

**PRE-BID QUERIES**

Sr. No.	Page No.	RFQ Document Section / Clause No.	Technical Specification / Terms and Condition in the RFQ document / Description	Query / Clarification Sought	Reply from BSES Yamuna Power Ltd
1	36	Scope of Work (i.)	i. The SMS Services should cover the facilities like Push Service and Pull SMS using short / long code / VMN.	Short code mentioned in SOW needs to be procured by bidder or will it be provided by BYPL?	Short code need to be procured by vendor.
2	36	Scope of Work (i.)	i. The SMS Services should cover the facilities like Push Service and Pull SMS using short / long code / VMN.	Bidder should own the Short Code being procured for this solution, please confirm	Yes, Bidder should own the short code.
3	37	Scope of Work (iv.)	iv. The bidder should have 24x7 support office / representative in Delhi to provide onsite support immediately on call.	Sales, Presales, Project Manager and Technical Account Manager are present in Delhi for local support. We have support team operating from Mumbai and Bangalore. If required, someone can fly done incase of any meeting or urgency. Hope this is fine.	Vendor will have to provide 24X7 support. It is responsibility of vendor to arrange support from any of their locations, if required so.
4	36	Scope of Work (x.)	x. The bidder has to route all messages sent by the BYPL as "Transaction Messages" without necessitating the scrubbing against National Customer Preference Register (NCPR) introduced by TRAI unless specified otherwise.	Please remove this point. Not applicable anymore. Post DLT feature getting live, there is no live DND database shared with SMS vendors. TRAI & Telecom operators take care of the necessary DND compliance.	Agreed and point can be removed as per current DLT regulation implemented by TRAI
5	36	Scope of Work (xi.)	xi. The bidder should be capable of sending voice messages or email messages in case of failure in sending SMS message. For this bidder should have in-house capabilities of sending voice message and Email messages.	Please share field for mentioning price of voice messages in commercial section	Voice commercials to be kept separate, not in scope of this tender
6	37	Scope of Work (xvii.)	xvii. DND compliance will be the responsibility of the Bidder/Service Provider. Buyer will not enter into any contract with any telecom, carrier or service provider. The bidder shall be the single point of contact for the Buyer.	Please remove this point. Not applicable anymore. Post DLT feature getting live, there is no live DND database shared with SMS vendors. TRAI & Telecom operators take care of the necessary DND compliance.	Agreed and point can be removed as per current DLT regulation implemented by TRAI
7	37	Scope of Work (xviii.)	xviii. The Portal should provide filters on dates, mobile numbers and departments etc.	We support search with Mobile number, Message ID, Message Tag, File ID and Date Range. Please confirm expectation from the word 'department'.	Agreed and Department word can be omitted.
8	38	SMS Product Specification (Point No. 10)	• Provision of Web-based reports for download in Excel/Txt/PDF format	Download reports format is CSV / Excel. Download in pdf format is not supported. Please allow exception	Agreed. Export of report in xls and CVS format would server purpose.
9	38	SMS Product Specification (Point No. 14)	In case any of the successful bidder is different than the current SMS vendor of the Buyer, then the solution offered by the new bidder to run parallel to the existing system of the Buyer for 2 months. The contract will be awarded to the new bidder only upon satisfactory performance of the solution	The period of 2 months mentioned in this point is to be considered as paid testing period or free testing period.	SMS charges will be provided as per contract during this period
11	19	5	Value of the Contract Order	Pricing is fixed for first year or entire duration of contract i.e; 3 years + 1 year. Please clarify.	Fixed for 3 years

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12	22	10.3	Penalties at Operational Stage	<p>Modification required:                      Exception of 10% is expected on all penalty related points.                      - OTP: 90% of SMS shall be delivered within 15 secs.                      - Transactional: 90% of SMS shall be delivered within 15 mins.                      - Promotional: 90% shall be delivered within 120 mins.                      - All penalties on each of the parameters of grid should to be considered on 90% of total SMS being sent as sometimes deliveries get impacted due to many external/uncontrollable factors.                      *External/uncontrollable factors include reasons which are beyond control of Karix like Absent Subscriber, Invalid Subscriber, Calls barred, etc.</p>	Agreed & accepted by BYPL
39	15	23.03	(a)Contract completion schedule	When and in which format is Contract completion schedule to be submitted	Shall be shared after award contract with successful bidder
10	10	1.4.4	Confidentiality	Kindly consider to make this clause mutual as we will also be sharing our commercial & other technical specifications during the bidding process which are confidential to us.	Agreed
13	23	15	Indemnity	Kindly consider to make this clause mutual as we would also need Indemnity for content to be pushed .	Agreed
15	34	34	Liquidated Damage	Too high, kindly reduce the same to 50% of currently mentioned values	Tender condition prevails
16	34	34.1	28.1Service Provider shall ensure that the jobs are carried out in accordance with the terms and conditions of this Agreement. If the jobs are not carried out to the satisfaction of the Officer-in-Charge, whose decision will be final and binding, including events of delay for reasons attributable to the Service Provider <b>excluding uncontrollable situations beyond the control of the Contractor</b> , the Service Provider shall be liable to pay and / or reimburse to the Company a sum- Kindly accept the modification and consider that penalty is too high. Request to reduce the same.	Please consider adding green part for uncontrollable factors. Kindly accept the modification and consider that penalty is too high. Request to reduce the same to 50% of what is mentioned in tender.	> Tender condition prevails > Refer Force Majeure clause regarding any event or circumstance not within the reasonable control, of the Party affected.
17	40	S.No. B & C	Commercial Bid / Price Format	According to latest TRAI guidelines, DLT charges are applicable additionally on submission now. Please add field for capturing DLT charges (on submission) in commercial section.	Please include the same in SMS Rate

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18	20	8	Terms of Payment	There are uncontrollable factors due to which exception on billing on delivery is required . Eg: Delivery of SMS from Telco (GSM/CDMA) network to handset, Message retries if not delivered, e.g. phone switched off, Inbox full, Roaming, etc. In these cases the latency of the message delivery is increased. Also, no error code is received from the operator in this case. , Barring all network and radio errors. (like : out of network area/handset switched off, memory full, inbox full, invalid numbers, etc.), SMS not delivered in case of Absent Subscriber, Etc.	Agreed and accepted
19	6	12	Certified copy of registration as registered telemarketer as per TRAI guidelines	According to latest TRAI guidelines, TM registration is given by Telecom operators and not by TRAI, resp. proof shall be provided by us	Agreed and accepted
20	9	1.4.2	Award Decision	Please share decision criteria for L1 bidder as different line items would be quoted separately by different bidders. How will BYPL select the lowest bidder, please help us with formula	It will be done at sole discretion of BYPL
21	42	11	Annexure-1: Acceptance Form for Reverse Auction Participation	Reverse Auction: Will the RA Start Price would be same as L1 bid price?	RA will start at your quoted price and you will have to improve your position to L1 in RA.
22	42	11	Annexure-1: Acceptance Form for Reverse Auction Participation	Reverse Auction: Will Reverse Auction be on single line item basis or on Total Contract Value (TCV)?	Line item wise
23	42	11	Annexure-1: Acceptance Form for Reverse Auction Participation	If the answer to point 15 is TCV, then please share weightage of each line item which would be considered for calculating TCV.	It will be done at sole discretion of BYPL
24	8	1.4.1 Bid Submission	Part-A (Technical Bid) & Part-B (Financial Bid) needs to be submitted in hardcopies	Please consider this bid submission in soft copies instead of hard copies as due to lockdown in many areas it would be difficult to furnish required documents in hardcopy and send our representative to BYPL office.	Hardcopies & Pen drive submission only
25	12	9.02 EMD	(a)Fixed Deposit Receipts (FDR)/ DD/ Pay Order/ Banker's Cheque from a nationalized or scheduled bank in favor of BSES YAMUNA Power Limited valid for 90 days after the last date of receipt of tenders	Please share Bank account details for doing NEFT of Tender Cost (Rs 1180/-) and EMD Amount (Rs 1,18,000/-) instead of hard copy DD considering Covid & lockdown situation	Shared separately with bidders those who has requested.
14	26	19	Safety Code	Please consider removing this section as it is not applicable to our Industry and SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
26	20	9	Statutory Obligations	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
27	23	11	Penalty clause on Statutory	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
28	28	21	Workmen Compensation	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
29	28	22	Third Party Insurance	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
30	28	24	Replacement of Resource(s)	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
31	29	25	Human Resource Issues	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document

**NIT No.: CMC/BY/21-22/RB/RD/14 "CONTRACT FOR PROVIDING PULL/PUSH SMS AND SMTP RELAY SERVICES IN BYPL"**

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32	31	26	Contractor's Other Obligations	Please consider removing this section as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
33	34	37	ENVIRONMENTAL, HEALTH and SAFETY PLAN	Please consider removing this section as it is not applicable to our Industry and SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
34	43	Annexure-II	Annexure-II	Please consider removing Annexure-II as it is not applicable to our Industry and SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
35	8	Part A Technical Bid	•An undertaking that salary of deployed resource shall be as per applicable minimum wages in NCT of Delhi and all other statutory compliances. Also the salary shall be credited through ECS in the account of resource deployed.	Please consider removing this point as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
36	8	Part A Technical Bid	•Copy of all statutory Registration certificates like, ESI, PF etc.	Please consider removing this point as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
37	7	Commercial & technical documents	h)Details of resource engagement capability	Please consider removing this point as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
38	7	Commercial & technical documents	j)Copy of ESI/PF Registration certificate	Please consider removing this point as it is not applicable to SOW of this tender	Standard Tender Clause and it will remain as a part of tender document
39	8	PART A: TECHNICAL BID	An undertaking that salary of deployed resource shall be as per applicable minimum wages in NCT of Delhi and all other statutory compliances. Also the salary shall be credited through ECS in the account of resource deployed.	Resource costing needs to add in commercial line item	Implementation and integration is part of bid and bidder has to ensure proper implementation of services in BSES Yamuna Power Ltd. Kindly specify deployment of resources.
40	9	1.4.2 Award Decision	1.4.2 Award Decision a) Company intends to award the business on a lowest bid basis but should cover the cost of resources required to execute the work along with reasonable profit, so contractors are encouraged to submit the bid competitively. The decision to place order/LOI solely depends on Company on the cost competitiveness across multiple lots, quality, delivery and bidder's capacity in addition to other factors that Company may deem relevant.	Is their any RA process ? How many bidders going awarded ? What will be the traffic segregation 60:40 or 50:50	RA shall be conducted as per BYPL SOP. It will be done at sole discretion of BYPL.
41	8	1.4.1 BID SUBMISSION:	The bidders are required to submit the bid in 2(two) parts:Hard copy of Tender documents shall be submitted at main gate in tender box. Bidders will intimate through mail/SMS within 02 hours from the submission time to TPC and Concern Buyer Bidder has to ensure that tender copy is dropped in correct box designated for tender submission only. BYPL shall not be responsible for any wrong placement of tender document by	Due to current Pandemic situation in Delhi to drop the Hard copies into the tender BOX is quite difficult so its better to allow direct courier on the mentioned your office address or if you can do the arrangements for submitting TECHNO COMMERCIAL BID & Financial bid Online then it will be great. Now a days lots of RFP we are participating and everyone skip the physical submission and keep ONLINE submission only so you also requesting you to keep the ONLINE submission only.	> Bids documents to be submitted in Hard Copy only. > You can send the documents through courier. However, your bid shall be rejected in case of delayed submission without assigning any reason thereof.

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42	12	9.02 EMD	Pursuant to Clause 8.0(b) above, the bidder shall furnish, as part of its bid, an EMD of requisite amount as already specified in the Section-I. The EMD is required to protect the Company against the risk of Bidder's conduct which would warrant forfeiture. The EMD shall be denominated in any of the following form. Earnest Money Deposit (EMD) of value INR ₹1,10,000	The bidder is not required to submit the Bid Security/ EMD as per the directives from Government of India.(Ref. F. 9/4/2020-PPD dated 12.11. 2020).The bidder is required to submit (Bid Security Declaration) for participation in the RFP. So please requesting you to check the given memorandum and confirm accordingly . ( If given details relevant to us for this RFP then please share the BID Declaration format in this regards .	EMD & Tender fees to be submitted as per Tender document
43	6	1.3 Qualification Criteria / 10	The Bidder should be able to allocate a minimum throughput 20000 SMS/sec to BSES Yamuna	We hope its an typo mistake and you are looking for 2000 SMS/ Sec to BSES YAMUNA . Kindly clarify	It is not a typo error. Through put is 20000 msg/sec
44	6	1.3 Qualification Criteria / 18	Bidder should have a direct SMPP connectivity with at least three major different telecom operators in India with major market share. Bidder should have a direct SMPP connectivity with at least three major different telecom operators in India with major market share.		Direct SMPP connectivity to three major telecom operators is required.
45	7	1.3 Qualification Criteria / 18	Bidder should have a direct empanelment with DAVP/ Outreach Media.	We Route Mobile Limited are the Processor of Messages we are not the crafter nor the originator of the messages so this is not applied to us . We Process messages based on clients directives. Currently we are serving to many of the PSU & Private banks as a sms aggregator since last 7 Years which includes SBI , ALLAHABAD BANK , CANARA BANK , PUNJAB AND SIND BANK , Indian Overseas Bank . We recently empaneled with the LIC , Bank Of India and Bank Of Baroda . In private sector Banks Like Axis and ICICI we are the SMS aggregator and serving them since last couple of Years . In Transmission sector for TATA POWER DELHI DDL & West Bengal state Electricity Board are our customers since last couple of Years . For OIL and GAS industry IOCL and HPCL are our clients for SMS services .	Agreed and accepted by BYPL