

Empanelment of AMC service provider agency and selection of an agency for providing Comprehensive Annual Maintenance Services (AMC) for various equipments (including computers / printers / server and peripherals) installed at BVM offices located in Patna

Proceeding of the meeting held at 3:30 PM on 23-02-2024 for decision on representation received from bidders disqualified in technical evaluation and opening of financial bids

Agenda	Meeting for decision on representation received from bidders disqualified in technical evaluation and opening of financial bids
Time and Date	3:30 PM on 23-Feb-2024
Venue	Bihar Vikas Mission Office, Rajvanshi Nagar, Patna
Attendance	As per attendance sheet.

- RFP for "Empanelment of AMC service provider agency and selection of an agency for providing comprehensive Annual Maintenance Services (AMC) for various equipments (including computers / printers / server and peripherals) installed at BVM offices located in Patna", was published vide NIT Ref. No. BVM/2023-24/Proc/07 dated 12-01-2024.
- A total of 5 bids were received in response to the RFP.
- As per schedule, bid opening meeting was held at 11:00 AM on 09-02-2024 at Bihar Vikas Mission Office, Rajvanshi Nagar, Patna under chairmanship of Chief General Manager, Bihar Vikas Mission. The technical bids were opened in presence of the members of Tender Evaluation Committee and representative of the bidders. Evaluation of the technical bids was carried out subsequently.
- Bids submitted by 2 bidders were found qualified in the Technical Evaluation. The bidders qualified in the technical evaluation are - (i) Quantum Technologies and (ii) Shiva Construction & Supply.
- Bids submitted by 3 bidders were rejected in the Technical Evaluation. The bidders are - (i) Nirmal Pravidya Infotech (P) Ltd. (ii) Devi Construction and (iii) Rapidtech IT Services Private Ltd.
- Proceeding of the bid opening meeting and technical evaluation was published on BVM website vide Letter No. 278 dated 16-02-2024.
- Reasons of rejection were sent individually via e-mail to the bidders disqualified in the Technical Evaluation with an opportunity to submit their representation regarding any objection / grievances.
 - In response, **M/s Nirmal Pravidya Infotech (P) Ltd.** submitted their response vide email dated 17-Feb-24 claiming that they are registered as **start-up under Department for Promotion of Industry and Internal Trade, Ministry of Commerce & Industry, GOI and as MSME under Ministry of Micro, Small and Medium Enterprises, GOI** and therefore should be exempted from submission of EMD as per guidelines of the office memorandum No F.20/2/2014-PPD(Pt.) by the Procurement Policy Division, Department

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of Expenditure, Ministry of Finance, Government of India dated 25th July 2017 which states that - "To safeguard against a bidder's withdrawing or altering its bid during the bid validity period in the case of advertised or limited tender enquiry, Bid Security (also known as Earnest Money) is to be obtained from the bidders **except Micro and Small Enterprises (MSEs) as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME) or are registered with the Central Purchase Organisation or the concerned Ministry or Department or Startups as recognized by Department of Industrial Policy & Promotion (DIPP).**"

- In response, **M/s Rapidtech IT Services Private Ltd.** submitted their response vide email dated 17-feb-24 wherein:
 - i. With regard to non-submission of tender fee and EMD, the agency is claiming exemption against MSME certificate.
 - ii. With regard to notarised affidavit regarding non-blacklisting, the agency has submitted an affidavit dated 22-05-23.
 - iii. With regard to non-submission of ITR for AY 22-23, the agency has submitted ITR acknowledgment for AY 22-23 with this email.
- Meeting for decision on representation received from bidders who were disqualified in technical evaluation and opening of financial bids of qualified bidders was scheduled at 3:30 PM on 23-Feb-24 vide BVM letter no. – 317 dated 22-Feb-24. The meeting was held as per schedule.
- In the meeting, Tender Evaluation Committee discussed the representations received from the bidders.
 - With regard to the representation submitted by M/s Nirmal Pravidya Infotech (P) Ltd., It was unanimously decided by the Tender Evaluation Committee that EMD exemption on the grounds of MSME / start-up cannot be considered as such exemption for MSME / start-up is not part of tender documents. As per tender documents, EMD exemption was provided for "Bidders who are registered with the Central Purchase Organisation / State Purchase Organisation, National Small Industries Corporation (NSIC) or the concerned Department may seek exemption from submission of EMD amount subject to submission of relevant documentation" as per rule 1310 of the Bihar Financial Rules. **The bidder did not comply with rule 1310 of BFR, therefore the bid has been rejected.**
 - With regard to the representation submitted by M/s Rapidtech IT Services Private Ltd., it was unanimously decided by the Tender Evaluation Committee that exemption for tender fee and EMD on the grounds of MSME cannot be considered as such exemption for MSME is not part of tender documents. **The bidder did not comply with rule 1310 of BFR, therefore the bid has been rejected. Further, the documents submitted for notarised affidavit for non-blacklisting and ITR acknowledgement for AY 22-23 as part of their representation were not submitted as part of original bid documents and such**

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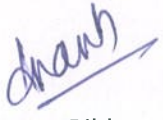
documents have been furnished after opening of bids, therefore such documents cannot be considered and the bid has been rejected.

- Financial bids of technically qualified bidders were then opened in presence of the members of the Tender Evaluation Committee and representatives of the bidders. M/s Shiva Construction & Supply was L1 agency for 4 items - (i) BIOMETRIC FINGERPRINT SCANNER, (ii) BLOWER (iii) STABILIZER and (iv) WIFI ROUTER.
- For rest of the 26 items, rates submitted by both the technically qualified bidders were found equal. As per clause 6(9) of the tender document – "If rates quoted for AMC charges are found to be same for more than one bidder in the financial bid, then tender shall be finalized through lottery and videography of entire process of lottery shall be done."
- Accordingly, it was decided by the Tender Evaluation Committee to conduct lottery for selection of L1 agency on 07-03-2024. Representative of the technically qualified agencies were also directed to be present for the lottery process on above mentioned date.
- The meeting concluded with a note of thanks to all participants.


(Kumar Shivam)
IT Helpdesk Officer
Member


(Dharam Kumar)
Finance manager
Member


(Ajay Kumar Singh)
Internal Audit Manager
Member


(Anant Bibhore)
Management Associate
Member


(Anand Kishore Jha)
Section Officer –
HR (Rec.),
Procurement &
Legal
Member

(Dhananjay Mishra)
Internal Financial
Advisor, Cabinet
Secretariat
Department
Member


(Rajeev Ranjan Sinha)
GM – HR (Rec),
Procurement & Legal
GM – HR
(Management) &
Legal

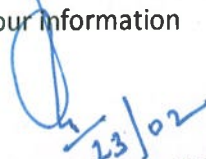

(Sunil Kumar
Pandey)
GM – Finance &
Accounts
Member


(Prashanth Kumar
C.H.)
Chief General
Manager
Chairperson

Memo No. BVM/HR/IT (AMC Tender) - 05/2023 - 461

Date: 15/3/24

Copy to: All Members of the Tender Evaluation Committee – For your information please.


(Prashanth Kumar CH)
Chief General Manager

6.26 P.M.
15/3/24

(Kumar Shrinivas) IT Helpdesk Officer Member	(Dhanraj Kumar) Finance Manager Member	(Anand Kumar Singh) General Audit Manager Member	(Anand Kumar Singh) Management Associate Member
(Anand Kumar Singh) Section Officer - Legal Member	(Dhanraj Kumar Singh) Information Systems Departmental Manager	(Rajesh Kumar Singh) GM - HR (Rec) Procurement & Legal Management & Legal	(Rajesh Kumar Singh) GM - Finance & Accounts Manager
(Rajesh Kumar Singh) Chief General Manager Departmental	(Rajesh Kumar Singh) Chief General Manager Departmental	(Rajesh Kumar Singh) Chief General Manager Departmental	(Rajesh Kumar Singh) Chief General Manager Departmental

15/3/24

(Rajesh Kumar Singh)
Chief General
Manager
Departmental