

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS & INFORMATION TECHNOLOGY

REQUEST FOR PROPOSAL FOR CONDUCTING
Surveillance Under the
“Electronics and Information Technology Goods (Requirement for
Compulsory Registration) Order, 2012”

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1. INTRODUCTION

- a. Ministry of Electronics & Information Technology (MeitY) has notified “Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, 2012(CRO)” on 03rd Oct. 2012 mandating Indian safety standards under the “Compulsory Registration Scheme (CRS)” of Department of Consumer Affairs (DoCA). As per the provisions of the CRO, for the notified goods the manufacturer has to seek registration from BIS based on testing of the product at the BIS recognized lab before sale/import/manufacture in India and the notified registered products must display the standard mark. The Order is equally applicable to Domestic and Overseas manufacturers for sale /stock/import/distribution etc. of notified goods in the Indian markets. The products under CRO are covered in phased manner and till date 56 product categories have been notified under the Order. Further, the Order has come into effect for 44 product categories. Till date more than 22,000 registrations have been granted by BIS.
- b. The surveillance is an important activity under any regulation. MeitY executes surveillance under the Order for the products notified under the Order and for the registration granted by BIS under CRS to ensure the safety of consumers. Moreover, the surveillance ensures that the notified products being sold by the registered manufacturers in the market are the same for which they have taken the registration from BIS and are complaint to the relevant safety standards.
- c. The major component of surveillance is: -
 - Routine surveillance wherein the samples are picked-up from the open market/manufacturers warehouses/Commercial platforms etc.
 - Complaint-based market surveillance.
- d. The purpose of this “Request for Proposal (RFP)” is to seek the services of independent and competent Government agencies /organizations to carry-out the routine surveillance as well as complaint-based market surveillance based on the policies formulated by MeitY.

2. NOTICE INVITING PROPOSAL

- a. Ministry of Electronics & IT (MeitY) invites RFP from Central/State Government Agency/Organization or Department of Government/Autonomous body under Government or PSU under Central/State Government desirous of and having proven track record of having conducted surveillance under regulatory regime.
- b. Interested Government Agencies/organizations who meet the criteria may furnish their Proposal with all the necessary documents in a sealed cover. Since the applicant of this RFP are Government Agencies/organizations, they need not to submit bid security. However, as

per the provision of GFR 170 (iii), they have to submit a declaration as per the Annexure-II along with their proposal.

- c. Interested Government Agencies/organizations who meet the criteria may furnish the financial bid w.r.t the cost of handling each complaint in a separate envelope. The financial bids of only eligible Government Agencies/ organizations would be opened.
- d. The Request for Proposal to be submitted within stipulated timelines at the following address:

Dr. Bharat Kumar Yadav
Scientist-E
Ministry of Electronics & Information Technology,
Room No. 3053, Electronics Niketan,
6, CGO Complex, Lodi Road, New Delhi - 110 003

- e. The RFP submitted by telegram / fax / e-mail etc shall not be considered. MeitY shall not be responsible for any postal delay or non-receipt/non- delivery of the documents. No further correspondence on the subject will be entertained.

3. CRITICAL INFORMATION

Submission of a proposal in response to this notice shall be deemed to have been done after careful study and examination of this document with full understanding of its terms, conditions, and implications

S. No.	Information	Details
1.	RFP No. and Date	37(17)/2020-IPHW- 23-06-2020
2.	Last date for submission of written queries for clarifications	23-07-2020
3.	Release of response to clarifications on www.MeitY.gov.in	07-08-2020
4.	Last date for submission of Request for Proposal (RFP)	24-08-2020
5.	Address at which proposal in response to RFP is to be submitted	Dr. Bharat Kumar Yadav Scientist-E, Ministry of Electronics & IT, Room No. 3053, Electronics Niketan, 6, CGO Complex, Lodi Road, New Delhi – 110 003
6.	Opening of responses / RFP	10-09-2020

4. ELIGIBILITY CRITERIA

The invitation of proposal is open to all Central Government Agencies / State Government Agencies / Autonomous Bodies / Private Sector Agencies in India who fulfill the criteria as specified below:

- a. **Incorporation**– The bidder agency / organization should be a Central / State Government Agency / Organization or Department of Government / Autonomous body under Government or PSU under Central / State Government or a Private Sector Entity registered either under Companies Act or under Societies Act of Central or State Government.
- b. **Presence**- The agency / organization should be able to carry out proactive as well as representation / complaint-based market surveillance under CRO in any location in the country.
- c. **Expertise**–The agency / organization having prior experience of conducting surveillance under any regulatory regime will be given preference. A statement of work done or projects undertaken in the past need to be submitted with the RFP.

5. SCOPE OF WORK

- A. The agency would be responsible for supporting MeitY in executing routine surveillance of the product categories notified under CRO as per the surveillance policy of MeitY. The agency would be responsible for:
 - i. Picking / buying the samples of Registration Numbers identified by MeitY for executing surveillance from the market / manufacturers / e-commerce market platforms / warehouses etc
 - ii. Delivering the sample to the designated BIS recognized lab.
 - iii. Collection of charges for surveillance from the manufacturers and maintaining records of the same.
 - iv. Agency would collect the surveillance related charges from the manufacturers through the MeitY portal for CRO
 - v. The agency would be solely responsible for the financial audit of the charges collected
- B. The selected agency/organization has to execute proactive as well as representation / complaint-based market surveillance as and when required by MeitY. The major points involved are as follows:
 - i. Once the complaint is forwarded by MeitY to the Nodal Officer of the selected agency / organization, they have to authenticate it within the specified time limits, as may be defined by MeitY in terms of credentials of the applicant, genuineness of the report

- ii. To prepare a report after the authentication process and for the consideration of MeitY within the specified time lines.
 - iii. To carry out the raids for search and seizure of the non-compliant goods, if required, along with the MeitY / Inspecting Officers (as defined by MeitY). The selected agency(ies) will have to create suitable mechanism for the same and mention the details of the same in the proposal.
 - iv. Tracking the source of the non-compliant goods.
 - v. Submission of a comprehensive report of the raid to the Appropriate Authority within specified time limits, as may be defined by MeitY.
- C. Prepare quarterly reports on the surveillance activities
- D. Any surveillance related activity assigned any time.

6. IMPORTANT TERMS & CONDITIONS

- i. The Agency / Organization has to execute the surveillance activities as per the directions / policies of MeitY and complete each activity within the stipulated timelines.
- ii. MeitY will have rights to modify / revamp the strategy or policy for executing surveillance at any time. Accordingly, the surveillance agency / organization will have to revamp their strategy and roadmap of the aforesaid surveillance activity.

7. EVALUATION PROCESS

- a. For evaluation purpose, each interested agency/organization shall submit quotation for surveillance activities along with a write up describing its strategy and strengths as to why it considers itself suitable and fit for award of this work. The agency/organization will also describe in detail the methodology for executing market surveillance.
- b. MeitY will constitute an Evaluation Committee to evaluate the responses of the applicants.
- c. The Evaluation Committee constituted by MeitY shall evaluate the responses to the RFP and all supporting documents & documentary evidence. The committee may seek additional documents/presentation as it deems necessary.
- d. Each of the responses shall be evaluated to validate competence of the applicant according to the supporting documents specified in this document.
- e. In case of excessive qualifying responses received, weightage shall be given based on the written statement of the agency/organization describing its strengths and its claim for suitability for the job and a merit list of qualifying companies shall be prepared.
- f. The interested agencies meeting the eligibility criteria will have to give a presentation to the evaluation committee on how they would be executing the surveillance.
- g. The financial quotation would be evaluated on the basis of weightage charges for routine surveillance and complaint-based surveillance to the ratio of 95% and 5% respectively.

- h. The decision of the Evaluation Committee in the evaluation of responses to the Request for Proposal (RFP) shall be final. No further correspondence will be entertained in this regard.
- i. The Evaluation Committee reserves the right to reject any or all of the proposals.
- j. Based on the recommendation of the Evaluation Committee, work order would be awarded to the selected agency initially for a period of two years, which may be extended.

8. PAYMENT TERMS

The selected Agency/Organization shall be entitled for 100% payment as per Government norms, against bills(quarterly) submitted to MeitY after completion of the surveillance.

9. SUBMISSION OF RFP

- a. The proposal shall be submitted in a single sealed cover comprising of two separate sealed envelopes for technical and financial bids along with other documents. The cover should be superscripted as “RFP – Surveillance under “Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, 2012” and RFP No. 37(17)/2020-IPHW-23-06-2020. This envelope should contain signed hard copy of RFP proposal and other necessary documents.
- b. Applicant shall enclose supporting proofs and documents as specified in para 4 on page no. 6 as will be necessary to prove the eligibility of the applicant to be considered for the award of work.
- c. No overwriting/changes are allowed in submitted RFP documents.

10. REQUEST FOR PROPOSAL PREPARATION COSTS & RELATED ISSUES

- a. The Applicant agency/organization shall bear all costs incurred in connection with participation in this process, including, but not limited to, costs incurred in preparation of proposal, participation in meetings/discussions. MeitY will not be responsible or liable for these costs, regardless of the conduct or outcome of the RFP evaluation process.
- b. This RFP does not commit MeitY to award a contract or to engage in negotiations. Further, no reimbursable cost may be incurred in anticipation of award or for preparing this RFP.
- c. All materials submitted by the Applicants will become the property of MeitY and may be returned completely at its sole discretion.

11. QUERIES

- a. All queries may be sent to the following Officer of MeitY by post, or e-mail on or before **23-07-2020**.

Dr. Bharat Kumar Yadav
 Scientist-E,
 Ministry of Electronics & Information Technology,
 Room No. 3053, Electronics Niketan,
 6, CGO Complex, Lodi Road, New Delhi – 110 003
 E-mail: b.yadav@meity.gov.in, Phone: 24301353 (O)

- b. All enquiries / clarifications from the Applicants, related to this RFP, must be directed in writing exclusively to the contact person(s) notified in 11 (a) above. Enquiries received after the due date shall not be entertained.
- c. The preferred mode of delivering questions is through e-mail. Telephonic responses, if sought for, shall not be treated as valid responses. The queries by the applicants shall be raised in the following format:

S. No.	Page	Clause of the RFP	Clarification required

12. RESPONSES TO PRE-SUBMISSION QUERIES & ISSUE OF CORRIGENDUM

- a. Based on the response to the RFP, queries from interested parties would be taken to clarify/amend the scope, if required. After publication of the RFP, the contact person notified by MeitY will accept written questions from the applicants. MeitY will endeavor to provide timely response to all queries. However, MeitY makes no representation or warranty as to the completeness or accuracy of any response made in good faith, nor does MeitY undertake to answer all the queries that have been posed by the applicants. The responses to the queries from all Applicants will be posted online on <https://meity.gov.in/esdm/standards> by 07-08-2020.
- b. At any time prior to the last date for receipt of RFP, MeitY may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective applicant, modify the RFP document by a corrigendum.
- c. The corrigendum (if any) shall be posted only online at <https://meity.gov.in/esdm/standards>.
- d. Any such corrigendum shall be deemed to be incorporated into this RFP.
- e. In order to provide prospective applicants reasonable time for taking the corrigendum into account, MeitY may, at its discretion, extend the last date for the receipt of RFP proposals which shall again be notified online through MeitY portal <https://meity.gov.in/esdm/standards>.

Annexure-I

(Covering Letter on Letterhead duly signed by Authorized signatory)

<Location, Date>

To,

Scientist-E, IPHW Group,
Ministry of Electronics & Information Technology, Room No. 3053,
Electronics Niketan, 6 CGO Complex, Lodi Road, New Delhi – 110 003

Kind Attn. – Dr Bharat Kumar Yadav, Scientist-E

Dear Sir / Madam,

We, the undersigned, offer to provide our services to carry-out “Surveillance under “Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, 2012”.

We are hereby submitting our proposal. We understand that you are not bound to accept any proposal that you receive.

We fully understand and agree to comply with the condition that upon verification, if any of the information provided here is found to be misleading, we are liable to be dismissed from the RFP selection process or termination of the contract during the project.

We agree to abide by the conditions set forth in this RFP.

We hereby declare that our proposal submitted in response to this RFP is made in good faith and the information contained is true and correct to the best of our knowledge and belief.

Sincerely,

<Signature of the authorized signatory with seal>

<Name>

<Designation>

<Name of the Organization>

<Phone & E-mail>

Annexure-II

(Declaration by the Authorized signatory on Letterhead)

BID SECURING DECLARATION

We accept that if we withdraw or modify the “Request for Proposal (RFP)” during the period of validity, or if we fail to sign the contract after the contract is awarded to us, or if we fail to submit a performance security before the deadline defined in the request for RFP/work order document, we will be suspended for the period of time specified in the RFP document from being eligible to submit the RFP for contracts with the entity that invited the proposal.

<Signature of the authorized signatory with seal>

<Name>

<Designation>

<Name of the Organization>

<Phone & E-mail>

Place:

Date