

F.No.J-24/27/2023 CPU
Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

Krishi Bhawan, New Delhi
Dated 05.09.2023

Pre-bid clarification for RFP

Sub- Clarification on RFP for Design, Develop, Implement and Manage the Online Dispute Resolution Platform for Consumer Mediation with Operation and Maintenance for 3 years

With reference to RFP no.GEM/2023/B/3781540 floated on GeM portal dated 03.08.2023, Pre-bid clarification is attached herewith

This Issues with the Approval of Competent Authority



(Jasbir Tiwari)

Under Secretary to the Govt. of India

Clarification on EOI for Design, Develop, Implement and Manage the Online Dispute Resolution Platform for Consumer Mediation with Operation and Maintenance for 3 years

Sn.no	Section No.	Page no.	Reference/ Subject	Clarification sought by bidder	Rationale	Department remark
1.	14	5	Technical Proposal submission process	Since all recognized startups have been considered by your office for various incentives as per the startup policy of Government of India and General financial rules 2017 such as rule 170(i) and 173(i). through addendum to the EOI. Therefore you are requested to kindly clarify whether such incentives also include exemption from deposit of EMD.	Though some details are mentioned in GeM bidding form but nothing is given in detail in RFP. Clarification is required that on what grounds one can show himself eligible for exemption from deposit of EMD.	As per Ministry of Finance O.M. dated 25th July, 2017, the Startups are exempted from submitting EMD. Accordingly, the startup entity is eligible for exemption of EMD.
2.	11-12	4	Post Go-Live Support	Please clarify whether the hyper care support is for a period of 15 days or for a period of 2 months, in reference to page 11-12.	Ambiguity in statements given on page number 11-12 i.e Hyper care support is of 15 days or 2 months?	It is to clarify that Hyper care support is for 15 days and on premise support is for 2 months.
3.	11-12	4	Post Go-Live Support, para 5.	Please clarify whether in the post go live support, the target of improving end user familiarization also includes citizens as well or only DOCA staff. Page 11-12, Post Go-Live Support, para 5.	End users are not defined here. This leads to misconception in scope of work	As per RFP.
4	6	4	Onboarding Journey > (d)	Any integration with the existing systems of DOCA will be dependent on following factors:	Any integration with the existing systems of DOCA will be dependent on following factors: 1. Availability of APIs	AS per RFP.

				<p>1. Availability of APIs for fetching the relevant data.</p> <p>2. Availability of necessary approvals from DOCA or other departments wherever necessary.</p> <p>3. Digitization of available documents, files, records, etc.</p> <p>We understand that the above mentioned factors will be facilitated and addressed by the DOCA and are not covered under the scope of work in this RFP. Request for clarification as the same would be required for financial calculation.</p>	<p>for fetching the relevant data.</p> <p>2. Availability of necessary approvals from DOCA or other departments wherever necessary.</p> <p>3. Digitization of available documents, files, records, etc. We understand that the above mentioned factors will be facilitated and addressed by the DOCA and are not covered under the scope of work in this RFP. Request for clarification as the same would be required for financial calculation.</p>	
5	8	4	Integration with external applications	<p>Any integration with other government departments or external application will require its own work and efforts. So any clarification on the scope of work for such integration will be needed for calculating the cost and time for such work.</p>	<p>Scope of work is not clear in terms of other government Departments. Which government departments will be included for integration</p>	As per RFP
6	8	4	Standard Guidelines for Portals > 3rd Party Integrations > (c)	<p>Please clarify whether the editing / viewing of documents is for PDFs only? If no then please list the types of documents. Also licences for such capabilities are on a consumption basis. If the cost of such licenses are to be borne by the bidder then please also clarify the expected useage of such capabilities.</p>	<p>Clarification in number of users will help us to plan our financial bid. It effects bidder's Financial estimation.</p>	As per RFP, you are requested to visit Departmental website and INGRAM portal.

7	9	4	Mobile Platform Requirement	It is recommended to have the minimum OS version for the android app as 6 instead of 4.1. This will make it easier and less bug prone to support while also enhancing security, features and other capabilities of the application. The current market share of devices below version 6 are only 1.4%.	Google has announced that it will no longer support KitKat in future releases of Google Play services The company will end support for older Android OS starting from August 2023. Google discontinued updates for Android Jelly Bean OS in 2021.	As per RFP.
8	40	10	Performance requirements Service level agreements	Penalties specified for given range of Desired service level does not reflect exact penalties for some specific values.	Vague/wrong ranges are defined for penalty on desired service levels.	As per RFP.
9	18	6	Evaluation Criteria > Technical Evaluation	For bespoke software development companies, the experience is determined on the basis of work orders / contracts, while in case of COTS / customizable COTS companies, it is also based on the products they have already developed / deployed / published. For such reasons, "Documentation Submission" column of the "Evaluation Process" should not only be restricted to "work completion certificates / work orders / contract documents" but should also include supporting documentation for publication, deployment proof such as Invoice / MoU / Engagement Letters / User Acceptance Certificates /	The evaluation criteria as mentioned in 1, 2 & 3 are only applicable and suitable for software development service providers i.e. be spoke software service providers. These criteria are not suitable or fit and hence cannot be applied to software product companies i.e. COTS / Customizable COTS companies.	<p>Supporting documents submission will also include:</p> <p>(a): For completed Projects, Work completion certificate/Work Order/ Contract Document/ Invoice/ MoU/Engagement letters/ User Acceptance Certificates/GeM Catalog platform.</p> <p>(b): For ongoing projects, only those projects whose implementation is completed with ongoing O&M would be considered. Phase completion certificate with Work Order/ Contract Document/ Invoice/MoU/ Engagement</p>

				GeM Catalog. Please refer to annexure II of this document for more information.		Letters/ User acceptance certificates/ GeM Catalog.
10	18	6	Evaluation Criteria > Technical Evaluation	It is respectfully submitted that AI tools are generally used to the mainstream / core products as a value added feature. It in itself does not add any value by itself. It only enhances the existing capabilities of the core product. The specialized AI companies design and develop their own proprietary foundational AI infrastructure to create "N" number of AI tools and solutions on it. It is also appropriate to mention here that mainstream AI projects generally offer several AI tools/features and therefore considering a particular feature for such AI companies will not add any value. In consideration of the same, the "Technical Bid Evaluation Criteria" for the S No. 2 of Technical Evaluation can be modified as "Experience of executing AI projects particularly in dispute resolution space. AI projects executed having the capabilities of multiple users with AI led Matching of Requestor and Responder for Government Institutes would be preferred."	The experience in the AI space should not be specifically determined on the basis of any particular type of AI tools / feature. Instead it should be determined considering the overall AI capabilities focusing at the foundational level. This will help the buyer in adding additional capabilities without investing in discovering new vendors for AI capabilities in the future.	AS per RFP

				Please refer to annexure II of this document for more information		
11	20	6	Demonstration of Platform having Similar scope of work provided to any Central Government or Quasi Government Bodies at Centre.	The EOI mentions the center as well as state level government or quasi government bodies for the similar scope of work clause. Please clarify whether the state level will also be applicable for the RFP also.	It is respectfully submitted that to determine the government experience of the bidder, it should not be restricted to only center government or quasigovernment bodies at center. It would be totally unfair for bidders having similar experience with the state government. Therefore you are requested to kindly include the state government, police authorities and state quasi-judicial bodies under clause 6	It is to clarify that the experience of bidder at State Government level will also be applicable for RFP.

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1.		15	Bid Security & Fees	Tender Fee & EMD: The bidder has to deposit a GeM tender fee and a refundable EMD of INR 1,00,000 (Rupees One lakh).	As per applicable policies of Government of India for MSME, Startup India & GeM GTC, EMD and Tender Fees are exempted. May please confirm if same is applicable.	As per Ministry of Finance O.M. dated 25th July, 2017, the Startups are exempted from submitting EMD. Accordingly, the startup entity is eligible for exemption of EMD.
2.		2	Key Dates	Due Date for physical submission of following documents at DoCA office: - <ul style="list-style-type: none"> · Document Fee · Bid Security/EMD · Power of Attorney 	As per RFP, only 3 documents to be submitted physically & other proposal documents on GeM portal. Please confirm.	AS per RFP
3.		21	Evaluation Process	Experience of handling Projects related to dispute resolution for Government Institutes in last 7 years. Up to 3 Projects = 5 marks Up to 5 Projects = 7.5 marks More than 5 (>5) Projects = 10 marks	Would request you to amend as follows, since there are synonym terminology in different ministries to resolve the incidence / communication. Experience of handling Projects related to dispute resolution / feedback management / incidence management for Government Institutes in last 7 years. Up to 3 Projects = 5 marks Up to 5 Projects = 7.5 marks	As per RFP

					More than 5 (>5) Projects = 10 marks	
4.		58	Lumpsum Cost	OPEX cost shall include the hosting cost.	Would request to amend as follows: The Hosting Cost should be included for entire CAPEX + OPEX.	As per RFP

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1.		16	Technical Proposal submission process Scanned copy of Receipt of the GeM Portal Fees	As per this clause the Authority is seeking to upload a scanned copy of the receipt of the GeM Portal Fee We would like to inform the authority that the GeM portal fee is paid when the contract is awarded. The GeM Portal Fee is not paid at the time of bid submission. Therefore we request that the authority kindly remove this clause.		As applicable on GEM Portal.
2.		17	Bid Validity Bids shall remain valid for a period of 120 days from the Bid due date.	As per GeM Document Page no 1 Bid Validity from end date is 30 days and in the RFP document Bid Validity shows 120 days from the bid due date. So, request to the Department kindly confirm the		120 days

			Any Bid valid for a shorter period shall be rejected as nonresponsive.	validity of the bid whether it is 30 days from bid end date and 120 days from bid end date?		
3.		18	Bid Security iii. Any bid not accompanied by an acceptable Earnest Money Deposit and Document Fee shall be rejected by DoCA as non-responsive.	As per our understanding there is no any Document Fee mentioned in the RFP. So, request to the department kindly remove Document Fee from RFP		As per RFP
4.		18	Evaluation Process Experience of executing Similar Projects having multiple users with AI led Matching of Requestor and Responder for Government Institutes.	We request to the department to change this clause to “Experience of AI based Projects for central government/state government/PSUs”	As this is an emerging technology and this clause restrict the companies to participate who having strong competency in AI based projects.	As per RFP
5.		21	Evaluation Process Experience of handling Projects related to dispute	As this is an emerging technology, bidders who have who have strong competency in Complex IT projects can also handle the projects related to dispute resolution.	This clause seems restrictive to companies with strong competencies in AI-based projects.	As per RFP

			resolution for Government Institutes in last 7 years	So, request to the department kindly consider the Complex IT and AI based projects instead of projects related to “dispute resolution”	Only those companies that have experience handling projects related to dispute resolution can participate in this.	
6.		22	Evaluation Process Demonstration of Platform having Similar scope of work provided to any Central Government or Quasi Government Bodies at Centre.	We request to the department to change this clause to “Demonstration of complex projects which relate the IT competency to the requirement of the department”	This point is giving weightage for the company who already deployed same scope project and restrict companies to participate who have good experience in work related to complex IT projects and AI based projects.	As per RFP

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1.	1	18	The Bidder should have Experience of Design & Development OR O&M of Large-Scale Websites / Portals / Mobile Application of minimum value of INR 50 Lakhs owned by Government Institution in last 7 years	We are an approved startup by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365. We request you to allow exemption from the turnover clause. Please refer #5 mentioned in the Press release (https://pib.gov.in/newsite/PrintRelease.aspx?relid=174894) dated 27-December-2017 stating that the startups are exempted by prior experience. Appended are the policy mentioned: -Relaxed Norms of Public Procurement for Startups. -Relaxed norms for public procurement for micro, small and other enterprises have been provisioned in the Procurement Policy by the Ministry of Micro, Small and Medium Enterprise. -All Central Ministries / Departments /Department of Public Enterprises/ Central Public Sector Undertakings have been authorised to relax conditions of prior experience and prior turnover with respect to MSEs in all public procurements subject to meeting quality and technical specifications. -Further, Rule 173(i) has been incorporated in GFR, 2017 which provides for relaxation of conditions of prior turnover and prior experience for Startups, and Also, ref 173 (i): (https://www.startupindia.gov.in/content/dam/invest-india/Templates/public/General%20Financial%20Rules%20for%20GeM.pdf) Rule 173 (i) of the GFRs exempts the startup from Prior Experience and Prior Turnover requirements for DPIIT Recognized Startups.	We are a startup approved by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365	As per RFP

2.	2	18	Experience of executing Similar Projects having multiple users with AI led Matching of Requestor and Responder for Government Institutes	We are an approved startup by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365. We request you to allow exemption from the turnover clause. Please refer #5 mentioned in the Press release (https://pib.gov.in/newsite/PrintRelease.aspx?relid=174894) dated 27-December-2017 stating that the startups are exempted by prior experience. Appended are the policy mentioned: -Relaxed Norms of Public Procurement for Startups. -Relaxed norms for public procurement for micro, small and other enterprises have been provisioned in the Procurement Policy by the Ministry of Micro, Small and Medium Enterprise. -All Central Ministries / Departments /Department of Public Enterprises/ Central Public Sector Undertakings have been authorised to relax conditions of prior experience and prior turnover with respect to MSEs in all public procurements subject to meeting quality and technical specifications. -Further, Rule 173(i) has been incorporated in GFR, 2017 which provides for relaxation of conditions of prior turnover and prior experience for Startups, and Also, ref 173 (i): (https://www.startupindia.gov.in/content/dam/invest-india/Templates/public/General%20Financial%20Rules%20for%20GeM.pdf) Rule 173 (i) of the GFRs exempts the startup from Prior Experience and Prior Turnover requirements for DPIIT Recognized Startups.	We are a startup approved by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365	As per RFP
3.	3	19	Experience of handling Projects related to dispute resolution for Government Institutes in last 7 years	We are an approved startup by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365. We request you to allow exemption from the turnover clause. Please refer #5 mentioned in the Press release	We are a startup approved by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457,	As per RFP

				<p>(https://pib.gov.in/newsite/PrintRelease.aspx?relid=174894) dated 27-December-2017 stating that the startups are exempted by prior experience. Appended are the policy mentioned: -Relaxed Norms of Public Procurement for Startups. -Relaxed norms for public procurement for micro, small and other enterprises have been provisioned in the Procurement Policy by the Ministry of Micro, Small and Medium Enterprise. -All Central Ministries / Departments /Department of Public Enterprises/ Central Public Sector Undertakings have been authorised to relax conditions of prior experience and prior turnover with respect to MSEs in all public procurements subject to meeting quality and technical specifications. -Further, Rule 173(i) has been incorporated in GFR, 2017 which provides for relaxation of conditions of prior turnover and prior experience for Startups, and Also, ref 173 (i): (https://www.startupindia.gov.in/content/dam/invest-india/Templates/public/General%20Financial%20Rules%20for%20GeM.pdf) Rule 173 (i) of the GFRs exempts the startup from Prior Experience and Prior Turnover requirements for DPIIT Recognized Startups.</p>	<p>our Udyam Registration Number - UDHYAM-KR-02-0009903 and Udyog Aadhaar Memorandum Number - KR03E0033365</p>	
4.	7	20	Profiles of Resume Submitted for the project team	We have resources which has been working on critical project and exceed the expectations of client. We request to provide the exemption for the given clause		As per RFP
5.	6	39	Location of the project will be Delhi-NCR. No travel, lodging, food expenses will be borne by Department of Consumer Affairs for resources of the selected	We request you to allow us to align the required resources with specified elibility/criteria given in the RFP out of our office. We are based out of Bangalore, India and we provide all necessary support to our clients across India and Globe. Some of our client are NPCI, IRCTC, LIC etc. Request to allow the off-site support.		As per RFP

			<p>bidder travelling to Delhi/ NCR and the quoted rates in the bid should be blended off-site/ on-siteresources.</p> <p>Department of Consumer Affairs will not bear any other out-of-pocket expenses unless pre-approved by Department of Consumer Affairs</p>			
6.	15	32	<p>Intellectual property rights including but not limited to copyrights in all documents, design drawing, time tables, schedules Project reports, progress report shall remain and belong to be the property of DEPARTMENT OF CONSUMER AFFAIRS and that the DEPARTMENT OF CONSUMER AFFAIRS shall be</p>	<p>We assume that IP/Source Code will remain with the bidder. Any customization done for DoCA will be shared.</p>		<p>As per RFP</p>

			entitled to reproduce such drawings, designs, information, code etc., for any of its project at the discretion of DEPARTMENT OF CONSUMER AFFAIRS without any permission from the Bidder			
7.	NA	NA	General Query	How many total active users? Average Daily, monthly peak?		Please visit E-daakhil portal or website.
8.	NA	NA	General Query	How many total active users on Website? Average Daily, monthly peak active users?		Please visit E-daakhil portal or website.