



**एनर्जी एफिशिएंसी सर्विसेज लिमिटेड**  
विद्युत मंत्रालय के सार्वजनिक क्षेत्र के उपक्रमों की संयुक्त उद्यम कंपनी  
**ENERGY EFFICIENCY SERVICES LIMITED**  
A JV of PSUs under the Ministry of Power

Annexure-Z				
Tender No: EESL/06/2021-22/SCM/E-Tendering Portal/212209051 Dated: 29.09.2021. (E-tender ID - 1838)				
Name of Work: Hiring of agency to provide e-tendering solution for carrying out EESL tender/auction activities				
Sl. No.	RFP Document Reference(s)	Content of RFP requiring Clarification(s)	Points of clarification	Clarified as / Amended as/Incor[porated as/ Read as
1	Section No.2 Page No.16 to 17 Para/Clause No.2	Purchase Preference to MSEs For relaxing the PQ/QR conditions regarding prior turnover and prior experience for MSEs and start-ups, the prior turnover and prior experience will be as under subject to their meeting of quality and technical specifications: -	Please provide table with proper content as the table is distorted	Refer to attached Annexure - Y
2	Section No.2 Page No.17 to 20 Para/Clause No.3	For relaxing the PQ/QR conditions regarding prior turnover and prior experience for MSEs and start-ups, the prior turnover and prior experience will be as under subject to their meeting of quality and technical specifications: -	Please provide table with proper content as the table is distorted	Refer to attached Annexure - Y
3	Section No.1 Page No.3 Para/Clause No.3	Note: EESL has appointed M/s C1 India Pvt. Ltd, Noida as implementation agency for carrying out e-Procurement.	It might be possible that M/s C1 India will also participate in this tender, hence to avoid any unwanted objection, you are requested to collect Price-bid or entire bid response in offline/physice manner.	Refer to Annexure - X for guidelines regarding submission of tender
4	Section No.2 Page No.13 to 16 Para/Clause No.3		The content mentioned in table of para 3 is not visible properly. If the text mentioned in this table are important then please share the table with full content.	Refer to attached Annexure - Y
5	Section No.2 Page No.36 Para/Clause No.20.1	Standard and Special Services	Need clarification on which types of standard/special services shall be required to provide by e-Procurement service provider. Detail clarification is required.	No Change
6	Qualifying Requirement Page No.109		As per scope of work, EESL want STQC certified application and wants integration with CPPP & corporate website and any third party tool/app along with online Payment Gateway service and Data Security. Hence we request and suggest to competent authority to add relevant eligibility criterias to identified bidders who does have the similar experience else it might be dangerous for EESL if they may appoint non-experienced bidder  Please ask follow experiences and add the same in minimum eligibility criteria  - Providing STQC audited and certified application - Having experience of providing Online Payment option in e-Tender service - Have integrated e-Procurement application with third party app or tool i.e. SAP / ERP / Corporate website / CPPP - Bidder should have ISO 27001 & 9001 Certificates - Bidder should have minimum CMMI Level 3 certificate	No Change
7	Scope of Work Page No.110 Para/Clause No.2.a	Online Advertising and Publishing of Tenders/EOI/ Auctions etc., and its linking with CPPP (Central Public Procurement Portal)	To integrate the eProcurement portal with CPPP; Hope EESL will provide necessary credentials.	Clarified as: If required EESL shall provide necessary details
8	Scope of Work Page No.110 Para/Clause No.2.b	E-Payments	Hope service provider has liberty to select the Bank and Agregator to provide necessary services asked by EESL in this RFP	Clarified as: After discussion with successful vendor, EESL shall take decision of selecting the bank.
9	Scope of Work Page No.111 Para/Clause No.2.c	i. Software Ready Solution, Development/Procurement/Customization, Installation, Interfaces with existing systems, Data Migration, Training & Documentation for e Procurement system. ii. Assessment, Procurement and establishment of IT Infrastructure for e Procurement to cater to the specified transaction volumes and performance levels.	How many existing system with which interfacing is required ? What would be the Integration approach ? What data are to be migrated to application ?  We believe that EESL looking for SaaS solution where the service provider will be owner of the software, hardware and infrastructure of solution.	Shall remain as per RFP, Details are already mentioned in the RFP
10	Scope of Work Page No.111 Para/Clause No.2.g	The application should be able to support all latest common browsers (like internet explore, Mozilla, Chrome etc.), support and mobile adaptive for mobile & tablet devices.	As Digital Signature Certificate & PKI application does not support Mobile/tablet devices; hence this clause needs to be ammended/removed accordingly. Please remove this clause.	No Change.  Clarified as: It is understood that Digital Signature Certificate & PKI application does not support Mobile/tablet devices but opening of website for viewing and downloading the tender should be available through Mobile/tablet devices
11	Scope of Work Page No.111 Para/Clause No.2.m	As and when asked by EESL, back up of all the data should be handover to EESL in readable format. Also, after expiration of contract all the data must be hosted on EESL cloud.	Solution is provided on SaaS. System to provide relevent EESL data on contract expiration. What is expected as part of hosting on EESL cloud?	No Change
12	Scope of Work Page No.111 Para/Clause No.2.L	Complete support off site & onsite for the period of contract	How many dedicated onsite support persons EESL want?	Clarified as: No dedicated onsite support person is required However, as and when required representative from successful vendor shall visit EESL.
13	Scope of Work Page No.112 Para/Clause No.2.r	Note: Domain must be in the name of EESL. EESL shall provide the domain to the selected bidder	Will EESL responsible to purchase/renew particular domain name?	Clarified as: EESL Shall provide domain name
14	Scope of Work Page No.112 Para/Clause No.2.x	The system should provide for various standard MIS reports as well as customized reports as per EESL demand	Application provide standard MIS reports related to e-Procurement. How many such customized reports are expected.	Clarified as: All tender related MIS shall be made available in th eprovided solution
15	Scope of Work Page No.112 Para/Clause No.2.y	It may required to carry out additional customization in existing module of proposed application to meet the requirement of EESL which may arise out of changes for regulatory compliance.	Once the final go-live of the e-Procurement solution/ application/module, only reasonable modification or customization can be provided to meet the requirement of EESL as any specialized requirement needs time and efforts, which has cost implication also.	Clarified as: This type of cost may be included in Line Item 1 of price bid, no other cost shall be paid for any customization in the portal
16	Scope of Work Page No.113 Para/Clause No.2.bb	Digital Signing of Bids and bid documents. Water mark of Digital Signature on documents uploaded on the portal by buyers and bidder side.	System supports Digital Singing of Bids. For Bid document, bidder has to ensure they upload signed document. Is this expected out of this clause. System can be customized to generate water mark on system generated documents but not on document which are being uploaded by bidders and buyer. Hope this will suffice your requirement.	No Change
17	Scope of Work Page No.114 Para/Clause No.2.nn	ii. The complete e-procurement solution should be available online on a 24*7*365 basis and accessible from anywhere.  iii. The selected bidder should provide support on connectivity & other technical issues while conducting the online tender/auction events	Selected service provider will be responsible to make e-Procurement application available online on a 24*7*365 with prior informed downtime & 99% uptime. But individual users will be responsible to manage/arrange necessary computer with power back-up and internet connection to do online activities on EESL e-Procurement domain.	No Change
18	Scope of Work Page No.114 Para/Clause No.2.nn	xv. Integration of the plug-ins in various applications in the right manner as per the system need.	Kindly elaborate in details for plugi-ins integration with various application.	No Change
19	Scope of Work Page No.115 Para/Clause No.2.oo	After the end of the contract period, it is the responsibility of the vendor to migrate the Complete Landscape from existing cloud to new cloud.	If the proposed application is on SaaS solution, this clause wont be applicable.	Clarified as: After the end of the contract period, it is the responsibility of the vendor to provide the Complete tender related Data to EESL.



Signature :-  
Subject : CN=NEERAJ PAL, ST=DELHI, OID.2.5.4.17=110003, OU=SUPPLY CHAIN MAN  
AGEMENT, O=ENERGY EFFICIENCY SERVICES LIMITED, C=IN  
User ID : neeraj.pal  
Serial No : 13426D7  
PB : p.kumar(Prashant Kumar)  
Date : 15-11-2021

20	Scope of Work Page No.115 Para/Clause No.2.rr	Training	Ref. to this point, kindly confirm the number of days for training (Pre and Post go-live), location, etc., for end users, administrators & supplier.  In current situation COVID-19, we would request to conduct such offline training virtually.	<b>No Change</b>
21	Scope of Work Page No.115 Para/Clause No.2.ss	Training	Ref. to this point, kindly confirm the number of days for training (Pre and Post go-live), location, etc., for end users, administrators & supplier.  In current situation COVID-19, we would request to conduct such offline training virtually.	<b>No Change</b>
22	Technical Documents Page No.116	Technical Documents: The selected bidder shall supply operation and maintenance manuals for all the deliverables.	If the proposed solution is on SaaS solution then this clause wont be applicable. Please confirm. Though supply of relevant user manual, security feature will be provided.	<b>Clarified as:</b> <b>The below mentioned manuals shall be made available at the provided e-tendering portal:</b>  <b>Registration, Tender uploading, Bidding, Tender opening, Tender evaluation, Price bid opening, Award of tender, System requirement manual etc.,</b>
23	Section No. 1 Page No. 3 Para No/ Clause No. 3.0	Note: EESL has appointed M/s C1 India Pvt. Ltd., Noida as implementation agency for carrying out e-Procurement. Also, as per IT ACT 2000, use of Digital Signature Certificate (DSC) is mandatory for participating in the E-tendering process. New bidders should register on the website <a href="https://eesl.eproc.in">https://eesl.eproc.in</a> by payment of one-time registration fee of Rs. 5,000/- through DD in favour of "Energy Efficiency Services Limited"	As mentioned in the clause, the M/s C1 India Pvt. Ltd., Noida might also participate in the mentioned tender. Therefore, we would like to request EESL to publish this particular tender on neutral portal or process in order to maintain the transparency for the whole tender process.	<b>Refer to Annexure - X for guidelines regarding submission of tender</b>
24	Qualifying Requirements Page No. 109 Para No/ Clause No. 5.	The bidder should be profitable (net profit) in any of the two previous financial years out of last three completed financial years (2017-2018, 2018-2019, and 2019-2020)	We are registered under MSME (Start-up) category, therefore we request EESL to provide relaxation on this clause. We are already providing our e-Procurement & e-Governance solution to many Ministries/Psu's/State Departments etc., kindly, consider our request.	<b>No Change</b>
25	Section-4 Page No. 106 Para No/ Clause No. C.	MSE bidders are exempted from submission of Bid document fees & Bid Security as indicated in Clause No 2.4 of Section 2. If the bidder is claiming MSE exemption, then bidder has to submit copy of valid MSE certificate for the Tendered item (NIC Codes as given in the table depicted below)/ valid NSIC Certificate with the mention of Tendered item in the certificate. Such certificates claiming exemptions shall be uploaded in envelop-1 and the same will be considered for evaluation	Allowed NIC 5 Digit Codes as per Tender are: 1. 63112 - Web Hosting Activities 2. 63122 - Operation of other websites that act as portals to the Internet  Other codes shall also be allowed like: 1. 62011 - Writing, modifying, testing of computer program to meet the needs of a particular client excluding web-page designing 2. 62099 - Other information technology and computer service activities n.e.c 3. 63999 - Other information service activities n.e.c Please review.	<b>No Change</b>
26	Qualifying Requirements Page No. 109 Para No/ Clause No. 4.	Bidders should have an average Annual Turnover (ATO) of Rs.13,46,250/- for immediately preceding last three financial years. (2017-2018, 2018-2019, and 2019-2020).*	Asked minimum ATO seems to be very low considering the quality & experienced product rendered for services to a client. It shall be revised to minimum ATO of Rs. 10 Crores to have an elite application. Please consider	<b>No Change</b>
27	Scope of Work Page No. 111 Para No/ Clause No. 2.0.	The provided solution should be STQC complied. The agency has to provide Valid STQC certificate to EESL of the e-tendering portal provided to EESL. Before expiring of the STQC certificate, the agency has to take action well in advance to renew and provide the valid STQC certificate to EESL.	STQC Certificate has to be furnished at the time of tender participation OR only successful bidder has to submit the same to EESL after award of contract? Please clarify.	<b>Refer to Sr. No. 31</b>
28	Section - 1 Page No. 1	The bids for E-tenders will be submitted online on the web site <a href="https://eesl.eproc.in">https://eesl.eproc.in</a> . Oral, telephonic, telegraphic bids or those submitted in hard copies/physical form will not be entertained. In case, anything to the contrary is mentioned anywhere in the Tender, the same should be ignored.	As a responsible entity having expertise in this area, we feel compelled to point out to EESL that the e-Tendering portal on which EESL plans to invite bids electronically 'does not have the required level of assurance'. Possibly, EESL is not aware of such security vulnerabilities. Further, there is a major conflict of interest, as EESL's existing Service Provider could itself be bidding for this tender. While we can offer a platform to EESL with the most secure and advanced e-procurement/ e-auction functionality, we would not submit our bids online on EESL's existing portal.  <b>Amendment Requested:</b>  The complete bid (Technical, as well as, financial) must only be submitted offline/ manually. No online submissions.	<b>Refer to Annexure - X for guidelines regarding submission of tender</b>
29	Section-4 Page No. 111 Para No/ Clause No. 2.h.	h) Facilitation for Creation of Digital signature of EESL officials and vendor.	Why Digital Signatures Should not be Bought from the e-Procurement Service Provider? This is a common malpractice. Please note the following: In case digital signatures (for both the officers of the Buyer Organization and its bidders) are purchased through the e-Tendering Service Provider, it is possible for the service provider to keep a copy of the encryption/decryption private-key with himself and later misuse it for manipulation/ rigging in the tendering process. The Govt Dept. using the platform may never even get to know about any such malicious activities unless a scam such as in MP comes to light.  Relevant Clauses of Deity-Guidelines (National Guidelines on e-Procurement in India) are as follows: (Page 78/93) iv) Guidelines pertaining use of Digital Signatures, IT Act 2000 and Phased Approach: To avoid compromise of security (i.e. compromise of private key in this context), users of an e-tendering portal should not obtain 'preprepared' digital certificates through the service provider or any other source. The digital certificate should be generated by the concerned user (i.e. the applicant of the digital certificate) himself, preferably on his own computer, and securely stored under a password  The Digital Signature (i.e. Private Key) cannot be handed over by the owner of that key	<b>Refer to Annexure - X for guidelines regarding submission of tender</b>
30	Section-4 Page No. 111 Para No/ Clause No. 2.h.	i) Portal should be compatible with the existing Digital signature certificates (DSC) (Class-III, Signing and Encryption).	It is understood that EESL has asked for Asymmetric bid-encryption using PKI (DSC). It is a well known, and a documented technical fact that for an application like e-Procurement, bidder-generated symmetric-key is the best and ensures 'Full Confidentiality'. On the other hand, asymmetric-key does not ensure full confidentiality and is always prone to risks of manipulation and fraud. In this context, the following documents may please be referred to: • Section 2.0 (Annexure-I) of Deity-Guidelines on e-Procurement dtd 31st August 2011 • Security concern No. 13 & 14 of CVC circular dtd 26th April 2010, reproduced in Deity-Guidelines on page no. 46. This threat has also been explicitly mentioned on page-22 of the Deity-Guidelines. • Section 6.7 of the Final Report of the e-Tendering Expert Group (e-TEG) appointed by the European Commission • Recommendations for Encryption Policy u/s 84A of the IT (Amendment) Act, 2008, Prepared by the Data Security Council of India/ NASSCOM It is amply clear from the above that bidder generated key based symmetric encryption is the only legal method in this situation to ensure FULL CONFIDENTIALITY.  On the other hand, use of Asymmetric-key for bid-encryption will always have major security concerns (with or without mitigation). Please note that the word mitigation itself means 'Reduction' and not 'Elimination'.	<b>No Change</b>



Signature :-  
Subject : CN=NEERAJ PAL, ST=DELHI, OID.2.5.4.17=110003, OU=SUPPLY CHAIN MANAGEMENT, O=ENERGY EFFICIENCY SERVICES LIMITED, C=IN  
User ID : neeraj.pal  
Serial No : 13426D7  
PB : p.kumar(Pras hant Kumar)  
Date : 15-11-2021

31	Qualifying Requirements Page No. 109 Para No/ Clause No. 3.	<p>Bidder should have successfully executed at least two (2) order of 'similar work' in the last 3 years (FY, 2018-19, 2019-20, 2020-21) in Government department/PSU:</p> <p>'Similar work' means "e-tendering solution for carrying out tender/auction activities"</p> <p>1. Documentary evidence shall be furnished along with the bid. Documentary evidence should be submitted in the form of copies of relevant work orders/ contract agreement/ purchase order along with copies of any document in respect of satisfactory execution/completion certificate of each of those purchase orders/ work orders such as (i) Satisfactory completion (OR) (ii) any other documentary evidences that can substantiate the satisfactory execution of each of the purchase order/work order submitted.</p> <p>Work orders along with its evidence for successful completion shall be from any Government Dept./ PSU which will only will be considered for evaluation.</p>	<p>Very often bidders will submit experience of uncertified systems, or systems certified with drastically different functionality from what has been asked in the Tender.</p> <p>Amendment Requested:</p> <p>1. Experience must be given for use of ONLY an e-Procurement software which has been duly certified by STQC for Compliance with Deity-Guidelines on e-Procurement dated 31.08.2011.</p> <p>2. References of only those organizations shall be given, which have used the 'same functionality' as has been specified in this Tender;</p>	<p>Bidder should have successfully executed at least two (2) order of 'similar work' in the last 3 years (FY, 2018-19, 2019-20, 2020-21) in Government department/PSU:</p> <p>'Similar work' means:</p> <p><b>Two (2) Work orders of providing e-procurement portal/solution for carrying out e-tenders and e-auctions. The provided e-procurement portal should be duly certified by STQC for Compliance with Deity-Guidelines on e-Procurement dated 31.08.2011.</b></p> <p>Documentary evidence shall be furnished along with the bid. Documentary evidence should be submitted in the form of copies of relevant work orders/ contract agreement/ purchase order along with copies of any document in respect of satisfactory execution/completion certificate of each of those purchase orders/ work orders such as (i) Satisfactory completion (OR) (ii) any other documentary evidences that can substantiate the satisfactory execution of each of the purchase order/work order submitted.</p> <p>Work orders along with its evidence for successful completion shall be from any Government Dept./ PSU which will only will be considered for evaluation.</p>
32	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The provided solution should be STQC complied. The agency has to provide Valid STQC certificate to EESL of the e-tendering portal provided to EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (Deity), Ministry of Communications &amp; Information Technology, Govt of India [Deity Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of Deity-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>v IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>As per the Guidelines for Compliance to Quality requirements of procurement System, STQC Directorate states under Point No. 4.2 Other Requirements for Quality and Security Evaluation "The Audit for the certification of the entire e - procurement solution shall be undertaken after its deployment and prior to its usage." (Refer enclosed STQC Guidelines, Highlighted)</p> <p>With ref. to above clause the solution is to be audited by STQC for the customized solution developed / deployed for the Government Authority.</p> <p>It will only benefit a certain companies which were incorporated before the STQC guidelines came i.e. 2011</p> <p>Our solution is compliant with the STQC guideline but the solution is to be audited after the deployment as per the guidelines. We would like to bring it to your notice that our application is already audited by Cert.in &amp; STQC empanelled auditor for the said requirement but not by STQC. We are willing to give an undertaking to EESL that "The proposed solution will be STQC certified after deployment &amp; before implementation</p> <p>Therefore, we Request :</p> <p>We request you to allow the participating bidders to submit the undertaking that if they're selected as the successful service provider they will deploy the application after the successful audit of the proposed solution by STQC</p>	No Change
33	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (Deity), Ministry of Communications &amp; Information Technology, Govt of India [Deity Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of Deity-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>STQC has asked the application to be audited after deployment &amp; before implementation &amp; not beforehand, the same can be clarified with STQC directorate.</p> <p>Nowhere in the STQC / CVC guidelines it is states that for the bidder to participate in the tender for e-Tendering Portal, the application has to be audited by STQC in advance ?</p> <p>Therefore, we Request :</p> <p>We request you to allow the participating bidders based on the technical ability of providing the solution and the proposed application should be audited by STQC after is developed in line with the requirement of EESL.</p>	No Change
34	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (Deity), Ministry of Communications &amp; Information Technology, Govt of India [Deity Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of Deity-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>Recently many other government organizations like</p> <p>(i) Northern Coalfields Ltd.</p> <p>(ii) Nuclear Power Corporation Ltd.</p> <p>(iii) MHADA, Govt of Maharashtra</p> <p>(iv) CIDCO Ltd., Govt of Maharashtra have invited tenders for "eAuction"</p> <p>&amp; while inviting the bids, have asked the participating bidders to submit the undertaking of "Getting the proposed solution STQC certified after deployment" (if required ref. tender document can be shared).</p> <p>Therefore, we Request :</p> <p>The same should be allowed in case of this tender of EESL.</p>	No Change
35	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (Deity), Ministry of Communications &amp; Information Technology, Govt of India [Deity Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of Deity-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>As per</p> <p>(i) Ministry of Finance,</p> <p>(ii) Ministry of MSME &amp;</p> <p>(iii) Ministry of Heavy Industries &amp; Public Enterprise's guidelines in their respective office memorandum (enclosed),</p> <p>they have asked for "Relaxation of condition in prior experience &amp; prior turnover for Start-ups / MSMEs".</p> <p>Our eAuction solution have been audited &amp; certified by CERT.in &amp; STQC empanelled auditor for the compliance of the STQC guidelines on e-Procurement &amp; the process of getting it audited by STQC is also under process</p> <p>Therefore, we Request :</p> <p>Considering the guidelines &amp; give relaxation as per attached Office Memorandum to the Start-ups &amp; MSEs like us in the prior experience (pre-audited by STQC in this case) as we are meeting the technical requirements.</p>	Refer to attached Annexure - Y



Signature :-  
Subject : CN=NEERAJ PAL, ST=DELHI, O=ENERGY EFFICIENCY SERVICES LIMITED, C=IN  
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Date : 15-11-2021

36	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (DeITY), Ministry of Communications &amp; Information Technology, Govt of India [DeITY Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of DeITY-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>As per the STQC website, none of the Startup company has STQC certificate for the e-Tendering Portal, certified by STQC itself.</p> <p>Keeping such criteria will only restrict the emerging companies to bid, in spite of the technical capability further make this tender limited to the 3-4 companies who have STQC certified product. Hence request you to relax the criteria for better participation &amp; fair competition.</p>	<b>No Change</b>
37	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (DeITY), Ministry of Communications &amp; Information Technology, Govt of India [DeITY Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of DeITY-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>The eAuction application already audited by STQC may not be audited in line with the functional, security requirement of UTITSL.</p> <p>Request you to Clarify :</p> <p>How would EESL establish that the solution audited by STQC &amp; certified by STQC complies with the functional &amp; security requirement mentioned in RFP of EESL?</p>	<b>No Change</b>
38	Qualifying Requirements Page No. 111,112 Para No/ Clause No. O.	<p>o) The Provided solution should be STQC complied. The Agency has to provide Valid STQC Certificate to EESL of the e-Tendering Portal provided by EESL. Before expiring of the STQC Certificate, the agency has to take action well in advance to renew and provide the valid STQC Certificate to EESL. STQC Audit should be in compliance with "Guidelines for compliance to Quality requirements of e-Procurement System Dated 31st August 2011." Department of Electronics and Information Technology (DeITY), Ministry of Communications &amp; Information Technology, Govt of India [DeITY Guidelines], relating to functionality, security and transparency including:</p> <p>v CVC Guidelines for e-Procurement Software/ System as covered by relevant provisions of Annexure-II of DeITY-Guidelines.</p> <p>v GFR 2017 as covered by Annexure-III Deity Guidelines</p> <p>IT Act 2000 (and its amendment 2008 ) as covered by Annexure-IV of Deity-Guidelines</p>	<p>As the application is to be customized accordingly to the requirement of UTITSL...</p> <ol style="list-style-type: none"> <li>1. The selected service provider will have to customize the application</li> <li>2. As per the STQC Guidelines the e-Tendering application needs to be audited after development &amp; before implementation</li> <li>3. In such case all the existing service provider who has STQC Certified eAuction application, will have to get the EESL eAuction application Audited by STQC before implementation</li> <li>4. In such case the time required for STQC Audit will be the same for all the interested bidders &amp; the proposed eTendering solution of each participating bidder</li> </ol> <p>Considering the above , we Request :</p> <p>We request EESL to allow the participating bidders to submit the undertaking that if they're selected as the successful service provider they will deploy the application after the successful audit of the proposed solution by STQC.</p>	<b>No Change</b>
39		Existing Procurement will be allowed to participate in the tender	<p>On page no. 5, had come to know that there is existing service provider C1 India Limited. Will he be allowed to participate in the tender?</p>	<p><b>Refer to Annexure - X for guidelines regarding submission of tender</b></p> <p><b>As this is a open tender, any agency who is eligible as per the terms and conditions mentioned in the tender and subsequent amendments can participate</b></p>



Signature :-  
Subject : CN=NEERAJ PAL, ST=DELHI, OID.2.5.4.17=110003, OU=SUPPLY CHAIN MANAGEMENT, O=ENERGY EFFICIENCY SERVICES LIMITED, C=IN  
User ID : neeraj.pal  
Serial No : 13426D7  
PS : p.kumar(Prasanth Kumar)  
Date : 15-11-2021

**Annexure - X**

**OPEN TENDER THROUGH MANUAL MODE**

**Name of the Work:** Hiring of agency to provide e-tendering solution for carrying out EESL tender/auction activities.

**NIT/Bid Document No.:** EESL/06/2021-22/SCM/E-Tendering Portal/212209051

**Dated** 29.09.2021

**As requested from prospective bidders now the submission of the bids against this tender shall be done in manual mode. However, the tender and its amendments shall be available at EESL E-tendering portal for information of bidders. No online submission shall be accepted in this tender.**

EESL invites manual bids from interested bidders for the aforesaid work(s) under Single-stage Two-envelope Bidding Process **THROUGH MANUAL TENDERING\***. For details about the IFB, please refer to the details that follow. Any amendment(s)/corrigendum/clarification(s) with respect to this Tender shall be uploaded on the E-Procurement website only. The bidders should keep themselves updated by regularly visiting the E-Procurement website of EESL for any amendment/corrigendum/ clarification in regard to this Tender.

**\*The bids shall be submitted in sealed envelope. Oral, e-mail, telephonic, telegraphic bids shall not be entertained. In case, anything to the contrary is mentioned anywhere in the Tender, the same should be ignored.**

**BIDS ARE TO BE SUBMITTED IN SEALED ENVELOPE-I AS FOLLOWS:**

Envelope 1, Envelope 2 and Envelope 3 should be submitted in sealed form. All three envelopes should be placed in main sealed envelope on which Tender name, Tender No. and Name of bidder should clearly be mentioned otherwise bid may be disqualified or may be left unopened. The main Envelope containing Envelope 1, Envelope 2 and Envelope 3 should be dropped in Tender box placed in EESL office at 4<sup>th</sup> floor, Core-5, Scope Complex, Lodhi Road, New Delhi – 110003. The bid shall be addressed to below EESL Official.

CGM (SCM),  
Energy Efficiency Services Limited,  
4<sup>th</sup> Floor, Core-5, Scope Complex,  
Lodhi Road, New Delhi – 110003

➤ **Technical Bid:** Technical bid shall contain Envelope-1 & Envelope-2

**Envelope 1 shall contain following:**

- a. Bid document fee in the form of Banker's Cheque/ Demand Draft drawn in favor of "Energy Efficiency Services Limited" payable at New Delhi.

Bid Fee may also be submitted online through RTGS. The detail of RTGS is as mentioned below:

NIT No. EESL/06/2021-22/SCM/E-Tendering Portal/212209051 Date 29.09.2021		SECTION-1 (IFB) Page 1 of 5	Serial No : 13426D7 PS : p.kumar(Prashant Kumar) Date : 15-11-2021
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Account Name	Account No.	Bank Name	Branch Name	RTGS DETAIL
ENERGY EFFICIENCY SERVICES LIMITED	2164002100012319	PUNJAB NATIONAL BANK	DELHI NEW, L.C.B.	IFSC CODE: PUNB0216400 BRANCH: TOLSTOY HOUSE, TOLSTOY MARG, NEW DELHI - 110001

**Note: Bidders submitting Bid Fee through RTGS shall submit the receipt of transfer of amount. Participation of bidder shall be subject to confirmation of amount transferred through RTGS.**

- b. Notarized Bid Security Declaration as per **Attachment No – 2 of Section-6**, For eligible MSE bidders '**Bid Security Declaration is Not Applicable**'.
- c. **MSE bidders are exempted from submission of** Bid document fees & Bid Security as indicated in Clause No 2.4 of Section-2. If the bidder is claiming MSE exemption, then bidder has to submit copy of valid MSE certificate for the Tendered item (NIC Codes-as given in the table depicted below)/ valid NSIC Certificate with the mention of Tendered item in the certificate. Such certificates claiming exemptions shall be submitted in envelop-1 and the same will be considered for evaluation.

Description of Material	NIC 5 Digit Code
<b>Hiring of agency to provide e-tendering solution for carrying out EESL tender/auction activities.</b>	63112 - Web hosting activities 63122 - Operation of other websites that act as portals to the Internet

**Note:**

1. If NIC codes as mentioned above are not found in the submitted Udyog Aadhar Memorandum/Udyam Registration, then in such a case the benefits applicable to MSEs shall NOT be given to the bidder.
2. In case bidder has submitted MSME declaration (along with MSME Certificate containing applicable NIC code as indicated in the Tender Document) as well as declaration of Bid Security then MSME certificate will be considered for Evaluation of Envelope-1 & benefit of MSME will be provided to bidder for exemption of Bid document fees & Bid Security as per Clause No 2.4 of Section-2 of the RFP. In case of submission of MSE certificate in hard copy (in tender box) as well as soft copy (on portal) and EMD declaration in hard copy (in tender box) as well as soft copy (on portal) in any combination, then the MSE certificate will be considered for evaluation of envelop-1.
3. If bidder submits Tender Fees/Bid fees along with EMD declaration or tender fees without EMD declaration and also MSE certificate along with the offer, then the bidder will be treated as general bidder and no relaxation will be given to such bidders pertaining to MSE's.

**Envelope-II. shall contain following:**

- i. Letter of the bidder submitting the bid in the form as stipulated in the bid document i.e., as per Bid Form as **Attachment-1** of section - 6, Forms & Procedures. Duly filled and Signed by authorized signatory.
- ii. Notarized Power of attorney to sign the bid as **Attachment-3** of section 6, Forms & Procedure. Bidders to use their own format.
- iii. Certificate regarding acceptance of important terms and conditions as per ITB clause 4.6 as **Attachment-4**. Format enclosed in section 6. Duly filled and Signed by authorized signatory.

NIT No. EESL/06/2021-22/SCM/E-Tendering Portal/212209051 Date 29.09.2021	SECTION-1 (IFB)	Page 2 of 5
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- iv. Form of acceptance of EESL fraud prevention policy and declaration as per **Attachment- 7** of section 6, Forms & Procedure. Duly filled and Signed by authorized signatory.
- v. NEFT/RTGS Bank details as per **Attachment-10** of section-6, forms and procedure. Duly filled and Signed by authorized signatory.
- vi. Self-Declaration for not been blacklisted by Central/State/UT Government or any Public sector entities duly signed and stamped at company's Letter Head.
- vii. Compliance of Matrix/checklist for bidder as per **(as per format in attachment -11)**. duly filled and signed on Company letter head pad with company's seal.
- viii. Certificate regarding Declaration of local content **(as per format in attachment -12)**.
- ix. Self-Declaration duly signed on Company Letter Head Pad with company's seal for not being under debar list/undergoing debarment period on account of breach of the code of integrity under rule 175(1)(i)(h) of general financial rules for giving false declaration of local content. Bidder shall clearly mention tender reference no. and date of signing on the self-declaration.
- x. Deviation statement as per **Attachment 5** of section - 6, Forms & Procedure.  
**NOTE:** EESL reserves the right to consider or disregard deviations, and reject bids in case of non-compliance. Bids containing material deviations from or reservation to the terms and conditions and specifications mentioned in the Tender will be treated as non-responsive and will not be considered further.
- xi. GST Registration Certificate and PAN Card Copy.
- xii. Compliance to Technical Specification mentioned anywhere in the tender document with supporting Documents.
- xiii. One complete set of RFP documents and subsequent amendments (if any), duly signed and stamped on each page.
- xiv. Documents asked for submission in Qualifying requirement and any anywhere else in the Tender document.

➤ **Price Bid: Price bid shall contain Envelope-3**

**Envelope 3 i.e. Price Bid shall contain following:**

Since the bids are to be submitted in sealed envelope bid submitted in any other form shall not be entertained. Any loss of information on account of this shall be sole responsibility of bidder.

Price Bid Format is prescribed below – Price bid should only be submitted in the provided format only otherwise bid shall be rejected.

Initially, Envelope-1 containing documents as stated above will be opened manually.

Envelope-2 i.e. Technical bid shall be opened of only those bidders who have submitted requisite documents as mentioned in Envelope-1. In case of non-submission of any of the Envelope-I document Technical Bid (Envelope-2) of those particular bidders shall not be opened and their bid shall be rejected.

Envelope-3 i.e. Price bid shall be opened of only those bidders who have submitted requisite documents as mentioned in Envelope-2. In case of non-submission of any of the Envelope-2 document, Price Bid (Envelope-3) of those particular bidders shall not be opened and their bid shall be rejected.

**Note: - Unorganized/Un-labelled Bids are liable to be rejected. Bidder to enclose an index of pages with proper nomenclature for each submitted document.**

**Digital Signature:**

EESL shall not purchase digital signature from the successful agency in this tender.



**PRICE BID FORMAT**

**NAME OF WORK: "Hiring of agency to provide e-tendering solution for carrying out EESL tender/auction activities."**

**NIT/BidDocument No.: EESL/06/2021-22/SCM/E-Tendering Portal/212209051**

**Dated: 29/09/2021**

S. No.	Description	UOM	Proposed Quantity	Base price per unit exclusive of GST (IGST/CGST/SGST/UGST) (in Rs.) on F.O.R destination basis	Total exclusive of GST (IGST/CGST/SGST/UGST) (IN Rs.) on F.O.R destination basis (in figures)
A	B	C	D	E	F=D*E
1.	Lump sum charges for Development of E-procurement portal, one time set up of portal. All required day to day support, AMC and time to time modifications in the portal for whole contract period i.e., 3 years.	Lump Sum	1		
2.	Charges for Successful Tender (Successful tender means for which price bid opening has been done. No amount shall be paid if price bid will not be opened against any tender) (Price shall remain firm till contract period i.e., for 3 years)	Per Tender	270		
3.	Charges for Reverse/Forward Auction (Price shall remain firm till contract period i.e., for 3 years)	Per auction	15		
<b>Grand Total (G)</b>					

**L1 Calculation: L1 will be decided based on Grand Total (G).**

- Price will remain firm and Exclusive of GST till Contract period.



2. Bidder has to quote for all the items mentioned in the price bid. In case bidder didn't quote for all the items, bid will be rejected.
3. However, the GST/taxes shall be payable on actual basis applicable from time to time.
4. If required buyer can add additional items till the execution of the contract at the rates mentioned in price bid in above table without any other cost as the contract would be the Rate Contract.
5. The Bidder shall indicate in the Price Bid, the unit prices in Rs. (INR) and total Bid prices of the Goods & Services in the prescribed format only. Bidders shall quote for the complete requirement of Goods and Services specified under the Contract on a single responsibility basis, failing which such Bids will not be taken into account for evaluation and will not be considered for award.
6. Successful bidder mandatorily to be registered with sales tax authority. Tax rates applicable will be paid only on production of necessary documents/ proofs.
7. Prices to be quoted F.O.R to Destination Basis.
8. The bidder should quote for all heads in the price-bid format for which separate analysis/ reasonable estimation of all heads should be done by the bidder before quoting the rates in the financial bid. Any contravention may lead to rejection of offer submitted. Bidder is to arrange on its own to deliver the material at site.
9. The taxes will be paid on actual basis as per the locations of delivery on submission of documentary evidence



## **Annexure - Y**

### **2.4 Bid Security/Earnest Money Deposit (EMD) (To be submitted Offline before bid submission time)**

Amount of Bid Security: Bid Security/Earnest Money deposit as mentioned in Section I is to be submitted.

The bidder shall furnish, as part of its bid, a bid security in a separate envelope (ITB Clause 2.1). The bid security shall, at the bidder's option, be in the form of a Banker's cheque, Demand Draft in favor of "Energy Efficiency Services Limited" or a bank guarantee as per format in section VI. Bid security/EMD shall remain valid for a period of 45 days beyond the original bid validity period. If there is any extension in bid validity period, then EESL may ask the bidder to extend the validity of bid security.

Any bid not accompanied by an acceptable bid security, shall be rejected by EESL as being non-responsive and returned to the bidder without being opened. The bid security of a consortium must be in the name of all the partners in the consortium submitting the bid. If lead partner is mentioned in case of consortium, then bid security can be in the name of lead partner.

The bid securities of unsuccessful bidders will be returned as promptly as possible after the award is made to lowest evaluated technically acceptable bidder.

The bid security of the successful bidder will be returned when the bidder has signed the contract agreement, and has furnished the required performance security.

Please note that:

1. All PSUs and Govt. Department may be exempted from Tender Document Fee and EMD for all Tenders of EESL.
2. Following benefits will be given to Start ups and MSEs in this tender: -

All MSEs notified as per GFR 2017 clause no. 1.10.4 and as notified below shall be exempted from payment of Tender Document Fee and Bid Security/ Earnest Money Deposit. For claiming this exemption, MSE must, along with their offer, provide proof of their being registered as MSE (indicating the terminal validity date of their registration) for the item tendered, with any agency mentioned in the notification of Ministry of MSME, indicated below: -

- (a) District Industries Centers;
- (b) Khadi and Village Industries Commission;
- (c) Khadi and Village Industries Board;
- (d) Coir Board;
- (e) National Small Industries Corporation;
- (f) Directorate of Handicraft and Handloom;
- (g) Udyog Aadhar Memorandum issued by Ministry of MSE; or
- (h) Any other body specified by the Ministry of MSME.

1. For claiming the above exemption for Start-ups, a valid certificate of Start-up recognized by 'Department of Industrial Policy & Promotion (DIPP)' along with Business eligibility certificate or any other document issued by Govt/Recognized institute is required in support of product/service item being tendered.



Signature :-  
Subject : CN=NEERAJ PAL, ST=DELHI, OID.2.5.4.17=110003, OU=SUPPLY CHAIN MAN  
AGEMENT, O=ENERGY EFFICIENCY SERVICES LIMITED, C=IN  
User ID : neeraj.pal  
Serial No : 13426D7  
PS : p.kumar(Prashant Kumar)  
Date : 15-11-2021

2. **Purchase Preference to MSEs:** Subject to meeting terms and conditions stated in the tender document including but not limiting to prequalification criteria, 25% of the total quantity of the tender is earmarked for MSEs registered with above mentioned agencies/bodies for the tendered item. Out of the 25% target of annual procurement from micro and small enterprises 4% & 3% shall be earmarked for procurement from micro and small enterprises owned by Scheduled Caste (SC) & Scheduled Tribe (ST) entrepreneurs & Women entrepreneurs respectively. In the event of failure of such MSEs to participate in the tender process or meet the tender requirements and L1 price 4% & 3% sub targets so earmarked shall be met from other MSEs.

Type of tender	Price quoted by MSE	How the tender shall be finalized
Can be split	L1	Full Order on MSE subject to tender evaluation condition
Can be split	Not L1 but within L1+15%	25% order on MSE subject to matching L1 price
Cannot be split	L1	Full Order on MSE
Cannot be split	Not L1 but within L1+15%	Full Order on MSE subject to matching L1 price

**2.1 Where the tendered quantity can be split:** In a bid, if prices quoted by participating Micro and Small Enterprises (MSEs) fall within the price band of L1+15%, such MSE shall also be allowed to supply 25% of the total tendered quantity by bringing down their prices to L1 prices. In case of more than one such MSE (L1+15%) the supply shall be shared proportionately (to tendered quantity), subject to the condition that such MSEs match the L1 price. Further, 4% out of above 25% shall be from MSEs owned by SC/ST entrepreneurs & 3% out of above shall be from MSEs owned by women entrepreneurs. This quota is to be transferred to the general category MSEs in case of NON-availability of MSEs owned by SC/ ST entrepreneurs & Women entrepreneurs respectively.

**2.2 Where the tendered quantity cannot be split/divide:** In case of tender item is non-split able or non-dividable, etc.: MSE quoting price within price band L1+15% may be awarded for full/complete supply of total tendered value to MSE, considering spirit of Public Procurement Policy, 2012 for enhancing the Govt. Procurement from MSE.

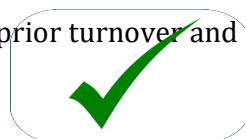
**2.3** MSE owned by SC/ST is defined as:

- In case of proprietary MSE, proprietor(s) shall be SC /ST
- In case of partnership MSE, The SC/ST partners shall be holding at least 51% shares in the enterprise.
- In case of Private Limited Companies, at least 51% share shall be held by SC/ST promoters.

**2.4** MSE owned by Women is defined as:

- In case of proprietary MSE, proprietor(s) shall be Women
  - In case of partnership MSE, The Women partners shall be holding at least 51% shares in the enterprise.
  - In case of Private Limited Companies, at least 51% share shall be held by Women promoters.
- If bidder does not provide appropriate document or any evidence to substantiate the above, then it will be presumed that he does not qualify for any preference admissible under the Public Procurement Policy, 2012.

3. For relaxing the PQ/QR conditions regarding prior turnover and prior experience for MSEs and



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start-ups, the prior turnover and prior experience will be as under subject to their meeting of quality and technical specifications: -

Category of tender	Past experience	Average Turn Over	Award Philosophy
Can be split as per tender conditions	25% of total experience as required for general bidders	25% of total ATO as required for general bidders	<p><b>(a)</b> If MSE is L1, order will be given as per split criteria in order of ranking as defined in the tender document which could be greater than 25%. The treatment for award will be same for MSE as general bidder.</p> <p><b>(b)</b> If MSE is other than L1 bidder, then the split criteria as per tender condition will be followed subject to price matching with L1 bidder in order of ranking treating the MSE bidder(s) at par with the general bidder. In such event also, order(s) going to MSE bidder(s) could be greater than 25%. If order(s) going to MSE bidder(s) is/are less than 25% after the matching of rates with L1 bidder by adopting the tender split criteria, then the clause of purchase preference for award to MSE bidder(s) up to 25% of the tendered quantity subject to matching L1 rates will be followed to make the total quantity going to MSE bidder(s) @ 25%; provided the rates are within L1+15% range. In such cases, remaining quantity after award of 25% to MSE bidder(s) shall be distributed amongst other eligible bidders in the pre-declared split ratio. If order(s) going to</p>



			<p>MSE bidder(s) is less than 25% and also MSE bidder(s) not meeting the condition of purchase preference clause i.e. quoted rates not within L1+15% range, then the order(s) quantity going to MSE bidder(s) in such cases shall be less than 25% which will be in line with the tender conditions.</p> <p><b>(c)</b> If MSE is in the range of L1+15% and not getting the order after splitting and award is going to all non MSE bidder(s), then in such event 25% will be awarded to MSE bidder(s) who fall in the range of L1+15% subject to price matching and remaining 75% will be awarded as per the tender conditions to general bidders subject to matching L1 rates.</p> <p><b>(d)</b> If after splitting MSE bidder(s) are getting order for more than or equal to 25%, then other MSE bidder(s) will not be awarded any work under purchase preference clause even if they fall in the range of L1+15%. However, they will be considered for award of work as any other general bidder as per tender conditions subject to matching of rates in order of ranking.</p> <p><b>(e)</b> If MSE bidder is a single resultant vendor, then the quantity that would be considered for award to such bidder will be as</p>
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			<p>defined in the pre-declared split ratio to L-1 bidder in the tender condition; provided the quoted rates of the bidder are found reasonable by EESL. However, EESL reserves the right to award 100% quantity to such MSE bidder provided the MSE bidder has got ATO which is corresponding to the cumulative applicability for 100% order value. In case, where ATO of the MSE bidder is less than what is required for 100% cumulative order value, then work may be awarded to such MSE bidder in proportion to the ATO. For exp: If ATO of MSE bidder is 56% of the cumulative ATO requirement of 100% order value, then maximum 56% work may be awarded to the MSE bidder. However, in such case EESL reserves the right to award appropriate quantity based on the existing requirement and such decision will be taken by EESL which will be binding on the bidder. EESL may take consent from the bidder for award of such quantity (which is over and above the quantity to be allotted to L-1 bidder as per pre-declared split ratio) before award.</p>
Cannot be split as per tender conditions	25% of total experience as required for general bidders	85% of total ATO as required for general bidders	<p>(a) If MSE is L1, 100% order will be given to MSE.</p> <p>(b) If MSE is within the range of L1, 15%, 100% order</p>



			<p>will be given to MSE subject to price matching with L1 bidder.</p> <p>(c) If MSE is not L1 and not in range of L1 + 15%, no work will be given to MSE.</p>
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4. Start-ups are also covered under 25% purchase preference from procurement basket of MSEs as defined in point (3) above, provided that participating Start-ups submit all the relevant documents pertaining to MSEs as defined in point (1) above and documents for start-ups as defined in point (2) above.

# whereas, startup means an entity, incorporated or registered in India:

- i Not prior to seven years, however for Biotechnology Startups not prior to ten years,
- ii With annual turnover not exceeding INR 25 crore in any preceding financial year, and
- iii Working towards innovation, development or improvement of products or processes or services, or if it is a scalable business model with a high potential of employment generation or wealth creation
- iv Provided that such entity is not formed by splitting up, or reconstruction, of a business already in existence. Provided also that an entity shall cease to be a Startup if its turnover for the previous financial years has exceeded INR 25 crore or it has completed 7 years and for biotechnology startups 10 years from the date of incorporation/ registration.

Note: For Start-up firms, Gazette Notifications dated: 17-Feb-2016, G.S.R. 180 (E), and subsequently issued notifications will be considered.

NOTES: -

- a) In case where tender quantity can be split and MSE bidder is already getting order more than 25% of the tender value, no additional purchase preference is required to be given in that tender.
- b) In case MSE bidder is already getting order for less than 25% of the tender quantity, purchase preference to this and other MSE vendor (together) shall be given only up to the differential quantity to make total as 25% to MSE vendor subject to L1+15% and price matching.
- c) Public Procurement policy is meant for procurement of goods produced and services rendered by Micro and Small Enterprises. The preference to MSEs is not applicable for works contracts where supply of goods not produced by MSEs is also involved.
- d) The eligibility of MSE bidders for any other benefits/relaxations for MSE bidders indicated in Tender documents shall be as indicated in the above "Tender conditions for Benefits/Preference for Micro & Small Enterprises (MSEs)."
- e) If bidder submits EMD/bid security fees and also MSE certificate along with the offer, then the bidder will be treated as general bidder and no relaxation will be given to such bidders pertaining to MSE's.
- f) The registration certificate must be valid as on bid closing date of the tender. Bidder shall ensure validity of certificate in case bid closing date is extended. The MSEs who have applied for registration or renewal of registration with any of the above agencies/bodies, but have not obtained the valid certificate till the end date of bid submission, are not eligible for any exemption/preference and will not be considered. Such offers will be treated as offers received without EMD and out rightly rejected.
- g) Traders, resellers, distributors and agents will not be considered for availing benefits under PP Policy 2012 for MSEs.



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