


Department of Consumer Affairs
Govt. of India
NCH Division

Krishi Bhawan, New Delhi
Dated: 21.11.2023

Subject: - Bid Query Clarification against the Bid Reference No. GEM/2023/B/4164885-reg.

We would like to inform you that a pre-bid was held on 17.11.2023 to discuss the bid queries on the subject "**Selection of an agency to Design, Develop, Implement And Manage the Online Dispute Resolution Platform for Department of Consumer Affairs along with its Operation & Maintenance for 3 years**". In this regard, please find the clarification against your registered Queries in r/o RFP published on the GeM portal on 02.11.2023 on the above-mentioned subject.



(Jasbir Tiwari)

Under Secretary to the Govt. of India

JASBIR TIWARI
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Ministry of Consumer Affairs, Food & P.D.
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Govt. of India
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Clarification on ODR “Selection of an agency to Design, Develop, Implement And Manage the Online Dispute Resolution Platform for Department of Consumer Affairs along with its Operation & Maintenances for 3 years”.

S. No.	RFP Page No.	RFP Clause No.	Clause Title	Queries/Clarification Sought	Justification by Bidder	Clarification on queries/Department Remark
1.	12	Key Features of the Portal	(b) Artificial Intelligence led matching of Qualified expert counsellors to the type of request based on State / City / District, Types of Cases Managed, Expertise, Experience, and Linguistics etc.	a) Will AI be used for matching judgement with a case to provide justification ?		As Per RFP
2.	18	Details of the NFRs are as follows:	3. Scalability - Scalability is the ability to expand the system architecture to accommodate more users, more transactions and more data as additional users and data are added in the future. The existing systems should be extensible as far	Currently there are about 50,000 users. What is the scalability expected in the next 3 years ?		As Per RFP Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in

			as possible without necessarily having to replace them. System should be able to scale horizontally and vertically.			
3.	13	1. Trouble to Resolve (T2R) Journey	(d) For the complaint which are not resolved or not satisfied by the Consumer / Individual, would allow them to send a request to Officers of Court.	a) Will there be internal escalation levels before a case is moved to the court ? b) What are the conditions for a case to be moved to the court ?		a) No b) As Per RFP
4.	14	2. Dispute Resolution Journey	(e) After the resolution, an agreement on the closure of complaint can be digitally closed on the platform with all parties' consent and digital copy to be saved online and offline with archival mechanism.	Will closed complaints be reopened ?		As Per RFP
5.	15	3. 3 rd Party	3. 3 rd Party Integrations	Will all the APIs for integration be		As Per RFP

		Integrations	<p>(a) Integrations to Payment Gateway will be in the scope of Bidder. Although the Payment gateway if required be sought by the client.</p> <p>(b) Communication for Chat and Calling within In App and Portal shall be provided 15 by the bidder ensuring unlimited licenses and allowing multiple sessions to be RFP FOR ONLINE DISPUTE RESSOLUTION DEPARTMENT OF CONSUMER AFFAIRS active and operational.</p> <p>(c) The System should have license version of Adobe / Acrobat / COTS Software for document Edit</p>	provided by the department ?		
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			and View.			
6.	26	Training	Every user group would have a separate Pre and Post Implementation Training. The Training program would be split into series of sessions for different user groups and across functional areas of the system.	A) How many users are to be trained ? B) Will training be an ongoing process ? C) Will hand holding be required post training process ?		As Per RFP
7.	33	5	User support and maintenance > Application support including modifications and integration with future systems > Enhancement/modifications with respect to new/enhanced/e enriched functionality	Kindly define the scope of new functionalities that might be requested. A framework for what will be considered a new functionality can be defined.	Clear picture of what might be considered a new requirement or functionality is necessary for the bidder to be able to ascertain the bid amount as it must not be completely new functionality or modules all together.	As Per RFP
8.	21	5	Scope of work >Case Management services	Kindly define the cost structure for the case Management services that will be provided by the bidder. The cost	While the scope of work for case Management services is well defined, the cost structure of the set services is not defined in the	A lump sum cost is to be submitted as per RFP. Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in

				<p>structure can either be on a</p> <ul style="list-style-type: none"> • full time employment basis (FTE), • per case basis, or • lump sum cost. <p>If a lump sum or a fixed cost is decided then kindly also share a minimum monthly case count as well which will help the bidder in determining the bid amount.</p>	document.	
9.	51	8	Payment Terms	<p>Whether the cost of case management services will be a part of Annual Maintenance Cost or will be a separate line item.</p>	<p>There would be a substantial difference between the annual maintenance cost and the case management services. The case management services cost will depend on the volume of the cases instead of the cost of the platform / software.</p>	<p>A lump sum cost is to be submitted as per RFP.</p>
10.	46	7	Evaluation Process	<p>Exemption from Annual Turnover Qualification</p>	<p>We are an approved startup by Department of Industrial Policy and Promotion (DIPP). 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</p>	<p>As per RFP</p>

					that the startups are exempted by prior experience	
11.	47	7	Evaluation Process	Exemption from Net Worth Qualification	We are an approved startup by Department of Industrial Policy and Promotion (DIPP). 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.	As per RFP
12.	48	7	Evaluation Process (The Bidder should have Experience of Design& Development or O&M of Large Scale Websites / Portals / Mobile Application of minimum by Government Institution in last 7 year)	Exemption from - Technical Evaluation Criteria	We are an approved startup by Department of Industrial Policy and Promotion (DIPP). 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.	As per RFP
13.	48	7	Evaluation Process (Experience of executing	Exemption from - Technical Evaluation Criteria	We are an approved startup by Department of Industrial Policy and Promotion (DIPP). We	As per RFP

			Similar Projects having multiple users with AI led Matching of Requestor and Responder for Government Institutes)		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.	
14.	48	7	Evaluation Process (Experience of handling Projects related to dispute resolution for Government Institutes in last 7 years)	Exemption from - Technical Evaluation Criteria	We are an approved startup by Department of Industrial Policy and Promotion (DIPP). 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.	As per RFP
15.	48	7	Evaluation Process (Bidder should have following Certifications (CMMI Level 3 & above, ISO 9001:2000, ISO 27000))	Exemption from - Technical Evaluation Criteria	We are an approved startup by Department of Industrial Policy and Promotion (DIPP). 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.	As per RFP

					d=174 894) dated 27-December-2017 stating that the startups are exempted by prior experience.	
16.	13	4 Scope of work (a) & (c)	Decision Making (i) Onboarding journey	Please provide a complete list of all actors. What would be the registration process for the different actors?	This information is required for estimating (i) system architecture for external connections, (ii) privacy policies, and (ii) costing of the solution	As Per RFP
17.	13	4 (b)	Decision Making (i) Onboarding journey	Kindly explain the term expert counsellors? Would the fees be fixed for the counsellors or would they determine their own fees.	Typical ODR systems (eg those implemented under SEBI, ONDC etc) require the ODR company to provide conciliators or arbitrators and the ODR company is responsible for management and payment of such conciliators or arbitrators. The term counsellors is new and a clarification on their role and responsibilities is requested.	As Per RFP expert counsellors will perform role akin to 'mediators' in general parlance.
18.	14	2(b)	Dispute Resolution Journey	The platform would help to schedule an online appointment with the "selected mediators". Do expert counsellors and mediators mean the same?	As above	Yes
19.	14	2(c)	Dispute Resolution Journey	Is there a timeline for resolution on the case?	This will be required for architecture, implementation of	To be specified later as per SOP.

					process and system MIS purposes.	
20.	14	2(c)	Dispute Resolution Journey	Should any video and audio meeting be captured and stored? Are transcripts for the same required?	This is required from a system design perspective.	As per RFP
21.	46	7	Pre qualification Checklist: Eligibility Pre qualification Criteria	Bidding Entity: The requirement of not less than 5 years should be waived for startups registered with DPIIT. The exclusion of JV/Consortium partner should be waived. Annual Turnover: The requirement for a bidder to have an average annual turnover of INR 3 Cr. in the last financial years should be waived for startups registered with DPIIT. Networth: the requirement for a bidder to have a positive net worth should be waived for startups registered with DPIIT	The organised ODR sector in India is very nascent. The Niti Aayog Policy Plan for India (hyperlinked here) itself was published in Oct 2021. According to independent studies conducted in 2021, there are around 20+ ODR companies in India and most of them are around 3+ years. Most of them are self funded entrepreneurs who have started working in this sector from scratch with their own personal funds. It is only the last 1 or 2 years that external funding has started flowing in this sector. Hence, the high threshold requirements of (i) 5+ years, and (ii) an average annual turnover of INR 3 Cr for three years, and (iii) positive net worth for three years is an overly	<p>All exemptions as per DOE guidelines are available to entities at pre-qualification stage. However technical evaluation will be conducted as per evaluation criteria specified in RFP.</p> <p>No JV/ consortium is allowed (as per RFP)</p>

					<p>optimistic requirement and will be exclusionary in nature. Specifically, while some companies will be able to claim the exemption granted to MSME's for prior turnover and prior experience, many talented companies will be excluded due to the stringent and Networth requirements of 3 years, despite having strong credentials in technology and execution. As a net result Only 1 or 2 out of the 20+ companies will meet these strict criteria which will lead to a completely non competitive bid process. As an example, this applicant company has been working for 4 years 10 months and after a successful seed fund raise in 2022 has achieved a net positive networth for one year as on 31st March 2023. The company is expected to show improved net positive networth in the coming years. Many companies in the ODR space will be in a similar situation.</p>	
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					<p>It is therefore humbly submitted that in order to get the best talent and ideas for this prestigious project, these requirements, especially those related to Networth may be waived.</p> <p>In the alternative, it is submitted that these entrepreneurial ODR companies may be allowed to create Joint ventures or Consortium with each other or other mature companies and rely on the joint credentials of both parties. Allowing JVs or consortiums with established players will also ensure that DOCA gets the best of both worlds, i.e ODR entrepreneurs with ideas and expertise and mature organisations with depth, capital and experience. It is submitted that to ensure that this RFP is a showcase of Indian talent for the rest of the world, the requests stated in italics and bold above may be kindly be allowed. Waiving off these requirements will</p>	
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					be beneficial to the entire ecosystem, while continuing with these conditions will benefit only 1 or 2 bidders and make the process un-competitive.	
22.	48	7. Technical evaluation criteria	Technical evaluation criteria 2 & 3	Please allow bidders to showcase their work for private entities in the ODR sector. There are no no large scale ODR based dispute resolution government projects in India so far, except for may be 1 project.	It is submitted that except for securities markets disputes, there have been no large scale ODR based dispute resolution government projects in India. In fact ODR itself has been taken up in phase III of E courts only recently. Accordingly, this requirement is exclusionary and may benefit only 1 or 2 parties. In order to harness the full power of Indian entrepreneurship it is submitted that other private projects may also be allowed to be showcased and considered for evaluation.	As Per RFP
23.	20	2	The Bidder shall provide appropriate levels of on-site and off-site support as necessary.	We are working with big enterprises and providing services virtually without any delay. We request you to allow off-site support.	We are working with big enterprises and providing services virtually without any delay. We request you to allow off-site support.	As per RFP

24.	24	b	Other Integrations with any third party vendors when requested need to be implemented as well for the following purposes:	Please suggest number of integrations required.	Please suggest number of integrations required.	As per RFP
25.	26	NA	The space for Onsite training will be provided by DOCA. The training materials (User Manual etc.) will be curated by the successful bidder in consultation with DOCA.	We request you to conduct training session through VC (Teams, Zoom etc)	We request you to conduct training session through VC (Teams, Zoom etc)	As per RFP
26.	26	NA	Bidder shall also provide onsite support for onboarding, training, hand-holding and issue resolution and support persons shall be deployed throughout the contract period as per the requirement of DoCA.	Please suggest how many persons are required and for how much time.	Please suggest how many persons are required and for how much time.	As per RFP
27.	28	b	All the data created/capture	We assume that IP/Source Code of	We assume that IP/Source Code of the	As per RFP

			d under this project shall also be the property of DoCA	the platform will remain with the bidder and any customisation done for DoCA will be shared.	platform will remain with the bidder and any customisation done for DoCA will be shared.	
28.	36	b	Bidders shall ensure that the payment of the EMD is made prior to the last date of Bid Preparation and Submission of the Tender Schedule to have seamless submission keeping Bank's clearing process lead time.	We are a startup approved by Department of Industrial Policy and Promotion (DIPP) having number DIPP2457, our Udyam Registration Number - UDHYAMKR-02-0009903 and Udhog Aadhaar Memorandum Number - KR03E0033365, and have been receiving exemptions in the mentioned fees. Request you to consider giving exemption.	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 Udhog Aadhaar Memorandum Number - KR03E0033365, and have been receiving exemptions in the mentioned fees. Request you to consider giving exemption.	Exemptions as per DOE guidelines are available to RFP.
29.	80	NA	BID PROPOSAL SHEETS	Request you to add on-site resources charges and the number of days required	Request you to add on-site resources charges and the number of days required	As per RFP.
30.	NA	NA	General Query	How many total active users? Average Daily, monthly, peak?	How many total active users? Average Daily, monthly, peak?	Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in
31.	NA	NA	General Query	How many total active users on Website? Average Daily,	How many total active users on Website? Average Daily, monthly,	Please visit department website https://consumeraffairs.nic.in & INGRAM Portal

				monthly, peak active users?	peak active users?	https://consumerhelpline.gov.in
32.	NA	NA	General Query	Please share the expected chatbot chat messages. Average Daily, Monthly, peak?	Please share the expected chatbot chat messages. Average Daily, Monthly, peak?	Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in
33.	NA	NA	General Query	How many total active users on Mobile app, if any? Average Daily, monthly, peak active users?	How many total active users on Mobile app, if any? Average Daily, monthly, peak active users?	Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in
34.	NA	NA	General Query	How much is the current call volume, if any? Average Daily, monthly, peak?	How much is the current call volume, if any? Average Daily, monthly, peak?	Please visit department website https://consumeraffairs.nic.in & INGRAM Portal https://consumerhelpline.gov.in
35.	16	Clause no 4	Scope of work,	Mobile Platform Requirement	Need clarity on which developer account of apple and Google play store will be developed. Whether CPCB has its own developer account or it needs to be procured	Platform solution should be responsive.
36.	18	Clause no 4	Security Audit	Security Audit should be done by Government Organization or CertIN Empaneled vendors and resolve any deficiencies/issues as observed during the audit report	Kindly mention the Number of security audits to be done	As per RFP
37.	26	Clause 4	Training	Successful bidder will provide training to personnel and ensure that proper hands-on training to the staff on	Kindly confirm the total number of trainees to be trained.	As per RFP

				the application/solution implemented be given to enable them to become well conversant with the functionalities, features, and processes of the solution After the training. Training will be planned in multiple sessions/stages as per the need and requirement of the project/application		
38.	48	Clause 7	Technical Evaluation Criteria	Experience of executing Similar Projects having multiple users with AI led Matching of Requestor and Responder for Government Institutes. 1-3 Project = 5 Marks 4-5 projects = 7 marks More than 5 projects = 10 Marks	Request you to kindly revise the clause as under: The Bidder should have Experience of implementing Analytical dashboard for Government Institution in last 7 years: 1 = 5 Marks 2 projects = 7 marks More than 3 projects = 10 M	As per RFP
39.	48	Clause 7	Technical Evaluation Criteria	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	Request you to kindly revise the clause as under: Experience of handling Projects related to grievance redressal for Government Institutes in last 7 years. Up to 3 Projects = 5 marks	As per RFP

				marks More than 5 (>5) Projects = 10 marks	Up to 5 Projects = 7.5 marks More than 5 (>5) Projects = 10 marks	
40.				Demonstration of Platform having Similar scope of work provided to any Central/ State Govt. Government or Quasi Government Bodies at Centre. Demonstration of the Solutions at the day of technical presentation.	Request you to kindly consider the below mentioned revised clause: Demonstration of Platform having Similar scope of work such as Grievance Management Solution, Case Management, Dynamic Work flow management provided to any Central/ State Govt. Government or Quasi Government Bodies at Centre. Grievance Management Solution – 10 Marks Case Management– 5 Marks Dynamic Work flow management - 5 Marks	As per RFP
41.	49	Clause 7	Technical Evaluation Criteria	Profiles of Resume Submitted for the project team. Number of Legal experts (LLB/LLM) /lawyers empanelled with the service provider: 2 or more =5 Marks 5 or more =7.5 Marks 10 or more = 10 Marks	Request you to kindly include the technical team such as Project Manager, Team Lead, and Software developer project team.	As per RFP