



Request for Quotation (RFQ) for Procurement of Licenses for Cisco IP Phones

Tender Ref No.: IHMCL/Procurement/License-IP Phone/2022/01

Date : 05 May 2022

INDIAN HIGHWAYS MANAGEMENT COMPANY LTD.
(a company promoted by NHAI)



DISCLAIMER

The information contained in this Request for Qualification document (the “RFQ”) or subsequently provided to Applicant(s), whether verbally or in documentary or any other form, by or on behalf of IHMCL or any of its employees or advisors, is provided to Applicant(s) on the terms and conditions set out in this RFQ and such other terms and conditions subject to which such information is provided.

This RFQ is not an agreement and is neither an offer nor invitation by IHMCL to the prospective Applicants or any other person. The purpose of this RFQ is to provide interested parties with information that may be useful to them in the formulation of their application for qualification pursuant to this RFQ (the “Application”). This RFQ includes statements, which reflect various assumptions and assessments arrived at by IHMCL in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. This RFQ may not be appropriate for all persons, and it is not possible for IHMCL, its employees or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses this RFQ. The assumptions, assessments, statements and information contained in this RFQ may not be complete, accurate, adequate or correct. Each Applicant should therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this RFQ and obtain independent advice from appropriate sources.

Information provided in this RFQ to the Applicant(s) is on a wide range of matters, some of which may depend upon interpretation of law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. IHMCL accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.

IHMCL, its employees and advisors make no representation or warranty and shall have no liability to any person, including any Applicant or Bidder, under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFQ or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the RFQ and any assessment, assumption, statement or information contained therein or deemed to form part of this RFQ or arising in any way for participation in the Bidding Process.

IHMCL also accepts no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Applicant upon the statements contained in this RFQ.

IHMCL may, in its absolute discretion but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFQ.

The issue of this RFQ does not imply that IHMCL is bound to select and short-list one of the Applications for Bid Stage or to appoint the selected Bidder or Concessionaire, as the case may be, for the Project and IHMCL reserves the right to reject all or any of the Applications or Bids without assigning any reasons whatsoever.

The Applicant shall bear all its costs associated with or relating to the preparation and submission of its Application including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by IHMCL or any other costs incurred in connection with or relating to its Application. All such costs and expenses will remain with the Applicant and IHMCL shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by an Applicant in preparation or submission of the Application, regardless of the conduct or outcome of the Bidding Process.

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1. NOTICE INVITING TENDER

1. Bids are invited for the below mentioned work by Indian Highways Management Company Limited (IHMCL):

Name of the Work	Closing date and time for Online bid Submission
Request for Quotation (RFQ) for Procurement of Licenses for Cisco IP Phones	See Key Dates

2. The complete Bidding Documents can be viewed / downloaded from e-procurement portal <http://etenders.gov.in>. IHMCL shall not be responsible for any postal delay, or network/system failure at bidder's end, as applicable. Bids submitted after the closing date/time shall be summarily rejected.
3. IHMCL reserves the right to accept or reject any or all bids received without thereby incurring any financial or other liability to the affected Bidders.

Address for communication:

Chief Operating Officer,
Indian Highways Management Company Limited (IHMCL)
Plot Nos. G5 & G6, Sector 10,
Dwarka, New Delhi 110 075
Phone: +91 11 25074100; Email: tenders@ihmcl.com Website: www.ihmcl.co.in

2. INSTRUCTIONS TO BIDDERS

2.1. Eligibility/Pre-Qualification criteria

2.1.1. The bidder qualifying the following criteria shall be considered eligible to bid for this RFQ. The Proposals of the Bidders shall be evaluated for meeting the eligibility/pre-qualification criteria based on the parameters listed below:

SI #	Requirement Parameter	Eligibility Conditions/Conditions	Supporting Document to be provided
1.	Legal Entity	<ul style="list-style-type: none">i. The Bidder must be a business entity incorporated in India under the Companies Act, 1956/2013 or the Limited Liability Partnerships Act, 2008 or Indian Partnership Act 1932.ii. No JV/Consortiums are allowed to bidiii. The Bidder should be registered with GST in India.	<ul style="list-style-type: none">▪ Copy of Certificate of Incorporation / Registration under Companies Act, 1956/2013, Partnership deed as applicable.▪ GST Registration Certificate▪ Power of Attorney as per Annexure 2
2.	Undertaking of No-blacklisting/debarment	The Bidder should not have been blacklisted by any State / Central Government Department or Central /State PSUs as on Bid Due Date.	Undertaking on certifying non-blacklisting as per format given in Annexure 1

2.2. Examination and Evaluation of Bids

- a) Opening of Bids will be done through online process only.
- b) The bids are invited in a Single Cover.
- c) IHMCL shall open the Bids as per schedule specified in Key Dates, in the presence of the authorized representatives of the Bidders, who choose to attend. IHMCL will examine and evaluate the Bids in accordance with the provisions of this RFQ.
- d) During evaluation and comparison of bids, IHMCL may, at his discretion, ask the bidder for clarifications on the bid. The request for clarification shall be given in writing via email, asking the Bidder to respond by a specified date, and also mentioning therein that, if the Bidder does not comply or respond by the date, his tender will be liable to be rejected. No post bid clarification at the initiative of the bidder shall be entertained. The shortfall information/ documents shall be sought only in case of historical documents which pre-existed at the time of the bid opening and which have not undergone change since then.

2.2.1. Evaluation Process: -

- a) The Bids will be evaluated by an Evaluation Committee. The Bidder shall have to fulfil all the eligibility criteria as specified in the RFQ. The following documents shall be evaluated as per part of Pre-Qualification stage: -
 - i. Power of Attorney, and
 - ii. Other documents and appurtenant annexures indicating eligibility of the bidder.
- b) The Bidder shall have to submit all the required documents as per various formats provided in Annexures. These documents will be scrutinized in first phase of evaluation. Those Bidders who do not fulfil the terms and conditions of eligibility criteria will not be considered eligible for further evaluation and shall be declared as non-responsive.
- c) Financial bid of only responsive bidders shall be evaluated.
- d) If a firm quotes NIL charges / consideration, the bid shall be treated as unresponsive and will not be considered.
- e) The bidder with lowest Total Cost (L1) as mentioned in the Financial Proposal Annexure 3 will be treated as the preferred bidder.
- f) The bid price will include all taxes and levies except GST and shall be in Indian Rupees.
- g) Any conditional bid would be rejected.
- h) Errors & Rectification: 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 there is a discrepancy between words and figures, the amount in words will prevail". If the bidder does not accept the correction of errors, its Bid shall be rejected.

- i) In the event the financial quotes of two or more qualifying bidders are identical, IHMCL may take any measure as may be deemed fit at its sole discretion, including annulment of the bidding process.
- j) Evaluation of bids by the evaluation committee shall not be questioned by any of the bidders. IHMCL may ask Bidder(s) for additional information, visit to Bidder's site and/ or arrange discussions with their professional, technical faculties to verify claims made in Bid documentation from the Bidder on the already submitted proposal at any point of time before opening of the financial proposal.

2.3. Miscellaneous

- a) The Bidding Process shall be governed by, and construed in accordance with, the laws of India and the Courts at New Delhi shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Bidding Process.
- b) IHMCL, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to;
 - i. suspend and/ or cancel the Bidding Process and/ or amend and/ or supplement the Bidding Process or modify the dates or other terms and conditions relating thereto;
 - ii. consult with any Bidder in order to receive clarification or further information;
 - iii. retain any information and/ or evidence submitted to IHMCL by, on behalf of, and/ or in relation to any Bidder; and/ or
 - iv. independently verify, disqualify, reject and/ or accept any or all submissions or other information and/ or evidence submitted by or on behalf of any Bidder.
- c) It shall be deemed that by submitting the Bid, the Bidder agrees and releases IHMCL, its employees, agents and advisers, irrevocably, unconditionally, fully and finally from any and all liability for claims, losses, damages, costs, expenses or liabilities in any way related to or arising from the exercise of any rights and/ or performance of any obligations hereunder, pursuant hereto and/ or in connection with the Bidding Process and waives, to the fullest extent permitted by applicable laws, any and all rights and/ or claims it may have in this respect, whether actual or contingent, whether present or in future.

3. PREPARATION AND SUBMISSION OF APPLICATION

3.1. KEY DATES

Sl. No.	Event Description	Date
1.	Invitation of RFQ	05 May 2022
2.	Bid Due Date for submission on e-tender portal	12 May 2022; 17:00 HRS IST
3.	Bid Due date for physical submission of following documents at IHMCL office: <ul style="list-style-type: none">• Power of Attorney/Letter of Authorization	12 May 2022; 17:30 HRS IST
4.	Opening of Bids	13 May 2022; 17:00 HRS IST
5.	Validity of Bid	180 days from Bid Due Date

4. Scope of Work

4.1. Scope Overview

Indian Highways Management Company Ltd. "IHMCL" is a Company incorporated under Companies Act 1956 with equity participation of NHAI, its Concessionaires and Financial Institutions for implementation of Electronic Toll Collection (ETC) and other Intelligent Transportation System (ITS) / transportation related activities on highways in India.

IHMCL has already procured 08 no's of Cisco IP Phone (Series 8865) through separate agency. The objective of this document is to procure Comprehensive Licenses for Cisco IP Phone (Series 8865) for making the same operational for a period of 05 years at IHMCL office.

4.2. Deliverable

4.2.1. The Successful bidder needs to supply, install and commission below-mentioned particulars at the IHMCL office at New Delhi:

S. No.	Name of Deliverable	Quantity
1.	Comprehensive License for Cisco IP Phone (Series 8865) for Period of 05 years	08

4.3. Support Service

The Successful Bidder should also provide on-call support during the License Period for any kind of issues related to License.

4.4. Supply of Equipments

The Successful Bidder shall have to supply, install and commission all line items required for Comprehensive License for Cisco IP Phone (Series 8865) within the scope of this document within 10 days of receipt of Letter of Acceptance (LOA). Failure to do so shall be considered to be a breach of RFQ conditions. In such case, IHMCL reserves the right to offer the work to the bidder with next lowest financial bid (i.e. L2) subject to matching the L1 rates or take any other necessary recourse as it deems fit.

4.5. Right to Vary Quantity

IHMCL reserves right to increase/decrease the quantity as per requirement up to 50%. The bidder shall be required to supply the increased quantity as per the unit rates discovered through this RFQ.

4.6. Payment Terms

IHMCL shall release 100% payment within 30 days of successful delivery and installation of all License for Cisco IP Phones at IHMCL office as mentioned in the RFQ.

5. ANNEXURE

5.1. Annexure 1: Bid Covering Letter

(In the letterhead of the Bidder)

To
Chief Operating Officer
Indian Highways Management Co. Ltd. (IHMCL)
G-5&6, Sector 10 Dwarka
New Delhi 110 075

Subject: _____

Ref. No. RFQ. No. _____ dated _____ -

Dear Sir,

1. I/We, the undersigned, have carefully examined the contents of the document including amendments/ addendums (if any) thereof and undertake to fully comply and abide by the terms and conditions specified therein and hereby submit our application. Our application is unconditional and unqualified.

2. I/We undertake that, in competing for (and, if the award is made to us), for executing the above work, we will strictly observe the laws against fraud and corruption in force in India.

3. I/We understand that:

- a. this Bid/Proposal, if found incomplete in any respect and/ or if found with conditional compliance and/ or prescribed supporting document shall be summarily rejected.
- b. if at any time, any averments made or information furnished as part of this application is found incorrect, then the application will be rejected
- c. IHMCL is not bound to accept any/ all Bid (s) it will receive.

4. I/We declare that:

- a) I/We understand that you may cancel the Bidding Process at any time and that you are neither bound to accept any Proposal that you may receive nor to invite the Bidders to submit Proposals for RFQ Name _____, without incurring any liability to the Bidders, in accordance with relevant clause of the RFQ Document
- b) We undertake that in case, due to any change in facts or circumstances during the Bidding Process, we become liable to be disqualified in terms of the provisions of disqualification, we shall intimate IHMCL of the same immediately.
- c) We agree and understand that the Proposal is subject to the provisions of the Bidding Documents. In no case, we shall have any claim or right of whatsoever nature if the LOA is not awarded to us or our Proposal is not opened.
- d) We undertake that none of the hardware/software/other component being proposed by us infringes on any patent or intellectual property rights as per the applicable laws.

- e) **I/We have not been *declared ineligible*** by IHMCL, NHAI or Ministry of Road Transport & Highways, Government of India or any other agency for indulging in corrupt or fraudulent practices. I/We also confirm that I/We have not been *declared as non-performing or debarred* by NHAI or Ministry of Road Transport & Highways, Government of India.
- f) **I/We haven't been blacklisted by a Central/ State Government institution/ Public Sector Undertaking/ Autonomous body** and there has been *no litigation* with any Government Department/ PSU/ Autonomous body on account of similar services.
5. I/We declare that our bid is valid for 180 days.

Name

Email Id

Mobile No.

Designation/ Title of the Authorized Signatory.....

5.2. Annexure 2: Power of Attorney/Letter of Authorization

Know all men by these presents, we, M/s (name of Firm/ Company and address of the registered office) do hereby constitute, nominate, appoint and authorize Mr./ Ms..... son/daughter/wife of..... and presently residing at, who is presently employed with us and holding the position of as our true and lawful attorney (hereinafter referred to as the “**Authorized Signatory or Attorney**”) to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our quotation for empanelment as the agency for -----, proposed by Indian Highways Management Co. Ltd., including but not limited to signing and submission of all applications, proposals and other documents and writings, and providing information/ responses to IHMCL, representing us in all matters before IHMCL, signing and execution of all contracts and undertakings consequent to acceptance of our proposal and generally dealing with IHMCL in all matters in connection with or relating to or arising out of our proposal for the said assignment and/or upon award thereof to us.

AND, we do hereby agree to ratify and confirm all acts, deeds and things lawfully done or caused to be done by our said Authorized Signatory or Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Authorized Representative in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

IN WITNESS WHEREOF WE,THE ABOVE-NAMED PRINCIPAL HAVE PURSUANT TO THE RESOLUTION DATED OF THE BOARD OF DIRECTORS IN THAT BEHALF CAUSED ITS COMMON SEAL, EXECUTED THIS

POWER OF ATTORNEY ON THIS DAY OF, 2022

For
(Signature, name, designation and address)

Witnesses:

1.

2.

Notarized

Accepted

.....

(Signature, name, designation and address of the Attorney)

Notes:

*The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure. **The Power of Attorney should be executed on a non-judicial stamp paper of appropriate denomination and should be registered or duly notarized by a notary public.***

Wherever required, the Applicant should submit for verification the extract of the charter documents and other documents such as a resolution/power of attorney in favor of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.

For a Power of Attorney executed and issued overseas, the document will also have to be legalized by the Indian Embassy and notarized in the jurisdiction where the Power of Attorney is being issued. However, Applicants from countries that have signed The Hague Legislation Convention 1961 need not get their Power of Attorney legalized by the Indian Embassy if it carries a conforming Apostles certificate.

5.3. Annexure 3: Format for Financial Proposal

(To be submitted on in the excel format uploaded on the website)

Sl.#	Particulars	Unit (A)	Qty (B)	Unit Rate (in Rs.) Excluding GST (C)	Amount (in Rs.) excluding GST (D) = (B) * (C)
1	Comprehensive License for Cisco IP Phone (Series 8865) for Period of 05 years	No's	08		
Total (Ex. GST)					

Bidder Need to fill ONLY the yellow cells.

IHMCL reserves right to increase/decrease the quantity as per requirement.