



## **HIGH COURT OF MADHYA PRADESH JABALPUR**

**No. Registrar (IT-CSA)/2024/136**

**Dated: 26.12.2024**

### **Tender for “Sending bulk Whatsapp Messages (Text, Image, Audio, Video and PDF)”**

**Note:-** This document contains total **15** pages including cover. No change and modification in the document by the bidder is permissible.

**TABLE OF CONTENTS**

<b>S.No.</b>	<b>Particulars</b>	<b>Page No.</b>
1.	Notice Inviting Tender	- 3
2.	The name of the work, estimated value of work, EMD	- 4
3.	Eligibility criteria	- 4
4.	Technical and Financial Bid	- 4
5.	Scope of Work	- 5
6.	Penalty For Delay	- 5
7.	Other terms &Conditions	- 6
8.	Arbitration Clause	- 7
9.	Performa for Bidder's Particulars <b>Annexure- I</b>	- 9
10.	Performa for Technical Bid <b>Annexure- II</b>	- 10
11.	Performa for past experience <b>Annexure- III</b>	- 11
12.	Performa for details of turnover <b>Annexure- IV</b>	- 12
13.	Performa for Bid Security Declaration <b>Annexure- V</b>	- 13
14.	Terms and Conditions for e-Tendering	- 14
15.	Online Financial Bid <b>Annexure-VI</b>	- 15

### **NOTICE INVITING TENDER**

Tenders are invited for sending bulk Whatsapp Messages (Text, Image, Audio, Video and PDF) to all litigants/advocates for cases registered in High Court of Madhya Pradesh for a period of three year, from reputed firms/agencies/companies.

A Bid Security Declaration shall have to be submitted with Technical Bid.

Tender documents complete in all respect, must be uploaded on the website <https://mptenders.gov.in> before last date & time of submission of tender. The Schedule of tender is as under:-

#### **SCHEDULE OF TENDER**

Name of the Tender	Sending bulk Whatsapp Messages (Text, Image, Audio, Video and PDF) to all litigants/advocates for cases registered in High Court of Madhya Pradesh.
Online EMD	₹ 50,000/- (Fifty Thousand)
Cost of Online Tender Fees	₹ 1,000/- (One Thousand)
Estimated Annual value of the work	₹ 10 lakhs/- (Rupees Ten Lakhs Only)
Last date for submission of online tender	21 <sup>st</sup> January, 2025 at 06.00 PM
Last date and time of submission of hardcopy of tender.	22 <sup>nd</sup> January, 2025 at 05.00 PM
Date of opening of technical bid	23 <sup>rd</sup> January at 11.00 AM
Date of opening of Online Financial bid	Date and time of opening of financial bids will be intimated to qualified bidders via e-mail / letter / telephone.

The tender document can also be downloaded from <http://www.mphc.gov.in> & <https://mptenders.gov.in>

**1. The name of the work, estimated value of work, EMD required are as under:**

Sl.No.	Name of the work and specifications required	Estimated value of the work of 1 year (in ₹)	Earnest money deposit (in ₹) required
1.	Sending bulk Whatsapp Messages to all litigants/advocates for cases registered in High Court of Madhya Pradesh.	₹10 lakhs/-	Rs.50,000/- (online mode)

**2. Eligibility Criteria:**

The basic eligibility criteria for submission of bids are as follows:-

- i. The Firm/Company/Agency must be incorporated or registered in India under the relevant laws.
- ii. The bidder must have valid PAN No. under IT Act, & valid GST No. under Goods & Service Tax Act.
- iii. The bidder's average annual turnover should not be less than ₹10,00,000/- (Rupees Ten Lakhs Only) during the last three financial years i.e. 2021-2022, 2022-2023 and 2023-2024 (including hardware and software)
- iv. A bidder must fulfil all criteria mentioned above in Para-2 (Eligibility Criteria), failing which bidder shall not be considered for opening of Financial Bid.

**3. Technical and Financial Bid :**

- i. The bidder should submit Technical Bid and Online Financial Bid.
  - a. Technical Bid - It should contain the document as mentioned in the Clause 3 (ii) below.
  - b. Financial Bid - Should have only price / rate quoted by the bidder.(Annexure-VI). The financial bids are to be submitted online and no hard sheet/ copy is to be submitted along with the bid.
- ii. The Bidder shall submit following documents along with the Technical Bid:-
  - a. Performa for Bidder's particulars (Duly filled and signed as per Annexure- I).
  - b. Performa for Technical Bid(Annexure-II)

- c. Proof of Past Experience/Work Executed (Experience Certificate/Work Order etc.)
- d. Performa for details of Turnover (Annexure- IV). Details of the turnover from activity of similar nature work or mobile/IT related activities for last 3 preceding financial years in the format attached (Annexure-IV). A statement in the prescribed format should also be submitted in this regard in the Technical Bid. The information given in the Annexure-IV must be supported by Audited Balance Sheet duly authenticated by registered Chartered Accountant/CA Certificate.
- e. Self-attested copy of Valid Registration certificate of Firm/Company/Agency.
- f. Self-attested copy of Valid PAN No. of the Firm/company/Agency.
- g. Self-attested copy of Valid GST No. of Firm/Company/Agency.
- h. Letter of Authorized Signatory.
- i. Bid Security Declaration should be submitted with Technical Bid (Annexure-V).
- j. An Undertaking to the effect that the Firm/Company/Agency has not been blacklisted by any of the Department/Organizations of the Govt. of India/State Govt./Government of NCT of Delhi/PSUs and no criminal case is pending against the said Firm/company/Agency.
- k. The bidder will submit a certificate that he/she has sufficient infrastructure to execute the work. He will also have to mention/certify that he can send messages/ whatsapp to a particular groups/categories.
- l. All documents/Annexures submitted in bid should be duly signed and stamped by authorized signatory of bidder.

4. **Scope of Work:** The work of sending bulk Whatsapp Messages to Smart Phone users i.e. all litigants/advocates for cases registered in High Court of Madhya Pradesh.

5. **Penalty For Delay :**

- (i) The bidder should be able to complete the work of Sending bulk Whatsapp Messages to all litigants/advocates for cases registered in High Court of Madhya Pradesh within stipulated time/very short notice.
- (ii) For any delay in the Sending bulk Whatsapp Messages to all litigants/advocates for cases registered in High Court of Madhya Pradesh, the contractor shall be liable to pay a fine of ₹1,000/- (Rupees One Thousand) per day for each day of delay.

## **6. Other terms & Conditions :**

- (i) The bidder must quote rates for Text, Image, Audio, Video and PDF for each item separately. The rates quoted shall be valid for a period of three year from the date of acceptance of the tender and may be extended for one more year, if required, by mutual agreement on the same terms and condition. The rate quoted should be inclusive of all Taxes and levies, but excluding of GST which will be paid as per Govt. norms.
- (ii) The Bids (Both Technical Bid and Financial Bid) should be unconditional.
- (iii) The payment will be made after completion of the work on production of bill in each month with list of screen shots in PDF format and delivery report digitally signed to this office.
- (iv) The Payment will be made proportionately on the basis of authentication of receiving of whatsapp message to the recipient, as per the mechanism devised by High Court.
- (v) The successful bidder will also submit a certificate regarding actually message sent and also submit delivery report for send messages in a digital form such as in CD, pen drive or through mail etc.
- (vi) The bidder must have capacity/ sufficient capability to carry out the work. The bidder will not be allowed to delegate/transfer/ assign the contract or any part thereof to some other party. The bidder will submit a certificate that he/she has sufficient infrastructure to execute the work.
- (vii) The bidder who is allotted the work of Sending bulk Whatsapp Messages to all litigants/advocates for cases registered in High Court of Madhya Pradesh shall have to deposit a Performance Security Deposit equivalent to 3% of the value of work allotted in the form of a Bank Guarantee/Fixed Deposit in a Bank in the name of the Registrar General, High Court of Madhya Pradesh, Jabalpur. In case of failure on the part of contractor to execute the work as per terms & conditions and to the full satisfaction of the High Court, the Performance Security Deposit furnished by him shall be forfeited. Besides it, firm may also be blacklisted.
- (viii) The successful bidder shall depute (in premise or remote) at least one liaison officer/manager to deal & co- ordinate with the Officers of the High Court.
- (ix) The Registrar General High Court reserves the right to accept or reject one or all the tenders or accept any tender in part, without assigning any reason thereof.

- (x) The successful bidder will have to sign an agreement with the Registrar General or with any other officer authorized by him/her before the execution of the work and within seven working days of offer for award of work.
- (xi) The department reserves the right to cancel the tender or to withhold payment in the event of non-commencement or unsatisfactory performance by the successful bidder. The performance guarantee of bidder shall also be forfeited. In such eventuality, the Department further reserves the right to get the work done from open market at the cost of the contractor and the tenderer may be black listed by the department for a period of three years to participate in any kind of tender.
- (xii) The High Court reserves the right to terminate the tender at any time without assigning any reason.
- (xiii) The incomplete, ambiguous bids as well as the bids received, which do not confirm with the above terms and conditions will be summarily rejected.
- (xiv) Each and every document up-loaded along with bid should be signed by the Authorized signatory of the Company/Firm/Agency and same should be up-loaded along with bid.
- (xv) Any person who is in Government service or an employee of the Department should not be made a partner to the contract, by the bidder directly or indirectly in any manner whatsoever.
- (xvi) No advance payment will be made in any circumstances.
- (xvii) All documents/annexures submitted should be clearly legible.

**7. Arbitration clause :**

- (i) In the event of any dispute or difference arising out or touching upon any of the terms and conditions of this contract and / or in relation to the implementation or interpretation hereof, the same shall be resolved initially by mutual discussion and conciliation but in the event of failure thereof, the same shall be referred to the Registrar General, High Court of Madhya Pradesh or his nominee. The sole arbitrator will be appointed by Hon'ble the Chief Justice, High Court of M.P. and the decision of the Arbitrator shall be final and binding on the parties. The arbitration shall be in Jabalpur and the Arbitrator shall give his award in accordance with "The Arbitration and Conciliation Act, 1996".

Governing Laws and Jurisdiction:-

The Agreement shall be governed by the laws in force in India. Any dispute arising in relation to the Agreement shall be subject to the Jurisdiction of the Court at Jabalpur.

All the terms & conditions are accepted and binding on me/us.

**(Signature of the bidder)**  
**Name of bidder (with seal)**



## ANNEXURE- I

**PERFORMA FOR BIDDER'S PARTICULARS (Enclose with technical Bid)**

1.	Name of Work/Tender	
2.	Name of the Firm/Company/Agency	
3.	Permanent office Address of the Firm/Company/Agency.	
4.	Telephone Number of Firm/Company/Agency: Office Mobile No. Fax no. Email ID	_____ _____ _____
5.	Office address	
6.	Telephone Number Office Mobile No. Fax no. Email ID	_____ _____ _____ _____
7.	Name of all Directors/Partners/Proprietor etc.	
8.	Name & Designation of Authorized signatory	
9.	Telephone Number of Authorized signatory : Office Mobile No. Fax no. Email ID	_____ _____ _____ _____
10.	PAN No.	
11.	GST No.	

**Declaration by the bidder:**

This is to certify that I/We before signing this tender have read and fully understood all the terms and conditions contained herein and undertake myself/ourselves to abide by them.

**(Signature of the bidder)**  
**Name of bidder (with seal)**

**ANNEXURE- II****PERFORMA FOR TECHNICAL BID FOR PROVIDING DOCUMENTS**

Sl. No.	Name of Desired Document	Whether copy of desired certificates/ documents enclosed	If yes, Page no.
1.	Performa for Bidder's particulars (Duly filled and signed as per Annexure- I).	Yes/ No.	
2.	Performa for Past experience/ works executed (Annexure-III).	Yes/ No.	
3.	Proof of Past Experience/ Work Executed (Experience Certificate/ Work Order etc.). (hardware or software)	Yes/ No.	
4.	Performa for details of Turnover (Annexure- IV).	Yes/ No.	
5.	Proof of Turnover (Audited Balance Sheet/ CA Certificate of the last three years ending 31 <sup>st</sup> March of the previous financial years i.e. 2021-2022, 2022-2023 and 2023-2024.).	Yes/ No.	
6.	Self-attested copy of Valid Registration certificate of Firm/Company/Agency.	Yes/ No.	
7.	Self-attested copy of Valid PAN No. of the Firm/company/Agency.	Yes/ No.	
8.	Self-attested copy of Valid GST No. of Firm/Company/Agency.	Yes/ No.	
9.	Letter of Authorized Signatory	Yes/ No.	
10.	Bid Security Declaration (Annexure-V)	Yes/ No.	
11.	Undertaking to the effect that the Firm/company/ agency has not been blacklisted as per tender document.	Yes/ No.	
12.	Certificate/ Undertaking to the effect that he has sufficient infrastructure as per tender document	Yes/ No.	

Note:- All documents/ annexures submitted in Bid should be duly signed and stamped by authorized signatory of the bidder.

**(Signature of the bidder)**  
**Name of bidder (with seal)**

**ANNEXURE- III****PERFORMA FOR PAST EXPERIENCE/WORK EXECUTED**

Details of contracts successfully executed as per eligibility criteria

Sl. No.	Name of Ministry/Department /State/UT	Period of work		Financial Year	Amount of the Work Executed.	Page no.
		From	To			
1.						
2.						
3.						
4.						
5.						
6.						
7.						

**(Signature of the bidder)**

**Name of bidder (with seal)**

**ANNEXURE- IV****PERFORMA FOR DETAILS OF TURNOVER**

Sl. No.	Year	Turnover of the Financial Year
1.	2021-22	
2.	2022-23	
3.	2023-24	
Average Turnover of preceding three Financial Years		

I undertake that the turnover mentioned above is taken as per the audited balance sheet / CA certificate of the concerned year and there is no deviation in this regard.

**(Signature of the bidder)**  
**Name of bidder (with seal)**

**ANNEXURE- V****PERFORMA FOR BID SECURITY DECLARATION**

I/ We {Name(s) and Designation}....., on behalf of M/s.....(Name and address of the Firm/Company/Agency) have read all the terms and conditions given in the NIT and Tender Document of sending bulk Whatsapp Messages to all litigants/advocates for cases registered in High Court of Madhya Pradesh and hereby submit a declaration that the bid submitted by the undersigned, on behalf of bidder, shall not be withdrawn, modified our bid during the period of validity. Further, I/We will not fail to execute formal contract agreement within the given timeline; I/ we will also not fail to submit a Performance Security within the given timeline and not commit any breach of Tender condition.

I/ We {Name(s)}....., on behalf of M/s.....(Name of the Firm/Company/Agency) also accept the fact that in case the bid is withdrawn or modified during the period of its validity or if M/s. (Name of the Firm/Company/Agency)..... fail to sign the contract, in case work is awarded, then M/s. (Name of the Firm/Company/ Agency) will be blacklisted for participating in the tendering process in governments departments.

**(Signature of the bidder)**

**Name of bidder (with seal)**

### Terms and Conditions for e-Tendering

1. For participation in e-tendering module, it is mandatory for prospective bidders to get registration on website <https://mptenders.gov.in/>. Therefore, it is advised to all prospective bidders to get registration by making on line registration fees payment at the earliest.
2. Tender documents can be purchased only online on payment of tender fees and downloaded from website <https://mptenders.gov.in/> by making online payment for the tender document fee.
3. Service and gateway charges shall be borne by the bidders.
4. Since the bidders are required to sign their bids online using class- III Digital Signature Certificate, they are advised to obtain the same at the earliest.
5. For further information regarding issue of Digital Signature Certificate, the bidders are requested to visit website <https://mptenders.gov.in/>. Please note that it may take upto 7 to 10 working days for issue of Digital Signature Certificate. Department will not be responsible for delay in issue of Digital Signature Certificate.
6. If bidder is going first time for e-tendering, then it is obligatory on the part of bidder to fulfill all formalities such as registration, obtaining Digital Signature Certificate etc. well in advance.
7. Bidders are requested to visit our e-tendering website regularly for any clarification and / or due date extension.
8. Bidder must positively complete online e-tendering procedure at <https://mptenders.gov.in/>
9. Department shall not be responsible in any way for delay /difficulties /inaccessibility of the downloading facility from the website for any reason whatever.
10. For any type of clarification bidders can / visit [https://mptenders.gov.in](https://mptenders.gov.in/). In case of any assistance please call Help desk numbers 0120-4200462, 0120-4001002. Support timings: Monday to Saturday from 10:00 AM to 7:00 PM.
11. Interested bidders may attend the free training programme in Bhopal at their own cost. For further query please contact help desk.
12. The bidder who so ever is submitting the tender by his Digital Signature Certificate shall invariably upload the scanned copy of the authority letter as well as submit the copy of same in physical form with the offer of particular tender.
13. **The firms registered under NSIC and MSME (The vendor to be registered with both NSIC and MSME for claiming exemption of tender fees) are exempted for submission of tender fees only. But they have to submit valid EMD as per the tender requirement.**

## ANNEXURE-VI

**ONLINE FINANCIAL BID**

S.No	Item/Work Description	Price of M/s Meta (Facebook and WhatsApp Company)	Unit Price in rupees (Rate/Commission per whatsapp Message per unit to be quote by the bidder)	GST	Total Unit Price (All inclusive)
1.	2	3	4	5	6=(3+4+5)
1.	Text message (Hindi or English upto 650 characters)				
2.	Image (upto 1MB)				
3.	Audio (upto 2 MB)				
4.	Video (upto 5 MB)				
5.	PDF (upto 1 MB)				

**Note:-**

1. The financial bids are to be submitted online and no hard sheet/ copy is to be submitted along with the bid. The invoice will be generated in multiple of above specification.
2. If the price of M/s Meta (Facebook and WhatsApp Company) will change then it will be borne by the High Court, the commission charges of bidder shall be remain fixed for the entire period of contract.

Place:

Date:

**(Signature of the bidder)**  
**Name of bidder (with seal)**