

S.N.	Clarification Requested	Clarifications by MDMA
1.	<p><b><u>The specification of the stores is at major variance from the DGS&amp;D Rate Contract (accessible at dgsnd.Gov.in) and Indian Standards</u></b> of same and similar items. Whereas DGS&amp;D Rate Contract stipulates SS Grade 304 as per IS:14756 and 5522 (Indian Standard for Utensils), SS having 8% nickel which is important for food grade of steel, subject tender specifies nickel only as 1% <b><u>No material of 1% nickel is specified in the Indian Standards.</u></b> Moreover, <b><u>DGS&amp;D Rate Contract covers both the items</u></b> of the subject tender-Compartmental Tray and Glass 300 ml, as per Indian Standard. Same can be used. It is notable that all defence purchases are also as per 8% Nickel; (in variance with provisions of Chapter 5 of UP Procurement Manual (Procurement of Goods) (First Edition));</p>	No clarification required. The Technical Specifications of the Utensils under the said document have been specified by the technical committee of the Government.
2.	<p>DGS&amp;D has already issued Rate Contract to one unit of UP (refer dgsnd.gov.in)_and is likely to issue the same to at least 04 more UP state units in the next 07 days, thereby confirming existence of competency to manufacture SS utensils, within state of UP. Despite such units actively engaged in manufacturing and supplying to various Central Govt. buyers, they are being deprived of serving requirements in their own state due to tender having various conditions which no SSI unit of state of UP is likely to meet. Some such conditions and tender anomalies are as under;</p>	No clarification required.
3.	<p>Whereas 01 Crore Glasses and Thali each are required in 03 months, tender has provision for minimum bid quantity of only 25 lakh nos. each. This huge quantity in 03 months cannot be supplied by a SSI. There should be a provision to allow bidding of smaller qty., say 05 lakh-10 lakh numbers also. Not only will many state units be able to bid, thereby bringing manufacturing activity to state, employment and revenue generation of state of UP will also grow. At the same time, by allowing so, requirement of tender will not be diluted in any manner;</p>	Provisions of the tender document in this regard are clear and need no clarification. Please Refer to Para 7.5, 7.6 & 14.7 of the tender document.
4.	<p>The Policy of Government is to make procurement of goods for the public service in such way as to encourage the development of the industries of the country in general and of <b><u>Uttar Pradesh in particular to the utmost possible extent consistent</u></b> with economy and efficiency. (ref. para 3.1 of UP Procurement</p>	Provisions of the tender document are clear and need no clarification. Please refer to the Para 3.3 of UP Procurement Manual (Procurement of Goods) (First Edition).

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	Manual (Procurement of Goods) (First Edition). <b><u>Said tender ignores the guideline.</u></b>	
5.	In order to give effect to the above policy, Purchase preference/Price preference may be given subject to such instructions as may be issued by Government in the Department of Micro, Small and Medium Enterprises. The procuring entity should check the latest instructions issued by Government in this regard (ref. para 3.2 of UP Procurement Manual (Procurement of Goods) (First Edition)). <b><u>Said tender ignores this guideline too.</u></b>	Provisions of the tender document in this regard are very clear and need no clarification. Please refer to Para 3.3 of UP Procurement Manual (Procurement of Goods) (First Edition).
6.	<p>The <b><u>Glass dimensions provided in tender specification theoretically translate to a capacity of only 291-292 ml as against specified 300 ml.</u></b> The shape of Glass is in shape of a geometrical figure called 'Frustum'- volume of which is calculated as <math>3.14 * height (R * R + r * r + Rr)</math>. In specified dimensions, converted from inches to mm, height=99.06 mm; R=35.56 mm; r=25.4 mm. Derived value is 291.64 ml. Since, no tolerances to dimensions are specified, please confirm as to how 300 ml capacity can be achieved.</p> <p><b><u>Compartment sizes of Thali, their depth are also not specified.</u></b> Variations between various suppliers are likely to occur due to this anomaly. <b><u>Also, beeding of edges of thali should be specified as is done in DGS&amp;D Rate Contract to ensure no sharp edges exist,</u></b> thereby facilitating usage and leaving no chance of injury to the user, which in this case is a child.</p>	<p>Refer to Para 6 of the Tender Document.</p> <p>Refer to Para 6 Row-1 of the Tender Document, under which the sample picture and other specifications of Thali clarify this.</p>
7.	<p><b><u>Tender Condition that mandates minimum single order value of Rs. 25 crores and therein minimum consignee delivery points as 450 is also against the SSI units. Delivery to consignees is always outsourced from various transport agencies.</u></b> Experience thereof should therefore not be counted as important for the manufacturer. Moreover, Rs.25 crore single order value is again not in spirit of SSI units of state as the total turnover of such units is within 10-20 crores. But, at the same time such units, as explained above, can very well supply reasonable quantities i.e. 5 lakhs-10 lakhs sets of utensils each.</p> <p>As suppliers to Defence and Para Military forces, we are supplying material all over India. Also, for UP State Election Commission, Ballot Boxes have been</p>	Refer to chapter 3 of UP Procurement Manual (Procurement of Goods) (First Edition).

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	supplied by us to all 75 districts within UP. Said tender only has additional stations within these 75 districts which can be serviced in the same manner as we have done for 75 single district points;	
8	<b><u>SSI units reg. with DLNSIC are exempted from EMD (ref. provision No. 9.5 9.6 contained in chapter 9 of UP Procurement Manual (Procurement of Goods) (First Edition).</u></b> However, no exemption to EMD of Rs. 01 Crore has been provided to state SSI units.	Provisions of the tender document in this regard are very clear and need no clarification..
9	<b><u>EMD is allowed in the form of BG (ref. para 9.8 of UP Procurement Manual (Procurement of Goods) (First Edition)</u></b> whereas subject tender asks the same as either DD or Pay Order only.	Provisions of the tender document in this regard are very clear and need no clarification.
10	Financial Evaluation system of tender is at variance with G.O. no. 2/2016/071/18-2-2016-51(SP)/2016 dtd.28.01.2016 No Purchase /Price preference to state units is mentioned in tender. although allowed in said GO.	No clarification required.
11.	Consortium Turnover required of Rs. 100 Crores and Rs. 50 Crore (of at least one member) is only to be counted from manufacture and supply of SS Utensils and Wares or will be counted from other activities as well.	Refer to Para 7.3 of tender document, which clearly states that the average annual turnover is only to be counted from manufacture and sale of Stainless Steel Wares
12.	Whereas 'average' turnover of Rs.100 Crores in last 03 years is mentioned, no such mention of 'average' is made in condition of Rs.50 Crore turnover of at least one consortium member. Please confirm if the same is average of 03 years or of any one year.	The annual turnover of Rs. 50 crore of the manufacturer member in a consortium is the average annual turnover of the last 03 financial years.
13.	No mention is made as to how capacity assessment will be made of the tenderers before placing order. Only documentary evidence of the same is asked. There should be a transparent and objective assessment criteria of evaluation of technical capacity of all bidders.	Provisions of the tender document in this regard are very clear and need no clarification.
14.	We are regularly supplying SS Utensils and other SS wares to Ministry of Defence and other Para military forces. Besides being ISO certified, we are also registered for SS Utensils of various types with Director of Industries U.P., NSIC and Ministry of Defence. we also hold various past supply inspection notes of satisfactory supplies issued by Ministry of Defence and DGS&D itself.	Need no clarification.

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15.	PURCHASE PREFERNECE & PRICE PREFERENCE: As per G.O. notification No. :2/2016/071/18-22016-51(SP)/2016 Dt. 28.01.2016	Need no clarification.
16.	EARMEST MONEY: Being SSI (MSME) Unit we are exempted from depositing the earnest Money. G.O. No:	Provisions of the tender document in this regard are very clear and need no clarification.
17.	As per State Govt Purchase Rules “EMD” can be submitted in the form of Bank Draft/FDR/Bank Guarantee.	Provisions of the tender document in this regard are very clear and need no clarification.
18.	As per the Notification No such conditions should be kept in the tender to eliminate participation of STATE UNIT.	Provisions of the tender document in this regard are very clear and need no clarification.
19.	The material should be procured by Govt Departments having ISI Marked. In case ISI Mark is not available ISS specifications should be followed.	Provisions of the tender document in this regard are very clear and need no clarification.