

DEPARTMENT OF DEVELOPMENT AND
PANCHAYATS

INVITES

REQUEST FOR PROPOSAL

For the sale of land of Gram Panchayat for setting up
World Class University with cutting edge pedagogy in
Village Badhsa, Jhajjar.



September 2019

RFP reference No. : 29218

Department of Development and Panchayats
Haryana Panchayat Bhawan, Sector 28, Chandigarh

Table of Contents

A.	Document Control Sheet	4
1.	Introduction	5
2.	Scope of work	7
2.1	Responsibilities of Bidder	7
2.4	Key Performance Indicators	8
2.6	Performance Evaluation Committee	9
3.	Eligibility criteria, Technical and Financial capability of bidders	9
3.1.	Eligibility of applicants	9
3.2.	Technical bid qualification	11
3.3.	Evaluation of Technical proposal	15
3.4.	Evaluation of financial proposal	15
4.	Information and instructions to the bidders – General instruction	16
4.1.	Checklist of Submission	16
4.2.	Important Instructions	18
4.2.1	Registration of bidders on e-Procurement Portal	18
4.2.2	Obtaining a Digital Certificate	18
4.2.3	Download of Tender Documents	19
4.3.	Pre-bid meeting	19
4.4.	Number of Applications and costs thereof	19
4.5.	Site Visit and Verification of Information	19
4.6.	Acknowledgement by Applicant	19
4.7.	Right to Accept or Reject any or all Applications/ Bids	20
4.8.	Clarifications	20
4.9.	Amendment of RFP	21
4.10.	Language of proposal	21
4.11.	Format and Signing of application	21
4.12.	Submission of proposal	22
4.13.	Application due date	22
4.14.	Late applications	22
4.15.	Opening & Evaluation of Applications	22
4.16.	Confidentiality	23

4.17.	Clarifications from Applicants	23
4.18.	Shortlisting & Notification.....	23
4.19.	Proprietary Data.....	23
4.20.	Payment Schedule(Sale Price).....	24
5.	Fraud & Corrupt Practices.....	24
6.	APPENDIX.....	26
6.1.	Form Tech 1 –Technical Proposal Submission Form.....	26
6.2.	Form Tech 2 Details of Bidder(s) or consortium partners	27
6.3.	Form Tech 3 Financial Information	27
6.4.	Form Tech 4 – Experience of bidder (use separate sheet for each institute).....	28
6.6.	Form Tech 6 - Description of Approach, Methodology and Work Plan for Performing the Assignment.....	29
6.7.	Form Tech 7 Power of Attorney for signing of proposal.....	30
6.8.	Form Tech 8 Power of Attorney for lead member of consortium	32
6.9.	Form FIN- I.....	34

A. Document Control Sheet

#	Information	Details
1.	RFP reference No. a	RFP reference No.)
2.	Pre-bid Meeting (Date/Time & location)	Date: 30.09.2019 Time: 11 :00 AM Location: Conference Hall, Haryana Panchayat Bhawan, Sector 28 A, Chandigarh
3.	Start Date, Last date and time for submission of proposals	To be announced
4.	Opening of Technical Bid	To be announced
5.	Date of Opening of Commercial bids	Date: to be decided
6.	Contact Person	Name: Sh Uttam Dhalia, Deputy Directors, Panchayat. Mobile : 9417039867 Email : panchayatsdpt@gmail.com
7.	Submission mode	Online submission at https://etenders.hry.nic.in/
8.	Tender Processing Fee	As per online mode
9.	Cost of RFP document & Mode of Payment	Rs 5000 (to be paid at the time of the submission of technical bid) As per e-tendering portal
10.	Bid Security Amount	EMD in the form of Bank guarantee Amount is Rs 5.00 Crore, in words Rupee Five Crore Only.
11.	Method of selection	Technical and Highest Bidding

1. Introduction

A. Background

- i The Gram Panchayat, Badhsa with prior approval of State Government has earmarked land in Village Badhsa, Jhajjar to setup world Class University with state-of-art infrastructure and cutting edge pedagogy.
- ii The Gram Panchayat now intends to sell land measuring 120 Acres near AIIMS Badhsa under bidding process for selection of the entity to whom the Project could be awarded.
- iii Government of Haryana in the overall public interest and to provide quality higher education facilities in the Haryana, shall grant to the agency, the land.
- iv The selected Bidder shall be responsible for executing work as per the scope mentioned in this RFP and will be entered into agreement with Gram Panchayat/Department.

B. Introduction and Vision :

The University will have infrastructure and facilities as per the State and UGC norms with stipulations on pupil-teacher ratio, ICT usage, holistic educational environment, appropriate curriculum and emphasis on output and outcome. The standards and the targets for performance in academic, research, examination, skills development and placements should also be at par with the performance by any State University.

Vision for this University will be:

- a) To make Haryana a knowledge-based community by fueling its Higher Education landscape to respond to both local and global challenges.
- b) (Education provided in this university should be holistic and integral touching upon physical, emotional and aesthetic development in addition to academics.
- c) To encourage highest standards in research and publication.

- d) To incentivize teaching and make teachers accountable.
- e) To provide necessary infrastructure that will not only for satisfying teaching needs, but also for sports and co-curricular activities. There will be sufficient scope for sports, recreation and outdoor activities. Facilities like playground, gardens, seminar hall, recreation and outdoor activities etc. will be provided. A good library equipped with ICT with books and magazines for students and teachers will be provided.
- f) To explore and implement innovative ways of financing Higher Education.
- g) To employ Information, Communication and Technology (ICT) to share resources and improvise governance structure.
- h) To integrate university education with the larger sociological development of the State by building a tie between secondary schools and universities.

C. Other Features of University

- (i) The Teacher/Resource person Student Ratio should at par with norms of State and UGC.
- (ii) The University curriculum should include the advanced areas of technology and research i.e Artificial Intelligence, Robotics, Machine Learning etc.
- (iii) This University will have facilities to cater to disabled children and should have special teachers.
- (iv) Selection of students will be done on merit basis.
- (v) University will adhere to all the terms and conditions regarding admissions, fees, penalties, starting of courses, etc, and other regulation as per the provisions envisaged in the Haryana Private University, Act 2006 as amended time to time.
- (vi) The university will adhere to the rules and regulations for the different courses as per the different regulatory bodies norms like UGC/AICTE/BCI/AYUSH etc.
- (vii) Minimum strength of the students in the university should be not less than 10,000 in all the streams at the end of ten years and not less than 5,000 at the end of 5 years.

D. Invitation for Request for Proposal

- I. Through this RFP, Panchayat Department, Haryana invites responses from eligible and reputed entities to setup World Class University with state-of-art infrastructure and cutting edge pedagogy at Village Badhsa, Jhajjar.
- II. This invitation to bid is open to all bidders meeting the eligibility criteria as mentioned in this RFP Document.
- III. Proposals must be received not later than time and date mentioned in the Data Sheet. Proposals will not be accepted by the system after due date/ time.
- IV. The Panchayat Department may, at its discretion, extend the date for submission of bids.

2. Scope of work

Department of Development and Panchayats, Haryana, intends to select an Agency / Institute/ University/ Organization to set up World Class University with state-of-art infrastructure and cutting edge pedagogy at Village Badhasa, Jhajjar:

2.1 Responsibilities of Bidder

- i. Develop, build 8 Lac Sq.Mt of covered area in the period of 10 Years and to operate the University as per the State and UGC norms.
- ii. Undertake all types of recurring fixed and variable costs associated with the operating and upgradation of the University
- iii. Develop necessary infrastructure for teaching needs, sports, co-curricular activities, seminar hall, amphitheater etc.
- iv. Develop and maintain state of the art library with books and magazines for students and teachers
- v. Ensure adequate ICT infrastructure, Internet connectivity and full time computer teachers.
- vi. Ensure competitive, holistic and transparent admissions process for prospective students through an independent entrance exam, group discussion and interview.
- vii. To provide reservation for students of Haryana as per the State Private University Act.

- viii. To provide 100% fees concession to 25 % of total students over and above of the students covered under State Private University Act from 6th year of the operation.
- ix. Encourage admissions of students with proven track record in sports by providing competitive scholarships and relaxation of entry requirements.
- x. Design and deliver Undergraduate and Postgraduate degrees in the emerging technologies
- xi. Academic collaborations with world class academic institutions both within and outside of India so students may benefit from academic synergies via student and faculty exchange programmes etc.
- xii. Conduct examinations in accordance with the rules and regulations of State and UGC
- xiii. Provide scholarships to students on merit (academic and sport) and need based (SC, ST and OBC categories) as per the policies of the State Government of Haryana
- xiv. Fee collection and timely distribution of scholarships.
- xv. Successful Bidders will not be allowed to further sell/ lease/ rent out the said land.
- xvi. Successful bidder has to get necessary clearances/Change of Land Use from the concerned department i.e. Town and Country Planning Department, Pollution Control Board etc. after purchase of land.

2.4 Key Performance Indicators

The bidder should adhere to the standards and the target for performance in academic, research, examination, skills development and placements by State and UGC but not limited to :

- i Attendance criteria e.g. minimum 80% attendance across all undergraduate courses and 75% attendance across all postgraduate courses
- ii Dropout not to exceed 5% in undergraduate courses and 7% on postgraduate courses
- iii Placement of minimum 70% for undergraduate courses and minimum 80% for postgraduate courses.
- iv NAAC accreditation of A+ or above and NIRF ranking in top 100 within the first 7 years of operations.
- v Average student satisfaction of 75% or above in yearly student satisfaction surveys across all programs.
- vi Minimum strength of the students in the university should be not less than 10,000 in all the streams at the end of ten years and not less than 5000 at the end of 5 years.

2.6 Performance Evaluation Committee

There shall be an independent third party assessment on a continuous basis of the quality parameters as laid down in Key Performance Indicators. The assessing body will be selected in consultation State Government of Haryana.

3. Eligibility criteria, Technical and Financial capability of bidders

3.1. Eligibility of applicants

As part of eligibility criteria, only those bidders who meet the following pre-qualification criteria are eligible to participate in the Technical and Financial bidding process. Bidders failing to meet these criteria or not submitting requisite supporting documents / documentary evidence for supporting prequalification criteria are liable to be rejected summarily.

Consortium of maximum two organization is allowed. However, lead bidder shall be solely responsible for the delivery and implementation of this project. Bidder must submit the consortium agreement with clear roles and responsibilities of each partner.

To be eligible for evaluation of its Proposal, the Bidder shall fulfill the following Minimum Eligibility Criteria:

Sr. No	Heading	Clause	Document Required
1	Entity	<p>The Bidders eligible for participating in the Bidding Process shall be any 1 (one) of the following 2 (two) categories:</p> <p>Type 1: A registered entity1.</p> <ul style="list-style-type: none">• Company incorporated under Indian Companies Act 1956/2013 as the case may be (with no commercialization) or any entity from outside India under equivalent law; or• Society registered under Society Registration Act 1860; or• Registered public trust under Indian Trusts Act 1882; or• Charitable trust <p>Type 2: A combination of a maximum</p>	<p>1 In case of a company: - Certified copy of the Certificates of Incorporation for companies issued by the Registrar of Companies and Memorandum & Articles of Association.</p> <p>2 In case of registered society: - Certified copy of Registration Deed with objects of constitution of society.</p> <p>3 In case of corporation: - Authenticated copy of the parent statute.</p>

		of two (2) registered entities defined in Type. This shall hereinafter be referred as "Consortium	4 In case of Trust: - Certified copy of the Trust Deed. In case of consortium, joint bidding agreement/MoU
2	Turnover (any consortium partner)	The bidding firm should have a minimum average annual turnover of INR 100 Cr. from education business over last three Financial Years immediately preceding the Bid Due Date	Audited Balance Sheets, Profit and Loss Account of last three years along with CA Certificate with CA's Registration Number and Seal.
3	Experience (any consortium partner)	The entity should have a track record of running educational institutions for at least 5 years.	Experience Certificate or Contract Copy/ Affiliation certificate issued by concerned affiliating University/State.
4	Affiliation (any consortium partner)	Bidder should have affiliation/membership with atleast one industrial association such as NASSCOM, FICCI, ASSOCHAM, CII	Affiliation certificate from Industrial Body
5	Self- Declaration (all consortium partner)	1. The bidder should: - a) Not be insolvent, in receivership, bankrupt or being wound up, not have its affairs administered by a court or a judicial officer, not have its business activities suspended and must not be the subject of legal proceedings for any of the foregoing reasons. b) Not have their Directors and officers been convicted of any criminal offence related to their professional conduct or the making of false statements or misrepresentations as to their qualifications to enter into a procurement process, or not have been otherwise disqualified pursuant to debarment proceedings. c) Not have a conflict of interest in the procurement in question as specified in the bidding document. d) Comply with the code of integrity as specified in the bidding document.	A self-declaration on bidders letter head as per

		2. A firm is not eligible to participate in this project while under sanction by Education Department, GoH or debarred/blacklisted by any State and Central Government	
6	Power of Attorney	General Power of Attorney/Board of Directors Resolution/Deed of Authority executed in favour of person(s) authorized to sign the bid document and the contract and all correspondence/document thereof.	As per Tech form 7 & 8
9	EMD in the form of Bank guarantee	EMD in the form of Bank guarantee Amount is Rs 5.00 Crore, in words Rupee Five Crore Only.	Bid Security should be of Scheduled/Nationalized Bank in favor of Gram Panchayat, Badhsa payable at Badhsa

3.2. Technical bid qualification

Technical evaluation will be done only for those bidders who have qualified the pre-qualification stage. The technical evaluation of the qualified bidders shall be done based on the following evaluation criteria:-

Sr. No	Heading	Clause	Marks Slab	Marks
A. Qualifications & Experience- 25 Marks				
1	Experience	<p>Experience in setting up or running an existing UGC recognized University in India, which has been in operation for at least three years.</p> <p style="text-align: center;">or</p> <p>For Greenfield University, number of years of experience of the Sponsoring Organization/ Promoters as Members in education sector.</p>	<ul style="list-style-type: none"> • For existing university - - • > 15 years -- 15 points • 10-15 years -- 10 points • 5--10 years -- 5 points • 3- 5 years -- 2 points • > 15 years -- 15 points • 10-15 years -- 10 points • 5--10 years -- 5 points 	15

2	Free Education	Proven track record of providing free education to underprivileged children	<ul style="list-style-type: none"> • Upto500 students - 5 Marks • 501-1000 students - 10 Marks 	10
B. Academic Collaborations- 25 Marks				
3	Quality/Ratios	<p>Number of academic Collaborations¹of the existing Universities with Global</p> <p>Universities ranked in the top 50 in the Times Higher Education (THE)World University Rankings 2017,or the QS World University Rankings 2017.</p> <p><i>1. Academic collaborations can be in the nature of faculty and student exchange, curriculum development, joint research projects etc.</i></p> <p>Or</p> <p>In case of Greenfield Universities proven track record, potential of creating such collaborations ² by the Sponsoring Organization or some of its promoters/ members.</p> <p><i>2. Promoters of the Sponsoring Organisation on board/trustees of foreign world class Universities, existing partnerships in other businesses etc.</i></p>	<ul style="list-style-type: none"> • More than 10 -- 25points • 5 – 10 -- 15points • 3- 5 -- 10 points • <3 -- 5points <ul style="list-style-type: none"> • More than 10 - 25points • 5-10 -- 15points • 3-5 -- 10points • <3 -- 5 points 	25

C. Industry Representation 25 Marks				
5	Industry Experience & Representation	Number of members of the apex Governing Body (in case of existing University), or promoters of the Sponsoring Organization (incase of Greenfield University)with Leadership positions ³ in Limited Companies in the IT/ITES Sector with annual turnover of minimum Rs. 2000Crore or its equivalent in USD in each of the last two financial years and Leadership positions ³ in top IT/ITES Sector industry associations such as NASSCOM, FICCI, CII, ASSOCHAM, PHD Chambers	More than 5 members- 15 marks 3-4 members - 10 marks 1-2 members - 05 marks	15
	Industry Experience & Representation	Number of leadership positions ³ of promoters/ members of the Sponsoring Organization in Limited Companies with annual turnover of minimum Rs. 500 Crore or its equivalent in USD in each of the last two financial years. <i>³Leadership positions include current or former Chairman/ Vice-Chairman/ or equivalent, CEO/ Director/ or equivalent, or member of apex leadership</i>	More than 5 members -- - 10 points 3 – 4 -- 7 points 1 - 2 -- 5 points	10
D. Investment Capability – 25 Marks				
6	Investment Capability	Net Worth of the Sponsoring Organisation/Promoters / Members	<ul style="list-style-type: none"> • > 5000 Crores - 15 points • 3000 to < 5000 Crores 	15

			<ul style="list-style-type: none"> - 10points • 1000 to < 3000 Crores- 5 points • 500 to < 1000 Crores - 3 points 	
7	Investment Capability	<p>The applicant should demonstrate the capability to invest in the project to the tune of minimum 400 crore over a period of 10 years. Weight age shall be given to the proposal with highest investment promised.</p> <p>Further the project should make 30 per cent of the proposed investment (excluding land) within a period of 3 years from the date of allotment as certified by a Fellow Chartered Accountant. In case of any default on above commitment the site can be resumed and refund made. The vendee shall not be entitled for any compensation for the infrastructure created. In addition, penalty shall be payable as per the provision of Haryana Private University Act. This should be accompanied with a 10 years Business Plan demonstrating viability of the project and ability to achieve global repute and to positively impact Haryana's economic and social</p>	<p>Investment in the project over period of 10 years (excluding land)</p> <ul style="list-style-type: none"> >1500 Crore - 10 points >1000 Crore - 7 points >750 Crore - 5 points >400 Crore - 3 points 	10

		outcomes.		
	Total		-	100 Marks

3.3. Evaluation of Technical proposal

The minimum Technical Qualification score for the bidder to be qualified is 60 for opening of Financial Bid.

3.4. Evaluation of financial proposal

- i. In the second stage, the financial evaluation will be carried out on the portal of Higher Education, Department. For financial evaluation, the total cost indicated in the Financial Proposal will be considered.
- ii. The department will determine whether the Financial Proposals are complete, unqualified and unconditional. The cost indicated in the Financial Proposal shall be deemed as final and reflecting the total cost of services. Omissions, if any, in costing any item shall not entitle the bidder to be compensated and the liability to fulfill its obligations as per the TOR within the total quoted price. The Highest financial proposal (FM) will be considered for the project.
- iii. Any condition or qualification or any other stipulation contained in the Proposal shall render the Proposal liable to rejection as a non-responsive Proposal

4. Information and instructions to the bidders – General instruction

4.1. Checklist of Submission

#	Criteria/Form	Documents required	Status (submitted/Not submitted)
1	Applicant must be an Indian entity	Certificate of incorporation	
2	Tender Processing fee	As per Online payment	
3	Bid Security Amount	Total Bid Security Amount is Rs.5.00 Crore, in words Rupees Five Crore only.	
4	Tender Fee (As per online mode)	Online payment	
5	<p>The Bidders eligible for participating in the Bidding Process shall be any 1 (one) of the following 2 (two) categories:</p> <p>Type 1: A registered entity1.</p> <ul style="list-style-type: none"> company incorporated under Indian Companies Act 1956/2013 as the case may be (with no commercialization) or any entity from outside India under equivalent law; or society registered under Society Registration Act 1860; or registered public trust under Indian Trusts Act 1882; or a charitable trust <p>Type 2: A combination of a maximum of two (2) registered entities defined in Type. This shall hereinafter be referred as "Consortium"</p>	<ul style="list-style-type: none"> In case of a company: - Certified copy of the Certificates of Incorporation for companies issued by the Registrar of Companies and Memorandum & Articles of Association. In case of registered society: - Certified copy of Registration Deed with objects of constitution of society. In case of corporation: - Authenticated copy of the parent statute. In case of Trust: - Certified copy of the Trust Deed. In case of consortium, joint bidding agreement/MoU 	
6	The bidding firm should have a minimum average annual turnover of INR 100 Cr. from education business over last three Financial Years immediately preceding the Bid Due Date	Audited Balance Sheets, Profit and Loss Account of last three years along with CA Certificate with CA's Registration Number and Seal. (as per Tech 3)	
7	The entity should have a track record of running educational institutions for at least 5 years.	Experience Certificate or Contract Copy/ Affiliation certificate issued by concerned	

#	Criteria/Form	Documents required	Status (submitted/Not submitted)
		affiliating University/State. (as per Tech 4)	
8	Bidder should have affiliation/membership with atleast one industrial association such as NASSCOM, FICCI, ASSOCHAM, CII	Affiliation certificate from Industrial Body (as per Tech 4)	
9	<p>1. The bidder should: -</p> <p>a) Not be insolvent, in receivership, bankrupt or being wound up, not have its affairs administered by a court or a judicial officer, not have its business activities suspended and must not be the subject of legal proceedings for any of the foregoing reasons.</p> <p>b) Not have their Directors and officers been convicted of any criminal offence related to their professional conduct or the making of false statements or misrepresentations as to their qualifications to enter into a procurement process, or not have been otherwise disqualified pursuant to debarment proceedings.</p> <p>c) Not have a conflict of interest in the procurement in question as specified in the bidding document.</p> <p>d) Comply with the code of integrity as specified in the bidding document.</p> <p>2. A firm is not eligible to participate in this project while under sanction by Education Department, GoH or debarred/blacklisted by any State and Central Government</p>	A self-declaration on bidders letter head as per	
10	General Power of Attorney/Board of Directors Resolution/Deed of Authority executed in favour of person(s) authorized to sign the bid document and the contract and all correspondence/document thereof.	As per Tech Form 7 & 8	

#	Criteria/Form	Documents required	Status (submitted/Not submitted)
11	EMD in the form of Bank guarantee Amount is Rs 5.00 Crore , in words Rupee Five Crore Only.	Bid Security should be of Scheduled/Nationalized Bank in favour of Gram Panchayat, Badhsa	
13	Authorization letter	Power of Attorney (Tech 7 &8)	
14	Bidder Details	Form Tech 2	
15	Financial Information	Form Tech 3	
16	Technical Proposal Submission Form	Form Tech 1	
17	Experience of bidder	Form Tech 4	
18	Performa for Commercial cost	Form FIN 1	

4.2. Important Instructions

4.2.1 Registration of bidders on e-Procurement Portal

All the bidders intending to participate in the tenders process online are required to get registered on the e - Procurement Portal i.e. <https://etenders.hry.nic.in/>. Please visit the website for more details.

4.2.2 Obtaining a Digital Certificate

i. The Bids submitted online should be encrypted and signed electronically with a Digital Certificate to establish the identity of the bidder bidding online. These Digital Certificates are issued by an Approved Certifying Authority, by the Controller of Certifying Authorities, Government of India.

ii. The bidders may obtain Class-II or III digital signature certificate from any Certifying Authority or Sub-certifying Authority authorized by the Controller of Certifying Authorities

iii. Bid for a particular tender must be submitted online using the digital certificate (Encryption & Signing), which is used to encrypt and sign the data during the stage of bid preparation.

iv. If the digital certificate issued to the authorized user of a firm is used for signing and submitting a bid, it will be considered equivalent to a no-objection certificate /power of attorney / lawful authorization to that User. The firm has to authorize a specific individual through an authorization certificate signed by all partners to use the digital certificate as per Indian Information Technology Act 2000. Unless the certificates are revoked, it will be assumed to represent adequate authority of the user to bid on behalf of the firm in the department tenders as per Information Technology Act 2000. The digital signature of this authorized user will be binding on the firm.

4.2.3 Download of Tender Documents

The tender documents can be downloaded from the department portal www.haryanapanchayats.gov.in or www.haryanadp.gov.in

4.3. Pre-bid meeting

Pre bid meeting will be done by Department of Development and Panchayats, Haryana as per the data sheet. Bidders may request a clarification with regard to any part of the RFP document on or before pre-bid meeting. Any request for clarification must be sent in writing through e-mail with subject as “Clarification on RFP for the selection of agency to setup world class university” to the email id mentioned in data sheet. The format for pre-bid clarification is as follows:

#	Section/ Clause No.	Name of Section/ Clause	Text (which is mentioned and requires clarification)	Clarification required (Suggested/proposed text)

The address for requesting clarifications and pre-bid conference detail are mentioned in Document Control Sheet.

4.4. Number of Applications and costs thereof

4.3.1. No bidder shall submit more than one application for the Project.

4.3.2. The bidder shall be responsible for all of the costs associated with the preparation of their applications and their participation in the bid process. The Authority will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Bidding Process.

4.5. Site Visit and Verification of Information

Bidders are encouraged to submit their respective Proposals after visiting the Site and ascertaining for themselves the Site location, surroundings, and review of information /

Documents, applicable laws and regulations, and any other matter considered relevant by them. For the purpose of Site visit and verification of information, interested Bidders may contact the office of Department of Development and Panchayats, Haryana.

4.6. Acknowledgement by Applicant

4.6.1. It shall be deemed that by submitting the Bid, the bidder has:

- i. Made a complete and careful examination of the RFP;
- ii. Received all relevant information requested from the department;
- iii. Accepted the risk of inadequacy, error or mistake in the information provided in the RFP or furnished by or on behalf of the department
- iv. Agreed to be bound by the undertakings provided by it under and in terms hereof.

4.6.2. The department shall not be liable for any omission, mistake or error in respect of any of the above or on account of any matter or thing arising out of or concerning or relating to RFP or the bidding process, including any error or mistake therein or in any information or data given by the department.

4.7. Right to Accept or Reject any or all Applications/ Bids

4.7.1. Notwithstanding anything contained in this RFP, the Authority reserves the right to accept or reject any application and to annul the bidding process and reject all Bids, at any time without any liability whatsoever or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof. In the event, that the authority rejects or annuls all the applications/bids, it may, in its discretion, invite all applicants/bidders to submit fresh applications/bids hereunder.

4.7.2. The department reserves the right to reject any application and/or bid if:

- i. At any time, a material misrepresentation is made or uncovered, or
- ii. The applicant does not provide, within the time specified by the authority, the supplemental information sought by authority for evaluation of the application.

4.7.3. If such disqualification/ rejection occur after the Bids have been done and the highest bidder gets disqualified/ rejected, then the authority reserves the right to:

- i. Invite the next highest bidders to match the highest bidder/ submit their bids in accordance with the RFP; or
- ii. Take any such measure as may be deemed fit in the sole discretion of the authority, including annulment of the bidding process.

4.7.4. The department reserves the right to verify all statements, information and documents submitted by the applicant in response to the RFP. Any such verification or lack of such verification by the authority shall not relieve the applicant of its obligations or liabilities hereunder nor will it affect any rights of the authority thereunder.

4.8. Clarifications

4.8.1. The bidders requiring any clarification on the RFP may notify the department by e-mail in accordance with Clause 4.3. The department shall endeavor to respond to the queries within the period specified therein, but no later than the date stipulated in Document Control Sheet. The responses will be sent by e-mail. The department will forward all the queries and its responses thereto, to only the purchasers of the RFP without identifying the source of queries. The department may choose to upload the responses only on the websites specified in the RFP advertisement.

4.8.2. The department shall endeavor to respond to the questions raised or clarifications sought by the applicants. However, the department reserves the right not to respond to any question or provide any clarification, in its sole discretion, and nothing in this

clause shall be taken or read as compelling or requiring the authority to respond to any question or to provide any clarification.

- 4.8.3. The department may, on its own, if deemed necessary, issue interpretations and clarifications to all applicants. All clarifications and interpretations issued by the department shall be deemed to be part of the RFP. Verbal clarifications and information given by the department or its employees or representatives shall not in any way or manner be binding on the department.

4.9. Amendment of RFP

- 4.9.1. At any time prior to the deadline for submission of bid, the department may, for any reason, whether at its own initiative or in response to clarifications requested by the bidders, modify the RFP by the issuance of Addendum.
- 4.9.2. Any Addendum thus issued will only be uploaded on Haryana e-procurement website and department's portal
- 4.9.3. In order to afford the bidders, a reasonable time in which to take an Addendum into account, or for any other reason, the department may, at its own discretion, extend the application due date.
- 4.9.4. The final RFP document will be uploaded on department's website and eProcurement Portal for inviting bids only after incorporating suggestions during the pre-bid meeting and its final approval by Committee of Secretaries for Infrastructure.

4.10. Language of proposal

- 4.10.1. The application and all related correspondence and documents should be written in the English language. Supporting documents and printed literature furnished by the bidder with the application may be in any other language provided that they are accompanied by appropriate translations of the pertinent passages in the English language, duly authenticated and certified by the applicant. Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the bid, the English language translation shall prevail.
- 4.10.2. All communication provided should be legible, and wherever the information is given in figures, the same should also be mentioned in words. In case of difference in amounts stated in figures and words, the amount stated in words only will be taken as correct and final.

4.11. Format and Signing of application

- 4.11.1. The proposal shall provide all information sought under this RFP. The department would evaluate only those bids that are received in the required format and complete in all respects. Incomplete and / or conditional bid shall be liable for rejection.
- 4.11.2. The bidder shall prepare separate files for Pre-qualification document, technical document and financial document.
- 4.11.3. The proposal shall be typed or written in indelible ink, stamped (Company/firm stamp or seal) and signed by the Authorized signatory of the applicant who shall also initial each page. In case of printed and published documents, only the cover shall be

initialled. All the alterations, omissions, additions or any other amendments made to the bid shall be initialled by the person(s) signing the bid. The proposal shall contain page numbers and shall be in pdf format only.

4.12. Submission of proposal

- 4.12.1. The bidders shall upload the required technical and commercial documents online on <https://eproc.haryana.gov.in> using the digital certificate
- 4.12.2. Bidder are also suggested to submit hardcopies of the bids to the department as per the schedule in two separate envelopes, one for pre-qualification criteria and another for technical criteria.

4.13. Application due date

- 4.13.1. The bids should be submitted before time mentioned in Document control sheet in the manner and form as detailed in this RFP.
- 4.13.2. In the event that the due date for the bid submission is a holiday for the department, the next working day (at same time) will be the date of submission.
- 4.13.3. The department may, in its sole discretion, extend the application due date by issuing an Addendum in accordance with Clause 4.8 uniformly for all applicants.

4.14. Late applications

Applications received by the Authority after the application due date shall not be eligible for consideration and shall be summarily rejected. Authority shall not be responsible for any delay in submission of the same.

4.15. Opening & Evaluation of Applications

- 4.15.1. The department would open the bids for the purposes of evaluation at the place specified in Document Control Sheet and in the presence of the applicants who choose to attend.
- 4.15.2. The bidders will be deemed to have understood and agreed that no explanation or justification on any aspect of the bidding process or selection will be given.
- 4.15.3. Any information contained in the bid shall not in any way be construed as binding on the department, its consultants, agents, successors or assigns, but shall be binding against the bidder if any project is subsequently awarded to it under the bidding process on the basis of such information.
- 4.15.4. The department reserves the right not to proceed with the bidding process at any time without notice or liability and to reject any bid without assigning any reasons.
- 4.15.5. If any information furnished by the bidder is found to be incomplete, or contained in formats other than those specified herein, the department may, in its sole discretion, exclude the relevant project from computation of the experience of the applicant.
- 4.15.6. In the event that a bidder claims credit for an Eligible Project, and such claim is determined by the department as incorrect or erroneous, the department shall reject such claim and exclude the same from computation of the experience. Where any information is found to be patently false or amounting to a material

misrepresentation, the department reserves the right to reject the application and/ or bid in accordance with the provisions of Clause 4.6.

4.16. Confidentiality

Information relating to the examination, clarification, evaluation, and recommendation for the short-listed pre-qualified bidders shall not be disclosed to any person who is not officially concerned with the process or is not a retained professional advisor advising the department in relation to or matters arising out of, or concerning the bidding process. The department will treat all information, submitted as part of the bid, in confidence and would require all those who have access to such material to treat the same in confidence. The department may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or is to enforce or assert any right or privilege of the statutory entity and/or authority or as may be required by law or in connection with any legal process.

4.17. Clarifications from Applicants

- 4.17.1. To facilitate evaluation of applications, authority may, at its sole discretion, seek clarifications from any applicant regarding its application. Such clarifications shall be provided within the time specified by authority for this purpose. Any request for clarifications and all clarifications shall be in writing.
- 4.17.2. If the bidder does not provide clarifications sought, as mentioned above, within the prescribed time, its bid shall be liable to be rejected. In case, the bid is not rejected, the department may proceed to evaluate the bid by construing the particulars requiring clarification to the best of its understanding, and the bidder shall be barred from subsequently questioning such interpretation of the department.

4.18. Shortlisting & Notification

- 4.18.1. Based on the evaluation of bids, the department would prepare a list of bidders that shall have been qualified through the evaluation criteria and the same will be communicated to all the bidders. The department will not entertain any query or clarification from bidders who fail to qualify.
- 4.18.2. The pre-qualified/eligible bidder shall only be invited to make a presentation to the "Evaluation Committee" constituted for the purpose.
- 4.18.3. The financials of only those applicants will be opened, who have scored atleast 70 in Technical Qualification.

4.19. Proprietary Data

All documents and other information supplied by the department or submitted by the bidder to the department shall remain or become the property of the department. The bidders are to treat all information as strictly confidential and shall not use it for any purpose other than for preparation and submission of their bid. The department will not return any bid or any information provided along therewith.

4.20. Payment Schedule(Sale Price)

The successful bidder will deposit sale money to the Gram Panchayat of Badhsa, in advance and annuity shall be payable in advance yearly.

5. Fraud & Corrupt Practices

- 5.1. The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the bidding process. Notwithstanding anything to the contrary contained herein, the authority shall reject an application without being liable in any manner whatsoever to the applicant if it determines that the applicant has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the bidding process.
- 5.2. Without prejudice to the rights of the authority under Clause 5.1 hereinabove, if an applicant is found by the authority to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the bidding process, such applicant shall not be eligible to participate in any tender or RFP issued by the authority during a period of 2 (two) years from the date such applicant is found by the authority to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as the case may be.
- 5.3. For the purposes of this Section, the following terms shall have the meaning hereinafter respectively assigned to them:
 - I. "Corrupt Practice" means (i) the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the Bidding Process (for avoidance of doubt, offering of employment to or employing or engaging in any manner whatsoever, directly or indirectly, any official of the Authority who is or has been associated in any manner, directly or indirectly with the Bidding Process or the LOA or has dealt with matters concerning the Concession Agreement or arising there from, before or after the execution thereof, at any time prior to the expiry of one year from the date such official resigns or retires from or otherwise ceases to be in the service of the Authority, shall be deemed to constitute influencing the actions of a person connected with the Bidding Process); or (ii) save and except as permitted under Clause 3, engaging in any manner whatsoever, whether during the Bidding Process or after the issue of the LOA or after the execution of the Agreement, as the case may be, any person in respect of any matter relating to the Project or the LOA or the Concession Agreement, who at any time has been or is a legal, financial or technical adviser of the Authority in relation to any matter concerning the Project;
 - II. "Fraudulent practice" means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the Bidding Process;
 - III. "Coercive practice" means impairing or harming or threatening to impair or harm, directly or indirectly, any person or property to influence any person's participation or action in the Bidding Process;

- IV. “Undesirable practice” means (i) establishing contact with any person connected with or employed or engaged by the Authority with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Bidding Process; or (ii) having a Conflict of Interest; and
- V. “Restrictive practice” means forming a cartel or arriving at any understanding or arrangement among Applicants with the objective of restricting or manipulating a full and fair competition in the Bidding Process.

6. APPENDIX

6.1. Form Tech 1 –Technical Proposal Submission Form

To
Director,
Department of Development and Panchayats

Date:

Dear Sir:

We, the undersigned, offer to provide our proposal for the assignment 'Selection of an entity to setup World Class University with state-of-art infrastructure and cutting edge pedagogy in Badhsain accordance with your Request for Proposal dated _____. We are hereby submitting our Proposal only through online mode, which includes Technical Proposal, and a Financial Proposal.

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification. Our Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We undertake, if our Proposal is accepted, to initiate the services related to the assignment not later than the date indicated in Document Control sheet.

We understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]: _____

Name and Title of Signatory: _____

Name of Firm: _____

Address: _____

Location: _____ Date: _____

Email ID: _____

Telephone No (s): _____

6.2. Form Tech 2 Details of Bidder(s) or consortium partners

Form A1: Details of the Organization – Lead Bidder	
Name	
Date of Incorporation	
Date of Commencement of Business	
Address of Headquarters	
Address of the Registered Office in India	
Contact detail of Authorized person (name, address, phone no. and email)	
Whether blacklisted by any State/Central Government in last 5 years	

Form A2: Details of the Organization – Consortium Partner	
Name	
Date of Incorporation	
Date of Commencement of Business	
Address of Headquarters	
Address of the Registered Office in India	
Contact detail of Authorized person (name, address, phone no. and email)	
Whether blacklisted by any State/Central Government in last 5 years	

6.3. Form Tech 3 Financial Information

For A3: Financial Information – Lead Bidder and Consortium Partner					
From India Operations					
	FY 2016-17	FY 2015-16	FY 2014-15	FY 2013-14	FY 2012-13
Annual Turnover (in INR Crores)					
Other Relevant Information					

6.4. Form Tech 4 – Experience of bidder (use separate sheet for each institute)

Institute name:	UG or PG :
Country: Location within country	Inception Date
Number of Students	Total No. of staff-months of the assignment:
Address:	Courses Offered
NIRF Ratings	NAAC Grade
Industry Association (i.e FICCI, CII, ASSOCHAM etc)	Number of Students Placement (in percentage)
Total Faculty :	Total Publications : Publication per faculty :
Research Grant (per faculty in last three years)	Revenue Generated through consultancy /industry sponsorship in present year :
Patents (if any in last three years)	
Any other information	

6.6. Form Tech 6 - Description of Approach, Methodology and Work Plan for Performing the Assignment

6.7. Form Tech 7 Power of Attorney for signing of proposal

Know all men by these presents, We..... (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorise Mr/ Ms (name), son/daughter/wife of and presently residing at, who is presently employed with us/ the Lead Member of our Consortium and holding the position of, as our true and lawful attorney (hereinafter referred to as the "Attorney") to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our application for pre-qualification and submission of our bid to setup World Class University Project proposed or being developed by the Department of Development and Panchayats, Haryana (the "Authority") including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Pre-Applications and other conferences and providing information/ responses to the Authority, representing us in all matters before the Authority, signing and execution of all contracts and undertakings consequent to acceptance of our bid, and generally dealing with the Authority in all matters in connection with or relating to or arising out of our bid for the said Project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

IN WITNESS WHEREOF WE,, HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS DAY OF 20....

For

(Signature, name, designation and address)

Witnesses:

1.

(Notarised)

2.

Accepted

.....

(Signature)

(Name, Title and Address of the Attorney)

Notes:

- The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.
- Wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.

6.8. Form Tech 8 Power of Attorney for lead member of consortium

Whereas the Department of Development and Panchayats, Haryana (“the Authority”) has invited applications from interested parties to Setup World Class University (the “Project”).

Whereas,,,and (collectively the “Consortium”) being Members of the Consortium are interested in bidding for the Project in accordance with the terms and conditions of the Request for Qualification document (RFQ), Request for Proposal (RFP) and other connected documents in respect of the Project, and

Whereas, it is necessary for the Members of the Consortium to designate one of them as the Lead Member with all necessary power and authority to do for and on behalf of the Consortium, all acts, deeds and things as may be necessary in connection with the Consortium’s bid for the Project and its execution.

NOW THIS POWER OF ATTORNEY WITNESSTHAT;

We, M/s. (Lead Member), and M/s (the respective names and addresses of the registered office) do hereby designate M/s. being one of the members of the Consortium, as the Lead Member of the Consortium, to do on behalf of the Consortium, all or any of the acts, deeds or things necessary or incidental to the Consortium’s bid for the Project, including submission of Application for Qualification/Application, participating in conferences, responding to queries, submission of information/documents and generally to represent the Consortium in all its dealings with the Authority, any other Government Agency or any person, in connection with the Project until culmination of the process of bidding and thereafter till the execution of the Contract Agreement is entered into with the Authority.

We hereby agree to ratify all acts, deeds and things lawfully done by Lead Member, our said attorney pursuant to this Power of Attorney and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us/Consortium Dated this theDay of20..

For
(Signature)

.....
(Name & Title)

For
(Signature)

.....
(Name & Title)

Witnesses:

1.

2.

.....

(Executants)

(To be executed by all the Members of the Consortium)

Notes:

- *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
- *Also, wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.*

Format for Financial Bid

Dated:

To

.....

.....

.....

Tel:

Fax:

Sub: For the sale of land of Gram Panchayat for setting up World Class University with cutting edge pedagogy in Village Badhsa, Jhajjar.

Dear Sir,

1. With reference to your RFP document dated _____ I/we, having examined the Bidding Documents and understood their contents, and pursuant thereto, hereby submit my/our Financial Bid for the aforesaid mentioned services as per Schedule of Requirements and other terms of the RFP. The Bid is unconditional and unqualified.
2. Our Financial Bid offer is INR [.....]{.....(in words)}. (Bidders to quote over and above of reserved price).
3. I/We agree to keep this offer valid for 120 (One Hundred and Twenty) days from the Bid Due Date specified in the RFP.
4. I/We agree and undertake to abide by all the terms and conditions of the Bidding Documents. By filling this Form online, we hereby irrevocably consent and agree to be bound by all the terms and conditions set out hereunder.

5. I / We further confirm that we shall not demand, charge or recover Tuition Fee, Additional Fee, any other charges etc. from Haryana Government.

We hereby declare that our Financial Proposal is unqualified and unconditional in all respects and there are no deviations from the stated terms in the Bidding Documents.

Yours faithfully,

(Signature of the Authorized signatory)

(Name and designation of the of the Authorized signatory)

Note:-

The Bidder shall not quote in decimal or fraction and shall provide the quote both in figures and words. Further the quote in words shall take precedence over figures and shall be deemed as final.

Any conditional Bid shall be summarily rejected.