

Request For Proposal (RFP)

for

Selection of authorized Vendor for renewal of McAfee Antivirus for the Offices of Maharashtra Pollution Control Board

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1. DISCLAIMER

1.1 Though adequate care has been taken in the preparation of this *Request for Proposal* Document, the Bidder should satisfy himself that the Document is complete in all respects. Intimation of discrepancy, if any, should be given to the below mentioned office latest by the date mentioned. If this office receives no intimation by this date it shall be deemed that the Bidder is satisfied that the *Request for Proposal* Document is complete in all respects.

1.2 Neither **MPCB**, nor their employees or consultants make any representation or warranty as to the accuracy, reliability or completeness of the information in this RFP nor is it possible for **MPCB** to consider the financial situation and particular needs of each party who reads or uses this RFP. **MPCB** recognizes the fact that certain prospective Bidders may have a better knowledge of the Project than others and thus encourages all prospective Bidders to conduct their own investigations and analysis and check the accuracy, reliability and completeness of the information in this RFP and obtain independent advice from appropriate sources.

1.3 Neither **MPCB** nor their employees or consultants will have any liability to any prospective Bidder or any other person under the law of contract, tort, the principles of restitution or unjust enrichment or otherwise for any loss, expense or damage which may arise from or be incurred or suffered in connection with anything contained in this RFP, any matter deemed to form part of this RFP, the award of the Project, the information and any other information supplied by or on behalf of **MPCB** or their employees, any consultants or otherwise arising in any way from the selection process for the Project.

1.4 **MPCB** reserves the right to reject any or all of the Bids submitted in response to this *Request for Proposal* at any stage without assigning any reasons whatsoever.

1.5 **MPCB** reserves the right to change any or all of the provisions of this Request for Proposal. Such changes would be intimated to all parties procuring this Request for Proposal.

2. LIST OF ABBREVIATIONS

MPCB - Maharashtra Pollution Control Board

RFP - Request for Proposal

BG - Performance Bank Guarantee

SPBG - Service Performance Bank Guarantee

3. DEFINITIONS

3.1 BID

The bids submitted electronically by the prospective Bidders in response to this Request for Proposal Document issued by MPCB.

3.2 BIDDER

Bidding Firm / Company that has submitted a Bid in response to this Request for Proposal Document.

3.3 DOCUMENT / BID DOCUMENT

This Request for Proposal Document.

3.4 PROJECT

To select an appropriate Selection of bona fide Vendor for renewal of McAfee antivirus for MPCB offices.

3.5 REQUEST FOR PROPOSAL

This Document being issued to the prospective Bidders, inviting their Bids.

3.6 RESPONSIVE BIDDER

Responsive Bidder is the bidder whose bid is found responsive after evaluation of the Bid.

4. PROJECT CONCEPT & STRUCTURE

4.1 BACKGROUND and OBJECTIVE OF THIS RFP

The Board has deployed antivirus software viz. 'McAfee Endpoint Protection - Advanced Suite' from M/s. McAfee presently installed on desktops at Head Office, Sion, Mumbai and all Regional / Sub-Regional Offices spread across the state of Maharashtra.

With the McAfee Endpoint Protection - Advanced Suite', only updates for antivirus definitions of known viruses can be obtained and, is not adequate for the present malware attacks which have significantly increased. But the latest "MVISION Protection Suite – MV2' suite can be detected unknown/new threats using Artificial intelligence and machine learning algorithms:

The objective of this RFP is to find a suitable agency (authorized Channel Partner of M/s McAfee) having the requisite experience, resources, and capabilities, to activate and provide support for the product defined below.

Account Name	Quantity/Nodes	Start	End	Status	Product
Maharashtra Pollution Control Board	660	31-Mar-22	30-Mar-25	Active	"MVISION Protection Suite – MV2'

4.2 Period of Renewal

The Service Provider will be contracted for a period of **THREE (3) years** from the date of activation of the above licenses.

5. DESCRIPTION OF THE SELECTION PROCES

5.1 Qualifications of the Bidder

5.2 The Bidder must have experience for providing similar services in Government Organizations /PSU.

5.3 The Bidder should be authorized by M/s. McAfee to supply and install the product.

5.4 The Bidder must have copy of incorporation.

5.5 The Bidder should submit **MAF** from M/s. MacAfee with respect to Maharashtra Pollution Control Board which includes the **number of this e-Tender**.

5.6 SUBMISSION OF e-BIDS

The submission of e-Bids by interested bidders in response to the Request for Proposal should be through e-Tender system only as mentioned in Annexure-3.

The e-Bids Envelope will be: 'Price Bid'

5.7 RESPONSIVENESS OF BID

The e-Bids submitted by Bidders shall be initially scrutinized to establish "Responsiveness". A Bid may be deemed "non-responsive" if it does not satisfy any of the following conditions:

1. It is not received by the due time & date specified.
2. It does not include sufficient information be evaluated and/or is not in the formats specified.
3. The uploaded documents are not signed
4. It does not conform to the terms and conditions mentioned in this RFP

5.8 AWARD OF PURCHASE ORDER

MPCB will issue Purchase Order to the lowest price qualified bidder.

Successful Bidder would be given a copy of Purchase Order stipulating the conditions under which the bid has been qualified as the Successful Bid.

5.9 SIGNING OF ORDER ACCEPTANCE

The Successful Bidder would sign a copy of the Purchase / Work Order / Contract as a token of acceptance of the same.

5.10 SCHEDULE OF ACTIVITIES

Sr. No.	ACTIVITY	Date
1.	Date of Start of Sale of RFP document	14 March 2022
2.	Date of End of Sale of RFP document	24 March 2022
3.	Last date & time for receipt of e-Bids (Bid Preparation)	24 March 2022
4.	Time and Date of Opening of Price Bid	25 March 2022

In order to enable MPCB to meet the target dates, Bidders are expected to respond expeditiously to clarifications, if any, requested during the evaluation process. MPCB shall adhere to the above schedule to the extent possible. MPCB, however, reserves the right to modify the same. Intimation to this effect shall be given to all Bidders.

6. PROCEDURES TO BE FOLLOWED

6.1 INSTRUCTIONS TO BIDDERS for SUBMISSION OF THE BID

All Bidders should note the following:

The Bidders are requested to follow the Bid submission process which is detailed in Annexure 3.

MPCB shall not be responsible for any delay in submission of the Bids. Any Bid received by MPCB after the due date for submission of the Bids and Annexure 2, will not be opened.

6.2. VALIDITY OF THE PRICE BID

Each Bid shall indicate that it is a firm and irrevocable offer and shall remain valid and open for a period of not less than 180 days.

Non-adherence to this requirement and other terms stipulated in the RFP document may lead to dis-qualification

6 EVALUATION OF PRICE BID

7.1 PRICE BID PARAMETERS

Bidders are required to offer their best prices for the services only in the format of the price bid given at Annexure-1 and BoQ format. Price offer in any other format will result in rejection of the bid and disqualification of the bidder from the evaluation process. The Price Bid should be valid for a minimum period of 180 days from the last date of submission of bids

7.2 EVALUATION

The evaluation will be carried out if Price bids are complete and correct. Lowest Price bid will be allotted the best Price score.

7.3 NOTIFICATION OF AWARD

MPCB will notify the successful bidder in writing that his bid has been accepted. Upon the successful bidder's furnishing of performance security, MPCB will promptly notify each unsuccessful bidder and will discharge their bid security.

8. PAYMENT TERMS

Following payment terms will be offered to the successful Bidder:

- a. Within 15 days of MPCB issuing the Purchase Order. The successful bidder at its cost, charges and expenses will submit a **PBG for an amount equivalent to 5% of the value of the Purchase Order in favour of MPCB**. The PBG shall be in the form of a guarantee/s of a Nationalized/Scheduled Bank acceptable to MPCB and shall be valid till the end of 38 months from the date of issuance.
- b. MPCB will release the payment to the Supplier/Vendor as per the following terms:
 - I. 50% of the amount of the Purchase Order on acceptance of the Purchase Order
 - II. Remaining 50% of the amount on activation of the Licenses.

- c. All payments will be made vide a crossed cheque payable in Mumbai and within 30 days of submission of invoice and after due scrutiny of the performance reports by MPCB or their appointed consultant.

9. INDEMNIFICATION

The bidder hereby agrees and undertakes that, during the Term of the Contract, it shall indemnify and keep indemnified and otherwise save harmless, MPCB from any third-party suits instituted against MPCB which are proved to be because of a direct consequence of the installation and / or use of equipment & services provided by the successful bidder.

10. ASSIGNABILITY

The successful bidder will not assign its rights, title or interest in the contract in favour of any third party without prior written consent of MPCB. MPCB reserves its rights to grant such consent on such terms and conditions, as it deems fits and proper. MPCB's decision to grant such consent or refusal to grant such consent shall be final.

11. CONFIDENTIALITY

Successful Bidder shall hold data and information about MPCB, obtained during the execution of its responsibilities, in strict confidence and will not reveal such information to any other party without the prior written approval of MPCB.

Successful Bidder and MPCB shall maintain in confidence any information relating to the

12. CORRUPT & FRAUDULENT PRACTICES

MPCB requires that the bidder under this RFP document maintains highest standards of ethics during procurement and execution of this project. In pursuance of this policy the board defines the terms set forth as follows

“corrupt practice” means offering, giving, receiving or soliciting of anything of value to influence the action or decision making of public official in the procurement process or execution of the project.

“fraudulent practice” means misrepresentation of facts in order to influence the action or decision making of public official in the procurement process or execution of the project to the detriment of the board, and includes collusive practice among bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels and to deprive the board the benefits of free & open competition.

If it is determined that bidder / s are engaged in corrupt & fraudulent practices their bid/s will be rejected and also will be declared ineligible for indefinite period or a stated period to time to participate in any future RFP floated by MPCB.

14. ARBITRATION

All disputes, differences, claims and demands arising under or pursuant to or touching this document shall be settled by arbitration of sole arbitrator to be appointed by both the parties and failing such agreement, by two arbitrators, one to be appointed by each party to disputes. All arbitrations shall be held at Mumbai location.

15. LEGAL JURISDICTION

All legal disputes are subject to jurisdiction of Mumbai courts only.

16. Manufacturer's Authorization Form (MAF)

<To be printed on the letterhead of the OEM mentioned in the clause 5.5.5 and duly signing and sealing it from the Authorised Signatory of the OEM>

Date:

Place:

To,

**Member Secretary
Maharashtra Pollution Control Board
Kalpataru Point, 3rd floor,
Opp. Cine Planet Cinema, Sion Circle,
Sion (E), Mumbai – 400 022**

**Sub: Selection of authorized Vendor for renewal of McAfee Antivirus for the Offices of
Maharashtra Pollution Control Board**

RFP Ref <RFP reference No.>

Dear Sir,

WHEREAS <Name and address of the Manufacturer> who are official producers of < Name of the product with description (pls use Annexure, if required)and product code > do hereby authorize <name of the Bidder> located at <Address of the Bidder> (hereinafter, the "Bidder") to submit a bid for **Selection of authorized Vendor for renewal of McAfee Antivirus for the Offices of Maharashtra Pollution Control Board** <Product Category> of the <Barand Name> associated with the above Invitation for Bids.

We assure you that in the event of <Name of the Bidder>, not being able to fulfil its obligation as our Authorised Dealer and /or Service Provider in respect of our standard Warranty / Service Terms we would continue to meet our Service Terms through alternate arrangements.

We also confirm that <Name of the Bidder> is our authorized Dealer and / or Service and can hence provide maintenance and upgrade support for our products.

Name

Signed

Duly authorized to sign the authorization for and on behalf of : _____

Dated :.

17. FORMAT FOR COVERING LETTER SUBMISSION- WITH PRICE BID
(Covering letter on Company Letterhead. Format of Price Bid is given in Annexure – 1)

Date:

Place:

To

**Member Secretary
Maharashtra Pollution Control Board
Kalpataru Point, 3rd floor,
Opp. PVR Cinema, Sion Circle,
Sion (E), Mumbai – 22**

Dear Sir,

**Sub: Selection of authorized Vendor for renewal of McAfee Antivirus for the Offices of
Maharashtra Pollution Control Board**

As a part of the Bid, we hereby make the following price offer to the MPCB.

The cost of the services to be provided as per the requirements stipulated in this RFP.
The price quoted is for the contract period of Three Years.

We agree to bind by this offer if we are selected as the Successful Bidder.

For and on behalf of:

Signature (Authorized Representative and Signatory of the Bidder):

Name of the Person:

Designation:

18. ANNEXURE-1

Price Bid Format

Note: Commercial Offer has to be entered online only. An Online Form, of format given below and BoQ format separately given, will be available to the bidders during Bid submission stage where bidders would quote their offer. Additionally the bidders should print this format and fill with the rates asked, sign and seal the document and upload the same as a part of Commercial Envelope submission.

Sr. No	Description	Basic Rate (₹)	GST (₹)	Grand Total Amount with GST (₹)
1	1 st Year renewal Cost of the Anti-virus software			
2	2 nd Year renewal Cost of the Anti-virus software			
3	3 rd Year renewal Cost of the Anti-virus software			
Total Amount				

Total Amount without tax in ₹ _____, in words: Rupees _____

For and on behalf of:

Signature (Authorized Representative and Signatory of the Bidder):

Name of the Person:

Designation:

Date:

(Note: the lowest bidder L1 will be selected upon the Total amount of Basic rate)

19. ANNEXURE – 2

DETAILS FOR E-TENDER PROCEDURE

NOTICE DETAILS

Tender Reference no.	NOTICE No.: MPCB/EIC/B- Date:
Name of Work / Item	Selection of authorized Vendor for renewal of McAfee Antivirus for the Offices of Maharashtra Pollution Control Board
Venue of online opening of tender	MPCB Conference Hall, Kaptaru point, 4 th floor Opp, PVR Cinema (near Sion Circle) Sion (East) Mumbai-400 022
Address for Communication	MPCB Conference Hall, Kaptaru point, 4 th floor Opp, PVR Cinema (near Sion Circle) Sion (East) Mumbai-400 022
Contact Telephone & Fax Numbers of MPCB	Tel. No-022-24087295, 022-24010437 Fex-022-24087295
e-Tendering Helpline Support:	24 X 7 Help Desk Toll Free No.1800 3070 2232 Mobile No. 7878007972, 7878007973, 7878007974.

Tender Schedule

Sr. No.	Activity	Performed by	Start		Expiry	
			Date	Time	Date	Time (hrs.)
1	Release of E-tender	Department	14/03/2022	11:00	14/03/2022	17:00
2	E-tender Download	Bidders	14/03/2022	11:00	24/03/2022	14:00
3	Bid Submission	Bidders	14/03/2022	11:00	24/03/2022	14:00
4	Envelope Opening Date (Technical Bid)	Department	25/03/2022	15:00	25/03/2022	17:00
5	Envelope Opening Date (Price Bid)	Department	To be announce later			

Please Note: All bid related activities (Process) like Tender Document Download, Bid Preparation, and Bid Submission will be governed by the time schedule given under Key Dates below:

** Dates mentioned here, are scheduled dates for Bid Opening Activities. Any changes in dates of opening of technical and commercial bids shall be notified in 'Press Notice / Corrigendum' section on the e-Tendering sub portal of the department before opening of the same*

18. ANNEXURE-3

INSTRUCTIONS TO BIDDERS FOR e-Tendering

GENERAL INSTRUCTIONS:

The bidders are requested to familiarize themselves with the use of the e-Tendering portal of Government of Maharashtra well in advance

To view- Tender Notice, Detailed Time Schedule, Tender Document and BoQ for this Tender and subsequently purchase the Tender Document and its supporting documents, kindly visit following e- Tendering website of **Government of Maharashtra** www.mahatenders.gov.in

All bidders interested in participating in the online e-Tendering process are required to procure Class II or Class III Digital e-Token having 2 certificates inside it, one for Signing/Verification purpose and another for Encryption/Decryption purpose. The tender should be prepared & submitted online using individual's Digital e-Token.

The Contractors participating first time for e-Tenders on Maha e-tendering portal will have to complete the Online Registration Process for the e-Tendering portal. A link for enrolment of new bidders are as follows.
https://mahatenders.gov.in/nicgep/app.jsessionid=CA1444774BB4186D0E04B4178D5CA501.mhg_eps2?page=BiddersManualKit&service=page

Empanelment: The Contractors interested in participating in the Tenders of Maharashtra Pollution Control Board processed using the Electronic Tendering System shall be required to enroll on the Electronic Tendering System to obtain Login ID and password. The Contractors may obtain the necessary information on the process of enrolment either from Helpdesk support team or enrolled directly on Web site www.mahatenders.gov.in.

e-Tendering Tool Kit for Bidders

(detailed Help documents, designed for bidders) has been provided on Mahaetender website in https://mahatenders.gov.in/nicgep/app.jsessionid=CA1444774BB4186D0E04B4178D5CA501.mhg_eps2?page=BiddersManualKit&service=page order to guide them through different stages involved during e-Tendering such as online procedure for Tender Document Purchase, Bid Preparation, Bid Submission.

Bidders will have to pay cost of Tender Document through online modes of payment by **Net Banking only** during **Tender Document Download stage**. This payment will not be accepted by the department through any offline modes such as Cash, Cheque

or Demand Draft.

Similarly, Bidders will have to pay Earnest Money Deposit through online mode by Net banking only during **Bid Preparation stage**. This payment will not be accepted by the department through any offline modes such as Cash, Cheque or Demand Draft.

For any assistance on the use of Electronic Tendering System, the Users may call the below numbers: **24X 7 Help Desk Toll Free No.1800 3070 2232 Mobile No. 7878007972, 7878007973, 7878007974.**

For a bidder, online bidding process consists of following 3 stages:

1. *Online Tender Document Purchase and Download*
2. *Online Bid Preparation*
3. *Online Bid Submission*

All of 3 stages are mandatory in order for bidders to successfully complete Online Bidding Process.

TENDER DOCUMENT PURCHASE AND DOWNLOAD:

The tender document is uploaded / released on Mahaetenders website www.mahatenders.gov.in Tender document and supporting documents may be purchased and downloaded from above link of Mahaetender site GoM, by making payment through **Online Payment Modes i.e. Net Banking Only**.

If for any reason a bidder fails to make this payment through online modes, system won't allow the bidder proceed further for next stage resulting in his/her elimination from Online Bidding Process.

This payment will not be accepted by the department through any offline modes such as Cash, Cheque or Demand Draft.

Subsequently, bid has to be prepared and submitted online **ONLY** as per the schedule.

The Tender form will be available online only. Tender forms will not be sold / issued manually. The bidders are required to download the tender document within the prescribed date & time mentioned in online tender schedule. After expiry of the date and time for tender document download, Department / Corporation will not be responsible

for any such failure on account of bidders for not downloading the document within the schedule even though they have paid the cost of the tender to the Department / Corporation. In such case the cost of the tender paid by the bidders will not be refunded.

PREPARATION & SUBMISSION OF BIDS

Bids shall have to be prepared and subsequently submitted online only. Bids not submitted online will not be entertained.

Online Bid Preparation Price BID

All commercial offers must be prepared online in given BoQ format (An online form will be provided for this purpose in Online Price Bid Envelope during **Online Bid Preparation** stage).

Online Bid Submission

In this stage, bidders who have successfully completed their Bid Preparation stage are required to submit the bid in prescribe time schedule.

INSTRUCTION TO BIDDERS FOR ONLINE BID PREPARATION & SUBMISSION

Bidders are required to pay Earnest Money Deposit (if applicable to them) through Online Payment modes i.e. **Net Banking only** during Bid Preparation Stage.

If for any reason a bidder fails to make this payment through online modes, system won't allow the bidder to complete Bid Preparation stage resulting in his/her elimination from Online Bidding Process.

Hence, it is strongly recommended to bidders to initiate this payment well in advance prior to expiry of Bid Preparation stage in order to avoid elimination from Online Bidding Process on grounds of failure to make this payment.

During the activity of **Bid Preparation**, bidders are required to upload all the documents of the technical bid by scanning the documents and uploading those in the PDF format. This apart, bidders will have to quote commercial offer for the work / item as per the format given, for which bids are invited, in an online form made available to them in Commercial Envelope. This activity of **Bid Preparation** should be completed within the pre-scribed schedule given for bid preparation.

After **Bid Preparation**, the bidders are required to complete **Bid Submission** activity within prescribed schedule without which the tender will not be submitted.

The date and time for online preparation followed by submission of envelopes shall

strictly apply in all cases. The tenderers should ensure that their tender is prepared online before the expiry of the scheduled date and time and then submitted online before the expiry of the scheduled date and time. No delay on account of any cause will be entertained. Offers not submitted online will not be entertained.

If for any reason, any interested bidder fails to complete any of online stages during the complete tender cycle, department shall not be responsible for that and any grievance regarding that shall not be entertained.

Any amendment to the tender will be placed on sub portal of the Department, who have invited the bids, on Maha e-tendering portal. The tenderer will not be communicated separately regarding the amendment.

OPENING OF BIDS:

The bids that are submitted online successfully shall be opened online as per date and time given in detailed tender schedule (if possible), through e-Tendering procedure only in the presence of bidders (if possible). Bids shall be opened either in the presence of bidders or its duly authorised representatives. The bidder representatives who are present shall sign a register evidencing their attendance. Only one representative per applicant shall be permitted to be present at the time of opening the tender.

TECHNICAL BID ENVELOPE

This envelope shall be opened online as per the date and time given in detailed tender schedule (if possible), through e-Tendering procedure only,

The technical bid consist of following Documents

Sr No	Description	Documents status
1	Certificate of incorporation / Registration Service Tax registration certificate	Compulsory
2	MAF from M/s. MacAfee with respect to Maharashtra Pollution Control Board with the number of this e-Tender	Compulsory
3	Work Order	Compulsory

Price Bid ENVELOPE:

This envelope shall be opened online as per the date and time given in detailed tender schedule (if possible), through e-Tendering procedure only,

Sr No	Description	Documents status
1	BoQ as per given excel Format	Compulsory
2	Price Bid Format Annexure – 1	Compulsory
3	<i>FORMAT FOR COVERING LETTER SUBMISSION- WITH PRICE BID</i>	Compulsory