



HIGH COURT OF MADHYA PRADESH

PRINCIPAL SEAT – JABALPUR

No. Reg(IT)(SA)/2020/1014

Jabalpur, Dated:-31-07-2020

// CLARIFICATION //

Subject:- The matter regarding to publish the clarification / reply of Pre-Bid meeting dated: 20th July, 2020 regarding the tender for the supply, installation, commissioning and maintenance of Smart Phones for District Judiciary in the State of Madhya Pradesh with reference to tender no. Reg(IT)(SA)/2020/869, Dated:06.07.2020.

Ref: - Pre-Bid Meeting dated: 20th July, 2020.

Reply / clarification to the pre-bid queries

Query No.	RFP Reference (Section No. /Page No.)	Content of RFP Requiring Clarification	Query of the bidder / remarks of the bidder	Reply / clarification to the query /remarks by the High Court
1.	Delivery Location, 4.3.1 , 4.5.1.1, 4.5.1.2 , 6.2 , 4.8	Please refer bid documents	<p>Issue - It is confusing to understand what would be final point of delivery for which the bidder shall be liable.</p> <p>From clause 6.2 it is understood to be at High courts at Jabalpur , Gwalior & Indore</p> <p>However, with clause 4.3.1, 4.5.1.1 & 4.5.1.2 & 4.8 it seems to be at district & block level.</p> <p>We would suggest/request it to be restricted at high courts leve that is Jabalpur, Indore & Gwalior as supply & service both can be provided in effective & efficient manner at such</p>	The delivery points shall be Jabalpur, Indore and Gwalior only.



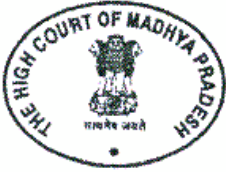
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			levels. Delivery & servicing at district levels is not possible for any bidder or OEM in current Covid 19 pandemic times.	
2.	Non Performance, 4.8.5	Please refer bid document	<p>Suggestion - Would request you to define the Delay period of time at which the liquidated damages will be charged and quantify the amount of liquidated damages to be deducted. Also, request you to define period after which the forfeiture of the performance bank guarantee maybe triggered.</p> <p>If the Delay Period is defined then any punitive action can be justified according to delay period.</p> <p>In the current form of document a delay of 12 hours can also call forfeiture of performance guarantee without imposing liquidated damages, this makes it very stringent for any bidder/supplier to work with given that delay can be anticipated due to Covid 19 on account of lockdown or containment being imposed.</p>	Refer to tender document. Delay in supply of more than prescribed period shall result in forfeiture of PBG or any other appropriate action.
3.	Site acceptance test, 5.3	Please refer tender document with all its sub	Please clarify what would be the site for site acceptance test.	At Jabalpur, Gwalior and Indore.



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		clauses	<p>Would it be at high court level at Jabalpur, Gwalior & Indore or would it be at the various districts courts level.</p> <p>Deploying testing personal at district level will call for huge expenditure.</p>	
4.	New	--	<p>We would suggest that for all delivery of goods, services – installation, maintenance, support or any delivery from the bidder be restricted to be done at high court level & any further allocation of same maybe done internally by High Court.</p>	<p>In future services to be provided up to District Level.</p>
5.	OEM Authorization, Point 6 Specification A	Please refer bid document	<p>Suggestion – one OEM must partner with one bidder</p> <p>Rather in addition an undertaking from OEM is must that they commit to supply FULL quantity as per delivery schedule of the customer.</p> <p>Condition must be added that any default on part of OEM will render them blacklisted too.</p> <p>We have faced cases where in two bid are L1 & L2 and both partners are of same OEM & now OEM withdraws support from L1 as they are</p>	<p>No change, but the undertaking is to be given by the OEM that they commit to supply FULL quantity as per delivery schedule of the customer.</p>



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			fetching better price with L2. In such scenario L1 gets blacklisted but the OEM enjoys white listing and supplies material L2 partner.	
6.	Bid Validity, Part I Bid form (1 sheet) point 4 , Point 2.8	Please bid document	<p>Point 2.8 says for bid validity to be 180 days while bid form Part I has 150 days written</p> <p>We however request it to be 60 days as it is not possible to hold inventory of the quoted model for so many days.</p> <p>In the trade of smart phone models keep changing every quarter. Holding inventory for 6 months for bid finalization plus the delivery period of the same model is nearly impossible.</p> <p>Bid validity period of 60 days is sufficient as the bids are digital now and can be processed faster.</p>	The bid validity is 180 days.
7.	Clause 2.15.1(i), Page no 11	Average Annual Financial turnover of the bidder during the last 3 years, ending 31st March 2020 i.e. 2017-18, 2018-19 and 2019-20 of the bidders should be at least Rs. 05 Crore.	We request the Department to consider the turnover of FY 2016-17, 2017-18 and 2018-18, Since the financials of FY 2019-20 are not yet audited as the timelines for the same have been extended by Govt.	No change, the bidder may quote provisional balance sheet for year 2019-20 duly certified by Auditor.



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8.	2.15.2 (ii) Page no 11	Experience in Supply, Installation, commissioning of smart phones/mobile phones /IT Equipments/ IT gadgets during last 5 years ending last day of month previous to the month of publication of this tender,	The Department has asked for experience of 5 years. Most of the Top OEMs/Brands of smart phones entered Indian market in last three years only. So, they do not have the experience for 5 years. Hence, we request the Department to kindly consider 3 years of experience.	The experience in the bid of overall of IT Equipments/ Mobile Phones the vendor may quote accordingly. But the quoting firm should have minimum experience of five years in the field of IT. In addition to this, the vendor should also be in the field of smart phones/ mobile phones/ Tablets / handheld devices.
9.	Clause 2.16(3) Page no 12	Last date and time of submission of hardcopy of proposal.	We request the Department to kindly remove this clause as due to COVID19 pandemic, hardcopy delivery is not safe.	It is made optional.
10.	4.5.1.1, Page no 21	80% of total price against delivery of the equipments at the site after submitting the duly verified delivery challan of the site / locations certified by the Office of District and	The Department is requested to kindly amend this clause and change it to - release of 100% of payment against the submission of duly verified delivery challan/bill within 10 days. Since the Department is	No change



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		Session Judge of District Courts as mentioned under scope of work in the tender document. and 20% of total price against successful installation and getting Sign-off from all the District Courts as mentioned under scope of work in the tender document.	already taking the bank guarantee, so that will ensure that bidder will give proper service for the devices.	
11.	4.8.1, Page no 22	The successful bidder shall complete the assignment within 60 days from the date of issue of Letter of Acceptance / Letter of Intent. In case the purchase order is received directly from the District Court then the period of supply and installation will be 30 days	We request the Department to kindly clarify this clause. If Department can provide detailed guidelines on this, that would be helpful for bidders.	The delivery of the equipments to be completed within 60 days.
12.	6.2, Page no 30	The delivery of the smart phones shall be made at High Court of	We request the Department to kindly clarify total delivery locations as in Annexure there are total 203	03 locations i.e. Jabalpur, Indore and Gwalior.



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		M.P. Principal Seat Jabalpur and its Bench at Indore and Gwalior as per the requirement of the High Court.	locations listed. We request the Department to kindly consider the delivery at 3 locations (Jabalpur, Indore and Gwalior) only as the quantity of smart phones is less and it will have operational impact for bidders which would further reflect on the overall cost as well.	
13.	6.7.4. Page 33	(i) Within 72 Hours from the call logging time – for all High Severity events (ii) Within 96 hours from the time of attending the problem for all Low severity events	We request the Department to increase the time duration to 96 hrs. for High Severity events and 120 hrs. for Low severity events as these are the standards followed by all government Departments. Moreover, due to current spread of COVID19 pandemic, all the organizations are working with depleted manpower and shorter working hours.	No change.
14.	6.7.4. Page 33	i) For High Severity events, Rs. 1000/- (ii) For Low Severity events, Rs. 500/- Delay will be counted in steps of one hour.	We request the Department to kindly remove this clause as the penalty charges mentioned by Department is too high. As we have already mentioned above- the current challenges posed by COVID19 outbreak; the Department should consider it on hourly basis.	No change.
15.	Specifications A, Page 35 (point 15)	Wi-connectivity - 802.11a / b/g/n	We would like to bring to Department's knowledge that this clause is restrictive and favoring only one OEM. A single band Wi-Fi is sufficient for mobile users and dual bands are required for laptops where more data transfer is done. Hence, we request the Department to ask for	No change, but the vendor may quote equivalent or better connectivity.



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			'b/g/n' only.	
16.	Specifications A, Page 35	Back-to-Back support letter is to be submitted by OEM regarding support of the quoted products.	We request the Department to kindly explain this clause in details as what kind of back to back support letter is required.	Support Letter is required from OEM for proper maintenance of equipments.
17.	Page No. 35, "SPECIFICATIONS -A", SMART PHONES, S. No. 3	Storage Expandable up to (in GB): 128	We Request you to kindly change the clause to "512 GB" Due to increase in no of applications and data requirements nowadays min 512 GB expandable storage should be available	No change.
18.	Page No. 35, "SPECIFICATIONS -A", SMART PHONES, S. No. 4	Internal Storage(in GB): 64	We Request you to kindly change the clause to "32 GB" 32GB will suffice for optimum working of the device. Many apps requires as less as 100 MB space and hence 32 Gb will be more than sufficient for personal as well as official apps	No change.
19.	Page No. 35, "SPECIFICATIONS -A", SMART PHONES, S. No. 5	RAM Size (in GB): 4GB	We Request you to kindly change the clause to "3GB" Depending upon the processor 3GB RAM will be more than sufficient for use	No change.
20.	Page No. 35, "SPECIFICATIONS -A", SMART	Display size (in inch): 5	We Request you to kindly change the clause to "5.5 inch or higher"	The vendor may quote higher



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	PHONES, S. No. 7		Larger screen helps in ease of reading and ease of operation while using the phone.	screen size.
21.	Additional Point	--	Number of service centres in MP – 100 Since the Mobiles will be delivered in different locations in MP thus it is suggested to have sufficient no. of service centers	There should be service center at High Court Level or/and at State Capital.
22.	Additional Point	--	OEM should have authorized Service Centre in each District of Madhya Pradesh - Details should be available on OEM Website Since the Mobiles will be delivered in different locations in MP thus it is suggested to have sufficient no. of service centers	No change.
23.	Additional Point	--	OEM Should have 24x7 Toll Free telephone based service support. Details should be available on OEM Website also In today's scenario it is important to have Telephone based service support along with an updated website so as to provide the best services to customer	The vendor to provide toll free number for proper service and support of equipments.
24.	SPECIFICATIONS -A /Page no 35	Minimum Processor	We propose Octa core processor as More no of	No change.



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		Core-Quadcore or better	processor cores helps in optimum running of operating system & multitasking	
25.	SPECIFICATIONS -A /Page no 35	Storage Expandable up to (in GB) - 128	Due to increase in no of applications and data requirements nowadays min 512 GB expandable storage should be available hence we propose storage expandable upto 512 GB	No change.
26.	SPECIFICATIONS -A /Page no 35	Internal Storage(in GB) -64	We propose 32 GB storage as per the min specs as suggested by Govt. for smart phones for e court project . Reference of high courts of Bombay , Madras & Guwahati	The specifications provided by the e-Committee are minimum and the Department can ask for higher specifications .
27.	SPECIFICATIONS -A /Page no 35	RAM Size (in GB) -4	We suggest 3GB RAM as per the min specifications given by Gov of India for automation under e court project.	The specifications provided by the e-Committee are minimum and the Department can ask for higher specifications .
28.	SPECIFICATIONS -A /Page no 35	Display size (in inch) 5 inch	We recommend min 5.5 inch or larger .Larger screen helps in ease of reading for the user. Also all latest devices are having larger screens	The vendor may quote higher size screen.
29.	----	-----	With reference to the Tender No: Reg(IT)(SA)/2020/86 9, supply of SMART PHONES for M.P., we would request you to please include MDM as it is very useful temporarily. Considering current	No change, the vendor may quote software accordingly.



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			situation & recommendations of Govt. of India, MDM software is a necessity of the time for the safety of equipment, data & resources. Please find attached brief company profile, data sheet points & request to include this software in captioned tender.	
30.	-----	-----	<p>Sir, at the outset I would like to draw your attention for the aforementioned tender which is being invited for Process Service at the District/Tehsil Court as part of eCourt Project which is a bit misplaced for the selection of the Mobile Device which is not designed for the FIELD-USE and has very doubtful durability over the service-cycle as it is not suitable for the purpose intended for and would be costly exercise. We are not stating that Mobile Phones are not functionally suitable but having been designed mass manufactured for office and limited field usage in addition to USE&THROW philosophy which may not be suitable looking at the durability demanded from them environmentally for all practical purposes here. Similarly we are also not expecting that people should buy our devices for their everyday Phone, Message, personal Entertainment</p>	<p>The vendor may quote the tender for the product <i>equivalent or better</i> of the given technical specifications .</p>



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			<p>and limited for transaction Apps such as Banking Applications etc. for similar practical reasons where initial cost- small pocket convenience- careful use in mostly indoors or in transit sitting.</p> <p>Having said that there are other aspect to the design of Handheld Devices where usage is rigorous Transactions Apps like Couriers/Utilities/Micro-banking/PoS/PDS etc. where paramount importance is daily Battery-usage period which dictates the removal of useless idle Electronics/hardware in excess, be it RAM, ROM, Screen-size to conserve power for longer usage in the filed vis-a-vis Mobile Phones where these work for attracting the Customer giving him the feeling of Higher Configuration though functionally not required.</p> <p>Moreover requirements for Printer, Bio-metric, RFID Reader/Writer etc. also possible if desired to begin with which is not an option for mobile phones.</p> <p>I am submitting the Following Specs idealized for Android-based NSTEP Process Service App keeping in mind the longest possible field usage battery-time:</p> <p>We thank you for your</p>	
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			time and courtesy extended during my visit to your Office on Friday the 10 th July 2020. As discussed, please find below the detailed specifications of our product and a brief table of comparison between a hand held unit and a mobile phone for your kind reference;	
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Note:- All the specifications of the tender document should be read as equivalent or better.

1. Before opening of the financial bids, the demo of the smart phone / device shall be arranged by the bidder before the Committee of the High Court. The financial bids of only qualified bidders, after the demo of the smart phone / device shall be opened by the High Court.
2. The specifications mentioned in tender document are minimum and the vendor may quote equivalent or higher specifications for smart phone / device in the tender document.
3. All the pages of the bids and Annexure's are to be sealed and signed by the authorized officers of the company / vendor.
4. The bidder has to quote only 01 product of single make / brand at a time and not multiple brands for same item.
5. The Original equipment manufacturer (OEM) may authorize more than one partner for participation in the bid.
6. Back-to-Back support letter is to be submitted by OEM regarding support of the quoted products.
7. The Registrar General, High Court of Madhya Pradesh has full rights to accept or reject any bid, without assigning any reason thereof.
8. The Registrar General, High Court of Madhya Pradesh have right to alter the scope of work as per the requirement.
9. All Prospective bidders are requested to submit the bid with all relevant documents and product brochures / catalogues in sequenced manner.



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10. The above clarifications / addendum are for all the prospective bidders' for tender reference and necessary action.
11. On introduction of new levy / taxes / duties the rate / price of items shall be changed in same proportionate.
12. The tender submission online date be extended to 19th August, 2020 before 06:00 P.M.; hardcopy submission is to be made up to 20th August, 2020 before 05:00 P.M. ***(The submission of hardcopy of the tender document is made optional, till the period of COVID-19)*** and technical bid of the tender shall be opened on 21st August, 2020 at 11:00 A.M.

Sd/-

REGISTRAR GENERAL