignment/job, methodology for carrying out the activities and obtaining the expected output, and the degree of detail of such output. You should highlight the problems being addressed and their importance, and explain the technical approach you would adopt to address them. You should also explain the methodologies you propose to adopt and highlight the compatibility of those methodologies with the proposed approach.
- b) **Work Plan:** The consultant should propose and justify the main activities of the Assignment/job, their content and duration, phasing and interrelations, milestones (including interim approvals by the employer), and delivery dates of the reports. The proposed work plan should be consistent with the technical approach and methodology showing understanding of the TOR and ability to translate them into a feasible working plan. A list of the final documents, including reports and tables to be delivered as final output, should be included here.
- c) **Organisation and Staffing:** The consultant should propose and justify the structure and composition of your team. You should list the main disciplines of the Assignment/job, the key expert responsible, and proposed technical and support staff.

**CURRICULUM VITAE (CV) FOR PROPOSED KEY PERSONNEL**

1. Proposed Position :

[For each position of key professional separate from Tech-5 will be prepared]:

2. Name of Firm :

[Insert name of firm proposing the Staff]:

3. Name of Staff : [Insert full name]:

4. Date of birth :

5. Nationality :

6. Education :

[Indicate college/university and other specialized education of staff member, giving names of institutions, degrees obtained, and dates of obtainment]:

7. Membership of Professional Associations :

8. Other Training :

9. Countries of work experience :

[List countries where staff has worked in the last ten years]:

10. Languages :

[For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]:

11. Employment Record :

[Starting with present position, list in reverse order every employment held by staff member since graduation, giving for each employment (see format here below): dates of employment name of employing organization, positions held]:

From [Year]: To [Year] Employer: Positions held:



12. Detailed Tasks Assigned :

[List all tasks to be performed under this Assignment/Job]:

13. Work undertaken that best illustrates Capability to Handle the Tasks Assigned: [Among the Assignment/Jobs in which the staff has been involved, indicate the following information for those Assignment/jobs that best illustrate staff capability to handle the tasks listed under point 12]

Name of Assignment/job or project: Year:

Location:

Employer:

Main project features: Positions held: Activities performed:

14. Certification :

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.

[Signature of staff member or authorized representative of the staff]

[Full name of authorized representative]

Date :

Place :

**INFORMATION REGARDING ANY CONFLICTING ACTIVITIES AND  
DECLARATION THEROF**

Are there any activities carried out by your firm or group company or any member of the consortium which are of conflicting nature as mentioned in RFQ, If yes, please furnish details of any such activities.

If no, please certify,

We hereby declare that our firm our associate/group firm or any of the member of the consortium are not indulged in any such activities which can be termed as the conflicting activities at this present moment. Further, we hereby agree to disclose any further conflicting activities, in case they occur, till the finalization of the bid. We also acknowledge that in case of misrepresentation of the information, our proposals/contract shall be rejected/terminated by the employer which shall be binding on us.

Authorized Signature [in full and initials]:

Name and title of Signatory:

Name of Firm:

Address:

**Instructions for Online Bid Submission**

**Instructions to the Bidders to submit the bids online through the Central Public Procurement Portal for e Procurement at <https://eprocure.gov.in/eprocure/app>**

- 1) Possession of valid Digital Signature Certificate (DSC) and enrolment/registration of the contractors/bidders on the eProcurement/ e-tender portal is a prerequisite for e-tendering.
- 2) Bidder should do the enrolment in the eProcurement site using the “Click here to Enrol” option available on the home page. Portal enrolment is generally free of charge. During enrolment/registration, the bidders should provide the correct/true information including valid email-id. All the correspondence shall be made directly with the contractors/bidders through email id provided.
- 3) Bidder need to login to the site through their user ID/ password chosen during enrolment/registration.
- 4) Then the Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by SIFY/TCS/nCode/eMudra or any Certifying Authority recognized by CCA India on eToken/Smart Card, should be registered.
- 5) The DSC that is registered only should be used by the bidder and should ensure safety of the same.
- 6) Contractor/Bidder may go through the tenders published on the site and download the required tender documents/schedules for the tenders he/she is interested.
- 7) After downloading / getting the tender document/schedules, the Bidder should go through them carefully and then submit the documents as asked, otherwise bid will be rejected.
- 8) If there are any clarifications, this may be obtained online through the tender site, or through the contact details. Bidder should take into account the corrigendum published before submitting the bids online.
- 9) Bidder then logs in to the site through the secured log in by giving the user id/ password chosen during enrolment/registration and then by giving the password of the eToken/Smart Card to access DSC.
- 10) Bidder selects the tender which he/she is interested in by using the search option & then moves it to the ‘my tenders’ folder.
- 11) From my tender folder, he selects the tender to view all the details indicated.
- 12) It is construed that the bidder has read all the terms and conditions before submitting their offer. Bidder should go through the tender schedules carefully

and upload the documents as asked; otherwise, the bid will be rejected. Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document/schedule and generally, they can be in PDF/xls/rar/zip/dwf formats.

- 13) If there is more than one document, they can be clubbed together and can be provided in the requested format. Each document to be uploaded through online for the tenders should be less than 2 MB. If any document is more than 2MB, it can be reduced through zip/rar and the same can be uploaded, if permitted. Bidders Bid documents may be scanned with 100 dpi with black and white option. However, if the file size is less than 1 MB the transaction uploading time shall be very fast.
- 14) If there are any clarifications, this may be obtained through the site, or during the pre-bid meeting if any. Bidder shall take into account the corrigendum published from time to time before submitting the online bids.
- 15) The Bidders can update well in advance, the documents such as certificates, annual report details etc., under My Space option and these can be selected as per tender requirements and then send along with bid documents during bid submission. This will facilitate the bid submission process faster by reducing upload time of bids.
- 16) Bidder should submit the Tender Fee/ EMD as specified in the tender. The original should be posted/couriered/given in person to the Tender Inviting Authority, within the bid submission due date & time for the tender. Scanned copy of the instrument shall be uploaded as part of the offer.
- 17) While submitting the bids online, the bidder reads the terms & conditions and accepts the same to proceed further to submit the bid packets.
- 18) The bidder has to select the payment option as offline to pay the Tender FEE/ EMD as applicable and enter details of the instruments.
- 19) The details of the DD/any other accepted instrument, physically sent, must tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise submitted bid will not be acceptable.
- 20) The bidder has to digitally sign and upload the required bid documents one by one as indicated. Bidders to note that the very act of using DSC for downloading the bids and uploading their offers shall be deemed to be a confirmation that they have read all sections and pages of the bid document including General conditions of contract without any exception and have understood the entire document and are clear about the requirements of the tender requirements.
- 21) The bidder has to upload the relevant files required as indicated in the cover content. In case of any irrelevant files, the bid shall be rejected.
- 22) If the price bid format is provided in a spread sheet file like PDF\_xxxx.xls, the rates offered should be entered in the allotted space only and uploaded after filling the relevant columns. The Price Bid/PDF template must not be

modified/replaced by the bidder, else the bid submitted is liable to be rejected for this tender.

- 23) The bidders are requested to submit the bids through online e-tendering system to the Tender Inviting Authority (TIA) well before the bid submission end date & time (as per Server System Clock). The TIA shall not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders at the eleventh hour.
- 24) After the bid submission (i.e. after Clicking “Freeze Bid Submission” in the portal), the acknowledgement number, given by the system must be printed by the bidder and kept as a record of evidence for online submission of bid for the particular tender and will also act as an entry pass to participate in the bid opening date.
- 25) The time settings fixed in the server side & displayed at the top of the tender site, will be valid for all actions of requesting, bid submission, bid opening etc., in the e-tender system. The bidders must follow this time during bid submission.
- 26) All the data being entered by the bidders must be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered shall not be viewable by unauthorized persons during bid submission & not be viewable by any one until the time of bid opening.
- 27) Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.
- 28) The confidentiality of the bids is maintained since the secured Socket Layer 128 bit encryption technology is used. Data storage encryption of sensitive fields is done.
- 29) The bidder must logout of the tendering system using the normal logout option available at the top right hand corner and not by selecting the (X) exit option in the browser.
- 30) For any queries regarding e-tendering process, the bidders are requested to contact as provided in the tender document. Parallely for any further queries, the bidders are asked to contact over phone: 0120-4200462, 0120-4001002 and 8826246593 or send a mail over to [cphp-nic@nic.in](mailto:cphp-nic@nic.in) ; [support-eproc@nic.in](mailto:support-eproc@nic.in).

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