

REQUEST FOR PROPOSAL (RFP)

FOR

**THIRD PARTY EVALUATION OF THE
“PUBLIC PROCUREMENT POLICY FOR MSEs ORDER 2012”**

**OFFICE OF DEVELOPMENT COMMISSIONER (MSME)
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
NIRMAN BHAVAN, “A” WING
NEW DELHI**



GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES
OFFICE OF THE DEVELOPMENT COMMISSIONER
(MICRO, SMALL & MEDIUM ENTERPRISES)
NIRMAN BHAWAN, 7TH FLOOR, “A” WING, MAULANA AZAD ROAD
NEW DELHI-110108

NOTICE INVITING e- TENDER

1. Background

Office of Development Commissioner (Micro, Small & Medium Enterprises), Ministry of MSME, Government of India, invites online bids under three bid systems (i.e. Pre qualification bid, Technical Bid and Financial Bid) for “**Selection of Agency for Evaluation Study of Public Procurement Policy for MSEs Order, 2012**”. The e-bid shall be submitted online on www.eprocure.gov.in. The tender is available on www.dcmsme.gov.in. No hard copies of e-bids shall be accepted in the office. All prospective bidders may visit www.eprocure.gov.in (bidder’s manual kit) before online submission of e-bid. May contact help desk no. 0120-4200462 & 0120-4001002 for technical queries.

2. TERMS AND CONDITIONS:

2.1 GENERAL

On behalf of the President of India, Development Commissioner (MSME), Ministry of Micro, Small & Medium Enterprises, invites e-bids under Three Bid Systems (Pre-qualification, Technical and Financial Bids) from evaluation/study service providers regarding “**Evaluation Study of Public Procurement Policy for MSEs Order, 2012**”.

2.2 DETAILS OF e- BID:-

Sl. No.	Particulars	Details
a.	Bid Reference	e-Tender No.: 22(3)/2020-MA dt: 09.06.2021
b.	Last date and time of receipt of bid	05 th July, 2021 by 15:00 hrs.
c.	Date and time for opening of Pre-Qualification Bid	07 th July, 2021 by 15:30 Hrs
d.	Date and time for opening of Technical Bid	-Do-
e.	Date and time for opening of Financial Bid	Opening of Financial Bid of technically qualified bidders will be informed separately by e mail.
d.	Place of receiving the bid/ communication (For EMD& Tender Fee only)	Joint Director(PPP), Room No.727 O/o Development Commissioner(MSME), M/o MSME, Govt. of India, 7 th Floor, A- Wing, Nirman Bhawan, New Delhi- 110108

		011-23062085
e.	EMD	Rs. 1,50,000/- (DD/Bankers Cheque) in favour of PAO(MSME) payable at New Delhi or as per extant rule.
g.	Tender Fee	Rs 500/-(DD/Bankers Cheque) in favour of PAO(MSME) payable at New Delhi
h.	Pre-bid meeting date	1 st July, 2021 (At the same address as mentioned in 'd' above).

2.3 SUBMISSION OF e-BIDS:-

- E-Bids are invited in three Bid System:(1) Pre-Qualification bid;(2) Technical bid; and (3) Financial bid; and shall be submitted electronically (online) on www.eprocure.gov.in for undertaking the work of **Evaluation Study of Public Procurement Policy for MSEs Order, 2012.**
- E- Bids shall be submitted on or before last date **05th July, 2021. No hard copy of e-Bids will be accepted.** This office will not be responsible for any delay caused due to reasons beyond the control of this office.
- EMD of Rs. 1,50,000/- (Rupees One Lakh Fifty Thousand Only) or as per extant rule and Tender fee of Rs. 500/- (Rs Five hundred only) in the form of a Bank Draft/ Banker's Cheque only issued by any commercial Bank in favour of PAO (MSME), payable at New Delhi shall be submitted in the office before the last date and time of submission. The e-bids will be opened only for those bidders who have submitted EMDs on or before the scheduled date and time. Technical Bids of all those who qualify the pre-qualification bid criterion will be opened on pre-scheduled date, time & venue. **The benefits provision of Public Procurement Policy, 2012 of M/o MSME will be applicable to the desired bidder as per norms.**
- The Bidder must submit an undertaking on its letter head that they have not been blacklisted by any Government Department (Central/ State/ Autonomous/PSU) in India. Self-declaration is required as per Form-11.
- The O/o Development Commissioner (MSME) reserves the right to accept or reject any or all the quotations received in response to the above referred invitation, without assigning any reason.
- Consortium of Bidders is not allowed.
- This RFP document is not transferrable.
- The O/o Development Commissioner (MSME) may issue addenda/corrigenda to the Tender documents. In such cases, the addenda/corrigenda shall be issued and placed on website www.eprocure.gov.in at any time before the closing time of the tender. The bidders who have downloaded the Tender documents from the website must visit the website and ensure that such addenda/corrigenda (if any) is also downloaded by them. It shall be the responsibility of the prospective registered bidders to check the web site for any such corrigenda /addenda till the time of closing of tender and to ensure that bids submitted by them are in accordance with all the corrigenda/addenda.

3.0 General Instructions:

- The Scope of Work, Bid procedures and Contract terms are prescribed in the RFP Document.
- The Bidders are expected to examine all instructions, forms, terms and conditions, and specifications in the RFP and furnish all information as stipulated therein. This RFP, together with all its attachments thereto, shall be considered as read, understood and accepted by the Bidders. Failure to furnish all information required by the RFP or submission of a Proposal not substantially responsive to the RFP in every respect will

- be at the Bidder's risk and may result in the rejection of his/her Proposal. Bidders must submit all documents listed in the RFP.
- (iii) It may be noted that the costs of preparing the proposal are not reimbursable and the O/o DC(MSME) is not bound to accept any of the proposals submitted.
 - (iv) The bidders are required to provide professional, objective, and impartial service and at all times will hold the O/o DC(MSME)'s interests paramount, without any consideration for future work, and strictly avoid conflicts with other assignments or their own corporate interests.
 - (v) The Bidder must observe the highest standards of ethics during the selection and execution of the contract. The O/o DC(MSME) may reject a proposal at any stage if it is found that the bidder recommended for award has indulged in corrupt or fraudulent activities in competing for or in executing the contract in question, and may also declare the bidder ineligible or blacklist the firm, either indefinitely or for a stated period of time.
 - (vi) Prices should not be indicated in the proposal section addressing 'Technical' and should only be indicated in the 'Financial' proposal. The O/o DC(MSME) will select the successful bidder, in accordance with the method of selection specified in RFP.
 - (vii) **The bidders shall submit Earnest Money Deposit (EMD)/ Bid Security in the form of Demand Draft from a Nationalized Bank for Rs. 1,50,000/- (Rupees one lakh fifty thousand only) drawn in favour of the PAO(MSME) payable at New Delhi or as per extant rule.** Proposals not accompanied by EMD/ Bid Security, unless exempted shall be rejected as non-responsive. No interest shall be payable by the O/o DC(MSME) on the sum deposited as EMD/ Bid Security. The EMD/ Bid Security of unsuccessful bidders **would be returned back within one month of issue of the work order / contract to the successful bidder. EMD / Bid Security will be returned to the successful bidder on issue of work order and receipt of performance bank guarantee.**
 - (viii) The bidder will have to submit an undertaking on the letterhead of the bidder and signed by the authorized person, that the bidder will undertake the assignment, in accordance with the Scope of Work detailed in the RFP document and at the cost submitted by the bidder in the financial proposal (the cost is not to be indicated in the undertaking). The above undertaking submitted by the bidder would be binding on them.
 - (ix) For Clarification on the bid document, a prospective Bidder requiring any clarification on the Bid Document may submit his queries as per Form 1.
 - (x) The O/o DC(MSME) will respond in writing, to any request for clarification to queries on the RFP, received through email or in writing not later than the date of the Pre-bid meeting prescribed by O/o DC(MSME).
 - (xi) Based on discussions held during the pre-bid meeting, amendments / clarifications in the RFP Document (if any) will be hosted on the websites of www.dcmsme.gov.in and e-tendering portal www.eprocure.gov.in.
 - (xii) The Bidders shall bear all costs associated with the preparation and submission of the Proposal, including cost of presentation and site visits for the purposes of clarification of the bids, if so desired by O/o DC(MSME), and O/o DC(MSME) will, in no case, be responsible or liable for these costs, regardless of the conduct or outcome of the bidding process.
 - (xiii) The Proposals prepared by the Bidder and all correspondence and documents relating to the Proposal exchanged between the Bidder and O/o DC(MSME), shall be written in English language, provided that any printed literature furnished by the Bidder may be written in another language so long as the same is accompanied by an English translation in which case, for purposes of interpretation of the bid, the English translation shall govern.

(xiv) **Amendment of Bid Document**

- (a) At any time prior to the Bid Due Date, O/o DC(MSME) may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, modify the RFP by an amendment/ corrigendum/ addendum.
- (b) **The amendment will be notified on the e-tendering portal and will be binding on the Prospective Bidders.**
- (c) In order to provide prospective Bidders reasonable time in which to take the amendment/ corrigendum/ addendum into account in preparing their bids, the O/o DC (MSME) may, at its discretion, extend the Bid Due Date.
- (d) The O/o DC (MSME) may at any time during the bidding process request the Bidder(s) to submit revised Technical / Financial proposals and/or supplementary financial proposals without thereby incurring any liability to the affected Bidder or Bidders.
- (xv) The period of validity of the Tender is 180 days from the closing date of the proposals.
- (xvi) **Performance Guarantee:** The successful bidder will execute a **Performance Bank Guarantee of 3% (as extant circular no F.9/4/2020-PPD dated 12/11/2020 of Department of Expenditure, M/o Finance, Government of India) of the estimated contract value during contract term in the form of a Bank Guarantee in the format provided from a Nationalized Bank. The Performance Bank Guarantee shall be submitted by the successful bidder within 7 days of award of contract. The Performance Bank Guarantee should remain valid for a period of additional 60 days beyond the completion of the period of contract.**
- (xvii) The O/o DC(MSME) is, however, not bound to accept any tender or to assign any reason for non-acceptance. The O/o DC(MSME) reserves its right to accept the tender either in full or in part. Conditional, erroneous and incomplete Bids will be rejected outright.
- (xviii) The O/o DC(MSME) reserves the right to place an order for the full or part quantities under any items of work under scope of work.
- (xix) Bidders submitting proposals will not be permitted to alter or modify their bids after expiry of the deadline for receipt of bids.
- (xx) The O/o DC(MSME) reserves its right not to accept bids from bidders resorting to unethical practices or on whom investigation/enquiry proceedings has been initiated by Government Investigating Agencies / Vigilance Cell.
- (xxi) **Termination:** The O/o DC(MSME) may terminate the Contract/Agreement executed with successful bidder in case of the occurrence of any of the events specified below:
 - (a) If the successful bidder becomes insolvent or goes into compulsory liquidation.
 - (b) If the successful bidder, in the judgment of the O/o DC(MSME), has engaged in corrupt or fraudulent practices in competing for or in executing this Contract.
 - (c) If the successful bidder submits to the O/o DC(MSME) false statement(s) which has (have) a material effect on the rights, obligations or interests of the O/o DC(MSME).
 - (d) If the successful bidder places itself in a position of conflict of interest or fails to disclose promptly any conflict of interest to the O/o DC(MSME).
 - (e) If the successful bidder fails to provide the quality services as envisaged under this Contract. Reasons for the same would be recorded in writing.
 - (f) In such an occurrence, the O/o DC(MSME) shall give a written advance notice of 07(seven) days before terminating the Contract of the successful bidder.
- (xxii) **Jurisdiction:** The court at New Delhi shall alone have exclusive jurisdiction.

TERMS OF REFERENCES

FOR SELECTION

OF

AN AGENCY

FOR

EVALUATION STUDY

OF

PUBLIC PROCUREMENT POLICY FOR MSEs ORDER, 2012

**OFFICE OF DEVELOPMENT COMMISSIONER (MSME)
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
NIRMAN BHAVAN, "A" WING
NEW DELHI**

1. Overview of the Policy:

1.1 Background of the Policy

Background

It is estimated that in India (as is the case worldwide), the public procurement market holds significant potential and has strategic importance for the growth of overall economy including the Micro and Small Enterprise (MSE) sector. To provide Marketing support to Micro and Small enterprises (MSEs), Ministry of MSME has notified the Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 under the MSMED Act, 2006 which is effective from 1st April, 2012 and has become mandatory w.e.f. 1st April, 2015. The policy has been amended vide Gazette notification No. S.O. 5670(E) dated 9th November, 2018. The amended policy mandates 25% annual procurement from MSEs by Central Ministries /Departments/Central Public Sector Enterprises (CPSEs), including 4% from MSEs owned by SC/ST and 3% from MSEs owned by Women entrepreneurs.

An effective implementation of the policy requires a significant build-up of knowledge and institutional capacity, nurtured over time to address the ever-growing challenges of public procurement for MSEs, CPSEs and other concerned stakeholders.

The benefits/facilities are provided to all registered MSEs such as Tender set free of cost; Exemption from the payment of Earnest Money; In tender, participating MSEs quoting price within price band of L1+15% shall also be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply at least 25% of the total tendered value; 358 items are reserved for exclusive procurement from MSEs, etc. The MSEs and Start-ups may also be given exemption in prior experience and turnover clauses.

MSME play an important role in the economy growth. These initiatives enhance Ease of Doing Business for MSMEs. MSMEs have to enhance their governance standards including complying with environmental and social compliance norms. The operative environment keeps changing with international trade practices and decisions. Acclimatization and balancing /strategizing their strategy are need of the hour.

MSMEs, as they evolve, have to align with local, regional and national operative environment. When they graduate from Micro to Small or Small to Medium, they have to compete with better governed entities. Particularly, the challenge lies with MSEs and those in handloom, traditional, artisan clusters.

The report of the Expert Committee on Micro, Small and Medium Enterprises, chaired by Shri U. K. Sinha identified policy and institutional interventions, accelerating growth and enabling formalization, addressing infrastructural bottlenecks, facilitating capacity building, facilitating access to credit and risk capital, technological interventions, enabling market linkage with public procurement platforms, etc. for strengthening MSME Ecosystem. For the growth of the MSEs, it is important to address emerging issues/ problems of MSEs on a real time basis and provide solutions. Doing so shall help in replicating good practices of some, in other areas. It has been observed that easing access to information / knowledge/ Market shall be the key to evolving of competitive MSEs. As MSEs operate in ever changing and challenging situations, it is important that timely assessment of pains (if any) or leveraging opportunities around that is attended.

Present Status with coverage of Policy:

For effective implementation of the Policy, various step have been taken, which include, *inter alia*, introduction of Online Registration – Udyam Registration for Ease of Doing business, constitution of Review Committee to monitor the progress of the implementation of the Policy, opening of a grievance cell to redress the Grievances of MSEs, launch of SC/ST hub to provide handholding support to MSEs owned by SC/ST and launch of “*MSME Sambandh Portal*” to monitor the progress of procurement by the CPSEs from MSEs, etc. The details of the available procurement data are given as under:

Year	CPSEs reported	Total Procurement	Procurement from MSEs (including MSEs owned by SC/STs)	Procurement from MSEs owned by SC/STs	Procurement from MSEs owned by Women
2011-12	108	100,270.08	14,406.68 (14.37%)	399.48 (0.40%)	-
2012-13	108	84,162.26	12,867.71 (15.29%)	419.93 (0.50%)	-
2013-14	104	82,535.55	12,425.89 (15.06%)	80.45 (0.10%)	-
2014-15	133	131,766.86	15,300.57 (11.61%)	59.37 (0.05%)	-
2015-16	132	279,167.15	12,566.15 (04.50%)	50.11 (0.02%)	-
2016-17	142	245,785.31	25,329.44 (10.31%)	400.87 (0.16%)	-
2017-18*	169	114,042.05	26,357.46 (23.11%) (Total 89,631 MSEs benefited)	544.72 (0.48%) (Total 2,255 MSEs benefited)	-
2018-19*	165	153,477.05	40,399.54 (26.32%) (Total 128,124 MSEs benefited)	824.71 (0.54%) (Total 4,587 MSEs benefited)	232.56 (0.15%) (Total 1,410 MSEs benefited)
2019-20*	141	131,360.69	39,631.76 (30.17%) (Total 157,671 MSEs benefited)	692.77 (0.53%) (Total 6,332 MSEs benefited)	393.43 (0.30%) (Total 3,657 MSEs benefited)
2020-21*	141	127,903.92	39,915.44 (31.21%) (Total 166,172 MSEs benefited)	748.24 (0.59%) (Total 6,423 MSEs benefited)	717.05 (0.56%) (Total 4,564 MSEs benefited)

* As per MSME Sambandh Portal. The data is dynamic in nature and may vary as updated by CPSEs.

2. Approach and Methodology

2.1 Approach (Methodology adopted), Division of country into 6 Geographical Regions/Zones (North, South, East, West, North East and Central) as classified by NSSO.

Public Procurement Policy for MSEs Order, 2012 plays an important role in market promotion of MSEs by facilitating the procurement of their goods or services by the Central Ministries / Departments and Central Public Sector Enterprises (CPSEs) in the competitive global environment, adopt latest technology and marketing strategy for their products.

The policy is responsible for achieving its procurement goal from MSEs, including SC/ST and women entrepreneurs, through adoption of various measure. The Evaluating Agency will assess all implementation steps and the existing policy so as to have a comprehensive assessment and to reach a logical conclusion about policy's performance in terms of its relevance in the present context, effectiveness, efficiency and sustainability. However, depending upon the type of activity, the Evaluating Agency will have to adopt a flexible logical framework for each activity.

2.2 Sample size and sample selection process, tool used: field study / questionnaire, primary and secondary data.

To assess the impact of the Policy on parameters such as relevance, effectiveness, efficiency and sustainability, the Evaluating Agency will use qualitative and quantitative tools. The Evaluating Agency while framing the questionnaires for qualitative and quantitative tools for its audience will include all stakeholders - Policy implementing Organizations, direct and indirect beneficiaries, industry associations, experts and researchers, other stakeholders, etc.

The sample design for survey must be created in such a way that the sample actually selected is spread over geographic sub-areas as well as cover all products & services sector having major concentration of MSEs. An indicative sampling framework and minimum sample size is as under:-

The entire country may be divided into 5 geographical zones as outlined below:

#	Zone	State
1	North & Central	Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Punjab, Uttar Pradesh, Uttarakhand
2	South	Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Telangana
3	East	Bihar, Jharkhand, Odisha, West Bengal
4	West	Goa, Gujarat, Maharashtra, Rajasthan
5	North East	Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura

A minimum of 20 States/UTs covering all the geographical zones as well as products & services sectors and a minimum of 50 Surveys in each State/UT to be conducted.

3. Objective of the Study:

Evaluation of Public Procurement Policy for MSEs Order, 2012 is to be carried out to assess actual impact of the policy at national level.

3.1 Performance of the Policy based on the Output /Outcome Indicators:

The impact indicators are based on overall performance of the Policy, rather than individuals like procuring entities or MSEs beneficiaries. These may be accessed with following Terms of References:

- To assess whether policy structure, design, features and guidelines are appropriate to meet the present market demand.
- To identify whether there is any overlap with other policy of similar type of other Central Ministries/ Departments.
- To evaluate the performance of the policy from 2012-13 to 2020-21.
- To assess whether specific deliverables of the policy are appropriate for fulfilling the development needs of MSEs.
- To identify the extent to which the policy has percolated at grass root level for the benefits MSEs.
- To identify bottlenecks in the implementation of policy and modifications required in the policy for making it more useful for MSEs.
- To evaluate the key issues pertaining to sustainability of the impact of the policy.
- To evaluate the impact and suggest effective measure for improvement in policy to avoid participation of many MSEs registered with the Government for one commodity group/ product, are bidding for other products and services and are claiming the benefits meant for MSEs in these latter categories, in spite of their registration for different goods or services.
- To suggest an effective, transparent and permissible measure as per extant guideline of GFR 2017, Central Vigilance Commission and Department of Expenditure, M/o Finance, Government of India for improvement in the policy so that many MSEs get a chance/ order to supply in various Central Ministries/ Departments and CPSEs.
- To suggest the effective measures for inclusion in the policy to address the complaints from procuring agencies that many of MSEs take advantage of relaxed participation criteria meant for them in our PP Policy and default in their supplies. There is no provision in PPP to guard against such situations and blacklist them from participation in tenders.
- To suggest effective measures for improvement in policy against participation of MSEs in the tender (clearly as resellers) on the basis of authorisation letter obtained from the OEMs/ having multiple UAMs/ as a result of forming 'joint ventures' by two individual MSEs and registered as either Micro / Small Enterprises for participation in Govt. tenders are other issues which need to be taken into account.
- To determine Performance Bank Guarantee related issues come up very often and there are demands from many quarters for waiving it off and suggest effective measures in interest of MSME sector keeping in view of related provision in GFR 2017.
- To suggest the measures to bring procurement data of Central Ministries/ Departments (except CPSEs) are made available for scrutiny/ monitoring by the Government - public procurement includes purchases made by them as well.
- To suggest the measures that many CPSEs are not allowing participation of MSEs in tenders if they do not have Single Point Registration of the NSIC. This has led to two distinct categories of registered MSEs (in the SPRS and not in the SPRS), even within the registered MSEs. This situation, of course, is changing, albeit very slowly, with GeM spreading its wings with their own arrangement of quality certification with the help of the QCI. But, this is one of the primary reasons behind the PPP for MSEs Order helping so few MSEs to benefit from it (the policy).
- To evaluate the monitoring mechanism of the policy and suggest the measures needed to strengthen it further.

- To determine the outreach and access of the policy, in general, to MSMEs in respect of total registered MSEs on Udyam Registration and suggest ways and means to improve the outreach and access of the policy
- To determine the outreach and access of the policy with particular reference to the North Eastern Region and suggest ways and means to improve the outreach and access of the policy in the North-Eastern Region, SC/ST & Women.
- To make an assessment of the current implementation arrangement and the efficiency of the delivery of the policy and to highlight the deficiencies of the policy in terms of its design or delivery mechanism, if any, and to suggest schematic changes or procedural modifications
- Any additional parameters to be covered which may emerge during discussion/ interaction in the course of above work.
- To determine difficulties at MSE and procuring entity level in implementation of Public Procurement Policy for MSEs Order, 2012 in conjunction with Public Procurement (Preference to Make in India) Order, 2017 and suggest the effective measures to resolve the same.
- To suggest the measure for enhancement of on-boarding MSEs and their procurement at Government e-Marketplace (GeM).
- To find out the constraints in implementation of the Public Procurement Policy for MSEs Order, 2012, which is a burden on businesses / citizens and suggest the measures for ease of doing business.

3.2 Additional parameters

a) Coverage of beneficiaries

Evaluation study should cover beneficiaries at State and District-level specifying details of urban and rural beneficiaries as well as male and female beneficiaries including Central Ministries / Departments and Central Public Sector Enterprises (CPSEs).

b) Implementation mechanism

The Evaluating Agency is to assess the implementation mechanism of the policy and suggest changes, if any.

c) Benefits (individual, community)

Assessment of benefits available under the Policy to individuals and to the community.

d) Convergence with Policy of own Ministry/Department or of other Ministry/Department.

To conduct an in-depth study of the Policy to assess its design, implementation mechanism, benefits available to MSEs, etc. and to furnish recommendations on the convergence of Public Procurement policy for MSEs Order, 2012 with any other Public Procurement Policy is being implemented by the Ministry or its subordinate organizations.

e) Gaps in achievement of outcomes.

Study and identify gap areas in the Policy with regard to achievement of outcomes envisaged, implementation mechanism, awareness at Pan-India level, etc.

3.3 Key Bottlenecks & Challenges

Study and identify major challenges in implementation of the Policy and achievement of outcomes aligned with the objectives of the Policy.

4. Observations and Recommendations:

4.1 Thematic Assessment

Thematic assessment is to be carried out with a focus on accountability, transparency, use of technology in implementation of policy, effectiveness, etc.

Cross-cutting themes can be assessed both through secondary data as well as primary. While conducting meta-analysis of existing reports, the evaluator should actively review the cross-cutting themes. Cross-cutting themes may include following but not limited to these:

- Governance
- Policy
- Inclusiveness
- Capacity building
- Use of Technology
- Economic growth
- Business development
- Marketability

The primary data for cross-cutting themes will be elicited through specific questions and responses during the key informant interviews and beneficiary surveys. For example, use of IT in policy implementation, monitoring and evaluation can be assessed from interaction with concerned Ministries/Departments as well as States officials and beneficiaries.

4.2 Externalities

Adoptable best practices, innovations to make policy more effective: identify and highlight scalable best practices considering current economic environment and develop case studies for further dissemination.

5.0 Conclusion

5.1 Issues and Challenges

Outline issues & challenges specific to policy and various interventions. The key things to focus are:

- Issues in terms of offerings of policy and its relevance to the target audience.
- Challenges in terms of policy components reaching the target audience.
- Relevancy of policy for various types of enterprises while considering the stage of enterprise at the same time (start-up /well established enterprise etc.)

5.2 Vision for the future

Developing vision at the policy level for applicant organizations as well as achieve the envisaged objective of the policy efficiently and effectively.

5.3 Recommendation for policy with reasons:

Provide recommendations for policy with based on the synthesis level analysis, with a focus on following:

- Continue policy in existing form
- Modify the policy: continue with some modifications – suggest modifications

Also suggest revisions in the policy design for the effective implementation in future, if modification is recommended.

6.0 Reference

<http://dcmsme.gov.in/notification.pdf>

7.0 Bid Evaluation Process:

The objective of the bid evaluation process is to evaluate the bids to select an effective and best fit Service provider at a competitive price. The bid evaluation will be undertaken by O/o DC(MSME). The decision of O/o DC(MSME) shall be final.

The competitive bids shall be evaluated in the following stages:

- Phase 1 – Eligibility Criteria (Pre- Qualification)
- Phase 2 – Technical Proposal
- Phase 3 – Commercial Proposal

7.1 Composite bid evaluation methodology:

The evaluation committee (“Evaluation Committee”) appointed by the O/o DC(MSME) will carry out the technical evaluation of proposals on the basis of the following evaluation criteria and points system. Evaluators of Technical Proposals shall have no access to the Financial Proposals until technical evaluation is concluded. Each evaluated proposal will be given a technical score as detailed below.

The minimum technical score required to qualify for financial bid evaluation is 80 points out of 100. A proposal will be considered unsuitable and will be rejected at this stage if it does not respond to important aspects of RFQ-cum-RFP Document and the Terms of Reference or if it fails to achieve the minimum technical score. The Tendering Authority will notify applicants who fail to score the minimum technical score about the same and return their Financial Proposals unopened after completing the selection process. The Tendering Authority will notify the applicants who secure the minimum qualifying technical score, indicating the date and time set for opening the Financial Proposals. The notification may be sent by registered letter and / or electronic mail.

Financial Bids will be opened only for Evaluating firms who obtain a minimum score of 80 marks out of 100 in the Technical Evaluation. The following are to be noted for financial bids:

- The financial bid shall be a lump sum bid inclusive of all expenses.
- Any applicable government taxes will be reimbursed on actual.
- The financial proposals shall be evaluated on the basis of total lump sum charges offered by the bidder. Any monetary figure in decimal shall be rounded off to the nearest INR.

- In cases of discrepancy between the prices quoted in words and in figures, lower of the two shall be considered/ for any other prices quoted in words and in figures. For any calculation/ summation error, etc., the bid may be rejected.
- The technically qualified bidder who bids the lowest will be given a financial score of 100.
- The financial scores of other bidders for the project shall be computed as follow:

$$\text{Normalized financial score of bidder A} = 100 * \frac{\text{Lowest offer quoted by the Qualified bidder (INR)}}{\text{Offer quoted by bidder A (INR)}}$$

- Bids will be evaluated as per Combined Quality Cum Cost-based System (QCBS). The Technical bids will be allotted a weight of 70% while financial bids will be allotted a weight of 30%.
- A combined score for a bidder will be arrived at according to the following formula:

$$\text{Combined score of A} = 70 * [\text{Technical score of A out of 100}] + 30 * [\text{Normalized Financial score of A}]$$

- The bidder obtaining the highest total combined score in evaluation of technical financial as per para above will be ranked H-1 followed by proposal securing lesser marks as H-2, H-3, etc. The bidder securing the highest combined marks and ranked H-1 shall be recommended for award of contract. The Ministry will follow the internal procedure for necessary approvals and thereafter proceed with notification of award of contract.

Phase 1- Evaluation of Eligibility Criteria (Pre-Qualification)

The evaluation will involve validating the documents submitted in the prescribed format. Documents without valid proof will be invalid and will not be considered for eligibility. The O/o DC(MSME) reserves the right to accept or reject proof of credentials at its sole discretion without having to give reasons to the bidders thereof. Only those bidders meeting the eligibility criteria will be considered for further stages of evaluation.

Only those bidders who fulfil the criteria mentioned in the table below are eligible for technical evaluation. Offers received from bidders who do not fulfil any of the following eligibility criteria are liable to be rejected.

#	Eligibility Criteria Requirements	Supporting Document required
1	The Bidders should be a Government Organization/PSU/Public/Partnership/Private limited company or subsidiary thereof.	Certificate of Incorporation (in case of Pvt. Ltd./ LLP/ Ltd. company), Partnership Deed in case of Partnership Firm
2	The Bidder should have been in operation for at least 5 years as on date of RFP. In case the current Bidder Company is the result of a merger/acquisition, at least one of the merging companies should have been in operation for at least 5 years as on date of RFP.	Certificate of Incorporation

3	The Bidder should have a minimum turnover of Rs.5 Crore per annum in last three financial years (FY 2017-18, FY 2018-19, FY 2019-20)	Audited Financial Statements for the last three years clearly depicting the required information Or Certificate from the chartered accountant
4	The Bidder should not have been blacklisted by any Government or PSU enterprise in India as on the date of the RFP	Self-Declaration certified by authorized signatory of the bidder as per Form – 11
5	The Bidder should have conducted at least 3 Impact assessment/ evaluation studies in the past 10 years related to <u>Public Procurement Policy / Act.</u>	Self-certified statement indicating name of the study conducted, States covered and Name of the client for whom study was conducted. Copies of the satisfactory work completion certificate / LOI/ Contract agreement by the client should be enclosed.
6	Any bidder or its subsidiary or company resulting out of the merger/acquisition of such agency or its subsidiary, associated with Public Procurement Policy for MSEs Order, 2012, directly or indirectly, since the implementation of the policy till the day of submission of bid is not eligible to bid.	Self-Declaration certified by authorized signatory of the bidder as per Form – 11A
7	The bidder agency/company not having its representative office in NCR Region is not eligible to bid.	Self-Declaration certified by authorized signatory of the bidder as per Form – 11B
8	Confirm details of GST registration furnished	Relevant paper may be submitted

*Note: Bidders need to ensure compliance to all the eligibility criteria points.

The Bidders need to comply with all the eligibility criteria mentioned above. Non-compliance of any of these criteria would result in outright rejection of the Bidder's proposal. The Bidder is required to provide proof for each of the points for eligibility evaluation. Technical bid not accompanied by relevant proof documents from the clients will not be considered for evaluation.

Any assumptions made by the bidders in response of this RFP will be at their own risk and costs. The O/o DC(MSME) will not be liable for any such assumptions / representations made by the Bidder's. The O/o DC(MSME)'s decision will be final. The O/o DC(MSME) reserves the right to disqualify the bidder who does not submit sufficient proof of their credentials as prescribed in eligibility criteria.

Phase 2- Technical Bid Evaluation.

Bidders shall have to enclose documentary evidence in support of following mentioned parameter. In the absence of such supporting documents as detailed in relevant Forms and annexures of the RFP, the bid will be rejected summarily.

Technical bids will be opened as per the schedule stipulated by the O/o DC(MSME) in the RFP and will be evaluated as per the following matrix

#	Specification	Max Marks
A	Experience of Appraisal/Review/Evaluation of Public Procurement Policy / Act assigned by Central / State Govt. during the last ten (10) Years	55 (40+15)
1.	Details of Appraisal/Review/Evaluation of Public Procurement Policy / Act. <ul style="list-style-type: none"> • Contracts costing Rs. 15 Lakh and above (10 marks for each study). • Contracts costing above Rs. 10 Lakh and below Rs.15 Lakh (8 marks for each study). • Contracts costing Rs.10 Lakh and below (5 marks for each study). 	40
2	Details of Appraisal/Review/Evaluation of policy / Act related to any sector (Other than points specified in section A.1) <ul style="list-style-type: none"> • Contracts costing Rs. 25 Lakh and above (5 mark for each study). • Consultancy contracts costing above Rs. 20 Lakh and below Rs.25 Lakh (4 mark for each study). • Consultancy contracts costing Rs.20 Lakh and below (3 mark for each study). 	15
B	Approach and Methodology <p>Description of approach and methodology proposed to be adopted for the nation-wide study.</p> <ul style="list-style-type: none"> • Understanding of the scope of work • Approach to study, Sampling & Methodology • Value proposition • Adherence to timelines • Work Plan 	25
C	Proposed Team Expertise	20
	Team Leader <ul style="list-style-type: none"> • Should have Post Graduate Degree in Management/Economics/International Development/Sociology/Entrepreneurship or equivalent or Ph. D degree • Should have more than 10 years of overall experience with two evaluation studies related to Public Procurement Policy / Act. • Should have more than 5 years of experience in conducting evaluation studies/review for government organizations 	10
	Additional Experts/Support team member designated for the study (5 and above team members) <ul style="list-style-type: none"> • Should have minimum 3 years of overall experience • Should have 1-2 years of experience in conducting evaluation studies/review for government organisations 	10
	Total Marks	100

Phase 3- Commercial Bid Evaluation

The bidders who are technically compliant i.e. passing the overall 80 marks in the Technical evaluation, subject to achievement of minimum 70% marks under each of the aforesaid three specifications (A, B and C) as mentioned above in Phase-2, shall be eligible for Phase-3 Commercial Bid Evaluation. The O/o DC(MSME) seeks the Bidder to quote 'Total cost for the assignment'.

8.0 Preliminary Examination of Proposals

The O/o DC(MSME) will examine the proposals to determine whether they are complete, whether the documents have been properly signed and whether the offers are generally in order. Any proposals found to be nonresponsive for any reason or not meeting any criteria specified in the RFP, will be rejected by the O/o DC(MSME) and shall not be included for further consideration.

Initial Proposal scrutiny will be held and incomplete details as given below will be treated as non-responsive, if Proposals:

- Are not submitted in as specified in the RFP document
- Received without the Letter of Authorization (Power of Attorney)
- Are found with suppression of details
- With incomplete information, subjective, conditional offers and partial offers are submitted
- Have non-compliance of any of the clauses stipulated in the RFP
- With lesser validity period, however if requested, grace period of 15 days may be allowed.

9.0 Right to vary scope of contract at the time of award

The O/o DC (MSME) may at any time, by a written order given to the bidder, make changes within the general scope of the contract.

10.0 Right to accept any offer and reject any or all offer

The O/o DC(MSME) reserves the right to accept any offer, and to annul the Tender process and reject any or all offers at any time prior to award of Contract, without thereby incurring any liability to the affected bidder or bidders or any obligation to inform the affected bidder or bidders of the grounds for O/o DC(MSME)'s action.

11.0 Canvassing/Contracting

Any effort by a Bidder to influence the O/o DC(MSME) in its decisions on offer evaluation, offer comparison or Award of Contract may result in the rejection of the Bidder's Offer. No Bidder shall contact the O/o DC (MSME) on any matter relating to its offer, from the time of opening of Technical bid to the time the Contract is awarded.

12.0 Duration of the assignment

The study is to be completed by the agency **within 15 weeks** from the date of award of the assignment.

13.0 Time Frame and deliverables

The Bidder is expected to adhere to these timelines stipulated below. Non-compliance to these timelines by the Bidder would lead to Liquidated Damages as stated in this RFP:

S.N.	Key Activities	Time Lines (In weeks)
1	Date of issuance of work order	T
2	Inception report	T+1
3	Draft Report and presentation	T+12
4	Final report and presentation	T+15

On the basis of comments of the O/o DC(MSME) on the draft report, the final report is to be prepared and submitted. A Power Point Presentation also needs to be submitted / made to O/o DC(MSME) as part of the deliverable.

14.0 Payment Terms

The payments to the awarded agency will be made basis following milestones:

S.N.	Key Activities	Payment %
1.	Advance	10% of the contract value subject to bank guarantee of equal amount.
2	Submission of final draft report and presentation	65 % of the contract value
3	Acceptance of final report and presentation	25 % of the contract value

The Draft/Final reports and the contents thereof would be the intellectual property of O/o DC(MSME) and would not be published by the awarded agency without prior approval of O/o DC(MSME).

The raw data/processed data/findings should not be disclosed by the agency to any third party without prior approval of O/o DC(MSME).

15.0 Penalties:

The study is to be completed by the successful bidder within 15 weeks from the date of award of assignment. Delay in submission of the report beyond the stipulated time will attract penalty. For factors beyond the control of the agency, suitable extension in time may, however, be granted at the request of the agency. The O/o DC(MSME) shall not pay any extra amount for any escalation in the cost of the assignment beyond the time period stipulated in the award letter.

Any delay in meeting timelines as mentioned in para 13 above by the agency (unless a written permission is accorded by the O/o DC(MSME), will attract a penalty of 5% of the contract value per week subject to a maximum of 25% of the amount of the contract.

If the performance of the awarded agency during the currency of the study is not found to be satisfactory, the award of the assignment can be terminated and the amount already paid to the agency (if any) will be recovered.

16.0 Force Majeure

The Term 'Force Majeure' shall include, without limitation, acts of nature, fire, explosion, storm, or other similar occurrence; order or acts of military or civil authority; national emergencies, insurrections, riots, wars, strikes, work stoppages, or other labour disputes, supplier failures, shortages, breach, delays or raw water resource not being available/ getting defunct / altered/ non-usable or any act beyond the control of human being.

17.0 Arbitration

- i. If any dispute or difference arises between the O/o DC(MSME) and the bidder with regard to construction, meaning, interpretation, difference, disputes and termination of this Tender Document, the same shall be referred to the sole arbitrator appointed by the O/o DC(MSME). There shall be no objection by any party for appointment of such person as Arbitrator. The award of the Arbitrator so appointed shall be final and binding on the parties to this Tender Document/ Agreement.

ii. The Venue of Arbitration shall be at Delhi.

18.0 Rejection Clause

18.1.1 Any condition put forth by the bidder non-conforming to the Proposal requirements shall not be entertained at all and such Proposal shall be rejected.

18.1.2 If a Proposal is not responsive and does not fulfil the conditions it will be rejected by the O/o DC(MSME) and shall not subsequently be accepted even if it is made responsive by the bidder by correction of the non-conformity. No further communication will be made in the regards.

Forms/ Annexure

A. Form 1: Pre Bid Query Format

Reference: RFP no. 22(3)/2020-MA

S. No.	Page No.	Section and point No.	RFP Clause	Remarks/query

Place:

Date:

Seal and signature of the bidder

B. Form 2: Cover Letter

(On the Letterhead of the bidder)

To,

Additional Development Commissioner (MSME),
Public Procurement Policy
Office of Development Commissioner (MSME)
Nirman Bhawan, A Wing, New Delhi– 110 108

Sub: RFP no. 22(3)/2020-MA for selection of agency for Evaluation of Public Procurement Policy for MSEs Order, 2012.

Dear Sir / Madam,

Having examined the RFP documents including all annexures, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to conduct evaluation study for the O/o DC(MSME) as mentioned in RFP document in conformity with the said RFP documents in accordance with the Commercial Bid and made part of this RFP.

We understand that the RFP provides generic specifications about all the items and it has not been prepared by keeping in view any specific bidder.

We have read, understood and accepted the Terms/ Conditions/ Rules mentioned in the RFP.

Until a formal contract is prepared and executed, this RFP offers, together with the O/o DC(MSME)'s written acceptance thereof and the O/o DC(MSME)'s notification of award, shall constitute a binding contract between us.

We undertake that in competing for and if the award is made to us, in executing the subject Contract, we will strictly observe the laws against fraud and corruption in force in India namely "Prevention of Corruption Act 1988".

We have never been barred/ black-listed by any regulatory/Statutory Authority/PSU/Government undertaking in India.

We also understand that the whole bidding exercise may be scrapped without assigning any reason and it is acceptable to us.

This Bid, together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.

We certify that we have provided all the information requested by the O/o DC(MSME) in the format requested for. We also understand that the O/o DC(MSME) has the exclusive right to reject this offer in case the O/o DC(MSME) is of the opinion that the required information is not provided or is provided in a different format. It is also confirmed that the information submitted is true to our knowledge and the O/o DC(MSME) reserves the right to reject the offer if anything is found incorrect.

Place:

Date:

Seal and signature of the bidder

C. Form 3: Confirmation of Eligibility Criteria

(On the Letterhead of the bidder)

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing, New Delhi– 110 108

Reference:RFPNo.22(3)/2020-MA

#	Eligibility Criteria Requirements	Supporting Document required
1	The Bidders should be a Government Organization/PSU/Public/Partnership/Private limited company or subsidiary thereof.	Certificate of Incorporation (in case of Pvt. Ltd./ LLP/ Ltd. company), Partnership Deed in case of Partnership Firm
2	The Bidder should have been in operation for at least 5 years as on date of RFP. In case the current Bidder Company is the result of a merger/acquisition, at least one of the merging companies should have been in operation for at least 5 years as on date of RFP.	Certificate of Incorporation
3	The Bidder should have a minimum turnover of Rs.5 Crore per annum in last three financial years (FY 2017-18, FY 2018-19, FY 2019-20)	Audited Financial Statements for last three years clearly depicting the required information Or Certificate from the chartered accountant
4	The Bidder should not have been blacklisted by any Government or PSU enterprise in India as on the date of the RFP	Self-Declaration certified by authorized signatory of the bidder as per prescribed Form-11
5	The Bidder should have conducted at least 3 surveys/evaluation studies in the past 10 years related to Public Procurement Policy / Act.	Statement indicating name of the study conducted, States covered and Name of the client for whom study was conducted. Copy of the satisfactory work completion certificate given by the client should be enclosed.
6	Any bidder or its subsidiary or company resulting out of the merger/acquisition of such agency or its subsidiary, associated with Public Procurement Policy for MSEs Order, 2012, directly or indirectly, since the implementation of the policy till the day of submission of bid is not eligible to bid.	Self-Declaration certified by authorized signatory of the bidder as per Form – 11A
7	The bidder agency/company not having its representative office in NCR Region is not eligible to bid.	Self-Declaration certified by authorized signatory of the bidder as per Form – 11B
8	Confirm details of GST registration furnished	Relevant paper may be submitted

Place:

Date:

Seal and signature of the bidder

*All documents should be on company's letter head and sealed & signed by authorized signatory.

D. Form 4: Technical Bid format

Cover letter

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108

Ref. : RFP no. 22(3)/2020-MA

Dear Sir,

S.N.	Particulars	Details to be furnished by the bidder
1	Name of the bidder	
2	Location of Registered office/Corporate office and address	
3	Mailing address & Company website of the bidder	
4	Names and designations of the persons authorized to make commitments to O/o DC(MSME) (copy of POA should be provided)	
5	Telephone and fax numbers of contact persons	
6	E-mail addresses of contact persons	
7	Description of business and business background Service Profile & client profile Domestic & International presence Alliance and joint ventures	

Declaration:

- 1 We confirm that we will abide by all the Terms and Conditions contained in the RFP.
- 2 We hereby unconditionally accept that the O/o DC(MSME) can at its absolute discretion apply whatever criteria it deems appropriate, not just limiting to those criteria set out in the RFP, in shortlisting of bidders.
- 3 All the details mentioned by us are true and correct and if the O/o DC(MSME) observes any misrepresentation of facts on any matter at any stage, the O/o DC(MSME) has the absolute right to reject the proposal and disqualify us from the selection process.
- 4 We confirm that this response, for the purpose of short-listing, is valid for a period of **180 days**, from the date of expiry of the last date for submission of response to RFP.
- 5 We confirm that we have noted the contents of the RFP and have ensured that there is no deviation in filing our response to the RFP and that the O/o DC(MSME) will have the right to disqualify us in case of any such deviations.

Place:

Date:

Seal and Signature of the bidder

E. Form 5 - About the organization and relevant experience

About the organization

[Provide here a brief (two pages) description / profile of your organization for this assignment.]

Experience:

Using the format below, provide information on **each assignment** for which your consultancy firm/agency/company, was legally contracted either individually as a corporate entity or as one of the major companies within an association, for carrying out research services similar to the ones requested under this assignment. [The format should be signed by authorized signatory for each assignment]

Assignment name:	Approx. value of the contract (in Rs.):
Country: Location within country: (Name of the Cities/States)	Duration of assignment (months):
Name of Client:	Total No. of staff-months of the assignment:
Address:	Approx. value of the services provided by your consultancy firm/agency/company under the contract (in Rs.):
Start date (month/year): Completion date (month/year):	No. of professional staff-months provided by associated Consultants (if any):
Name of associated Consultants, if any:	Name of senior professional staff of your consultancy firm/agency/company involved and functions performed (indicate most significant profiles such as Project Director/Coordinator, Team Leader):
Narrative description of Project:	
Description of actual services provided by your staff within the assignment:	

- F. **Form 6 : Approach and Methodology**
- Understanding of the scope of work
 - Approach to study, Sampling & Methodology
 - Value proposition
 - Adherence to timelines
 - Work Plan (as per below format)

Work Plan													
Sr. No.	Activity	Weeks											
		1	2	3	4	5	6	7	8	9	10	11	12

S. No	Deliverables	Timelines in weeks

G. Form 7 : Team Deployment Structure and CVs

The project requires a well experienced and diversified team having competency in evaluation, project management, research coordination, enumerators, data consolidation and analysis and a sector expert. The composition of the study team should be reflective of the required skills and experience as per the scope and areas of the study. The team should have professionals who have experience of conducting impact assessment surveys/studies in related sectors at national level.

S. No.	Name of Staff	Agency/Company	Experience (Years)	Area of Expertise	Position Assigned

CVs of proposed Team

1	Proposed Position	
2	Name of Company [Insert name of company proposing the staff]:	
3	Name of Staff [Insert full name]:	
4	Date of Birth: Nationality:	
5	Education [Indicate college/university and other specialized education of staff member, giving names of institutions, degrees obtained, and dates of obtainment]:	
6	Membership of Professional Associations:	
7	Other Training [Indicate significant training obtained]:	
8	Countries of Work Experience:	
9	Languages [For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]:	
10	<p>Employment Record [Starting with present position, list in reverse order every employment held by staff member since graduation, giving for each employment (see format here below):</p> <p>From[Year]:__To [Year]: _____ Employer: _____</p> <p>Positions held: _____</p>	

11	<p>Detailed Task Assigned [List all tasks to be performed under this assignment]</p>
12	<p>Work Undertaken that Best Illustrates Capability to Handle the Tasks Assigned [Among the assignments in which the staff has been involved, indicate the following information for those assignments that best illustrate staff capability.]</p> <p>Name of assignment or Project: _____ Year: _____ Location: _____ Client: _____ Main project features: _____ Positions held: _____ Activities Performed: _____</p> <p>Name of assignment or Project: _____ Year: _____ Location: _____ Client: _____ Main project features: _____ Positions held: _____ Activities Performed: _____</p>

Place:

Date:

Seal and signature of the bidder

H. Form 8: Commercial Compliance Certificate

(On letterhead of the bidder)

To,
Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108
Sub:RFP no. 22(3)/2020-MA

Dear Sir,

Having examined the Bidding Documents the receipt of which is hereby duly acknowledged, we, the undersigned, offer to provide services as bidder as mentioned in the RFP document & in conformity with the said bidding documents for the same.

I / We undertake that the prices are in conformity with the specifications prescribed.

I/We agree to abide by this bid for a period of 180 days after the date fixed for bid opening and it shall remain binding upon us and may be accepted by O/o DC(MSME), any time before the expiry of this period.

Until a formal contract is prepared and executed, this bid, together with your written acceptance thereof and your notification of award shall constitute a binding Contract between us.

I/We understand that you are not bound to accept the lowest or any bid you may receive. I/We agree to the Terms & Conditions mentioned in the RFP document. Further, we confirm that we will abide by all the terms and conditions mentioned in the Request for Proposal document.

Place:

Date:

Seal and Signature of the Bidder

I. Form 9: Commercial Proposal

(On letterhead of the bidder)

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108

Sub: RFP no. no. 22(3)/2020-MA

Dear Sir,

These costs indicated below are final and we, the Respondent, agree to provide services as detailed in the RFP

(A)	Cost of the Study/Survey/Research: (based on team and staff inputs and all necessary activities as per ToR)	Rs.
(B)	Taxes	Rs.
(C)	Total Cost (A+B)	Rs.

Total Cost (Rupees in words):

Note : No separate payment towards overheads, equipment, accommodation, procurement of primary and /or secondary data, necessary travel (if any), etc. shall be allowed

Yours faithfully,

Authorised Signatory

Name:

Designation :

Company's stamp / seal

J. Form 10: Performance Bank Guarantee

(To be stamped in accordance with stamp act)

RFP Number :22(3)/2020-MA

Bank Guarantee number:

In consideration of the O/o DC(MSME), acting through _____ (hereinafter referred to as the O/o DC(MSME) which expression shall include his successor and assignees) having awarded to <name> (hereinafter referred to as “the Agency” which expression , wherever the subject or context permits, includes its successors and assignees) a contract for <name of the project> in terms of inter-alia the O/o DC(MSME)’s letter No.----Date---- (hereinafter called “the Contract.”) and other General Terms and Conditions and upon the condition of the Agency furnishing Security for the Agency liability under and in connection with the said contract up to a sum of Rs.----- amounting to 3% (as per circular F.9/4/2020-PPD dated 12-11-2020) of the total cost.

1. We _____ (hereinafter referred to as the Bank or the said bank) and having our registered office at _____ do hereby jointly and severally undertake to guarantee the payment to the O/o DC(MSME) in rupees forthwith on demand in writing and without any protest or demur any or all dues payable by the Agency to the O/o DC(MSME) in respect of or in connection with the said contract inclusive of all O/o DC(MSME) losses and damages and costs. (inclusive between attorney and client) charges, and expenses and other moneys anywise payable in respect of the above as specified in the notice of demand made by the O/o DC(MSME) to the Bank with reference to this guarantee up to an aggregate limit of Rs. ___.

2. We _____ further agree that the O/o DC(MSME) shall be the sole judge of and as to whether the said Agency has committed any breach or breaches of any of the terms and conditions of the said contract and the extent of loss, damages, charges and expenses caused to or suffered by or that may be caused to or suffered by the O/o DC(MSME) on account thereof and the decision of the O/o DC(MSME) that the Agency has committed such breach or breaches and as to the amount or amounts of loss, damage, costs, charges and expenses caused to or suffered by the O/o DC(MSME) from time to time shall be final and binding onus.

3. The O/o DC(MSME) shall have the fullest liberty without reference to the bank and without effecting in any way the liability of the said Bank under this guarantee to take any other security in respect of the obligation and liabilities hereunder or to vary the contract/work to be done there under vis-à-vis the Agency or to vary the prices of the total contract value or to release or forbear from enforcement of all or any other security or any other securities now or anytime held by the O/o DC(MSME) and such arrangements with the Agency or release or forbearance whatsoever shall absolve the bank of the full liability to O/o DC(MSME) hereunder or prejudice the rights of the O/o DC(MSME) against the bank.

4. The guarantee shall not be determined or affected by the liquidation or winding up of, dissolution or change in constitution or insolvency of the bank and or Agency but shall in all respect and for all purposes be binding and operative until payment of all moneys payable to Agency in terms thereof.

5. The bank hereby waives all rights at any time inconsistent with the terms of this guarantee and the obligations of the bank in terms hereof shall not be in anywise affected or suspended by reasons of any dispute or disputes having been raised by the Agency (whether or not pending before any arbitrator, Tribunal or court) or purporting to stop or prevent any payment by the bank to the O/o DC(MSME) in terms thereof. The Bank’s liability under

these presents being absolute and unequivocal.

6. The amount stated in any notice of demand addressed by the O/o DC(MSME) to the bank as liable to be paid to the O/o DC(MSME) by the Agency or as suffered or incurred by the O/o DC(MSME) on account of any losses, damages, costs, charges and expenses shall be conclusive evidence of the amount so liable to be paid to the O/o DC(MSME) or suffered or incurred by Agency as the case may be and in terms hereof.

7. This guarantee / undertaking shall be in a continuing guarantee / undertaking and shall remain valid and irrevocable for all claims of the O/o DC(MSME) and liabilities of the Agency arising up to and until midnight of <date>.

8. This guarantee/ undertaking shall be in addition to any other guarantee or security whatsoever that the O/o DC(MSME) may now or any time anywise may have in relation to the Agency obligations or liabilities under and/or in connection with the said contract, and O/o DC(MSME) shall have full authority to have recourse to or enforce this security in preference to any other guarantee or security which the O/o DC(MSME) may have or obtain and not forbearance on the part of the O/o DC(MSME) in enforcing or requiring enforcement of any other security shall have the effect of releasing the bank from its full liability hereunder.

9. It shall not be necessary for the O/o DC(MSME) to proceed against the said Agency before proceeding against the Bank and the guarantee herein contained shall be enforceable against the bank notwithstanding that any security which the O/o DC(MSME) may have obtained or obtain from the Agency shall at the time when proceedings are taken against the said bank hereunder be outstanding or unreleased.

10. We the said bank undertake not to revoke this guarantee during this currency except with the consent of the O/o DC(MSME) in writing and agree that any change in the constitution of the said bank shall not discharge our liability hereunder.

11. Notwithstanding anything contained herein above, our liability under this guarantee shall be restricted to Rs.....and this guarantee shall remain in full force till.....and unless a claim is made on us within Months from the date i.e. before..... all the claims under this guarantee shall be forfeited and we shall be relieved of and discharged from our liabilities hereunder.

Dated..... Day of Name of Bank:-----

Address: -----

Date: -----

12. The bank guarantee shall be effective only when the bank guarantee message is transmitted by the issuing bank through Structured Financial Messaging System (SFMS) to _____ bank _____ (address of the O/o DC(MSME) 's bank) having IFSC _____ Account No. _____ through SFMS and authenticated by the said the O/o DC(MSME)'s bank.

13. Further, the amount of invocation of the BG shall be remitted to the O/o DC(MSME)'s account no. _____ with _____ (name & address of the O/o DC(MSME)'s bank, IFSC _____) under written intimation to the O/o DC(MSME).

Signature of authorized bank official with bank seal

K. Form 11: Declaration for not being blacklisted

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

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108

Sir,

With reference to the RFP No. 22(3)/2020-MA,
We.....
hereby declared and confirmed that we have not been blacklisted by any Government
Department (Central/State/Autonomous/PSU) in India.

Signature of the Bidder with stamp

Name :.....

Designation:.....

Date :

K1. Form 11A: Declaration for not being associated with implementation of the Policy

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

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108

Sir,

With reference to the RFP No. 22(3)/2020-MA,
We.....
hereby declare and confirm that neither we nor our any subsidiary company resulting out of the merger/acquisition of such agency or its subsidiary had ever been associated with Public Procurement Policy for MSEs Order, 2012, directly or indirectly, since the implementation of the scheme till the day of submission of our bid.

Signature of the Bidder with stamp

Name :.....

Designation:.....

Date :

K2. Form 11B: Declaration for having office in NCR

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

To,

Additional Development Commissioner(MSME),
Public Procurement Policy
Office of Development Commissioner(MSME)
Nirman Bhawan, A Wing,
New Delhi- 110 108

Sir,

With reference to the RFP No. 22(3)/2020-MA,
We.....
hereby declare and confirm that we have our representative office in NCR whose address is
given below:

(Address)

Signature of the Bidder with stamp

Name :.....

Designation:.....

Date :

L. Form 12: Documental evidence in favour of Authorized signatory

Documental evidence demonstrating, that the representative is an Authorized signatory of the bidder and is duly authorized to sign.

The authorization shall be in the form of a written power of attorney or copy of board resolution or in any other form demonstrating that the representative has been duly authorized to sign.

(No specific format)