

HIGH COURT OF MADHYA PRADESH: JABALPUR

// NOTICE INVITING EXPRESSION OF INTEREST //

The High Court of Madhya Pradesh is seeking 'Expression of Interest' (EOI) for **DESIGN, BUILD, OPERATE AND TRANSFER OF DATA CENTRE AND IT CENTRE AT HIGH COURT OF MADHYA PRADESH JABALPUR**. Interested eligible firms are requested to submit their detailed proposal in sealed envelope addressed to "**Registrar General, High Court of M.P.**". The proposal shall be written in English. The details of the "**Expression of Interest**" are available on the official website of the High Court www.mphc.gov.in and Government tender portal www.tenders.gov.in. The response along with the required documents should be delivered to the '**Inward Section**' of the High Court, Jabalpur on or before **05th December 2016 latest by 5:00 P.M.** in the sealed envelope superscribing "**DESIGN, BUILD, OPERATE AND TRANSFER OF DATA CENTRE AND IT CENTRE AT HIGH COURT OF MADHYA PRADESH JABALPUR**".

Sd/-

REGISTRAR GENERAL

HIGH COURT OF MADHYA PRADESH: JABALPUR

// EXPRESSION OF INTEREST //

No.:Reg(IT)(SA)/2016/1052

Date:26/10/2016

EOI DETAILS:-

1.	Date of Posting of Eol Document on Web Site / Publication of Eol	26.10.2016
2.	Last date and time for downloading Eol Documents	05.12.2016 till 04:00 PM
3.	Last date and time for receipt of written queries for clarification from bidders	15.11.2016
4.	Pre-Bid Meeting	<u>15.11.2016 at 11:30 AM</u> in the Conference Hall, High Court of Madhya Pradesh, Jabalpur
5.	Last Date and Time for EOI Submission	<u>05.12.2016 till 05:00 PM</u>
6.	Presentation by bidders	Shall be intimated to qualified bidders separately by the High Court
7.	Date and Time of EOI Opening	High Court of M.P., Jabalpur, <u>06.12.2016 at 11:30 AM</u>
8.	Place of opening of EOI	High Court of M.P., Jabalpur
9.	Address for communication	Registrar General, High Court of Madhya Pradesh, Jabalpur. Phone no. 0761-2623358, e-mail:- mphc@nic.in

1. **Introduction:-**

This Expression of Interest (EOI) should not be construed as tender in any form and would not be binding on High Court of Madhya Pradesh in any manner whatsoever. As part of short-listing exercise and understanding the project requirements vendors may be required to submit a focused presentation on company, expertise and experience in relevant fields, products, etc. regarding the Data Centre

project. The High Court of Madhya Pradesh, Jabalpur reserves the right to accept/reject any or all expression of interest received in response to this advertisement without assigning any reasons, whatsoever.

2. Expression of Interest:

This Expression of Interest is invited in sealed envelope superscripted as "Expression of Interest - Design-Build-Operate-transfer the Data Centre at High Court of Court of Madhya Pradesh, Jabalpur",

- a) From the applicants who meet the eligibility criteria as set out in **Annexure-'A'**.
- b) Agree to abide by all the other terms and conditions contained in this EOI document.

By participating in this bidding process Bidder confirms that he is in agreement with the High Court of M.P. as per all the Terms and Conditions of this EOI.

A sealed envelope containing complete set of a signed hard copy of the EOI document and a soft copy thereof (in a CD/DVD) should be submitted by Post to or be delivered in person at the undernoted Office (on any working day):-

"Inward / Receipt section"

***High Court of Madhya
Pradesh, Jabalpur M.P.
Phoneno.0761-2623358
e-mail:- mphc@nic.in***

3. Bidders Eligibility Criteria:

This process is open to all bidders / applicants who fulfill the eligibility criteria as set out in **Annexure-'A'** of this document. The applicants should furnish documentary evidence supporting the information provided by them as part of the bidding process and to enable them for further process.

4.Scope of Work:-

The vendor shall provide the detail information on service level standards for EOI, with respect to the following:-

1. Implementation, Integration and Commissioning.
2. Maintenance and Technical Support.
3. Replacement and repair.
4. Technical training.
5. Documentation.
6. Supply, configuration and installation of the State of the art Data Centre
7. To construct a Data Centre and an IT Centre at the land of High Court of Madhya Pradesh, Jabalpur on a turnkey basis, with the Data Centre conforming to Uptime Institute's Tier IV standards for:
 - Tier Certification of Design Documents
 - Tier Certification of Constructed Facility
 - Tier Certification of Operational Sustainability
8. To obtain certifications as mentioned in 1 above from The Uptime Institute Certified Auditors.
9. To operate the Data Centre for a period of up to 10 years from the date of commissioning. This period could be extended to another period of up to 10 years, at the discretion of the High Court of Madhya Pradesh, Jabalpur.
10. To maintain the certifications as mentioned in 1 above during the period as mentioned in 3 above.
11. To construct the IT Office in conformance with the latest LEED (Leadership in Energy and Environmental Design of the U.S. Green Building Council) for:
 - LEED for New Construction
 - LEED for Commercial Interiorswith certification level of Platinum.

The detail scope and design considerations is provided in “**Annexure B**”

5. Process before submission of EOIs:-

i. Raising of queries/clarifications on Request for EOI document: The applicants requiring any clarification on this document should submit their written queries on email id:-**mphc@nic.in** mentioning **EOI in the subject line of the e-mail.**

Any suggestions / feedback may also be sent to the above email ids.

ii. Modification in Request for EOI document: The High Court of M.P., Jabalpur may modify any part of this document as and when required or warranted. Such change(s) if any may be in the form of an addendum/corrigendum and will be uploaded in official website of the High Court and Government tender portal. All such documents shall become part of EOI.

iii. Submission of EOIs: The Bidders may submit EOI at any time as per their convenience. The High Court of M.P., Jabalpur may allow prospective applicants a reasonable time to take the amendment/changes into account or for any other reason at its sole discretion. The High Court of M.P., Jabalpur may ask Bidders for clarifications or additional documents/credentials at its discretion. All clarifications will be e-mailed to the applicants or will be uploaded on the website.

6. Format and Signing of EOI:

- i. The applicant should prepare EOI strictly as desired in this Request for EOI document.
 - a. EOI should be typed and submitted on A4 size paper, spirally and securely bound and with all pages (with no.) therein in serial order.
 - b. All pages of the EOI should be signed by the authorized person(s) of the company/firm. Any interlineations, erases or overwriting shall be valid only if the person(s) signing the EOI authenticates them. The EOI should bear the rubber stamp of the

applicant on each page except for the unamendable printed literature.

Contact detail of the authorized signatory and an authorized contact person on behalf of the applicant is to be provided as under:-

Particulars	Authorized signatory for signing the EOI	Authorized contact person
Name		
Designation		
Email id		
Landline		
Mobile No.		
Fax No.		
Address		

- ii. The applicants should demonstrate that they meet all criteria given in Annexure-“A” and "B" of this EOI.
- iii. In case any discrepancy is observed between hard and soft copy, the hard copy will be considered as the base document.

7.Process after submission of EOIs:

- i. All EOIs received will be examined by the High Court of M.P., Jabalpur to determine if they meet eligibility criteria/technical suitability/terms and conditions mentioned in this document including its subsequent amendment(s), if any and whether applications are complete as per EOI document in all respects.
- ii. On scrutiny, the EOI found NOT in desired format/illegible/incomplete/not containing clear information, in view of High Court of M.P., Jabalpur, to permit thorough analysis or failing to fulfill the relevant requirement will be rejected and will not form part of further process.
- iii. High Court of M.P., Jabalpur reserves the right, at any time, to waive any of the requirements of this Request for EOI document if it is deemed in the interest of High Court of M.P., Jabalpur.
- iv. If deemed necessary, the High Court of M.P., Jabalpur may seek clarifications on any aspect of EOI from the applicant. If a written response is requested, it must be provided within the specified period, the response received after the specified period, will not be considered. However, that would not entitle the applicant to change or cause any

change in their EOI document already submitted. The High Court of M.P. may also make enquiries to establish the past performance of the applicants in respect of similar work.

- v. After examining the EOI, some or all of the applicants may be asked to make presentation before the committee of the High Court.
- vi. High Court of M.P., Jabalpur may shortlist the applicants who fulfill the eligibility criteria and are agreeing to abide by the terms and conditions of the High Court of M.P., Jabalpur.
- vii. The High Court will issue a Request for Proposal (RFP) to all the shortlisted bidders for participation in the reverse auction to win the related contract.
- viii. However, please note that selection of applicants should not be treated as a contract for the proposed work.
- ix. Applicants will be advised about the selection and the decision of the High Court of M.P., Jabalpur in this regard will be final.
- x. Nothing contained in this EOI shall impair the High Court of M.P., Jabalpur Right to issue an "Open Tender" for any requirement, if felt necessary.

8. Terms & Conditions:-

- i. Lodgement of an EOI is evidence of an applicant's consent to comply with the terms and condition of Request for EOI process and subsequent bidding process. If an applicant fails to comply with any of the terms, its EOI may be summarily rejected.
- ii. Willful misrepresentation of any fact in the EOI will lead to the disqualification of the applicant without prejudice to other actions that the High Court of M.P., Jabalpur may take. The EOI and the accompanying documents will become property of High Court of M.P., Jabalpur. The applicants shall be deemed to license, and grant all rights to High Court of M.P., Jabalpur, to reproduce the whole or any portion of their product/solution for the purpose of evaluation, to disclose the contents of submission to other applicants and to disclose and/ or use the contents of submission as the basis for EOI process.

- iii. The High Court of M.P., Jabalpur reserves the right to accept or reject any or all EOIs received without assigning any reason therefore whatsoever.
- iv. Any effort on the part of applicant to influence evaluation process may result in rejection of the EOI.
- v. The High Court of M.P., Jabalpur is not responsible for non-receipt of EOIs within the specified date and time due to any reason including postal delays or holidays in between.
- vi. High Court of M.P., Jabalpur reserves the right to verify the validity of information provided in the EOIs and to reject any bid where the contents appear to be incorrect, inaccurate or inappropriate at any time during the process of EOI or even after award of contract.
- vii. **Applicants shall be deemed to have:**
 - a. Examined the Request for EOI document and its subsequent changes, if any for the purpose of responding to it.
 - b. Examined all circumstances and contingencies, having an effect on their EOI application and which is obtainable by the making of reasonable enquiries.
 - c. Satisfied themselves as to the correctness and sufficiency of their EOI applications and if any discrepancy, error or omission is noticed in the EOI, the applicant shall notify the High Court of M.P. in writing on or before the end date/time.
- viii. The vendor shall bear all costs associated with submission of EOI, presentation/POC desired by High Court of M.P., Jabalpur. High Court of M.P., Jabalpur will not be responsible or liable for any cost thereof, regardless of the conduct or outcome of the process.
- ix. Applicants must advise High Court of M.P., Jabalpur immediately in writing of any material change to the information contained in the EOI application, including any substantial change in their ownership or their financial or technical capacity. Copies of relevant documents must be submitted with their advices. For successful applicants, this requirement applies until a contract is awarded as a result of subsequent bidding process.

- x. Shortlisted applicants must not advertise or publish the same in any form without the prior written consent of High Court of M.P., Jabalpur.
- xi. Brief overview of the proposed procurement/scope of work given in this document may be further elaborated, viz., more details may be included in the Request for Proposal (RFP) document to be issued as a result of evaluation process of EOIs.
- xii. The High Court of M.P., Jabalpur shall have the right to cancel the EOI process itself at any time, without thereby incurring any liabilities to the affected Applicants. Reasons for cancellation, as determined by High Court of M.P., Jabalpur in its sole discretion include but are not limited to, the following:
 - a. Services contemplated are no longer required.
 - b. Scope of work not adequately or clearly defined due to unforeseen circumstance and/or factors and/or new developments.
 - c. Any other reason.
- xiii. In case the bidder is a consortium of companies, then the consortium as a whole should meet the eligibility criteria mentioned in items 4, 5 and 6 of **Annexure A**. Rest of the criteria must be met by the leader of the consortium, who would be the bidder.
- xiv. In case the bidder is a consortium of companies, and wishes to participate in the RFP, then the same consortium, as made at the EOI stage will have to be maintained at the RFP stage.

9. Disclaimer:-

The information contained in this Expression of Interest (EOI) document or information provided subsequently to Bidder(s) or applicants whether verbally or in documentary form/email by or on behalf of High Court of M.P., Jabalpur is subject to the terms and conditions set out in this EOI document and all other terms and conditions subject to which such information is provided.

This EOI is neither an agreement nor an offer and is only an invitation by the High Court of M.P., Jabalpur to the interested parties for

submission of EOI. The purpose of this EOI is to provide the Bidder(s) with information to assist the formulation of their proposals. This EOI does not claim to contain all the information each Bidder may require. Each Bidder should conduct its own investigations and analysis and should check the accuracy, reliability and completeness of the information in this EOI and where necessary obtain independent advices/clarifications. The High Court of M.P. may at its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information in this EOI. No contractual obligation whatsoever shall arise from the EOI process until a formal contract is signed and executed by duly authorized officers of the High Court with the selected Bidder.

The High Court of M.P. also accepts no liability of any nature whether resulting from negligence or otherwise, howsoever caused arising from reliance of any Bidder upon the statements contained in this EOI.

The issue of this EOI does not imply that the High Court of M.P., Jabalpur is bound to select a Bidder or to appoint the Selected Bidder or Concessionaire, as the case may be, for the Project and the High Court of M.P., Jabalpur reserves the right to reject all or any of the Bidders or EOI without assigning any reason whatsoever.

The Bidder shall bear all its costs associated with or relating to the preparation and submission of its Bid including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the High Court of M.P., Jabalpur or any other costs incurred in connection with or relating to its Bid. All such costs and expenses will remain with the Bidder and the High Court of M.P., Jabalpur shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by a Bidder in preparation or submission of the Bid, regardless of the conduct or outcome of the Bidding Process.

“Annexure-A”

Eligibility Criteria

Bidders meeting the following criteria are eligible to submit their EOI along with supporting documents. If the document is not accompanied by all the required documents supporting eligibility criteria, the same would be rejected:

Sr.No.	Eligibility Criteria	Documents to be submitted
1.	The bidder must be an Indian firm/ company / organization registered under Companies Act.	Copy of the Certificate of Incorporation issued by Registrar of Companies and full address of the registered office.
2.	The bidder must have an average turnover of minimum Rs. 100 crore during financial year(s) 2013-14, 2014-15, 2015-16	Copy of the audited Balance Sheet and / or Certificate of the Chartered Accountant for preceding three years. Companies which are subsidiaries of foreign companies can submit this data for their combined Balance Sheet.
3.	The bidder should be profitable organization for last 3 financial years	Copy of the audited balance sheet and / or Certificate of the Chartered Accountant
4.	Should have constructed at least one Data Centre in India or abroad with at least the following certifications: (A) Uptime Institute's Tier IV standards for: • Tier Certification of Design Documents • Tier Certification of Constructed Facility OR (B) ANSI/TIA-942 Rating 4 Certification for: • ANSI/TIA-942 Design Certification • ANSI/TIA-942 Site Certification	Submit suitable, verifiable evidence to demonstrate the above. The Data Centres should have become operational (i.e. commissioned with live servers) on or after 01.01.2010 and on or before 31.03.2016.
5	Each of the Data Centres at 4 above should have had: Server room(s) floor area of at least 10,000 sq ft. (4645.152 sq. m)	Submit suitable, verifiable evidence to demonstrate this.
6	Should have constructed the following number of commercial buildings in India or abroad, on or after 01.01.2005 and on or before 31.03.2016, with LEED certification granted by the Green Building Certification Institute (GBCI):	Submit suitable, verifiable evidence to demonstrate this.

	Certification	Minimum		
	Level (any	No. of		
	one)	Buildings		
	Gold	2		
	Platinum	1		

Additional information

1	Client references and contact details(email/landline/mobile) of customers for whom the Bidder has executed similar projects(Start and End Date of the Project to be mentioned) in the past	Provide as per Annexure A-(I) and A-II
2.	Certification as per scope of the project	Copy of the Valid Certificate(s) to be provided
3.	Project Management Methodologies	Profile of project Team / previous Assignments of similar nature
4.	Deployment Methodologies	Documents on deployment framework, tools, templates & utilities to be provided.
5.	Support infrastructure	Document on support infrastructure to be provided

Documentary evidence must be furnished against each of the above criteria along with an index. All documents must be signed by the authorized signatory of the bidder an index. All documents must be signed by the authorized signatory of the bidder. Relevant portions, in the documents submitted in pursuance of eligibility criteria, should be highlighted.

Signature

Seal of Company

(Signature and seal of company to be put on both pages of Annexure A)

“ANNEXURE- A1”

(A separate sheet for each client Data Centre reference)

S.No.	Query	Response (yes/no, or as indicated)	Documentation provided? Y / N (please indicate enclosure/page number.
1	Name of client		
2	Location address of Client's Data Centre		
2.1	Key Client representative's Name, designation and contact address, telephone number		
2.2	E-mail address of Key Client representative		
3	Whether the Data Centre is housed in a dedicated building, or shares space with other administrative offices of the company?		
4	When was the project of Consultancy / Construction of the Data Centre started? Scheduled completion date?		
5	When was it actually completed?		
6	If there was a schedule overrun, what were the reasons for the same?		
7	Did the Bidder assist in the process of selecting the Builder / Construction company?		
8	What was the value of the Consultancy contract? Approximate value will suffice		
9	What was the value of the Build contract, if known? Approximate value will suffice		
10	What was the approx. total floor space area of the entire Data Centre in sq.ft. / sq. mt?		
11	What was the approx. total raised floor space for servers in sq.ft. / sq. mt.?		
12	Is the Data Centre categorized as Tier 3 or Tier 4? Is it certified? If so, also mention whether the certification is for Design or Construction or both.		
13	Any other certification (ISO,		

	ASHRAE, LEED, etc)?		
14	What is the total power load capacity (in MW) of the Data Centre substation?		
15	What is the total power diesel generator capacity (in MW)?		
16	What is the total UPS capacity set up for the Server Room area, in KVA?		
17	What is the total cooling capacity (in tonnage) of the PAC units?		
18	Is the cooling system based on conventional outdoor units, or is it linked to a water-cooling plant? Or any other system?		
19	Is power to the racks provided through cables, or through bus bar trunking and PDUs?		
20	What is the power density provided, in KVA per rack? Is it expandable /configurable?		
21	What technology is the data cabling system based upon? Is it an intelligent cabling system, which can be remotely monitored? Please specify details.		

(A separate sheet for each client Data Centre reference)

S.No.	Query	Response (yes/no, or as indicated)	Documentation provided? Y / N (please indicate enclosure/page number.
1.	Did the Bidder plan and design the building superstructure?		
2.	Did the Bidder plan and design the power system infrastructure, like substation, transformers, Generator sets, underground fuel tank? Please indicate exceptions		
3.	Did the Bidder plan and design the complete interiors of the Data Centre, all civil and electrical fittings, including UPS, PAC, Comfort AC, Fire Protection System, VESDA, Access Control, CCTV, Pest Control system,WLD, BMS,? Please indicate any exceptions		
4.	Did the Bidder design the network architecture within the Data Centre?		

5.	Did the Bidder utilize any 'Green technologies' for conservation of water, power? Eco-friendly materials in construction? Please specify details :		
6.	Did the Bidder prepare the detailed Request-for-Proposal for the Construction phase, listing the full Bill-of-Material?		
7.	Did the Bidder provide Project Monitoring services during the Build phase?		
8.	Did the Bidder scrutinize and certify all bills raised by the Builder?		
9.	Did the Bidder provide a final Sign-off to the Build process?		

“ANNEXURE- B”

Broad Scope of the Work:

The broad Scope of Work would include all the work/tasks required to design, construct and operate the Data Centre and design and construct the IT Centre, such as the following:

- (a) Site Suitability and Permissions Required
- (b) Space Planning
- (c) Architectural
- (d) Structural
- (e) Electrical Systems
- (f) Mechanical including cooling
- (g) Fire Protection
- (h) Security
- (i) Data Center Management and Building Systems
- (j) Telecommunications Cabling, Infrastructure, Pathways and Spaces
- (k) Information Technology
- (l) Commissioning
- (m) Data Center Maintenance
- (n) Data Centre Operations

Presentation to be made to Committee of the High Court of Madhya Pradesh

- i) Presentation of 'Design Concept':
 - Understanding of High Court
 - Site conditions; site organization
 - Building lay out - conceptual
 - Services lay out - conceptual
 - Data Centre requirements and standards
- ii) Presentation of Project Schedule Concept based on
 - High Court requirements
 - Site conditions
 - Approvals required, local bye laws

- Activity sequencing
 - Build sequencing
 - Contractor delivery based on previous experience
- iii) Presentation of Project Management Strategy based on:
- High Court requirements
 - Team, Responsibility delegation
 - Reporting systems / format
 - Bidder Management
 - Cost Control
 - Quality control, Health & Safety
- iv) Value addition in design features/Green technologies that will bring financial savings for the High Court, and/or environmental benefits.
- v) Project staffing
- vi) Process undertaken for obtaining certification of The Uptime Institute or TIA-942.
- vii) Process undertaken for obtaining LEED certification.
- viii) Experience and methodology followed for operating a Tier III/IV Data Centre