

RFP for Selection of Agency for Study, Design, Development, and Implementation of Litigation Information Tracking & Evaluation System (LITES) 3.0

NIB ref No.: F4.3(588)/RISL/Tech/2024/7997 Dated 23.02.2024

Pre bid queries and responses

S. No.	RFP Page No.	RFP Rule No.	Rule Details	Query/ Suggestion/ Clarification	Response
1	50	7. SPECIAL TERMS AND CONDITIONS OF TENDER & CONTRACT 7.1. Payment Terms and Schedule	S.No. 1.: Onsite Team Deployment- T1= T+15 Days	Request you to please increase the days of deployment of team by atleast 30 days i.e. T1= T+45 Days	AS per RFP
2	50	7. SPECIAL TERMS AND CONDITIONS OF TENDER & CONTRACT 7.1. Payment Terms and Schedule	S.No.2.: Undertake activitiws Mentioned in Scope of Work Section 4.1.1.1- Submission of SRS & FRS/URS Report- T2=T1+20 Days- Payment Schedule NA	Request you to kindly break the payment schedule as given in Sr. No. 3 into two parts i.e. Part payment should be released on submission of SRS & FRS/URS Report i.e. approx upto 15%.	AS per RFP
3	53	7. SPECIAL TERMS AND CONDITIONS OF TENDER & CONTRACT 7.1. Payment Terms and Schedule	Undertake activities Mentioned in Scope of Work Section 4.1.1.2. – 4.1.1.8. for the department ➤ Configuration & Deployment document with final source code in two sets of pen drive along with source code and/or license of third-party API/any other software used ➤ UAT Report ➤ Go-Live of application by RISL/ Department / DoIT & C T3 = T2 + 145 Days ➤ 80% of Quoted Study, Design & Development i.e. Financial Bid Table 1 S.No.1	Request to kindly break the payment terms and amend the clause as "> Configuration & Deployment document with final source code in two sets of pen drive along with source code and/or license of third-party API/any other software used > UAT Report-> Payment Schedule 25% of Quoted Study, Design & Development i.e. Financial Bid Table 1 S.No.1 > Go-Live of application by RISL/ Department / DoIT & C -> 40% of Quoted Study, Design & Development i.e. Financial Bid Table 1 S.No.1	AS per RFP
4	52	7. SPECIAL TERMS AND CONDITIONS OF TENDER & CONTRACT 3. Penalty for replacement / Exit of a resource	Replacement of resources shall generally not be allowed. The replacement of resource by bidder will be allowed (with penalty) only in case, the resource leaves the organization by submitting resignation with the present employer. If any resource is changed/replaced with the approval of Purchaser, no penalty will be levied.	Request to please remove the penalty clause for the replacement of resource in case of resignation of the resource from present employer as we cannot bind the resource in case of resignation of the resource and resource may resign and it will be notified to the OIC in such a case priorly.	AS per RFP
5	53	7.2.2 Penalty on absence of Resource	Every resource shall be eligible for 18 leaves per year (proportionately divided for period of engagement in case not engaged for whole year). However, leave is not a right and, as per requirement of the project, project OIC may deny leave(s) to a particular resource(s).	Kindly provide 24 leaves per year to the resource and amend the clause as "Every resource shall be eligible for 24 leaves per year (proportionately divided for period of engagement in case not engaged for whole year). However, leave is not a right and, as per requirement of the project, project OIC may deny leave(s) to a particular resource(s)"	AS per RFP

6	14	3. PRE-QUALIFICATION / ELIGIBILITY CRITERIA 3.1. Pre-Qualification Criteria (4) Technical Capability	The Bidder should have been engaged/executing and completed or in FMS phase (Portal/ Application status should be on production and live) for at least following numbers of projects for any Government Department / Government Agency / PSU: A. One Project of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application having value of Rs. 1.5 Crores OR B. Two projects of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application having value of Rs. 1 Crore per project. Note: 1. The date of the orders and completion of a project or go live of the project should remain between 1st Apr. 2019 and last date of bid submission. 2. Projects executed within the agency's own company, group of companies, Joint Venture companies shall not be considered.	You are requested to kindly modify the clause as below: The Bidder should have been engaged/executing and completed or in FMS phase (Portal/ Application status should be on production and live) for at least following numbers of projects for any Government Department / Government Agency / PSU: A. One Project of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application / Supply, Installation, Integration and Maintenance of Customizable solutions having value of Rs. 1.5 Crores OR B. Two projects of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application / Supply, Installation, INtegration and Maintenance of Customizable solutions having value of Rs. 1 Crore per project. Note: 1. The date of the orders or completion of a project or go live of the project should remain between 1st Apr. 2017 and last date of bid submission. 2. Projects executed within the agency's own company, group of companies, Joint Venture companies shall not be considered.	The date of the orders or completion of a project or go live of the project should remain between 1st Apr. 2017 and last date of bid submission. AS per amended RFP
7	14	3.1.4	Technical Capability: The Bidder should have been engaged/executing and completed or in FMS phase (Portal/ Application status should be on production and live) for at least following numbers of projects for any Government Department / Government Agency / PSU	We humbly request the inclusion of the private sector projects experience. This change will broaden the pool of potential bidders, enabling startups and MSMEs to participate and showcase their innovative solutions.	AS per RFP
8	pg 9	1. INVITATION FOR BID (IFB) & NOTICE INVITING BID (NIB)	Bid Security and Mode of Payment • Mode of Payment: Demand Draft, in specified format, of a Scheduled Bank in favor of "Managing Director, RISL" payable at "Jaipur"	We request to please allow the bid security in BG form also.	As Per Amended RFP
9	pg 14	3. PRE-QUALIFICATION/ ELIGIBILITY CRITERIA	Certifications The bidder must possess at the time of bidding, a valid (SEI certified) CMMI Level 3 Certification or better in software development/ software engineering	We request to please allow the CMMI Level 3 Certification from services also and amend the clause as under. The bidder must possess at the time of bidding, a valid (SEI certified) CMMI Level 3 Certification or better in software development/ Services	The bidder must possess at the time of bidding, a valid (SEI certified) CMMI Level 3 Certification or better. AS per amended RFP
10	Pg 18	4.1.1.2 Design & Development of modules/ submodules of application	7. Wherever required, data migration from any existing systems shall be done with cleansing	Please confirm the size of data of existing application which needs to be migrated.	AS per RFP
11	Pg 18	4.1.1.2 Design & Development of modules/ submodules of application	8. To maintain business continuity the SI shall make use of existing development stack available in RSDC.	Please confirm that LITES 3.0 needs to developed on existing technology (Dot Net and MSSQL) OR bidder can propose any new technology.	Stack details are mentioned in annexure 15 of amneded RFP
12	Pg 18	4.1.1.2 Design & Development of modules/ submodules of application	8. To maintain business continuity the SI shall make use of existing development stack available in RSDC.	If bidder propose new technology for development so any other hardware and software license which is required on Development enviornment will be provided by department.	Stack details are mentioned in annexure 15 of amneded RFP

13	Pg 19	4.1.1.3 Integration with other applications/modules	Integration	We assumed that all API for integration will be provided by department.	AS per RFP
14	pg 20	4.1.1.6 Security Audit / Safe to Host Certification of Developed Modules	The selected bidder will ensure and submit Security Audit report / Safe to Host Certification of the developed application by certain empanelled third-party external agencies with Government of India as and when required	Please confirm how many times security audit will be processed and its cost will be borne by bidder or department?	AS per RFP
15	pg 21	4.1.1.8 Training and Capacity Building	4.1.1.8 Training and Capacity Building	Please confirm the count of training users and batch size.	AS per RFP
16	pg 21	4.1.2. Provide Operations & Maintenance Services (O&M)	i) Helpdesk Management: B. The bidder, with the help of the deployed manpower, shall be responsible for: - a) End to end management of the helpdesk by logging and resolving the complaints of the various locations to ensure that the solution is functioning as intended and that all the problems associated with the operations are resolved satisfactorily.	please confirm the how many resources are required for helpdesk onsite team	AS per RFP
17	pg 51	7.1. Payment Terms and Schedule	a) Payment schedule - Payments to the bidder, after successful completion of the target milestones and delivery of the specified project deliverables as per clause no. 4.3 of Chapter-4, would be made as under: -	The given payment terms in RFP is not feasible for bidders and will result in higher investment costs as they must cover the salaries of the deployed team, we request to please amend the payment terms as per below: 1. Onsite Team Deployment - 20 % of Quoted Study, Design & Development Cost i.e Financial Bid. Table 1 S.no.1 2. Submission of SRS & FRS/URS report - 30 % of Quoted Study, Design & Development Cost i.e Financial Bid. Table 1 S.no.1 3. UAT Report- 30% of Quoted Study, Design & Development Cost i.e Financial Bid. Table 1 S.no.1 4. Go-Live of application - 20% of Quoted Study, Design & Development Cost i.e Financial Bid. Table 1 S.no.1 Payment terms for O&M 1. Quoted Operations & Maintenance cost i.e. Financial Bid Table 1 S.No. 2 will be equally spread over 3 years payable quarterly.	AS per RFP
18	pg 51	7.1. Payment Terms and Schedule	➤ Deployment/ Joining Report of Team - T1\$ = T+15 Days	The given timeline for deployment of manpower is very short, we request to amend this clause as under: ➤ Deployment/ Joining Report of Team - T1\$ = T+60 Days	AS per RFP

19	pg 52	7.2. Service Level Standards/ Requirements/ Agreement	<p>3. Penalty for replacement / Exit of a resource The penalty per resource would be imposed in case of exit/replacement of resource from the project within below mentioned period starting from the date of deployment of respective resource: I. Within 5 Month: Rs. 20,000 (Rupees Ten Thousand Only) per resource per instance. II. After 5 Months and upto 1 Year: Rs. 15,000 (Rupees Five Thousand) per Resource III. After 1 Year and upto 2 Year: Rs. 10,000 (Rupees Three Thousand) per Resource</p> <p>4. Penalty on absence of Resources Project Manager / Solution Architect - Rs. 7000/- Sr. Software developer/ DBA - Rs. 5000/- Business Analyst /QA - Rs. 4000/- Mobile app developer / Software developer - Rs. 5000/-</p>	<p>The imposed penalty on manpower replacement/ exit are very high, please reduce the same and amend the clauses as under</p> <p>3. Penalty for replacement / Exit of a resource The penalty per resource would be imposed in case of exit/replacement of resource from the project within below mentioned period starting from the date of deployment of respective resource: I. Within 5 Month: Rs. 5,000 (Rupees Five Thousand Only) per resource per instance. II. After 5 Months and upto 1 Year: Rs. 25,00 (Rupees Two thousand five hundred) per Resource III. After 1 Year and upto 2 Year: Rs. 1,000 (Rupees One Thousand) per Resource</p> <p>4. Penalty on absence of Resources Project Manager / Solution Architect - Rs. 2000/- Sr. Software developer/ DBA - Rs. 1500/- Business Analyst /QA - Rs. 1000/- Mobile app developer / Software developer - Rs. 1000/-</p>	AS per RFP
20			Hosting DR	We assumed the the new application also host on state data center and all required hardware and software will be provided by department at RSDC. Kindly confirm-	AS per RFP
21			Application user	Please provide the total no. of users for Application and no of concurrent users also for the same	the active user of application may vary. The application active user in present are around 10000

22		Startups	<p>We would like to bring to your kind notice that as per the contents of the e-tender, Startups have not been considered in the Public Procurement even though it is one of the key incentives granted to recognised startups by the Government of India. Ever since the birth of the Startup India Programme, the conditions of Public Procurement were one of the cornerstones that empowered the Startup Ecosystem and hence, was given exemption from the turnover, experience & EMD. However, this relaxation with regard to exemption from turnover and experiences etc., has been found missing in the present e-tender.</p> <p>It is important to mention that these exemptions to Startups form a vital part of the General Financial Rules, 2017. These are detailed as below:</p> <ol style="list-style-type: none"> 1. Rule 170 (i) – Relaxation from payment of EMD for DPIIT-recognized startups 2. Rule 173 (i) – Relaxation from Prior Experience and Turnover <p>We are attaching herewith a screenshot of the 'Relaxations in Public Procurement' section on the Market Access page of the Startup India website. The content therein boldly highlights the exemption with regard to turnover, experience and EMD in the Public Procurement Process.</p> <p>We would also like to emphasise that such an exemption has also been granted to the startups by various Central Ministries in compliance with a number of notifications/circulars issued by them. These are enlisted below:</p> <p>Ministry of Finance</p> <p>Circular No. OM F 20/2/2014-PPD(H) issued by the Ministry of Finance, Department of Expenditure, Procurement Policy Division issued on 27.07.2017 states: "...all Central Ministries/Departments may relax condition of prior turnover and prior experience in public procurement subject to meeting of quality and technical specifications</p>	As per RFP
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<p>14</p>	<p>3. PRE-QUALIFICATION / ELIGIBILITY CRITERIA 3.1. Pre-Qualification Criteria (4) Technical Capability</p>	<p>The Bidder should have been engaged/executing and completed or in FMS phase (Portal/ Application status should be on production and live) for at least following numbers of projects for any Government Department / Government Agency / PSU: A. One Project of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application having value of Rs. 1.5 Crores OR B. Two projects of development, deployment, implementation, and O&M of Web-Portal/ Application based Software Application having value of Rs. 1 Crore per project. Note: 1. The date of the orders and completion of a project or go live of the project should remain between 1st Apr. 2019 and last date of bid submission. 2. Projects executed within the agency's own company, group of companies, Joint Venture companies shall not be considered.</p>	<p>Work order based on manpower hiring should not be considered</p>	<p>Work order based on manpower hiring term & conditions will not be considered. The work orders of manpower hiring based on the project deliverables will only be considered. Please refer the amended RFP</p>
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