

RFP No. 14-50/2018-WCD-PMMVY/Poshan Abhiyan/Others
Department of Social Justice & Empowerment, Himachal Pradesh
Directorate of Women and Child Development, Himachal Pradesh

Invites,
REQUEST FOR EMPANELMENT (RFE)
FOR
EMPANELMENT OF AGENCIES for
Providing Manpower on outsourcing basis

Brentwood Estate, CedarHome, Near Himland Hotel Shimla-1

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REQUEST FOR EMPANELMENT (RFE)

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1. Invitation to Empanelment

- a. Directorate of Women and Child Development, Himachal Pradesh, Govt. of Himachal Pradesh, invites RFEs for empanelment of reputed and eligible Service providing firms for providing Manpower.
- b. The Bidders are advised to study the RFE document carefully. Submission of RFEs shall be deemed to have been done after careful study and examination of the RFE document with full understanding of its implications. This section provides general information about the Issuer, important dates and addresses.
- c. The background, objectives and Scope of Work (SoW) to be accomplished by the Bidders are provided in the subsequent sections of this document.
- d. This Request for Empanelment document is not a Request for Proposal (RFP) in any form and would not be binding on the Directorate of WCD in any manner whatsoever.
- e. To be considered for empanelment process Bidders should submit their proposal against this RFE in accordance with the requirements described in this RFE.
- f. Directorate of WCD reserves the right to update, amend and supplement the information in this document including the qualification process before the last date and time of receipt of RFE.
- g. This document is nontransferable.
- h. The detailed RFE Document contained in the following sections has been prepared to elaborate all conditions of this RFE document. In case of amendments/ changes (if any, based on feedback/ queries from any Bidders) in this regard the same may be checked in the corrigendum on <https://hptenders.gov.in> and departmental website <http://wcd.hp.gov.in> .

2. Key Events and Dates

S. No	Information	
1.	Advertisement Date	10-08-2018
2.	Name of Work	Outsourcing the services of PMMVY , Poshan Abhiyan personal and for other programme /schemes to be implemented in future by the Directorate of WCD.
3.	RFE Fee	Rs.3,000/-
4.	RFE Download Date	09-08-2018
5.	Last date (deadline) for submission of RFE along with hard copy	29-08-2018 upto 11.00 A.M.
6.	Earnest Money Deposit (EMD)	Rs.3,00,000/-
7.	Performance Bank Guarantee (PBG)	Rs.5,00,000/-
8.	Last date for Pre Bid Queries	16.08.2018 upto 05:00 P.M.
9.	Opening of RFE	29-08-2018 at 3.00 P.M..
10.	Contact Details	Dr. Onkar Singh Thakur Deputy Director,WCD, HP Contact No. 0177-2629763

Note :- The draft of RFE fee amounting to Rs. 3,000/- & EMD Rs. 3,00,000/- is required to be submitted in the office of Director Women & Child Development Himachal Pradesh before closing of bid.

3. Background and objectives

The broad mandate of Directorate of Women and Child Development (WCD) is to have holistic development of women and children. As a nodal agency for the advancement of women and children, the Directorate of WCD plans, policies and programmes ;enacts/amends legislation, guides and coordinates the efforts of both Governmental and non Governmental organizations working in the field of women and Child Development. Besides playing its nodal role, the directorate of WCD implements certain innovative programmes for women and children. These programmes cover welfare and support services, training for employment and income generation,awareness generation and gender sensitization

- a. To meet this growing demand of implementation of various programmes/schemes Directorate, WCD intends to empanel reputed Bidders to provide manpower /resources.
- b. These empaneled Bidders would be eligible to provide manpower under PMMVY , Poshan Abhiyan and for other programme /schemes to be implemented in future by the Directorate of WCD.

4 Scope of services in relation to an engagement

The broad scope of services to be provided by the selected Bidders is listed below. Such services are merely indicative of the expertise and capacity that can be offered by the empaneled Bidder.

The Department shall determine scope of work at the time of placement of order for a specific manpower engagement. Such services shall be need based and/or project/Scheme driven and could be as follows: -

- a) Relate to specific type/skill of resource(s) as an individual contributor. in either of these cases, the services would be generally linked to deliverable(s) and engagement outcome(s)
- b) Relate to one or more stages of the Scheme/ project life cycle.
- c) The hiring Department shall have the flexibility to engage with one or more empaneled Bidders concurrently for the same engagement and for such length(s) of time as long as scope of service(s) and/or deliverable(s)/outcome(s) is clearly defined, as long as there is no conflict of interest.

5. Instructions for Empanelment

In order to be considered for empanelment, Companies/Bidders should submit their offers (hereinafter called bids) conforming to the following instructions:

- a Interested Companies/Bidders/Firms/Societies can upload their bids along with Scanned copy of Non- refundable payment towards application processing fee of Rs.3,000/- (Rupees Three Thousand Only) and EMD of Rs3,00,000/- (Rs. Three Lakhs Only). All necessary supporting Documents as mentioned in the proposal should be submitted along with the bid.
- b The Bid should be complete in all respects. The details provided by the companies/Bidders/Firms/Societies in the Forms, should be complete, valid, current and active.
- c Incomplete offers will be rejected without giving any reason.
- d The empanelment of Consultants shall follow a three stage process:

Stage 1	Prequalification: The Companies/Bidders/Firms/Societies should meet the prequalification criteria as set out in Section 8.1.
Stage 2	Technical evaluation: Technical bids of only those Companies/Bidders/Firms/Societies qualifying in Stage-1 shall be taken up for technical evaluation as per the Technical bid evaluation criteria set out in Section 8.2.

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Stage 3	Financial evaluation: Financial bids of only those bidders qualifying in Stage 2 shall be opened as per the Financial bid evaluation criteria set out in Section 8.3. In order to empanel all the bidder shall agree to the rates of L1 bidder.
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6. Instructions to bidders: -

- I. During prequalification and technical evaluation of bids, Directorate of WCD, may at its discretion, seek clarifications from the bidders on their bids and the bidders are required to respond within the time frame prescribed by Directorate of WCD.
- II. At any time prior to the prescribed last date for receipt of offers, Directorate of WCD reserves the right to modify the RFE. The amendments and modifications to the RFE shall be notified on the <https://hptenders.gov.in> and Directorate of WCD website (<http://wcd.hp.gov.in>), which shall be binding on the bidders. Bidders are advised to frequently visit the website of e-Procurement portal & Directorate of WCD for updates.
- III. Bids from a consortium of Bidders are not allowed.
- IV. The bids prepared by the bidders and all correspondence and documents relating to the bids exchanged between the Directorate of WCD and the bidders shall be in English language.
- V. All pages of the bid should be initialed and stamped by the Authorized Representative of the bidder. Where an assigned Authorized Representative has signed the bid, a Certificate of Authority should be submitted.
- VI. Financial in any form or by any reason before the opening the Bids should not be revealed, failing which such bids are liable to be rejected.
- VII. The cost related to the empanelment shall be borne by the bidder.
- VIII. **For uploading tender online special terms & conditions may be seen at” Annexure B”**

7. Bid Documents

The bids prepared by the Companies/Bidders/Firms/Societies shall comprise and conform to the following Standard forms:

7.1 Prequalification Proposal

- I. Pre-Qual Form-1 (Prequalification Proposal Submission Form)
- II. Pre-Qual Form-2 (Bidders' Organization and Experience)

7.2 Technical Proposal

- I. Tech Form-1 Technical bid submission form
- II. Tech Form-2 Overall experience and organizational strength
- III. Tech Form-3 Qualification and Competence of professional staff
- IV. Tech Form-4 Statement for seeking clarifications and deviations in the document.

7.3 Financial Proposal

- I. Fin Form- 1- Financial Bid Submission Form

8. Evaluation Criteria: -

8.1 Pre-Qualification Evaluation

The Companies/Bidders/Firms/Societies will be short listed based on pre-qualification criteria defined as below: -

No.	Pre-qualification Criteria	Supporting Documents to be furnished
1.	The Companies/Bidders/Firms/Societies should be registered in India under the Companies Act 1956 with their registered office in India for the last three years as on date of submitting its Application. Companies/Bidders/Firms/Societies should have been registered with EPFO, ESIC, GTSIN, Income Tax Department, ISO 9001:2015 certificate.	Certificate of Incorporation, PAN, GSTIN, EPFO, ESIC, ISO 9001:2015 certificate.
2.	The Companies/Bidders/Firms/Societies should be operating in the field of category where bidder is seeking empanelment.	Attested copy of the Memorandum or Articles of Association.
3.	Minimum turnover of Rs. 50 Lakh on an average in the last 3 Financial Years (2015-16, 2016-17 & 2017-18).	Audited Annual Financial Certified statement from the Current Statutory Auditors of the Company/Bidder.

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4.	The bidder should have completed at least three(3) engagements in their services offerings in a large Enterprise or Government during the last 3 Years.	<ul style="list-style-type: none"> • Certificate from the current authorized signatory of the Company/Bidder stating the scope of work of that project. • Work Order/ Completion Certificate/ Client Certificate and citations. In the event of a multi-stage, multi-service engagement, a statement of completed phase supported by a client certificate or documentation AND payment realization shall also be considered equivalent.
5.	The Companies/Bidders/Firms/Societies should have minimum 100 Full Time Resources on their own payroll as on date of submission of bid.	Self-Certificate for number of resources and list of professionals from the current authorized signatory of the Companies/Bidders/Firms/Societies along with their Provident Fund/CPF Numbers.
6.	The Companies/Bidders/Firms/Societies should enclose Demand Draft towards the non-refundable Application Fee of Rs. 3,000/-	Demand Draft in favour of Director, Women and Child Development, Himachal Pradesh.
7.	The Companies/Bidders/Firms/Societies should also enclose Demand Draft towards Earnest Money of Rs. 3.00 Lakh	Demand Draft in favour of of Director, Women and Child Development, Himachal Pradesh.
8.	The Companies/Bidders/Firms/Societies should not have been blacklisted as on the last date of submission of offer by any Government in India or under a declaration of ineligibility for fraudulent or corrupt practices or inefficient/ineffective Performance and the bidder should not have any litigation in any of the labour courts.	<p>Certificate from the current authorized signatory of the Companies/Bidders/Firms/Societies.</p> <p>An affidavit to this effect on non judicial stamp paper worth Rs. 100/- duly notarized should be enclosed with the technical bid.</p>

8.2 Technical Evaluation: -

Accordingly, the technical bids of all the bidders who qualify the Prequalification criteria shall be evaluated. The Selection Committee shall evaluate the technical bid with reference to the information provided in the Forms Tech Form 1 to Tech Form 4 and their supporting documents.

The criteria for Technical evaluation are as follows:

Sr No.	Evaluation Criteria	(Score in points)								
1.	<p>Experience in Providing Services mentioned by the bidder – Bidder should demonstrate their past experience in delivering similar services in a minimum of three (3) and a maximum of six (6) engagements relevant to their services offerings during the past three years.</p> <p>Proof of successful completion of engagements/ Phase wise completion and realization of payments pertaining to the engagement (Work Order/ Completion Certificate/ Client Certificate and citations) should be furnished.</p> <p>6 or more services: 30 Marks 4 or 5 services: 20 Marks 3 Services : 10 Marks</p>	30								
2.	<p>Out of the above projects, the value of each project (up to a maximum of three projects) based on billable value. Such amount has to be fully billed and realized for award of scores.</p> <table><tr><th>Project value in Rs</th><th>Score</th></tr><tr><td>>1 crore</td><td>30</td></tr><tr><td>>50 Lakh <= 1 crore</td><td>20</td></tr><tr><td><= 50 Lakh</td><td>10</td></tr></table>	Project value in Rs	Score	>1 crore	30	>50 Lakh <= 1 crore	20	<= 50 Lakh	10	30
Project value in Rs	Score									
>1 crore	30									
>50 Lakh <= 1 crore	20									
<= 50 Lakh	10									

3.	Full Time Professionals/Persons: Number of full time resources		30
	Number of persons	Score	
	>=10<30	10	
	>=31 < 60	20	
	>= 61	30	

Minimum 70% marks in Technical evaluation will be required for empanelment.

8.3 Financial Bid Evaluation

The Committee shall evaluate the Financial bids with reference to the information provided in Fin Form 2 from firms. The Financial bids of all the bidders who qualify the Technical evaluation by attaining the minimum qualifying score as mentioned above shall only be opened by the Committee.

The least rates quoted amongst all the qualified bidder shall be adjudged as L1.

In order to create a panel, the other technically qualified bidders may be offered to match the rates. All the technically qualified bidders, who match the Rate Chart Table shall be declared as qualified for empanelment. However, this empanelment of additional bidders will be taken up only if L1 Bidder fails to provide the satisfactory services. The empanelled bidder will be start serving from the 1st of the next month.

Upon completion of the RFE process, Directorate of WCD will publish the rates of the empanelled Bidders after seeking necessary approval of the State Government on <https://hptenders.gov.in> and departmental website <https://wcd.hp.gov.in> .

9. Terms and Conditions of Empanelment

- a. The service provider shall ensure the deployment of the suitable candidates who are Bonafide Himachali. For staff to be deployed in the Districts /Blocks preferably local candidates of the District may be sponsored.
- b. Personnel who are to be engaged through service provider should be polite, cordial, positive and efficient, while handling the assigned work and their actions should promote goodwill and enhance the image of the office. The service provider shall be responsible for any act of indiscipline on the part of persons deployed by him.
- c. The person deployed shall not claim any Master & Servant relationship against this office. The statutory and contractual obligations are to be complied with by the service provider. The service provider's personnel shall not claim any benefit/compensation/ absorption/ regularization of service with directorate of WCD.Undertaking from the persons to this effect shall be submitted by the service provider to the Directorate of WCD.
- d. The aforesaid persons engaged by the service provider shall be the employees of the service provider and it shall be the duty of the service provider to pay their salary every month through RTGS and provide a proof of doing so to Directorate of WCD.The Companies/Bidders/Firms/Societies will provide proof of receipt of salary by the persons before the end of each month.
- e. The service provider's personal shall not divulge or disclose to any persons, any details of office, operational process, technical know-how, security arrangements, administrative/organizational matters as all these matters are of confidential/secret nature.
- f. The person deputed shall not be below the age of 21 years and above 45 years.
- g. The character and antecedents of each personnel of the service provider will be got verified by the service provider before their deployment and a certification to this effect will be given to this office by the service provider.
- h. Working hours would be normally 8 hours including half hour lunch break.
- i. The persons may be called on second Saturday, Sunday and other gazetted holidays in the exigencies of services.
- j. The service provider shall ensure proper conduct office person in office premises, and enforce prohibition of consumption of alcoholic drinks, smoking, loitering without work.
- k. The service provider will be responsible for EPF/CPF coverage of the outsourced personnel as per relevant statute.
- l. Tenderer should have valid PAN/ TAN/ Labor License in the name of firm, service tax registration number and EPF registration number.

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- m. The Companies/Bidders/Firms/Societies empanelled with Directorate of WCD shall be called as Service Provider.
- n. Period of Empanelment: The empanelment of the service providers will be for a period of one year from the date of issuance of letter of empanelment after which the empanelment may be renewed on request of the service providers after payment of registration fee as mentioned in the RFE, based on their performance on the job awards/ job orders during their empanelment period.
- o. The minimum qualifications required for the different categories of resources have been indicated in Annexure-‘A’. The department may ask for the resources in additional categories for which they will decide the minimum qualifications and experience required.
- p. **The emoluments to be paid to the resources/ candidates will be decided by the department. The bidder will have to pay the emoluments based on the fixed emolument along with allowances and benefits applicable if any. The bidder will be given the agency charges, over and above the liabilities against the emoluments, benefits, allowances, applicable, as finalized through this RFE after selection based on L1 bid as per the norms fixed by the Government time to time.**
- q. Running payments may be released to the Service Providers as per the terms and conditions of the Job order awarded to the Service Provider by Directorate of WCD and review of the progress in scheme/project.
- r. RFEs received by Directorate of WCD will be screened for requirements, experience and qualifications. Directorate of WCD may carry out physical inspection/ verification of the information given by the Bidders/ Bidders’ infrastructure setup. The Service Providers will be selected on the basis of their existing experience, personnel availability, technical competence and experience of related Job and eligibility criteria fixed by the Government.
- s. Any Pre-conditions of the Bidder submitted with the RFE, shall not be binding on Directorate of WCD.
- t. Directorate of WCD reserves the right to inspect the site of the service provider at any time and if the infrastructure is not found adequate as per this RFE document requirement, the empanelment of the service provider will be cancelled.
- u. If the service provider hides some information or gives a wrong information or is found misrepresenting, empanelment of that Service Provider shall be cancelled and Directorate of WCD would not be under any obligation to give any clarification or damages.
- v. The service provider shall have to be careful, diligent and show workman like manner in conformity with the accepted standard practices as per industry norms.

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- w. If a Service Provider is found to obtain jobs/services by means of using fraudulent techniques, then their empanelment shall be cancelled and punitive actions may be initiated against them.
- x. Directorate of WCD reserves the right to terminate in whole or part this empanelment without assigning reasons, including modifications, to the extent that it is feasible and permitted within the spirit of this requirement. All legal disputes will be in the jurisdiction of the Shimla, Himachal Pradesh.
- y. The service provider will ensure to deposit subscription/ share of on each month with the Employee Provident Fund Organization under intimation to the Directorate of WCD.
- z. ***If there is a discrepancy between the base price and the total price that is obtained by adding the EPF and administrative charges and on then service tax base price and quantity, the unit price shall prevail and total price shall be corrected as explained above. If there is a discrepancy between words and figures, the amount in word will prevail. If the tenderer doesn't accept the correction of the errors as above, his tender will be rejected and amount of bid security forfeited.***

10. Instructions to Bidders

In order to be considered for empanelment Bidders should submit their RFEs conforming to the following instructions.

- A. **Name of the assignment:** Empanelment of Service providers for supply of resources.
- B. **Non-refundable RFE cost:** This Request for Empanelment (RFE) document is available on the website <https://hptenders.gov.in> and <http://wcd.hp.gov.in> and can be downloaded online. However, at the time of submission of the RFE, Bidders are required to pay “Request For Empanelment” document fees as mentioned in as per clause “**Key events & Dates**”, in the form of a Demand Draft drawn in favour of “Director, Women and Child Development” payable at Shimla, which is non-refundable. If the RFE Document is downloaded from the website, this fee will have to be deposited along with the RFE as a separate bank draft. Directorate of WCD shall not be responsible for any kind of postal delay in receiving the RFE document.
- C. **Earnest Money Deposit (EMD) and Registration Fee:** The Bidder shall furnish Earnest money Deposit (EMD) and Registration Fee as mentioned in as per clause “**Key events & Dates**”, in the form of DD from nationalized bank drawn in the favour of “Director, Women and Child Development” payable at Shimla before bid submission end date. Any RFE, submitted without EMD and Registration Fee or with the lesser amount may be rejected being non-responsive. No interest shall be payable on the sum deposited as EMD and Registration Fee. No bank guarantee shall be accepted in lieu of the EMD.
- D. **Refund of EMD and Registration Fee:** The EMD of the unsuccessful Bidders (Bidders who fail to qualify in the empanelment evaluation process) shall be returned after completion of the RFE process.
- E. The EMD of the successful Bidders shall be returned on signing the contract (Letter of empanelment) and receipt of Performance Bank Guarantee @ Rs. 5, 00,000/- (Five Lakh)
- F. **Forfeiture of EMD:** The EMD shall be forfeited, if the Bidder withdraws or modifies/alters the RFE after the opening of RFEs and during the validity period or if the Bidder tries to influence the evaluation process. The EMD shall also be forfeited if the Bidder quotes zero or incredibly low rates compared to the industry prevalent rates.
- G. **Validity period of the RFE:** the RFEs shall remain valid for at least 2years after the date of RFE opening and can be renewed on the work performance of the agency.

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- H. **Last date for submission of written queries for clarification:** All queries should be received by Directorate of WCD not later than the date as mentioned in as per clause “Key events & Dates”. Bidder seeking any clarification should send an email to the contact person in the Standard Form as mentioned in RFE.
- I. **Process of empanelment:** The empanelment shall be done on different categories as per eligibility of the Bidders, after scrutiny of the documents supplied by the Bidder as per requested information in this RFE.
- J. During RFE evaluation process, Directorate of WCD may at its discretion, seek clarifications from the Bidders on their RFEs and the Bidders are required to respond within the time frame prescribed by Directorate of WCD.

11. Documents comprising the RFE

- A. Bidders are advised to study this RFE document carefully before participating. It shall be deemed that the RFE has been submitted by the Bidders after a careful examination and full understanding of its implications.
- B. RFE should be uploaded in Three covers (the RFE cover) which should be super scribed with the words “Request for Empanelment for Providing Manpower” by Bidders applying for empanelment of Service Providing firms”. The RFE cover should also clearly indicate the name, address and telephone number of the Bidder.
- C. Cover -01 – Pre Qualification Proposal: Request for Empanelment of Bidders: This cover should be mentioned “Pre-Qualification Proposal- Request for Empanelment of Bidders”. This cover should contain all supporting documents and the scanned copy of Demand Draft for the RFE document fee and the EMD. The following documents are required to be uploaded
- I. Pre-Qual Form-1 (Prequalification Proposal Submission Form)
 - II. Pre-Qual Form-2 (Bidders’ Organization and Experience)
 - III. Scanned copy of Demand Draft of RFE fee.
 - IV. Scanned copy of EMD
- D. Cover 02: Technical Proposal- Request for Empanelment of Bidders: This cover should be mentioned “Pre-Qualification Proposal- Request for Empanelment of Bidders”. This cover should contain following documents
- I. Tech Form-1 Technical bid submission form
 - II. Tech Form-2 Overall experience and organizational strength
 - III. Tech Form-3 Qualification and Competence of professional staff
 - IV. Tech Form-4 Statement for seeking clarifications and deviations in the document.
- E. Cover should indicate the Name, address, telephone number, email id and fax number of the Bidder.
- F. Cover 03: Financial Proposal- Request for Empanelment of Bidders: This cover should be mentioned “Pre-Qualification Proposal- Request for Empanelment of Bidders”. The following document should be part of the Financial Proposal;
- I. Fin Form- 1- Financial Bid Submission Form
 - II. Fin Form- 2-Summary of Costs of Resources

G. Bidder should mention the exact name of the Company/Firm in the tender document.

12. Disqualification

The Directorate of WCD may at its sole discretion and any time during the evaluation proposal disqualify any Bidder, if the Bidders:

- A. Makes misleading or false representation in the forms, statements and attachments submitted in proof of the statements or eligibility criteria.
- B. Exhibits a record of poor performance such as abandoning work, not completing the contractual obligations, inordinately delaying completion or financial failures, etc in any project in the preceding three years.
- C. Submits a RFE that is not accompanied by required documentation or is nonresponsive.
- D. Fails to provide clarifications related to the RFE, when sought
- E. Submits more than one proposal
- F. Is declared ineligible by the Government of India/ State/Union Territory Government for corrupt and fraudulent practices.

13. Security Deposit & Performance guarantee

- A. The Bidder shall furnish a Performance Guarantee (PG) of Rs. 5,00,000/- (Rs. Five Lakh only) in the form of a Bank Guarantee of any Nationalized/ Scheduled bank drawn in the name of favour of Director, WCD.
- B. Forfeiture of Performance Guarantee: In case of a successful award of the work as defined in this RFE, the Performance Guarantee of the Empaneled Bidder shall be forfeited under the following conditions:
 - a. If the empaneled Bidder fails to complete the job allotted due to any reasons.
 - b. If the empaneled Bidder fails execute the award of work as per terms and conditions mentioned in empanelment letter, award of job and contract signed (if any).
 - c. If the empaneled Bidder violates any such important conditions of this RFE.
 - d. If the empaneled Bidder indulges in any such activities as would jeopardize the interest of the Directorate of WCD in timely completion of the work.

- e. The decision of the Department regarding forfeiture of PG shall be final and not be called upon question under any circumstances. A default in such a case may involve black listing of the Empaneled Bidder.

14. Evaluation criteria and Empanelment

- A. Bidders are expected to meet the eligible criteria as mentioned in the RFE document for different categories. Bidders failing to either meet these criteria or not furnishing the requisite supporting documents/ documentary evidence is liable to be summarily rejected.
- B. Directorate of WCD shall constitute an Evaluation Committee, which shall carry out the entire evaluation process.
- C. Directorate of WCD shall evaluate the proposal with reference to the information submitted by Bidder and other supporting documents furnished as mentioned in this document.

15. General conditions of RFE

- A. **Definitions:** In this part, the following interpretation of terms shall be taken:

- a. "The Contract" means an agreement regarding providing of services entered into between the Directorate of WCD and the empaneled vendor, as recorded in the Contract Form signed by the parties, including all appendices thereto and all documents incorporated by reference therein.
- b. "Service Provider", means empaneled vendor supplying the services under this Contract.

- B. **Application:** The General Conditions shall apply to the extent that these are not superseded specific by provisions in other parts of this RFE document. A detailed Contract agreement shall be signed after the order is placed. Detailed provisions of such a contract-agreement shall have an over-riding effect vis-a-vis this RFE Document.

- C. **Third Party Claims:** Empaneled vendor (the "Indemnifying Party") undertakes to indemnify the client (the "Indemnified Party") from and against all losses, claims or damages including losses, claims or damages on account of bodily injury, death or damage to tangible.

D. Limitation of Liability: There shall be no limitation of liability in case of any damages for bodily injury (including death) and damage to real property and tangible personal property as also intangible personal property and intellectual property rights.

E. Data Protection:

- a. In the course of providing the Services the empaneled vendor may be compiling, processing and storing proprietary official Data relating to the users. The empaneled vendor and each user are responsible for complying with its respective obligations under the applicable data protection laws and regulations governing the Official Data.
- b. The empaneled vendor is required to perform or adhere to the security measures concerning the Official Data as specified by the Department.
- c. The empaneled vendor shall not transfer any Official Data to any body without the prior approval/permission of the Department.

F. Confidentiality:

- a. All such information which are marked as confidential shall be treated as confidential information.
- b. The client may permit the empaneled vendor to come into possession of confidential public records as per the needs of the department and the empanelled vendor shall maintain the highest level of secrecy, confidentiality and privacy with regard there to. Additionally, the empaneled vendor shall keep confidential, all the details and information with regard to the department, including systems, facilities, operations, management and maintenance of the systems/ facilities.
- c. The Department shall retain all rights to prevent, stop and if required take the necessary punitive action against the empaneled vendor regarding any forbidden disclosure, which punitive action may include at the discretion of the Department termination of empanelment.
- d. The empaneled vendor shall ensure that all its employees execute individual non-disclosure agreements, which have been duly approved by the client with respect to given job.
- e. The aforesaid provisions shall not apply to any information
 - i. already in the public domain
 - ii. which has been received from a third party who had the right to disclose the aforesaid information
 - iii.
 - iv. Is disclosed to the public due to a court order.

G. Personnel:

- a. Personnel assigned by empaneled Bidder to perform the Services shall be employees of empaneled Bidder, and under no circumstances will such personnel be considered employees of Department. For each vacancy 05 persons will be called for discussion/interaction with the committee of the Department and the best suited candidate will be sponsored by the bidder as per the recommendations of the Department. Empanelled Bidder shall have the sole responsibility for supervision and control of its personnel and for payment of such personnel's entire compensation, including salary, worker's compensation, employee and disability benefits and shall be responsible for all employer obligations under all applicable laws including obligations for withholding tax under the Income Tax Act and other social security taxes under the relevant laws.
- b. Empaneled Bidder shall use its best efforts to ensure availability of empaneled vendor personnel to perform the Services, and that such personnel have prescribed qualifications to perform the Services. The client shall have the right to require the removal or replacement of any empaneled vendor personnel performing work under this empanelment. In the event that the department requests that any empanelled vendor personnel be replaced, the substitution of such personnel shall be accomplished within a period of 3 working days .
- c. In the event the client identifies any personnel of empaneled vendor as "Key Personnel", then the empaneled vendor shall not remove such personnel without the prior written consent of the Department.

H. Termination for Default:

- a. The Directorate of WCD may without prejudice to any other remedy for breach of contract, (including forfeiture of Performance Security) by written notice of default sent to the Service Provider, terminate the Contract in whole or in part after sending a notice to the Service Provider in this regard.
- b. If the Service Provider fails to deliver any or all of the services within the time period(s) specified in the Contract, or any extension thereof granted by the or
- c. If the Service Provider fails to perform any other obligation under the Contract.
- d. In the event the Directorate of WCD terminates the Contract in whole or in part, he may procure, upon such terms in such manner, as it deems appropriate, services similar to those undelivered, and the Service Provider shall be liable to pay excess cost of such similar services to the Directorate of WCD. This liability will be in addition to forfeiture of performance guarantee and any other legal proceedings, which the Directorate of WCD may initiate as per clause “Delay in the Service Provider's Performance”.

16 Force Majeure

- A. Notwithstanding the provisions of the clause “Delay in the Service Provider's Performance” and clause “Termination for Default”, the Service Provider shall not be liable for forfeiture of its performance security or termination for default, or payment of any damages, if and to the extent that his delay in performance under the Contract is the result of an event of Force Majeure.

- B. For purpose of this clause, Force Majeure means an event beyond the control of the Service Provider and not involving the Service Provider's fault or negligence and not foreseeable. Such events may include, but are not restricted to, acts of the Directorate of WCD either in its sovereign, or contractual capacity, war, revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.
- C. If a Force Majeure situation arises, the Service Provider shall promptly notify the Directorate of WCD in writing or such conditions and the cause thereof. Unless otherwise directed by the Directorate of WCD in writing, the Service Provider shall continue to perform its obligations under the Contract, as far as reasonably practical, and shall seek all reasonable alternative means for performance, not prevented by the Force Majeure event.

17. Taxes and Duties

Payment of all taxes, duties and levies, imposed will be paid as per directions issued by the government time to time.

18. Resolution of Disputes

- A. It will be the Directorate of WCD's endeavor to resolve amicably any disputes or differences that may arise between the Directorate of WCD and the Bidder from misconstruing the meaning and operation of the RFE and the breach that may result.
- B. In case of Dispute or difference arising between the Directorate of WCD and a Service Provider relating to any matter arising out of or connected with this RFE, such disputes or difference shall be settled in accordance with the Arbitration and Conciliation Act, 1996. The Arbitrators shall be chosen by mutual discussion between the Directorate of WCD and the Service Provider OR in case of disagreement each party may appoint an arbitrator and such arbitrators may appoint an Umpire before entering on the reference. The decision of the Umpire shall be final.

19. Payment Terms

- 19.1 100% payment (monthly basis) towards SERVICE CONTRACT will be made within 15 days after the receipt of bill for the particular month.
- 19.2 The agency will ensure the regular deposit of EPF/CPF and service tax.
- 19.3 TDS will be deducted as per Income Tax Act/ Laws.

20. Service Level of Agreement (SLA)

In case the service provider/ agency fails to provide minimum manpower at any point of time or fails to provide substitutes at the time of leave/ absence/ resignation of the regular manpower, a deduction of Rs. 500/- per day per manpower shall be made from the monthly bills of the service provider through deduction certificates.

21. Standard Forms

21.1. FORM-1- Declaration Regarding Acceptance of Terms & Conditions

(To be submitted on the letter head of the Bidders)

To,

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Sir,

I have carefully gone through the Terms & Conditions contained in the RFE Document [No. _____] regarding **Empanelment of Service Provider** in Directorate of WCD, Himachal Pradesh.

I declare that all the provisions of this RFE Document are acceptable to my Companies/Bidders/Firms/Societies. I further certify that I am an authorized signatory of my company and am, therefore, competent to make this declaration.

Yours very truly,

Name: _____

Designation: _____

Company: _____

Address: _____

Note: - Copy of authorization by competent authority in the Bidders company pertaining to not only this form but entire RFE should be enclosed.

21.2. FORM–2- Declaration Regarding Clean Track Record

(To be submitted on the letter head of the Bidders)

To,

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Sir,

I have carefully gone through the Terms & Conditions contained in the RFE Document [No. _____] regarding **Empanelment of Service Provider** in Directorate of WCD, Himachal Pradesh. I hereby declare that my Companies/Bidders/Firms/Societies has not been debarred/black listed by any Government / Semi Government organizations. I further certify that I am competent authority in my company has authorized me to make this declaration.

Yours very truly,

Name: _____

Designation: _____

Company: _____

Address: _____

21.3. FORM-3- Proposal Submission Form
(To be submitted on the letter head of the Bidders)

To,

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Subject: Submission of the qualification proposal for empanelment with Directorate of WCD
for providing **manpower**/resources.

Sir,

We, the undersigned, offer to provide [**Supply of Manpower**] to the State Government Department that are implementing the schemes in accordance with your Request for Empanelment dated ----- and our Proposal.

We are hereby submitting our Proposal, which includes this Qualification Proposal RFE sealed in envelope as per the requirement of RFE.

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

We agree to agree to abide by all the terms and conditions of the RFE document. We understand you are not bound to accept any proposal you receive.

Yours very truly,

Name: _____

Designation: _____

Company: _____

Address: _____

24. FORMS

1. Pre-Qual Form-1: Pre-Qualification Proposal Submission Form

(To be submitted on the letter head of the bidder)

To:

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Subject: Submission of Pre-qualification Proposal for empanelment with Directorate of WCD providing manpower/resources

Dear Sir,

We, the undersigned, offer to provide Services to Directorate of WCD in accordance with your Request for Empanelment dated _____. We are hereby submitting our Proposal, which includes this Pre-Qualification Proposal, a Technical Bid and the Financial bid sealed in separate envelopes inclusive of the services that would be provided by us as part of this empanelment.

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

We agree to abide by all the terms and conditions of the RFE document. We understand you are not bound to accept any proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]: _____

Name and Title of Signatory: _____

Name of Firm: _____

Address: _____

Location: _____ Date: _____

2. Pre-Qual Form-2: Bidders' Organization & Experience

1	Name of the bidder					
2	Mailing address in India					
3	Telephone and fax number					
4	E-mail address					
5	Name and designation of the Authorized Representative of the bidder					
6	Year of establishment and constitution of organization					
7	Checklist of Prequalification Criteria Compliance.	Sr #	Pre-Qualification Criteria	Compliance (Yes/No)	Supporting Document/Reference Page No.	

Tech Form-1: Technical Bid Submission Form

(To be submitted on the letter head of the bidder)

To:

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Subject: Submission of Technical Proposal for empanelment with Directorate of WCD for providing services .

Dear Sir,

We, the undersigned, offer to provide Services to the Directorate of WCD in accordance with your Request for Empanelment dated _____. We are hereby submitting our Proposal, which includes this Technical bid and the Financial bid sealed in a separate envelope.

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

We agree to abide by all the terms and conditions of the RFE document. We would hold the terms of our bid valid till our empanelment, as stipulated in the RFE document.

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

Yours sincerely,

Authorized Signature [In full and initials]: _____

Name and Title of Signatory: _____

Name of Firm: _____

Address: _____

Location: _____ Date: _____

Tech Form-2: Bidders' Overall Experience & Organizational Strength

Sl. No.	Name of Assignment	Department Name and Description (Government Department/ Private)	Services delivered, key resources No. and Name	Project Value, dates, duration and current status	Supporting documentation
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

NOTE: For each project specified above, please provide separate information (not exceeding two pages) on all relevant points to support evaluation.

Tech Form-3: Qualification & Competence of Professional Staff

Sr. No	Resource Category	Prescribed Qualification	Minimum period of relevant experience	Number of full Time resource persons (for each resource category) during the preceding one year	Number of full Time Resource persons (out of column 5) fulfilling the prescribed qualification	Number of full Time resource persons (out of column 5) fulfilling the prescribed experience

Tech Form-4: Statement for Seeking Clarifications & Deviations in the RFE

Dear Sir,

The following are the clarifications and deviations sought for on the terms and conditions and Scope of Work against this RFE. These clarifications and deviations are exhaustive.

Sr. No.	Section No.	Para No.	Page No.	Statement of clarifications /Deviations	Remarks

Com Form-1: Financial Bid Submission Form

(To be submitted on the letter head of the bidder)

To:

**The Director
Women and Child Development
Cedar Home, Brentwood Estate,
Near Himland Hotel, Shimla-1**

Subject: Submission of Financial Proposal for empanelment with Directorate of WCD for providing services.

Dear Sir,

We, the undersigned, offer to provide Services to Directorate of WCD in accordance with your Request for Empanelment dated _____. We are hereby submitting our Financial bid in a separate cover. Our Financial bid shall be binding upon us for the bid validity period as stipulated in the RFE document.

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

We agree to abide by all the terms and conditions of the RFE document. We understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]: _____

Name and Title of Signatory: _____

Name of Firm: _____

Address: _____

Location: _____ Date: _____

COM FORM-2: SUMMARY OF COSTS OF RESOURCES

Percentage margin/ Admin charges to be charged by the bidder on pay package of employee (as per norms fixed by govt. regarding GST, EPF, ESIC etc.)	(%age cost charged)
---	---------------------

Note:

- Directorate of WCD shall have the sole prerogative to interview/interaction and select the candidates during award of work. Any candidate not found to be performing to meet job requirements shall be replaced by the Bidder free of cost with an alternative individual meeting the qualification and experience requirement and the Bidder shall ensure a minimum overlap period of two (2) weeks between such resources at their cost.
- All candidates shall have the relevant experience in the area of their expertise as specified by the Department and possess necessary consulting, oral/written communication and inter-personal skills.

Signature of the
Authorised person
(Bidder)

Annexure – ‘A’

Detail of manpower and minimum qualifications required for the different categories of resources.

a). Hiring of Manpower under PMMVY

Sr. No.	Resource Category	Prescribed Qualification	Minimum period of Relevant experience	Number of Post	Remuneration
1.	State Programme Coordinator	Postgraduate preferably in Social Science/Life Science/Nutrition/Medicine/Health Management/Social Work/Rural Management	i)At least three years experience of working with the Government/non-Government Organizations ii)Proficiency in using MS-Office iii) Proficiency in local language and English.	1	Rs. 45000/-
2.	District Programme Coordinator		i)At least One year experience of working with the Government/non-Government Organizations ii)Proficiency in using MS-Office iii) Proficiency in local language and English	12	Rs. 35000/-
3.	State Programme Assissant	Graduate preferably in Social Sciences/Social Work/Rural management/Statistics	i)At least two years experience of working with the Government/non-Government	1	Rs. 25,000/-

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			Organizations ii)Proficiency in using MS-Office,Data Entryand Analysis iii) Proficiency in local language and English.		
4.	District Programme Assissant		i)At least one year experience of working with the Government/non-Government Organizations ii)Proficiency in using MS-Office,Data Entry .	12	Rs. 20,000/-

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b). Hiring manpower under POSHAN Abhiyaan

S. N	Posts	Consolidated Remuneration	Essential Qualification and Experience	Desirable	Number of posts
1	Secretarial Assistant/DEO	Rs. 15,000/- per month. Annual increase @ 3% of remuneration may be granted, subject to performance	As per State norms		2
2	Office Messenger/ Peon)	Rs. 8,000/- per month or as per respective State's extant Wage Ac	As per State norms		2

c). Other Posts under POSHAN Abhiyaan

The matter regarding recruitment of manpower is under consideration of State Govt. The detail is as under:

A. State Nutrition Resource Centre-State Project Management Unit (SNRC-SPMU)

Sl No	Position	No
1	Consultants (i) Planning , Monitoring & Evaluation-1 (ii) Health & nutrition-1 (iii) Financial management-1 (iv) Capacity building & BCC-1 (v) Procurement-1	5
2	Accountant	1
3	Project Associate	1

II Manpower requirement at District Level Help Desk

Sl No	Position	Total in 5 districts
1	District Coordinators	5
2	Project Assistants	5

III Manpower requirement at block level Help desk

Sl No	Position	Total blocks in 5 Districts
1	Block Coordinators	34
2	Project Assistants	34

Annexure B

1. INSTRUCTIONS TO BIDDERS FOR ELECTRONICTENDERING SYSTEM

1.1 Registration of bidders on e-Procurement Portal:-

All the bidders intending to participate in the tender processed online are required to get registered on the centralized e - Procurement Portal i.e. <https://hptenders.gov.in>. Please visit this website for more details. In case of any problem in registration, please contact on toll free No. available on this website.

Obtaining a Digital Certificate:

- 1.1.1 The Bids submitted online should be encrypted and signed electronically with a Digital Certificate to establish the identity of the bidder bidding online. These Digital Certificates are issued by an Approved Certifying Authority, by the Controller of Certifying Authorities, Government of India/ Govt. of Himachal Pradesh.
- 1.1.2 The bidders may obtain Class-II digital signature certificate from any Certifying Authority or Sub-certifying Authority authorized by the Controller of Certifying Authorities or may obtain information and application format and documents required for the issue of digital certificate from:
- 1.1.3 Bid for a particular tender must be submitted online using the digital certificate (Encryption & Signing), which is used to encrypt and sign the data during of bid preparation stage. In case, during the process of a particular tender, the user loses his digital certificate (due to virus attack, hardware problem, operating system or any other problem) he will not be able to submit the bid online. Hence, the users are advised to keep a backup of the certificate and also keep the copies at safe place under proper security (for its use in case of emergencies).
- 1.1.4 In case of online tendering, if the digital certificate issued to the authorized user of a firm is used for signing and submitting a bid, it will be considered equivalent to a no-objection certificate/power of attorney /lawful authorization to that User. The firm has to authorize a specific individual through an authorization certificate signed by all partners to use the digital certificate as per Indian Information Technology Act 2000. Unless the certificates are revoked, it will be assumed to represent adequate authority of the user to bid on behalf of the company/firm in the department tenders as per Information Technology Act 2000. The digital signature of this authorized user will be binding on the firm.
- 1.1.5 In case of any change in the authorization, it shall be the responsibility of management / partners of the company/firm to inform the certifying authority about the change and to obtain the digital signatures of the new person / user on behalf of the firm / company. The procedure for application of a digital certificate however will remain the same for the new user.
- 1.1.6 The same procedure holds true for the authorized users in a private/public limited company. In this case, the authorization certificate will have to be signed by the directors of the company.
- 1.1.7 Pre-requisites for online bidding:

In order to bid online on the portal <https://hptenders.gov.in>, the user machine must be updated with the latest Java & DSC setup. The link for downloading latest java applet & DSC setup are available on the Home page of the e-tendering Portal.

1.2 Online Viewing of Detailed Notice Inviting Tenders (N.I.T.) :

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The bidders can view the detailed N.I.T and the time schedule (Key Dates) for all the tenders floated through the single portal e-Procurement system on the Home Page at <https://hptenders.gov.in>

1.3 Download of Tender Documents:

The tender documents can be downloaded from the e-Procurement portal <https://hptenders.gov.in> and <http://wcdhp.nic.in>

1.4 Key Dates:

The bidders are strictly advised to follow dates and times as indicated in the online Notice Inviting Tenders. The date and time shall be binding on all bidders. All online activities are time tracked and the system enforces time locks that ensure that no activity or transaction can take place outside the start and end dates and the time of the stage as defined in the online Notice Inviting Tenders.

1.5 Bid Preparation (Qualification & Financial)

- 1.5.1 Payment of Tender Document Fee& EMD of online Bids: The payment for Tender document fee and EMD can be made as mentioned in point 2 (Key Events & Dates) .
- 1.5.2 The bidders shall upload their eligibility-cum-technical offer containing documents, qualifying criteria, technical specifications, schedule of deliveries, and all other terms and conditions except the rates (price bid).
- 1.5.3 The bidders shall quote the prices in price bid format only.
- 1.5.4 If bidder fails to complete the Online Bid Preparation at Submission stage on the stipulated date and time, his/hers bid will be considered as bid not submitted, and hence not appear during tender opening stage.
- 1.5.5 Bidders participating in online tenders shall check the validity of his/her Digital Signature Certificate before participating in the online Tenders at the portal <https://hptenders.gov.in>.
- 1.5.6 For help manual please refer to the 'Home Page' of the e-Procurement website at <https://hptenders.gov.in> and click on the available link 'How to .. ?' to download the file.
- 1.5.7 Post registration, bidder shall proceed for bidding by using his digital certificate (Signing). Bidder shall proceed to select the tender he is interested in.