

निविदा सूचना

माननीय मुख्यमंत्री बजट घोषणा के अन्तर्गत राज्य के 34 जिला चिकित्सालय में निजी जन सहभागी द्वारा हीमोडायलिसिस का संचालन करना है। इच्छुक संस्था चिकित्सा विभाग की वेबसाइट www.rajswasthya.nic.in एवं सूचना एवं जन सम्पर्क विभाग की वेबसाइट www.dipr.rajasthan.gov.in तथा sppp.rajasthan.gov.in पर विस्तृत विवरण एवं प्रारूप डाउनलोड कर आवेदन कर सकते हैं तथा किसी भी कार्य दिवस में दिनांक 30.12.2015 को मध्याह्न 5:00 बजे तक निर्धारित शुल्क जमा करा कर प्रारूप मय शर्त कार्यालय से भी प्राप्त की जा सकती हैं।

खुली निविदा हेतु विवरण निम्न प्रकार है :-

1.	कार्यालय का नाम	निदेशालय चिकित्सा एवं स्वास्थ्य सेवाएं, राज. जयपुर। (स्वास्थ्य भवन)
2.	कार्य का नाम	34 जिला चिकित्सालयों में हीमोडायलिसिस का संचालन पीपीपी मोड पर चलाये जाने के सम्बन्ध में
4.	अमानत राशि	50,000/- रुपये प्रति जिला चिकित्सालय
5.	प्री. बिड कान्फ्रेंस	10.12.2015 प्रातः 10.00 बजे निदेशालय स्थित कान्फ्रेंस हॉल में
6.	टेण्डर फार्म मिलने की अन्तिम दिनांक	30.12.2015 मध्याह्न पश्चात् 5.00 बजे तक
7.	टेण्डर फार्म जमा कराने/प्रस्तुत करने की दिनांक	31.12.2015 मध्याह्न पश्चात् 5.00 बजे तक
8.	टेक्नीकल बिड खोलने की दिनांक	01.01.2016 प्रातः 11.00 बजे
9.	निविदा फार्म शुल्क	500/- रुपये

- निविदाएँ निर्धारित निविदा फार्म में प्रस्तुत करनी होगी, जो आहरण एवं वितरण अधिकारी निदेशालय से निविदा सूचना प्रकाशन की दिनांक से दिनांक 30.12.2015 को मध्याह्न पश्चात् 5.00 बजे तक किसी भी कार्य दिवस में रुपये 500/- (अक्षरे पांच सौ रुपये मात्र) नकद/डीडी/बैंकर चैक द्वारा भुगतान कर प्राप्त की जा सकती है। निविदा प्रपत्र एवं शर्त उपरोक्तानुसार वेबसाइट पर उपलब्ध है। डाउनलोड कर प्रस्तुत निविदा के साथ निविदा फार्म शुल्क राशि 500/- रुपये का डीडी/बैंकर चैक निदेशक (जन स्वास्थ्य) के पक्ष में संलग्न कर प्रस्तुत करना होगा, अन्यथा निविदा स्वीकार योग्य नहीं होगी।
- एक से अधिक जिला चिकित्सालय में हीमोडायलिसिस का संचालन हेतु धरोहर राशि प्रति जिला चिकित्सालय की निर्धारित राशि से गुणांक स्वरूप जमा करानी होगी।
- पूर्ण निविदा मोहरबन्द लिफाफे में जिस पर " जिला चिकित्सालय पर हीमोडायलिसिस स्थापित कर पीपीपी मोड पर चलाये जाने के सम्बन्ध में " अंकित कर निदेशक (जन स्वा.) के पास दिनांक 31.12.2015 को मध्याह्न पश्चात् 5.00 बजे तक पहुंच जानी चाहिए। निविदा के साथ प्रति जिला चिकित्सालयके लिए रुपये 50,000/- (अक्षरे पचास हजार रुपये मात्र) की नगद जमा रसीद/डीडी/बैंकर चैक के रूप में जो निदेशक (जन स्वास्थ्य) के पक्ष में देय धरोहर राशि संलग्न की जानी आवश्यक है, जिसके अभाव में निविदा स्वीकार नहीं की जावेगी।
- निर्धारित समय तक प्राप्त निविदाएँ दिनांक 01.01.2016 को प्रातः 11.00 बजे टेक्नीकल बिड उपस्थित निविदादाताओं या उनके अधिकृत प्रतिनिधियों के समक्ष खोली जावेगी। निर्धारित समय के बाद प्राप्त निविदाओं पर विचार नहीं किया जावेगा।
- वित्तीय बिड केवल तकनीकी बिड में योग्य पाई जाने वाली फर्मों की ही खोली जावेगी, वित्तीय बिड अलग से लिफाफे में बन्द की जानी हैं।

निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवाएं
राज.जयपुर

राजस्थान सरकार
निदेशालय चिकित्सा एवं स्वास्थ्य सेवाएं, राजस्थान, जयपुर

क्रमांक: चि.प्र./पीपीपी/2015/ 546

दिनांक : 30-11-15

निदेशक

सूचना एवं जनसंपर्क विभाग,
राजस्थान, जयपुर।

विषय :- सूचना प्रकाशित करने बाबत।

उपरोक्त विषयान्तर्गत राज्य सरकार के निर्देशानुसार प्रदेश के चिन्हित जिला चिकित्सालयों पर हीमोडायलिसिस पीपीपी मोड पर चलाये जाने के सम्बन्ध में संलग्न सूचना नियमानुसार समाचार पत्रों में प्रकाशित करवाने का श्रम करें, तथा उक्त सूचना मय संलग्न दस्तावेजों को आपके विभाग की वेबसाइट पर भी अपलोड करने का श्रम करें।

संलग्न :- निविदा सूचना दस प्रतियों में मय सम्बन्धित दस्तावेज/सी.डी.


निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवाएं
राज. जयपुर

राजस्थान सरकार
निदेशालय चिकित्सा एवं स्वास्थ्य सेवाएं, राजस्थान, जयपुर
क्रमांक: चि.प्र./पीपीपी/2015/ 546

दिनांक : 30-11-15

निविदा सूचना

राज्य के 34 जिला चिकित्सालय में हीमोडायलिसिस मशीन स्थापित है का संचालन निजी जनसहभागी द्वारा किया जाना है, इच्छुक संस्था/चिकित्सक द्वारा प्रारूप एवं विस्तृत विवरण विभाग की वेबसाइट www.rajswasthya.nic.in एवं सूचना एवं जन सम्पर्क विभाग की वेबसाइट www.dipr.rajasthan.gov.in तथा sppp.rajasthan.gov.in पर डाउनलोड कर आवेदन कर सकते हैं तथा किसी भी कार्य दिवस में दिनांक 30.12.2015 को मध्याह्न 5:00 बजे तक निर्धारित शुल्क जमा करा कर प्रारूप मय शर्तें कार्यालय से प्राप्त की जा सकती हैं।

निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवाएं
राज.जयपुर

Request for Proposal
For
"Contracting Dialysis Facility at District Hospital
Under Public Private Partnership (PPP) model"

Government of Rajasthan
Directorate of Medical & Health Services
Rajasthan, Jaipur



REQUEST FOR PROPOSAL (RFP)

Request for proposal (RFP) is invited from the Private Organizations to execute the project "Contracting Dialysis Facility at District Hospital under PPP model" for in Rajasthan.

The bidding document may be downloaded from either the website www.rajswasthya.nic.in, www.spp.rajasthan.gov.in & www.dipr.rajasthan.gov.in and can be submitted with payment of Rs. 500/- through DD or can be purchased from the Room No. 108 cash payment of Rs. 500/-.

The application consists of **Technical bid** for resource requirements and **Financial bid** investigation will be charged as per the rate decided by the Medical & Health Department and the bidder giving highest revenue to the government will be selected. Both Technical and Financial bids have to be separately sealed and should be submitted along with sealed Filled –in application in duly super-scribed envelope.

The submitted applications will be evaluated by Department of Health & Family Welfare, Government of Rajasthan.

Following schedule will be observed in this regard:

Schedule	Time and Dates
Obtained of RFP form	30-11-2015
Pre-bid conference	10-12-2015 at 10:00 AM
Last date for Submission of Bids	31-12-2015 at 5:00 PM
Opening of tender Document	01-01-2016 at 11:00 AM

Filled –in-Applications should reach at the following address, latest by 31-12-2015 at 5:00 PM.

Director (PH)

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1. Project Background:

- i. Due to lack of specialist urologists/nephrologists, dialysis facilities are not available in district hospitals of Rajasthan.
- ii. Government of Rajasthan is seeking assistance of the private sector to partner with the government to improve the availability and quality of Dialysis Facility at District Hospital towards meeting gaps dialysis facility at District Hospital for chronic renal failure patient.
- iii. The Government of Rajasthan wishes to leverage a public-private partnership (PPP) policy for the health sector. The over-riding objective of the policy is to utilize the technical, financial and managerial resources available in the private sector for filling the gaps in existing dialysis facility at district hospital.
- iv. To improve the quality of dialysis facility at district hospital in Rajasthan, Government of Rajasthan has decided to contract out dialysis facility at district hospital. This project is executed by the Government of Rajasthan.
- v. The current RFP is being released to invite proposals for operations and management of dialysis facility at district hospital in State.

2. Scope of Work:

The agency (A preferably Not for Profit organization or a single legal entity/entrepreneur or a consortium or thereof) selected through this RFP shall be required to run one or more of the dialysis facility of district hospital.

3. Terms & Conditions for dialysis facility at district hospital in State of Rajasthan on open tender:

S.NO.	Terms and Conditions
1.	Tenderers are requested to submit the tenders in two bid systems viz technical and financial bid separately as under, without which tenders will not be considered and liable to rejected. (A) Technical Bid (Properly sealed) a) Earnest Money as under in form of demand draft drawn in favour of Director(PH), Medical & Health Service, Rajasthan, Jaipur. Dialysis Facility at District Hospital – Rs. 50000/- b) Tender form and terms and conditions (Issued by Director(PH), Medical & Health Service, Rajasthan, Jaipur.) duly signed in all respect. c) Services of one MD medicine having three months training in Hemodialysis is mandatory for the continuation of the contract. (B) Financial Bid (Properly sealed) (a) <u>Revenue Percentage</u>: The Tenderers will quote the revenue percentage to be given by him to Medical and Health Department, Jaipur (The criteria of selection will be maximum percentage of revenue sharing). (b) Financial bid open: Financial bids of only those bidders will be opened, whose technical bids are found eligible by the committee of Directorate Medical and Health Services, Jaipur.
2.	<u>Security Deposit/Bank grantee</u>: Service provider shall have to provide money (Rs. 1.25 Lakh for Dialysis Facility at one district hospital in form of demand draft/N.S.C pledged in favour of Director(PH), Medical & Health Service, Rajasthan, Jaipur, till installation and commissioning of Dialysis Facility at district hospital satisfactorily. The said security money could be forfeited in case he does not start dialysis facility within stipulated period, prescribed by Medical & Health Department, Rajasthan, Jaipur.
3.	<u>RFP Form Fees</u>: Rs.500/-
4.	Settlement of any dispute will be done within the jurisdiction of Court of Jaipur.

5.	Only one time provision of Space/Building will be given by the Medical & Health Department All the recurring expenses of electricity, Water, telephone, Manpower, Consumables etc. will have to be borne by the bidder.
6.	No guarantee will be given by the Medical & Health Department regarding the minimum no. of investigations done.
7.	Bidder Security money shall not be returned before 120 days after award of the final agreement.
8.	Rs.100/- affidavit attested by Notary certifying soundness/integrity of concerned firm.
9.	In case of any conflict, regarding term and condition between service provider and Medical & Health Department the decision of Principal Health Secretary will be considered final.
10.	<u>Start of dialysis:</u> The service provider shall start and functional of the dialysis facility within a period of maximum one months from the date of approval letter issued and installation of hemodialysis machine by Medical & Health Department, Rajasthan, Jaipur. For delayed start, a penalty of Rs. 100/- per day shall be levied. If delay is more than one month, the order would stand automatically cancelled and security deposit shall stand forfeited. The service provider will carry out the dialysis as per the rates decided by Medical & Health Department, Rajasthan, Jaipur.
11.	<u>Financial Capacity:</u> The service provider should have financial capacity (Net worth 15 lacs for dialysis facility for each district hospital).
12.	<u>Period of contract:</u> This contract (M.O.U) will be for 7 years from the date of approval by Medical & Health Department government of Rajasthan.
13.	<u>Land, Building(Space) and Equipment:</u> Medical & Health Department, Rajasthan, Jaipur will provide land, building (space) and equipment for contract. The title and ownership of the land, building and equipment will remain with Medical & Health Department, Rajasthan, Jaipur and no right at will accrue to the service provider on account of operating the dialysis facility.

14.	<u>Interior work:</u> All the interior work required will have to be arranged by the service provider at his own cost within permission from the Principal Medical Officer of Concern District Hospital and at the time of vacating the premises, he will not remove any fixtures without prior permission of hospital administration and will not claim for the value.
15.	<u>Adequate Area/Space/Pre-requisite:</u> Adequate area/Space will be provided by the hospital administration to service provider for dialysis facility. All the pre-requisites such as civil, electrical, air conditioning, computer or any other changes in the site for dialysis facility will be executed by the service provider with the written permission of the Hospital administration.
16.	<u>Vacate Premises</u> Premises will revert back to the possession of Medical & Health, Department, Rajasthan, Jaipur within a period of 30 days from the date of expiry/termination of the contract. In case the service provider fails to vacate the premises within a period of 30 days, penalty charge Rs. 5000/- per day upto 7 days will be charged from service provider by Hospital Administration and after 7 days dialysis facility will be forfeited by the Hospital Administration and service provider will not claim for it.
17.	At the end/breach of contract, service provider should return the machine in running condition. Annual maintenance will be done by service provider.
18.	Bidder should deposit revenue share to government at the end of every month.
19.	Service provider will provide its financial accounts to the department for audit purpose for each financial year and also submitted its CA audit report of each financial year to the department.
20.	Medical and Health department will not have any liability to regularize the contractual staff hired by service provider after termination of contract period.
21.	Any person/ institute who is debar in last three years by any department/venture of state government will not be eligible to take part in bidding process
22.	Bidder should write page no. on every page of technical bid and put index which should indicate detail of document.
23.	The service provider will provide free investigation to BPL, Senior Citizen, Astha Card (special able people), Prisoner on submission of document for verification in above categories as per government norm will be included. The payment will be adjusted by government during revenue sharing.

4. Procedure for submitting the proposals

- Proposal can be submitted for more than one dialysis facility at district hospital separate applications are required to be submitted for each district hospital.
- The proposal (one or more than one dialysis facility at district hospital in each assigned No) are required to be submitted in two separate envelopes as follows:

Part-A: Technical proposal:

This will contain a write up detailing the profile of the agency with details of ongoing and completed projects of similar nature with cost, contact details of the clients for the assignments undertaken and income tax return for last 2 years as per all the undertaking and certificate submitted by participant must be signed along with firm's authentic seal with date. Form B. This envelope shall be marked as "Part-A: Technical Proposal"

Part-B: Financial proposal :

Patients will be charged as per the rate decided by the Medical & Health department and the percentage of revenue given by the bidder to the Government to be specified as per Form C.

Note: The envelope containing the Financial Proposal must be clearly marked "Financial Proposal" with a warning "Do not open with the Technical Proposal."

- The two envelopes are to be placed in an outer envelope marked "Application for establishing dialysis facility at district hospital Lot number..... And Name of District Hospital". The State Government shall not be responsible for misplacement, losing or premature opening if the outer envelope is not sealed and/or marked as stipulated. This circumstance may be the case for rejection of proposal. If the Financial Proposal is not submitted in a separate sealed envelope duly marked is indicated above, this may constitute ground for declaring the Proposal as non-Responsive.

5. Evaluation Procedure The applicant can be a "not for profit" or "for profit" legal entity individual or consortium thereof fulfilling the following criteria

- Evaluation will be done separately for each Number
- Services of one MD medicine having three month training in Hemodialysis are mandatory for the continuation of the contract.

- Any doctor, individual or group of doctors with minimum qualification of MBBS with full efficiency to carry out specific purpose mentioned can also apply.
- The Proposals shall be evaluated by an Evaluation Team, to be constituted by the State Government,
- Earnest Money as under in form of demand draft drawn in favor of Director (PH), Medical & Health Service, Rajasthan, Jaipur. Hemodialysis Facility at each District Hospital – Rs. 50,000/- to be submitted in a sealed envelope along with the technical proposal.
- Tender form and terms and conditions (Issued by Director (PH), Medical & Health Service, Rajasthan, Jaipur.) duly signed with seal and date in all respect.

Stage 2- Evaluation of the financial bid. It will be examined only after successful qualifying of technical bid investigations will be charged as per the rate decided by the Medical & Health department and the bidder giving highest revenue to the government will be evaluated on selected parameter with respect to technical bid also.

6. Other terms and conditions

Last Date: The deadline for submission of the proposals is 31-12-2015 at 5:00 PM.

Proposal: An applicant can submit one or more than one proposal, in case of more than one proposal he should submit separate envelop for separate Lots

Each page, Form, Annexure and Appendices of the Technical Proposal must be signed by the authorized signatory of the firm/legal entity. The State Government reserves the right to accept or reject one or all applications without giving any explanation.



Form A

Letter of Transmittal

To,

Director,
Medical & Health Services,
Jaipur, Rajasthan

Sir,

We, the undersigned, offer organize the dialysis facility at district hospital in accordance with your Request for Proposal dated.....

We are hereby submitting our Proposal in respect of..... (Fill in the lot number and description). The proposal is placed in the attached envelope which two envelopes as follows:

- Envelope-I-containing Proof of Eligibility & Technical Proposal
- Envelope-II- containing Financial Proposal

We hereby declare that all the information and statements made in this Proposal are true and we accept that any misrepresentation of facts may lead to our disqualification and/or black-listing.

The offer made by us in the financial Proposal (From C) is valid till six months from the date of submission of the proposal. We confirm that this proposal will remain binding upon us and may be accepted by you at any time before the expiry date.

We agree to bear all costs incurred by us in connection with the preparation and submission of the proposal and to bear any further pre-contract costs.

We understand that the State is not bound to accept the lowest financial bid or any proposal or to give any reason for award, or for the rejection of any proposal.

We confirm that we have the authority of (Insert Name of the Agency/firm) to submit the proposal and to negotiate on its behalf.

Yours faithfully

Signature of authorized
person(s)

Form B

Annexure for Technical Proposal (I)

1. Introduction of company

(Company details including Contact Details, Registration certificate of organization, List of Currently working Medical and Paramedical Staff, CV of lead person etc)

2. Experience

(Details of ongoing and completed projects of similar nature with cost, contact details of the client for the assignments undertaken with certificate issued by the client(s) in his own letter in support of the experience)

3. Financial details

(Annual turnover for the last 3 years and income tax return of last 3 consecutive years etc.)

4. Detailed Plan/ Proposal for operation and management of dialysis facility at district hospital.

5. Information regarding proposed Detailed Monitoring of the project

6. Detail of manpower.



Form C

FORMAT FOR FINANCIAL PROPOSAL

Name of District Hospital(s)

Number applied for

1. Rates of dialysis:

Name of dialysis	Rate per dialysis (In Rs.)
Heamodialysis Charges	1200/-

2. Proposal for revenue distributions:

I/we, agree in compliance to provide dialysis facilities according to rates described for dialysis in Para 1 and % (In words) of total amount received will be given to Department of Medial & Health Services.

Signature of Bidder:



Annexure A : Compliance with the Code of Integrity and No Conflict of Interest

Any person participating in a procurement process shall -

- (a) not offer any bribe, reward or gift or any material benefit either directly or indirectly in exchange for an unfair advantage in procurement process or to otherwise influence the procurement process;
- (b) not misrepresent or omit that misleads or attempts to mislead so as to obtain a financial or other benefit or avoid an obligation;
- (c) not indulge in any collusion, Bid rigging or anti-competitive behavior to impair the transparency, fairness and progress of the procurement process;
- (d) not misuse any information shared between the procuring Entity and the Bidders with an intent to gain unfair advantage in the procurement process;
- (e) not indulge in any coercion including impairing or harming or threatening to do the same, directly or indirectly, to any party or to its property to influence the procurement process;
- (f) not obstruct any investigation or audit of a procurement process;
- (g) disclose conflict of interest, if any; and
- (h) disclose any previous transgressions with any Entity in India or any other country during the last three years or any debarment by any other procuring entity

Conflict of Interest:-

The Bidder participating in a bidding process must not have a Conflict of Interest.

A Conflict of Interest is considered to be a situation in which a party has interests that could improperly influence that party's performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations.

i. A Bidder may be considered to be in Conflict of Interest with one or more parties in a bidding process if, including but not limited to:

- a. have controlling partners/ shareholders in common; or
- b. receive or have received any direct or indirect subsidy from any of them; or
- c. have the same legal representative for purposes of the Bid; or
- d. have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the Bid of another Bidder, or influence the decisions of the Procuring Entity regarding the bidding process; or
- e. the Bidder participates in more than one Bid in a bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all Bids in which the Bidder is involved. However, this does not limit the inclusion of the same subcontractor, not otherwise participating as a Bidder, in more than one Bid; or
- f. the Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the Goods, Works or Services that are the subject of the Bid; or
- g. Bidder or any of its affiliates has been hired (or is proposed to be hired) by the Procuring Entity as engineer-in-charge/ consultant for the contract

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Annexure B : Declaration by the Bidder regarding Qualifications

Declaration by the Bidder

In relation to my/our Bid submitted to for procurement of in response to their Notice Inviting Bids No. Dated..... I/we hereby declare under Section 7 of Rajasthan Transparency in Public Procurement Act, 2012, that:

1. I/we possess the necessary professional, technical, financial and managerial resources and competence required by the Bidding Document issued by the Procuring Entity;
2. I/we have fulfilled my/our obligation to pay such of the taxes payable to the Union and the State Government or any local authority as specified in the Bidding Document;
3. I/we are not insolvent, in receivership, bankrupt or being wound up, not have my/our affairs administered by a court or a judicial officer, not have my/our business activities suspended and not the subject of legal proceedings for any of the foregoing reasons;
4. I/we do not have, and our directors and officers not have, been convicted of any criminal offence related to my/our professional conduct or the making of false statements or misrepresentations as to my/our qualifications to enter into a procurement contract within a period of three years preceding the commencement of this procurement process, or not have been otherwise disqualified pursuant to debarment proceedings;
5. I/we do not have a conflict of interest as specified in the Act, Rules and the Bidding Document, which materially affects fair competition;

Date:
Place:

Signature of bidder
Name :
Designation:
Address:



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Annexure C : Grievance Redressal during Procurement Process

The designation and address of the First Appellate Authority is Principal Director, (PH)
 The designation and address of the Second Appellate Authority is Principal Secretary, PH & Health

(1) Filing an appeal

If any Bidder or prospective bidder is aggrieved that any decision, action or omission of the Procuring Entity is in contravention to the provisions of the Act or the Rules or the Guidelines issued thereunder, he may file an appeal to First Appellate Authority, as specified in the Bidding Document within a period of ten days from the date of such decision or action, omission, as the case may be, clearly giving the specific ground or grounds on which he feels aggrieved:

Provided that after the declaration of a Bidder as successful the appeal may be filed only by a Bidder who has participated in procurement proceedings:

Provided further that in case a Procuring Entity evaluates the Technical Bids before the opening of the Financial Bids, an appeal related to the matter of Financial Bids may be filed only by a Bidder whose Technical Bid is found to be acceptable.

- (2) The officer to whom an appeal is filed under para (1) shall deal with the appeal as expeditiously as possible and shall endeavour to dispose it of within thirty days from the date of the appeal.
- (3) If the officer designated under para (1) fails to dispose of the appeal filed within the period specified in para (2), or if the Bidder or prospective bidder or the Procuring Entity is aggrieved by the order passed by the First Appellate Authority, the Bidder or prospective bidder or the Procuring Entity, as the case may be, may file a second appeal to Second Appellate Authority specified in the Bidding Document in this behalf within fifteen days from the expiry of the period specified in para (2) or of the date of receipt of the order passed by the First Appellate Authority, as the case may be.

(4) Appeal not to lie in certain cases

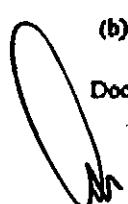
No appeal shall lie against any decision of the Procuring Entity relating to the following matters, namely:-

- (a) determination of need of procurement;
- (b) provisions limiting participation of Bidders in the Bid process;
- (c) the decision of whether or not to enter into negotiations;
- (d) cancellation of a procurement process;
- (e) applicability of the provisions of confidentiality.

(5) Form of Appeal

- (a) An appeal under para (1) or (3) above shall be in the annexed Form along with as many copies as there are respondents in the appeal.
- (b) Every appeal shall be accompanied by an order appealed against, if any, affidavit verifying the facts stated in the appeal and proof of payment of fee.

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(6) Every appeal may be presented to First Appellate Authority or Second Appellate Authority, as the case may be, in person or through registered post or authorised representative.

(6) Fee for filing appeal

(a) Fee for first appeal shall be rupees two thousand five hundred and for second appeal shall be rupees ten thousand, which shall be non-refundable.

(b) The fee shall be paid in the form of bank demand draft or banker's cheque of a Scheduled Bank in India payable in the name of Appellate Authority concerned.

(7) Procedure for disposal of appeal

(a) The First Appellate Authority or Second Appellate Authority, as the case may be, upon filing of appeal, shall issue notice accompanied by copy of appeal, affidavit and documents, if any, to the respondents and fix date of hearing.

(b) On the date fixed for hearing, the First Appellate Authority or Second Appellate Authority, as the case may be, shall,-

(i) hear all the parties to appeal present before him; and

(ii) peruse or inspect documents, relevant records or copies thereof relating to the matter.

(c) After hearing the parties, perusal or inspection of documents and relevant records or copies thereof relating to the matter, the Appellate Authority concerned shall pass an order in writing and provide the copy of order to the parties to appeal free of cost.

(d) The order passed under sub-clause (c) above shall also be placed on the State Public Procurement Portal.

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PQRM No. 1
[See rule 13]

Memorandum of Appeal under the Rajasthan Transparency in Public Procurement Act, 2013

Appeal No of

Before the (First / Second Appellate Authority)

1. Particulars of appellant:

(i) Name of the appellant:

(ii) Official address, if any:

(iii) Residential address:

2. Name and address of the respondent(s):

(i)

(ii)

(iii)

3. Number and date of the order appealed against and name and designation of the officer / authority who passed the order (enclose copy), or a statement of a decision, action or omission of the Procuring Entity in contravention to the provisions of the Act by which the appellant is aggrieved:

4. If the Appellant proposes to be represented by a representative, the name and postal address of the representative:

5. Number of affidavits and documents enclosed with the appeal:

6. Grounds of appeal:

..... (Supported by an affidavit)

7. Prayer:

Place

Date

Appellant's Signature

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Annexure D : Additional Conditions of Contract

1. Correction of arithmetical errors

Provided that a Financial Bid is substantially responsive, the Procuring Entity will correct arithmetical errors during evaluation of Financial Bids on the following basis:

- i. 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, unless in the opinion of the Procuring Entity there is an obvious misplacement of the decimal point in the unit price, in which case the total price as quoted shall govern and the unit price shall be corrected;
- ii. if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; and
- iii. if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail subject to (i) and (ii) above.

If the Bidder that submitted the lowest evaluated Bid does not accept the correction of errors, its Bid shall be disqualified and its Bid Security shall be forfeited or its Bid Securing Declaration shall be executed.

2. Procuring Entity's Right to Vary Quantities

(i) At the time of award of contract, the quantity of Goods, works or services originally specified in the Bidding Document may be increased or decreased by a specified percentage, but such increase or decrease shall not exceed twenty percent, of the quantity specified in the Bidding Document. It shall be without any change in the unit prices or other terms and conditions of the Bid and the conditions of contract.

(ii) If the Procuring Entity does not procure any subject matter of procurement or procures less than the quantity specified in the Bidding Document due to change in circumstances, the Bidder shall not be entitled for any claim or compensation except otherwise provided in the Conditions of Contract.

(iii) In case of procurement of Goods or services, additional quantity may be procured by placing a repeat order on the rates and conditions of the original order. However, the additional quantity shall not be more than 25% of the value of Goods of the original contract and shall be within one month from the date of expiry of last supply. If the Supplier fails to do so, the Procuring Entity shall be free to arrange for the balance supply by limited Bidding or otherwise and the extra cost incurred shall be recovered from the Supplier.

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