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Corrigendum No.I

Dated 21st April 2017

Ref.: Reference to tender no. MMTC/CO/COMP/EDI/2005/IX, Dated 30.03.2017, for E-tendering & E-Auction (forward and reverse) facility on APPLICATION USAGE BASIS. MMTC received queries from prospective bidders in reference to the above mentioned tender. MMTC has considered all such queries received till 7th April 2017. The queries have been addressed in Annexure-I.

The last date for bid submission is extended to 12th May 2017 latest by 1500hrs.

All other terms and conditions of the tender remain unchanged.

This corrigendum will become an integral part of RFP.

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Annexure-I: Clarification of Quarries

S N	MMTC Clause as per tender	Bidders Queries	MMTC Response
1	1.4: Bidder must have an average turnover of at least Rs. Twelve (12) crores in e-procurement operations in e-tendering, e-auction / reverse e-auction in preceding three (3) financial years (2013-14, 2014-15, 2015-16) (Certificate from CA to be enclosed).	<p>A) In respect of 'Important Eligibility/ Qualifying Criteria', Section-8, Annexure-I of Deity-Guidelines dtd 31st August 2011 on e-Procurement clearly state, QUOTE: ... while there should be no compromise on security, transparency and crucial functionality related concerns highlighted herein, the eligibility criteria in respect of 'number of tenders', 'revenue criteria from e-procurement', etc should be minimum. UNQUOTE</p> <p>B) Various CVC communications also strongly advise against use of 'restrictive' qualification criteria which reduces fair competition on more important technical and substantive issues.</p> <p>Stringent and unduly restrictive PQ Criteria will create an entry barrier for potential bidders with a superior product. This will result in poor competition and selection of a substandard and dissatisfactory software for MMTC.</p>	Bidder must have an average turnover of at least one (1) crores in e-procurement operations in e-tendering, e-auction (forward and reverse) in preceding three (3) financial years (2013-14, 2014-15, 2015-16) (Certificate from CA to be enclosed).
2	11.0 Earnest Money Deposit: 11.1 A sum of Rs. 50,000/- (Rupees Fifty Thousand only) has to be deposited by the bidders as Earnest Money Deposit along with the technical bid in a separate envelope. The payment has to be made in form of Demand Draft/Pay Order drawn in favor of "MMTC Limited" and payable at New Delhi/Delhi	<p>i) The EMD demanded by MMTC for this particular RFP is Rs. 50,000/- (Rupees Fifty Thousand only).</p> <p>As per the RFP, keeping in view the delivery time of 15 days, MMTC's requirement is clearly for a 'ready-to-use e-Procurement/ e-Tendering/ e-Auction Software license'.</p> <p>For a 'ready-to-use' product which does not require deployment of any/ minimal resources, the EMD value shall be minimal or NIL.</p> <p>ii) Also, even if we assume, that the EMD demanded by MMTC is in the range between two percent to five percent of the estimated value (Pls refer 'Rule 170: Bid Security' of the GFR, Pg.48/208), the estimated value of the RFP can at the most be Rs.25,00,000 (Rupees Twenty Five lakhs only).</p> <p>Then as per what criteria has the eligibility criteria for past average turnover been kept 48 times (ie 12 Crores) the estimated cost for this project?</p>	No change in RFP.
3	4.4 Security: c. The system should support high order encryption level and all the commercial information is encrypted during the transmission/network and at the database level.	This clause is in violation of Deity-Guidelines on e-Procurement dtd 31st August 2011.	No change in RFP. STQC Certificate is self explanatory for all security issue.
4	4.5 Integration: The proposed solution should have capability to integrate with the existing ERP application system of MMTC thereby eliminating duplication of work and provide centralized MIS on procurement/sale.	<p>No comments can be given without knowing the exact integration requirement. Please elaborate.</p> <p>(Page 49 of 208, GFR 2017) Rule 173: Transparency, competition, fairness and elimination of arbitrariness in the procurement process QUOTE ...Some of the measures for ensuring the above are as follows:- (i) the text of the bidding document should be self-contained and comprehensive without any ambiguities. ... UNQUOTE</p>	Integration: The proposed solution should have capability to integrate with the existing ERP application system of MMTC thereby eliminating

		Please also refer CVC circular No.'s: 33/7/03, 01/04/14 etc. on short-comings/ irregularities in bid-documents.	duplication of work and provide centralized MIS on procurement/sale. The requirement is not at present, However the bidder is advised to study the existing ERP system.
5	4.7 Confidentiality: The solution should ensure complete confidentiality and security of data.	<p>As required by MMTC, the only way to ensure complete confidentiality of MMTC's critical data is by using bidder-generated symmetric key for bid-encryption.</p> <p>Please refer issues mentioned in the following guidelines published in India and the EU:</p> <p>(Guidelines issued in India and the EU)</p> <ol style="list-style-type: none"> DeitY-Guidelines dated 31st August 2011 on e-Procurement [For concerns relating to Bid-Confidentiality and Encryption, please read sections 2.0, 3.0 and 4.0 of Annexure-I (pages 19 to 28 of 93) apart from other sections; for concerns relating to transparency in Public Tender Opening Event, please read section 6.3 of Annexure-I (pages 35-38 of 93], et al.]. Excerpts relating to Bid-Confidentiality from the final report issued by the e-Tendering Expert Group (e-TEG) appointed by the European Commission. Recommendations for Encryption Policy u/s 84A of the IT (Amendment) Act, 2008 [Prepared by Data Security Council of India (DSCI)] <p>All 3 are attached for your perusal.</p>	<p>No change in RFP.</p> <p>STQC Certificate is self explanatory for confidentiality.</p>
6	<p>(Page 2/32)</p> <p>1.0: ELIGIBILITY CRITERIA:</p> <p>4. Bidder must have an average turnover of at least Rs. Twelve (12) crores in e-procurement operations in etendering, e-auction / reverse e-auction in preceding three (3) financial years (2013-14, 2014-15, 2015-16) (Certificate from CA to be enclosed).</p>	<p>The eligibility criteria are restrictive, not in-line with DeitY-Guidelines on e-Procurement dtd 31st August 2011 and not in line with CVC recommendations on eligibility criteria.</p> <p>Section 8 of Deity (or DIT)-Guidelines clearly state, "... while there should be no compromise on security, transparency and crucial functionality related concerns highlighted herein, the eligibility criteria in respect of 'number of tenders', 'revenue criteria from e-procurement', etc should be minimum."</p> <p>Stringent and unduly restrictive PQ Criteria will create an entry barrier for potential bidders with a superior product. This will result in poor competition and selection of a substandard and dissatisfactory software for MMTC.</p> <p>Amendment Requested: In view of the above, the following changes are requested in the eligibility criteria:</p> <p>The average turnover in e-Procurement operations should be as per the CVC guidelines based on the estimated value of the order.</p>	<p>Bidder must have an average turnover of at least one (1) crores in e-procurement operations in e-tendering, e-auction (forward and reverse) in preceding three (3) financial years (2013-14, 2014-15, 2015-16) (Certificate from CA to be enclosed).</p>
7	<p>(Page 4/32)</p> <p>4.4 Security: c. The system should support high order encryption level and all the commercial information is encrypted</p>	<p>This clause is in violation of DeitY-Guidelines on e-Procurement dtd 31st August 2011.</p> <p>Amendment Requested: Implementation of Bid- Encryption must be done at client-end (ie bidder's computer) using Symmetric Key, or Asymmetric Key (PKI-based). Bids before transmission from the bidder's computer should in</p>	<p>No change in RFP.</p> <p>STQC Certificate is self explanatory for all security issue.</p>

	during the transmission/network and at the database level.	addition be protected with SSL Encryption. Also, in case PKI based encryption is done, it has to be suitably augmented with key-splitting, or multiple keys as prescribed in DeitY-Guidelines.	
8	(Page 2/32) 2.0 SCOPE OF WORK: 2.1 The offer should provide complete solution for e-procurement including the following functionalities: 15. Integration with ERP operating in MMTC*.	Please note, Integration work has to be decided based on technical evaluation of the system to be integrated and assurance of cooperation from the vendor who has supplied the backend system. As a responsible entity of the Government of India, No commitment can be given without understanding the exact integration requirement. Kindly elaborate.	Integration: The proposed solution should have capability to integrate with the existing ERP application system of MMTC thereby eliminating duplication of work and provide centralized MIS on procurement/sale. The requirement is not at present, However the bidder is advised to study the existing ERP system.
9	(Page 3/32) 2.2 The offer should provide the following functionalities for forward e-auction (forward & reverse): - Please refer complete table on Pg 3/32 of MMTC's RFP. 'MMTC's RFP has proposed to hand over the e-Auction activities to the prospective e-Auctioneer (bidder).'	Amendment Requested: It is in MMTC's interest that the complete process of conducting e-Tenders, as well as, e-Auctions should be done by the duly authorized officers of MMTC only, so that no wrongdoing takes place by the personnel of the service provider for which MMTC officers are ultimately responsible. To empower MMTC's officer to perform such activities, facility of training and 'On-site support' is available through TCIL.	Clause no.2.2, s.no.3,4,6,8,9,10,15 &21, Responsibility changed from Bidder to Bidder/MMTC
10	(Page 3/32) 2.2 The offer should provide the following functionalities for forward e-auction (forward & reverse): - 'Voice and video logging of auction event and submission to MMTC as when asked for	This is not a standard feature of an electronic auction and should be removed.	The offer should provide the following functionalities for e-auction (forward & reverse): - 'Audit logs of e-auction event and e-tendering and submission to MMTC as when asked for