

**HIGH COURT OF MADHYA PRADESH: JABALPUR**

**// CLARIFICATION //**

No. Reg(IT)(SA)/2020/795

Jabalpur, Dated:15-06-2020

**Subject:-** The matter regarding to publish the clarification / reply of Pre-Bid meeting dated: 01<sup>st</sup> June, 2020 regarding the tender for the supply, installation, commissioning and maintenance of smart phones at District Judiciary in the State of Madhya Pradesh with reference to tender no. Reg(IT)(SA)/2020/637, Dated:08.05.2020.

**Ref: -** Pre-Bid Meeting dated: 01<sup>st</sup> June, 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.	Clause 2.5, Page no. 7	Earnest Money Deposit (EMD) of Rs.7,50,000/- (Rupees Seven Lakh Fifty Thousand only)	As the quantity of smart phones required is very less, we request the department reduce the EMD amount to INR 2,00,000/-	Yes EMD has been changed to amount of Rs.3,50,000/- (Rupees Three Lakh Fifty Thousand only).
2.	Clause 2.15.1(i)	Annual Financial turnover of the bidder during the last 3 years, ending 31st March of previous financial year i.e. 2020 should be at least Rs. 05 Crore.	We request the department to ask for an Average Turnover of INR 5 crore for last 3 financial years, as asking for a cumulative turnover for	Yes changed to <b>Average</b> Annual Turnover during last three financial years ending 31st March, 2020 i.e. 2017-18, 18-19 and 19-20 of the bidder/ company should be at least Rs. 05 Crore.

			<p>INR 5 crore will result in tender participation from organizations which might not be financially sound enough to handle this order thus resulting in unnecessary bottlenecks for departments in completion of this project</p>	
3.	2.15.2 (ii)	<p>Experience in Supply, Installation, commissioning of smart phones/IT Equipments/ IT gadgets during last 5 years ending last day of month previous to the month of publication</p>	<p>The department has asked for experience in IT Equipment/ IT Gadgets, We request you to consider the experience for <b>Smart Phones &amp; Tablets only</b> as IT Gadgets and Equipment is a very wide terminology and will attract bids from inexperienced sellers also.</p> <p>Additionally</p>	<p><b><i>The bidder should be in the business of smart phones / mobile phones in addition to IT equipments.</i></b></p>

			, we request the department to consider the experience of the bidder only against this clause.	
4.	Page 11	Supply, installation, commissioning and maintenance of Smart phones/IT Equipments/ IT gadgets at Central Government/State Government/Public Sector Undertakings /Autonomous Bodies/Reputed Private organizations. (Please attach copy).	The department is requested to remove the experience of supplies to private organizations from the eligibility criteria as this will attract sellers with no experience of handling assignments to governmental organizations and create issues for the department later on.	No change
5.	2.20.3, Page 15	Successful bidder must ensure his establishment in India and in the State of Madhya Pradesh at High Court Level and / OR State Capital for post installation services and support of Smart Phones.	Due to the on-going COVID19 pandemic, it will be difficult for all the bidders to comply with this clause, as this will increase the project implementation cost for	No change. The office may be setup by the successful before awarding of contract. The services for the maintenance of the smart phones shall be provided by the bidder otherwise the firm along with all his sister concern / firms shall be blacklisted by the High Court for the period of five years.

			<p>the suppliers. As the budget for the supplies is limited, we request the department to consider bidders who have an office anywhere in India with capabilities of providing post-installation services at Pan-India level.</p>	
6.	3.3 , Page no 17	Service and gateway charges shall be borne by the bidders.	We request the Department to give further clarification for this point.	It is related to e-portal <a href="http://www.mptenders.gov.in">www.mptenders.gov.in</a> , please contact the helpline number of Section-III of the bid document.
7.	4.2 , Page no 18	The Successful Bidder will be required to furnish performance guarantee in the form of unconditional Bank Guarantee issued by a Nationalized / Scheduled Bank in India equivalent to 10% of the Contract Value valid for a period of 36 months within 30 days from the date of issue of Letter of Award / acceptance.	The asked Bank Guarantee for 10% of the project value is very high. We request the department to ask for 2% of bank guarantee as it's a standard for majority of Smartphone tenders across India. Moreover, most government	Yes changed to unconditional Bank Guarantee for the period of 24 months in place of 36 month.  On account of COVID-19 epidemic and loss of business to the commercial, the performance BG has been reduced to 5 % in place of 10 %.

			<p>procurements are done through Government E-Market place i.e. GeM these days; and GeM through its General Terms &amp; Conditions (GTC) Page no 11, clause 7, sub point: ii; recommends a Bank Guarantee 2% against the supplies.</p> <p>Furthermore, since the overall budget of the project is less, this would be an extra burden for bidders which may increase the quotation given by the bidders.</p> <p>Additionally, we request the Department to ask for the bank guarantee for the warranty period only, i.e. 24 months instead of 36 months.</p>	
8.	4.3.3.,P	The Successful Bidder shall submit	The department	Yes changed to supply of product along with

	age 19	all the Software Kits (CDs), License Papers, Warranty Papers and any other relevant documentation related to the supplied products to the Purchaser along with the supplied products/equipments.	is requested to remove 'delivery of software keys and license paper' from this clause as the same are not required for smart phones. The warranty declaration paper is sufficient.  In all the smart phones (Android based), software updation is automatic and for that only an active internet connection is required. So there is no requirement of CDs / DVDs with software.	valid document and accessories and warranty certificate as per the tender document.
<b>9.</b>	4.4.4, Page 20	The bidder shall quote for comprehensive On-Site warranty and support for two years, which shall become effective after the Final Acceptance Sign-off. The cost, including visits of the engineers etc. shall be quoted as part of the individual equipment prices.	In technical Specifications mentioned on Page No. 36, Point no 18, the Warranty service being asked for is "On Site/carry-in".  Additionally, due to the	Yes changed to "On Site/carry-in" warranty.

		No separate charges shall be paid for visit of engineers or attending to faults and repairs or supply of spare parts.	<p>Pandemic of COVID 19, an “On site” warranty option will be costly and sometime irregular due to logistics challenges.</p> <p>So Department is requested to ask for ‘On Site/ carry-in’ warranty in the tender.</p>	
<b>10.</b>	4.5.1.1, Page 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 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.	<p>The department is requested to amend this clause and change it to release of 100% of payment against the submission of duly verified delivery challan/bill within 10 days.</p> <p>As it is, the bank guarantee being asked from the successful bidder will ensure the quality of services being provided.</p>	No change
<b>11.</b>	5.4 , Page 29	Security of all material at the site where the work is in	The bidder should be responsible	Yes changed.

		<p>progress shall be the contractor's responsibility and he shall arrange to guard the same from theft/pilferage/vandalism. In the event of any loss the contractor shall be responsible for the same. Any stores lost, prior to formally taking over by the Purchaser, shall be made good by the contractor at no cost to the Purchaser.</p>	<p>for the products only until it is handed over to the department or a person nominated by department.</p> <p>If there are any service issues after the handing over of devices, the successful bidder shall be responsible for only those.</p> <p>We request the Department to remove this clause from the tender.</p>	
12.	6.2, Page No. 30	<p>Supply of all smart phones along with accessories, wires and cable for connection, etc. as per requirement of Subordinate Courts in the State of Madhya Pradesh is to be made by the vendor. The Subordinate Courts will include all 50 numbers of District Courts and near about 150 numbers of Tehsil Courts in the State of Madhya</p>	<p>Since the procurement quantity is less, we request the department to have a centralized delivery or delivery at no more than 10 locations, as delivering to mentioned locations is not financially feasible.</p>	<p>Yes changed. The delivery of the smart phones shall be made at High Court of M.P. Principal Seat Jabalpur and its Bench at Indore and Gwalior as per the requirement of the High Court.</p>



		Pradesh.	<p>Moreover, the ratio of unit to location is very low, so logistics management will be a challenging task for every bidder.</p> <p>Further the spread of COVID 19 pandemic has already created challenges and it could be a challenge hereon, plus this would also attract additional costs towards the quotations put forth by the bidders.</p>	
13.	6.7.1. Page 32	The Service window for all the equipments would be 24x7x365.	<p>The department is requested to amend the timings of service window from 0900 hrs to 1800 hrs, as it is the standard working time for every department Pan-India.</p> <p>Moreover now working time is even lesser due to COVID19</p>	Yes changed. The service hours shall be from 09:00 hours to 18:00 hours (09:00 AM to 06:00 P.M.) on all working days.

			pandemic.	
<b>14.</b>	6.7.4. Page 33	(i) Within 24 Hours from the call logging time – for all High Severity events  (ii) Within 48 hours from the time of attending the problem for all Low severity events	We request the department to increase the time duration to 72 hrs for High Severity events and 120 hrs for Low severity events as these are the standards followed by all government departments .	Yes changed to 72 hours (for all type of calls/ complaints) from time of logging the complaint / issue with the vendor.
<b>15.</b>	7.4, Page 35	The Original equipment manufacturer can authorize more than one partner for participation in the bid.	The department is requested to allow only one partner per OEM so that there is creates a level-playing field for all participants.	No change.
<b>16.</b>	Page 36	Processor speed (GHz)-1.5 Ghz	The department is requested to change the processor speed to 2 Ghz, since the RAM/ROM asked by department is 4GB/64GB, which is very heavy hardware combination and a	The processor speed to be minimum 1.5 Ghz or better.

			processor speed of 1.5 Ghz is not sufficient enough to support this.	
<b>17.</b>		Minimum Processor Core- Quadcore	As the required specification of RAM/ROM is 4GB/64GB, a processor core of Quadcore (4-core) is not sufficient. With Quadcore (4-core), the phone will experience frequent malfunctioning, so we request the department to ask for an OCTA CORE (8-core) processor for an efficient working experience	No change
<b>18.</b>		Display size (in inch)- 5 Inch	We request department to change the screen size to 6 inches as a 6-inch smart phone have better viewing ability and readability especially for	Minimum 5 inch or more.

			documents, court orders and other crucial documents. Moreover, all latest smart phones available in the market these days have a screen size of at least 6 inches.	
19.		Battery capacity (mAH) Minimum-3000	We request the department to change the battery required to 4000 mAH as 3000 mAH battery is very less for a smart phone with a RAM ROM of 4GB 64GB and the battery will not last for one full day of working. The smart phone would require multiple charges throughout the day as the expected battery life would not be more than 5 hours on a single charge.	Yes changed to 4000 mAh or better.

			Moreover, all latest smart phones available in the market these days have a battery of at least 4000mAh.	
<b>20.</b>		Wi-connectivity - 802.11a / b/g/n	As a single band wifi is enough for mobile users, we request the Department to ask for 'b/g/n' only. Dual band (a/b/g/n) is mostly required on laptop and desktops.	Quote as per tender document or better.
<b>21.</b>		Certificate requirements	The Department has not asked for any quality certificates for the Smart phones in the tender which will allow participation from inferior brands which offer devices that have not been tested for quality and performance .  Smart phones without	Yes changed i.e. mobile equipment should have ROHS, SAR, FCC, CB/UL, CE certificates for safety of the equipments.

			<p>quality certifications get often heating problems and in some cases catch fire as well, as there is nothing to keep the quality in check.</p> <p>We would request the department to ask for ROHS, SAR, FCC, CB/UL, CE certificates from the bidders as these will guarantee the safety of the devices.</p>	
<b>22.</b>	Page 38, Form: PQ-1, Point no. 6	Valid ISO Certificate of products (Please attach copy) i.e. ISO 9001 and ISO 14001	The ISO certificate is issued to the company in their name and not for the product being manufactured, so department is requested to ask the ISO certificate for the company instead of the products.	Yes there is requirement of ISO certificates from OEM vendor i.e. ISO 9001 and ISO 14001 <b>(OPTIONAL)</b> .

**“SPECIFICATIONS-A”**

**SMART PHONES**

<b>S.No.</b>	<b>Parameter</b>	<b>Detailed specifications</b>
1.	Processor speed (GHz)	1.5 GHz or better
2.	Minimum Processor Core	Quadcore or better
3.	Storage Expandable up to (in GB)	128
4.	Internal Storage(in GB)	64
5.	RAM Size (in GB)	4GB
6.	Display resolution (Horizontal x Vertical ) (Pixel)	HD (Minimum 1280 x 720) <b>or better.</b>
7.	Display size (in inch)	5 inch or more
8.	SIM Card Slots	Dual
9.	Type of SIM	Micro / Nano
10.	Rear Camera Resolution (Mega Pixel)	➤ / =12
11.	Touch support	Multi Touch
12.	Front Camera Resolution (Mega Pixels)	8
13.	Bluetooth connectivity	4.0 or higher
14.	Connectivity	4G LTE / 4G VoLTE
15.	Wi-connectivity	802.11a / b/g/n
16.	Battery capacity (mAH) Minimum	4000 or better
17.	OEM warranty for battery	2 years
18.	Warranty service	On site / carry – in
19.	OEM warranty for smart phone	2 years
20.	Certificates	Mobile equipment should have ROHS, SAR, FCC, CB/UL, CE certificates for safety of the equipments.
21.	OEM ISO certificates	ISO 9001 and ISO 14001 ( <b>OPTIONAL</b> )

**Note:- All above specifications should be read as equivalent or better.**

1. Before opening of the financial bids, the demo of the smart phone 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 phones shall be opened by the High Court.

2. The specifications mentioned in tender document are minimum and the vendor may quote higher specifications for the smart phones 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.
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.
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 change in same proportionate.
12. **The online tender submission date be extended to 01<sup>st</sup> July, 2020 before 06:00 P.M.; hardcopy submission is to be made up to 02<sup>nd</sup> July, 2020 before 05:00 P.M. and technical bid of the tender shall be opened on 03<sup>rd</sup> July, 2020 at 11:00 A.M.**

**Sd/-**

**REGISTRAR GENERAL**