

High Court of Judicature at Patna

**Tender Notice
For
Purchase of USB Flash Drive (128 GB)**

TENDER NO. : 01/2019/Computer Cell

DATE:-08/02/2019

NAME OF WORK: Purchase of USB Mini Flash Drive (128 GB)

Important Information :

- 1. Tender document downloading: From Patna High Court website:-
<http://patnahighcourt.gov.in/>**
- 2. Last Date of Bid Submission: 3 weeks from date of publication on official website of this court**
- 3. Date of opening of Tender Bid: - Informed after expiry of Last day of bid submission.**

Venue for bid opening

Office of Registrar (IT)-cum-CPC
Prasal Bhawan
Patna High Court, Patna

Note: All the Tenders and correspondence to be addressed to the following authority:


The Registrar (IT)-cum-CPC,
Patna High Court
Patna - 800028, Bihar
Tel No: - 0612-2504940
Mobile No. 9431025042

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SECTION -1

PREFACE

1. Patna High Court invites sealed quotations from the reputed manufacturers/ vendors/ dealers/ suppliers for the supply of 27 pcs. of USB Flash Drive (128 GB)
2. The Technical and Commercial Bids should be accompanied by a bid security as specified in this TENDER Document.
3. Bidder shall submit sealed envelopes containing as part of their response to this TENDER:

Part I: Technical Bid.

Part II: Financial Bid

Note: Both the Parts (I & II) should be enclosed in a separate sealed envelope marked as "**Supply of 27 pcs. of USB Flash Drive (128 GB) to Patna High Court**".

4. The last date for submitting the technical and financial Proposal is **3 weeks** from date of publication on the official website of this court to the following address which is to be used for further communications with regards to this bid:

The Registrar (IT)-cum-CPC,
Patna High Court
Patna - 800028, Bihar
Tel No: - 0612- 2504940
Mobile No. 9431025042
Email ID : cpc-pat@indianjudiciary.gov.in

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SECTION- 2

INSTRUCTIONS TO THE BIDDERS

Bidder is expected to examine all instructions, forms, terms, and requirements in the bid document. Failure to furnish all information required by the bid document or submission of a Bid not substantially responsive to the Tender document in every respect may result in the rejection of the Bid. The bids should be submitted in two parts as mentioned hereunder:

a) Technical Bid

- i. A letter on the bidder's letter-head
 - 1) Describing the technical competence and experience of the bidder,
 - 2) Certifying that the period of validity of bids is 90 days from the last date of submission of bid, and
 - 3) Undertaking that the bidder is quoting for all the items (including services) mentioned in the tender.
 - 4) Undertaking that the bidder has not been blacklisted in any State / Central government Department or Agency or PSU.
- ii. The profile of the bidder as per the format given in Appendix- 2
- iii. Audited annual financial results (balance sheet and profit & loss statement) of the bidder for the **last three financial years**.
- iv. The Earnest money Deposit (EMD) in the form of a Demand draft / Bank Guarantee issued by a Nationalized / Scheduled Bank, in favour of **Registrar General, Patna High Court, Patna** for an amount of **5% (five percent) of the estimated value of the goods** (As per the format given in Appendix – 7, in case of Bank Guarantee).
- v. Reference list of major clients (using equipment/services similar to the present requirement of Patna High Court, Patna).
- vi. Permanent Account Number (PAN), GST Registration Certificate with Registration Number.

Bidders should enclose full details of all the equipment and services offered as well as their latest equipment and services available with full documentation and descriptive literature supplementing the description and point out any special feature of the equipment and services. All documents are required to be in **English**.

b) Price bid

- i. Bid letter as per the format given in **Appendix- 5***
- ii. Price bid as per the format given in **Appendix- 6***
- iii. Bill of Material (BOM)*

1. Cost of Bidding

The Bidder shall bear all costs associated with the preparation and submission of its Proposal, including the cost of presentation for the purposes of clarification of the bid, if so desired by the Registrar (IT)-cum-CPC, Patna High Court, Patna. Registrar (IT)-cum-CPC will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bid process.

2. Bid Security i.e. Earnest Money Deposit (EMD)

- a) The bidder shall have to furnish an amount of **5% (five percent) of the estimated value of the goods** as Earnest Money Deposit in favour of "Registrar General, Patna High Court, Patna. This should be placed in the envelope which contains the Technical Bid.
- b) The Bid security shall be a Demand Draft / Bank Guarantee in favour of '**Registrar General, Patna High Court, Patna**', payable at Patna issued by a Nationalized/Scheduled bank in India and shall be valid for at least 3 (three) months from the date of bid submission date, however no interest shall be payable on Bid Security under any circumstance.
- c) Unsuccessful Bidder's Bid security shall be discharged or returned after selection of successful bidder.

- d) The successful Bidder's Bid security shall be discharged upon the deposit of Bank Guarantee, amounting to 5% to 10%, and Bidder signing the Agreement.
- e) The Bid security will be forfeited at the discretion of Patna High Court, Patna on account of one or more of the following reasons:
 - i) The Bidder withdraws their Bid during the period of Bid validity
 - ii) Bidder does not respond to requests for clarification of their Bid
 - iii) Bidder fails to co-operate in the bid evaluation process, and
 - iv) In case of a successful Bidder, the said Bidder fails to furnish Performance Bank Guarantee or to sign the Agreement in time.

3. Price Bid

- a) The Price Bid as prescribed should be filled up and sealed along with enclosures in a separate cover super scribed as **“Price Bid – Envelop-2, TENDER No:-/2019/Computer Cell” dated/..../2019.**
- b) The prices quoted by the bidder shall be in sufficient detail to enable Patna High Court to arrive at the price of equipment/system offered.
- c) The covers received without superscription are liable for rejection. The TENDER not submitted as specified above will be summarily rejected.
- d) If any information asked in the TENDER document is not available in the Price Bid the bid is liable for rejection.

4. Bid validity

The bids shall remain valid for a period of 90 days from the date of submission of Tender proposal.

5. Submission of Tender Proposal

- a) All the Tender proposals will have to be submitted in hard bound form with all pages numbered, signed and sealed. The Proposal should also have an index giving page wise information of above documents. Incomplete proposal will summarily be rejected.
- b) No bid will be considered unless and until each page of the bid document is duly signed by the authorized signatory.
- c) Prices should not be indicated in the Technical Bid.
- d) All the columns of the Price Bid shall be duly, properly and exhaustively filled in. The rates and units shall not be overwritten. Rates shall always be both in the figures and words.
- e) The Tender Proposal shall be submitted in two parts, viz.,

Envelope-1:-Technical Proposal super scribed as “**Envelope-1 – Technical Proposal for Tender No:/2019/Computer Cell**”,
From : Bidder’s Name and Contact details containing all technical details and documents. This envelope should also contain the EMD, failing which the same may be rejected.

Envelope-2: Price Bid containing commercial proposal super scribed as “**Envelope-2 - Price Bid**” for Tender No:/2019/Computer Cell, **From: Bidder’s Name and Contact details.**

The sealed envelopes mentioned above should again be placed in a single sealed main envelope super scribed as “**Supply of USB Flash Drive (128 GB)**”, **TENDER No:/2019/Computer Cell, From : Bidder’s Name and Contact details**” which will be received in the office of Registrar (IT)-cum-CPC up to the due date and time mentioned in this document.

6. Language

The Bids and all correspondence and documents relating to the bids, shall be written in English language.

7. Late Bids

Any bid received by the Patna High Court, Patna after the time and date for receipt of bids prescribed in the Tender document will be rejected.

8. Modification and withdrawal of Bids

Bids once submitted cannot be modified or withdrawn.

9. Bid Forms

- a. Wherever a specific form is prescribed in the Bid document, the Bidder shall use the form to provide relevant information. If the form does not provide space for any required information, space at the end of the form or additional sheets shall be attached and used to convey the information sought.
- b. For all other cases, the Bidder shall design a form to hold the required information.
- c. Patna High Court, Patna shall not be bound by any printed conditions or provisions in the Bidder's Bid Forms

10. Eligibility Criteria for bidder

1. The bidder must qualify the following eligibility criteria:-
 - i.) OEMs or only authorized dealer/vendor/ supplier/firms of reputed OEMs dealing in the items listed in the Tender having experience in sale and repair/ maintenance, need apply.
 - ii. It should be mentioned specifically whether price quoted includes all taxes and duties. Sales tax and/or GST and/ or other duties legally livable and intended to be claimed should be distinctly shown in the Tender Proposal.
 - iii. GST Registration Number and its validity should be indicated. Documentary evidences be supplied/ attached with the Tender Proposal documents.

- iv. All rates shall be indicated both in words and figures. Where there is difference between the rates quoted in words and figures, rate quoted in words shall prevail.
- v. The bidder should not have been blacklisted with any of the Central Government Department and any State Department / PSU / Banks & Financial institutions on account of corrupt or fraudulent practices (Self declaration certificate be enclosed with tender documents)
- vi. The bidder must have experience of supply and installation of requested equipment in the past five years. The Bidder to provide details of these implementations along with PO and customer reference letter (if any).
- vii. The bidder must have single supply order of at least 2 lakh to Govt. organization in last financial year. The bidder to provide details of this implementations along with PO and customer reference letter.
- viii. The Patna High Court reserves the right to reject any bid without providing any reason and to annul the bidding process or modify of the terms & condition contained in the tender document and reject all bids at any time prior to award of Contract, without thereby incurring any liability to the affected bidder(s) or any obligation to inform the affected bidder(s) of the grounds for such decision.
- ix. Have an annual turnover of at least Rs.10 Lakh per annum for each of the last 3 financial years (i.e 2015-16, 2016-17 & 2017-18) (Need to submit copies of balance sheet and P/L Statement for the last 3 years)
- x. Have valid TIN Number for registration under VAT/CST/GST (Need to submit copies)
- xi. Have PAN for Income Tax. Supporting documents for Income Tax return for the last three **financial years** (i.e 2015-16, 2016-17 & 2017-18).
- xii. All legal disputes shall be under the jurisdiction of Patna High Court, Patna.

2. Evaluation of Bids:

a. Technical Bid: Only the technically qualified bidders, on the ground of satisfactory submission of above-said Pre-Qualification documents, will be considered for opening of the commercial bid. No further discussion/interface will

be held with the bidder whose bid has been technically disqualified / rejected. Apart from the above mentioned Pre Qualification Criteria the Technical Bid may be evaluated, if required, in terms of Product Technical Parameters.

b. Financial Bids: Financial bids of those bidders who qualify the technical evaluation will only be opened. All other Financial bids will be returned un-opened. The participating Bidders are required to submit documentary evidence in support of their meeting the said eligibility criteria.

The decision of Patna High Court, Patna would be final and binding on all the Bidders to this document. Patna High Court, Patna does not bind itself to assign the contract to any party and reserves the right to accept/reject the whole or any part of the contract without assigning any reason thereof. Patna High Court, Patna is not bound to accept the lowest bid. All disputes should be within the jurisdiction of the Civil Court, Patna.

11. Other conditions of Evaluation

An evaluation committee constituted by Patna High Court will evaluate the Technical and Price bids as per the following pattern:

- a) Conditional bids shall be summarily rejected.
- b) Evaluation committee will examine the bids to determine whether they are complete, whether any computational errors have been made, and whether the bids are generally in order.
- c) Arithmetical errors will be rectified on the following basis: If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If the Bidder does not accept the correction of the errors, his bid will be rejected. If there is a discrepancy between words and figures, the amount in words will prevail.

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SECTION- 3

The following clauses shall supplement the Instructions to Bidders.

1. The USB Flash Drive (128 GB) will be installed/supplied to Patna High Court, Patna.
2. Payment Terms: The payment will be released as per follows:-

Sl. No.	Percentage (%) of payment	Condition/Event
I.	0%	Advance
II.	80%	On successful Delivery and upon submission of invoices
III.	20 %	After Installation and / or commissioning and verification thereof at the site, successful Performance at places of installation. It is essential to have no complaint from the user regarding performance/shortcoming of the installed Systems.

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SECTION- 4

Specification of USB Flash Mini Drive (128 GB) to be procured for Patna High Court, Patna

SPECIFICATIONS	
Type	USB 3.0
Operating system supported	iOS, windows, Linux.
Size	128 GB
Compatibility	With I-phone, I-pad, Mac book and I-Mac, Window PC, Linux PC.
Warranty	2 (two) Years or more

Appendix -1
Bid Letter (Technical)

Date:

To,

<< Address Of the Tenderer >>

Tender Reference No.: **Dated**

Sir,

We hereby declare:

- i. We are the authorized partner of the manufacturers of the hardware equipment proposed in our solution.
- ii. That we are equipped with adequate maintenance and service facilities within India for supporting the offered equipment. Our maintenance and service facilities are open for inspection by representatives of Patna High Court, Patna.

We hereby offer to supply the equipment and provide the services at the prices and rates mentioned in the attached Price Bid.

In the event of acceptance of our bid, we do hereby undertake:

- i. To supply the equipment and commence services as stipulated in the schedule of delivery forming a part of the attached technical bid.
- ii. We affirm that the prices quoted are inclusive of delivery, installation, and commissioning charges and all sales/service taxes. (Octroi and any local levies will be charged on actual on submission of proof of remittance.)

We enclose herewith the complete Technical Bid as required by you. This includes:

1. This bid letter
2. Proposed details of equipment
3. Schedule of delivery

4. Manufacturer's authorization form(s)

5. Signed tender document

We agree to abide by keeping our offer valid for a period of 90 days from the last date of submission of Technical bid of our Tender proposal.

We have carefully read and understood the terms and conditions of the tender and the conditions of the contract applicable to the tender.

There are no deviations from the terms and conditions of the tender.

We hereby certify the person signing the tender is the authorized by the bidder to sign the tender.

Bid Security in the form of a Bank Guarantee(s)/ Bank Draft(s) issued by _____ (bank), valid till ___/___/_____ (dd/mm/yyyy), for an amount of **Rupees _____**) is enclosed in the cover containing Technical Bid.

We do hereby undertake, that, until a formal contract is prepared and executed, this bid, together with your written acceptance thereof and notification of award of contract, shall constitute a binding contract between

us

Signature of Bidder (with official seal)

Date

Name

Designation

Address

Telephone

Fax

E-mail address

Appendix-2
Bidder profile

Tender Reference No.:

Sl. No	Details	Page No.
1.	Name of the Firm	
2.	Registered Office address Telephone Number Fax Number e-mail	
3.	Correspondence/ contact address	
4.	Details of Contact person (Name, designation, address etc.) Telephone Number Fax Number e-mail	
5.	Is the firm a registered company? If yes, submit Documentary proof. Year and Place of the establishment of the Company	
6.	Former name of the company, if any.	
7.	Is the firm <ul style="list-style-type: none"> · Government/ Public Sector Undertaking propriety firm · partnership firm (if yes, give partnership deed) · limited company or limited corporation · member of a group of companies (if yes, give name and address, and description of other companies) · Subsidiary of a large corporation (if yes give the name and address of the parent organization) If the company is subsidiary, state what involvement if any, will the parent company have in the project. 	
8.	Is the firm registered with GST department? If yes, submit valid GST registration certificate.	
9.	Is the firm registered for service tax with Service Tax department? If yes, Submit valid service tax registration certificate	
10.	What type best describes your firm? <ul style="list-style-type: none"> · Manufacturer · Supplier · System Integrator 	

	<ul style="list-style-type: none"> · Consultant · Service Provider (pl. specify details) · Software Development · Total solution provider (Design, Supply, Integration, O&M) · IT Company 	
11.	Number of Offices / Project Locations	
12.	Is the firm registered with central purchase organization/State purchase organization, National Small Industries Corporation (NSIC) or the concern Department? If yes, Submit proper Certificate.	
13.	Is your organization ISO 9001: 2008 certified? If so, attach copies of the certificates.	
14.	List the major clients with whom your organization has been/ is currently associated.	
15.	Have you ever been denied tendering facilities by any Government/Department/ Public sector Undertaking? (Give details)	

Signature of Bidder (with official seal)

Date
Name
Designation
Address
Telephone
Fax
E-mail address

Appendix- 3
Financial Information Summary

Tender Reference No.:

Sl. No.	Name of the Bidder	Turn Over (Rs. Lakhs)			Total of 3 Financial Years
		2015-16	2016-17	2017-18	

Note : Please enclose balance sheet and profile & Loss statement.

Signature of Bidder (with official seal)

Date

Name

Designation

Address

Telephone

Fax

E-mail address

Appendix- 4

Manufacturer's Authorization Form

Date: dd/mm/yyyy

To,

Tender Reference No.:

Sir,

We _____, (*name and address of the manufacturer*) who are established and reputed manufacturers of _____ having factories at _____ (*addresses of manufacturing locations*) do hereby authorize M/s _____ (*name and address of the bidder*) to bid, negotiate and conclude the contract with you against the above mentioned tender for the above equipment manufactured by us.

Yours faithfully,

For and on behalf of M/s _____ (*Name of the manufacturer*)

Signature

Name

Designation

Date

Note: This letter of authority should be on the letterhead of the concerned manufacturer and should be signed by a person competent to bind the manufacturer.

Appendix-5
Bid letter (Financial)

Date:

To,

< Address of the tenderer >

Tender Reference No.:

Sir,

We hereby declare that

- I. We are the authorized agents of the manufacturers of the hardware equipment proposed in our solution.
- II. That we / our principals (manufacturer) are equipped with adequate maintenance and service facilities within India for supporting the offered equipment. Our maintenance and service facilities are open for inspection by representatives of Patna High Court, Patna. We do hereby undertake that, in the event of acceptance of our bid, the supply of equipment and commencement of services shall be made as stipulated in the schedule of delivery forming a part of the attached technical bid.

We enclose herewith the complete Technical bid as required by you. This includes:

1. This bid letter
2. Price Bid
3. Un-priced Bill of Material

We agree to keep our offer valid for a period of 90 days from the last date of submission of Technical bid.

Signature of Bidder (with official seal)

Date	.....
Name	.....
Designation	.....
Address	.....
Telephone	.....
Fax	.....
E-mail address	.....

Appendix -6

Price Bid Sheet

Tender Reference No.:

Projector 75 Pcs						
S.No.	Item	Specification	Requirement	Unit Price	Taxes	Total
1	USB Flash Drive 128 GB	As mentioned in Section-4 of this bid document	27 pcs			
Total Cost				.....	.....	.....

Amount in word, per USB Flash Drive (128 GB): -Rupees

BIDDER Signature :

Name :

Designation :

Address :

Date :

Seal :

Appendix-7

Bank Guarantee- for Earnest Money Deposit

To

**The Registrar General,
Patna High Court, Patna**
Patna – 800028, Bihar

Whereas(hereinafter called “the Bidder”) has submitted its Bid dated (Date of submission of Bid) for Supply of 27 pcs. USB Flash Drive (128 GB) in accordance with the terms of the Tender Notice No...../2019/Computer Cell dated issued by the **Registrar (IT)-cum-CPC of Patna High Court, Patna**, (hereinafter called “the Bid”).

Whereas as per Clause a (iv) of Section 2 of the Bid, the Bidder is required to furnish a bank guarantee as Earnest Money Deposit from a Nationalized / Scheduled commercial bank (Bank Guarantee).

In consideration of the fact that the Bidder is our valued customer and the fact that he has submitted the Bid, we, (name and address of the bank), (hereinafter called “the Guarantor Bank”), has agreed to bind ourselves, our successors, and assigns to irrevocably issue this Bank Guarantee and guarantee as under

NOW THIS GUARANTEE WITNESSETH: -

1. If the Bidder

- (a) Withdraws its Bid proposal during the period of Bid validity specified by the Bidder on the Technical Proposal Cover Letter; or
- (b) Having been notified of the acceptance of its Bid by the Patna High Court, Patna during the period of Bid Proposal validity:

- (i) Fails or refuses to enter into the Contract; or
- (ii) Fails or refuses to furnish the performance guarantee, in accordance with the Terms of Reference of the Tender document issued to the Bidders.

The Guarantor Bank shall immediately on demand pay the Registrar General, Patna High Court without any demur and without the Registrar General having to substantiate such demand a sum of Rs _____
(Guaranteed Amount).

2. The Guarantor Bank will make the payment of the Guaranteed Amount forthwith on the demand made by **The Registrar General, Patna High Court, Patna**, notwithstanding any objection or dispute that may exist or arise between the Registrar General, Patna High Court, Patna and the Bidder or any other person.

3. The demand of the Registrar General, Patna High Court, Patna on the Guarantor Bank for the payment of the Guaranteed Amount, shall be deemed as the final proof of fulfillment of the conditions stipulated in (1) above.

4. This Guarantee shall be irrevocable and shall not be discharged except by payment of the above amount by us to the Registrar General, Patna High Court, Patna and our liability under this Guarantee shall be restricted to the Guaranteed Amount being Rs -----.

5. If it is necessary to extend this Guarantee on account of any reason whatsoever, we undertake to extend the period of this Guarantee on the request of the Bidder under intimation to the, Registrar General, Patna High Court, Patna

6. To give full effect to the Guarantee contained herein, Registrar General, Patna High Court, Patna shall be entitled to act as if the Guarantor Bank is the principal debtor in respect of claims against the Bidder and the Guarantor Bank hereby expressly waives all its rights of surety-ship and other rights, if any, which are in any way inconsistent with any of the provisions of this Guarantee.

7. Any notice by way of demand or otherwise may be sent by special courier, telex, fax, registered post or other electronic media to our address as afore-said and if sent by post, shall be deemed to have been given to us after expiry of 48 hours when the same has been posted.

8. Our liability under this Guarantee will continue to exist until a demand is made by the Registrar General, Patna High Court, Patna in writing or up to and including Thirty (30) days after the period of the Bid Proposal validity, i.e. up to _____2019, and any demand in respect thereof should reach the Bank not later than the above date.

Dated this day2019

Yours faithfully,

For and on behalf of the (Guarantor Bank)

(Signature)

Designation

(Address and Seal of the bank)