

APPENDIX B

**BUSINESS RULE & TERMS & CONDITIONS OF REVERSE AUCTION FOR
EMPANELMENT OF ENROLMENT AGENCIES FOR SBI AADHAAR PROJECT
RB/UID/Tender/2014-15/001 dated 26.12.2014**

| | |
|-----------------------------------|---|
| BUYER NAME | STATE BANK OF INDIA State Bank Bhavan, Madame Cama Road, Nariman Point, Mumbai-21 |
| AUCTION TO BE CONDUCTED BY | M/s e-Procurement Technologies Ltd. (abcprocure) A- 201, Wall Street - II, Opp. Orient Club, Nr. Gujarat College, Ahmedabad - 380 006. Gujarat State, India Tel.:- PH. NOS. : +91 79-40016868/ 861 / 863 / 864 / 866 / 874 / 875 / 877 / 878 / 880 / 882 / 800 Fax:- 91 - 079 - 40016876 |
| DATE OF AUCTION | Auction Date: Online Sealed Bid Time: Online Reverse Auction : Auction Website : https://sbi.abcprocure.com |
| DOCUMENTS ATTACHED | 1) Business rule for reverse auction 2) Terms & conditions of reverse auction 3) Process Compliance Statement(Annexure II) 4) Price Confirmation Letter (Annexure III) 5) Contact Information |
| SPECIAL INSTRUCTIONS | <u>Bidding in the last minutes and seconds should be avoided in the bidders own interest Neither the Service Provider nor Bank will be responsible for any lapses /failure on the part of the vendor, in such cases.</u> |

Business Rules For Reverse Auction

GENERAL TERMS AND CONDITIONS OF REVERSE AUCTION

Against this Enquiry for the subject item/system with detailed scope of supply as per our specification, SBI may resort to "REVERSE AUCTION PROCEDURE" i.e. **ON LINE BIDDING on INTERNET.**

1. For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.
2. SBI will engage the services of a service provider who will provide all necessary training and assistance before commencement of on line bidding on Internet.
3. SBI will inform the vendor in writing in case reverse auction, the details of service provider to enable them to contact and get trained.
4. Business rules like event date, time, start price, bid decrement, extensions, etc. also will be communicated through service provider for compliance.
5. Vendors have to fax the compliance form in the prescribed format (provided by service provider) before start of Reverse auction. Without this the vendor will not be eligible to participate in the event.
6. Reverse auction will be conducted on schedule date & time.
7. At the end of reverse auction event, the lowest bidder value will be known on the network.
8. **The lowest bidder has to fax the duly signed filled-in prescribed format as provided on case-to-case basis to SBI through service provider within 24 hours of auction without fail.**
9. In case SBI decides not to go for Reverse auction procedure for this tender enquiry, the price bids and price impacts, if any already submitted and available with SBI shall be opened as per SBI standard practice.
10. **The reverse auction will be treated as closed only when the bidding process gets closed in all respects for the item listed in the tender.**

Business Rule for finalization of the procurement

SBI shall finalize the procurement of the item against this Tender through reverse auction mode. SBI has made arrangement with M/s. e-Procurement Technologies Ltd, Ahmedabad, (ETL) who shall be SBI's authorized service provider for the same. Please go through the guidelines given below and submit your acceptance to the same along with your Commercial Bid.

1. Computerized Reverse auction shall be conducted by SBI, on pre-specified date, while the vendors shall be quoting from their own offices/ place of their choice. Internet connectivity and other paraphernalia requirements shall have to be ensured by vendors themselves. In the event of failure of their Internet connectivity, (due to any reason whatsoever it may be) it is the bidders responsibility / decision to send fax communication, immediately to ETL furnishing the price, the bidder wants to bid online, with a request to ETL to upload the faxed price on line so that the service provider will upload that price on line on behalf of the Bidder. It shall be noted clearly that the concerned bidder communicating this price to service provider has to solely ensure that the fax message is received by ETL in a readable / legible form and also the Bidder should simultaneously check up with ETL over phone about the clear receipt of the price faxed. It shall also be clearly understood that the bidder shall be at liberty to send such fax communications of prices to be uploaded by ETL only before the closure of Bid time and under no circumstances it shall be allowed beyond the closure of bid time. Such bidders have to ensure that the service provider is given a reasonable required time by the bidders, to upload such faxed prices online and if such required time is not available at the disposal of ETL at the time of receipt of the fax message from the bidders, ETL will not be uploading the prices. It is to be noted that either SBI or ETL are not responsible for these unforeseen circumstances. **In order to ward-off such contingent situation, bidders are requested to make all the necessary arrangements / alternatives whatever required so that they are able to circumvent such situation and still be able to participate in the reverse auction successfully. However, the vendors are requested to not to wait till the last moment to quote their bids to avoid any such complex situations.**
2. Please note that the start price of an item in online reverse auction is open to all the participating bidders. Any bidder can start bidding, in the online reverse auction, from the start price itself. Please note that the first online bid that comes in the system during the online reverse auction can be equal to the auction's start price, or lesser than the auction's start price by one decrement, or lesser than the auction's start price by multiples of decrement. The subsequent bid that comes in to outbid the L1 rate will have to be lesser than the L1 rate by one decrement value or in multiples of the decrement value.
3. ETL shall arrange to train your nominated person(s), without any cost to you. They shall also explain you, all the Rules related to the Reverse Auction/ Business Rules Document to be adopted along with bid manual. You are required to give your compliance on it before start of bid process.

4. MATERIAL FOR BID: **Empanelment Of Enrolment Agencies For Sbi Aadhaar Project - RB/UID/Tender/2014-15/001** dated 26.12.2014
5. **BIDDING CURRENCY AND UNIT OF MEASUREMENT:** Bidding will be conducted in Indian Rupees (INR).
6. **Starting Bid/Bid Decrement:** The opening price of the RA and the bid decrement value shall be available to the bidders on their bidding screen.
7. **BID PRICE:** <e.g. Bid Price including taxes or octroi>
8. The technical & commercial terms are as per RB/UID/Tender/2014-15/001 dated 26.12.2014
9. **VALIDITY OF BIDS:** The Bid price shall be firm for a period specified in the tender document and shall not be subjected to any change whatsoever.
10. **At the end of the reverse auction, bidder has to provide a detail break up for his lowest offer within 24 hour of closing of auction.**
11. **Procedure of Reverse Auctioning**

i. **Online Initial Sealed Bid :**

- Bidder needs to give their indicative price to the bank during the online sealed bid. Timings of the online sealed bid will be of 30 minutes only.

ii. **Online English Reverse (no ties) Auction {Reverse Auction}:**

- SBI will declare its **Opening Price (OP)**, which shall be visible to the all vendors during the start of the reverse Auction. You will be required to start bidding after announcement of Opening Price and decrement amount. Also, please note that the start price of an item in online reverse auction is open to all the participating bidders. Any bidder can start bidding, in the online reverse auction, from the start price itself. Also, please note that the first online bid that comes in the system during the online reverse auction can be equal to the auction's start price, or lesser than the auction's start price by one decrement, or lesser than the auction's start price by multiples of decrement. The second online bid and onwards will have to be lesser than the L1 rate by one decrement value, or lesser than the L1 rate by multiples of the decrement value.
- The bid decrement amount shall be specified by SBI.

- English Reverse (no ties) shall be for a **period of one hour**. If a bidder places a Bid in the last 5 minutes of Closing of the Auction, the auction shall get extended automatically for another 5 minutes. **In case, there is no Bid in the last 5 minutes of closing of Auction, the Auction shall get closed automatically without any extension.** Please note that if there are more than one item in a single auction, the auto-extension will be applicable to the entire event i.e. whenever a bidder places a acceptable bid in the last 5 minutes of the closing of the auction, the auction shall get extended automatically for another 5 minutes from the time of this bid for all the items in the auction. There will be total 6 (Each of 5 Min) extensions available during the Online Reverse Auction.

iii Auto Bid :

- The Auto Bid feature allows Bidders to place an automated bid against other Bidders in an auction and bid without having to enter a new amount each time a competing Bidder submits a new offer.
 - Bidders are supposed to quote their best lowest price in confirmation to the decrement value. Please note that the auto bid value can be entered only once for a particular Item in a particular event. The bidders can at no point of time, during the course of the auction, revise/delete their auto bid values. The bidders have the facility to revise their auto bid value prior to the start of the event.
 - This feature can be used only once during a particular Reverse Auction and only after the L1 rate is equal to or less than the minimum bid amount that the bidder has put in the system will he get the option to manually bid for the same. In no case during the bidding till the L1 rate or less is not reached as equivalent to the minimum bid amount offered by the bidder, will the bidder get the option to manually bid for the same.
 - The situation wherein manual bidder quote the same price quoted by other bidder who has opted for the auto bid feature (although auto bid price is neither visible to any of the other bidders nor SBI nor ETL), manual bidder would get a precedence over the auto-bidder. In no case auto bid can be stopped or cancelled.

- In case all the participants opt for auto bid, the bidder who has entered the value first will get the precedence in that order.
12. Successful vendor shall be required to submit the final prices, quoted during the English Reverse (no ties) exactly in issued by SBI/Service provider after the completion of Auction to SBI, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of auction.
 13. During English Reverse (no ties), if no bid is received within the specified time, SBI, at its discretion, may decide to revise Opening price / scrap the reverse auction process / proceed with conventional mode of tendering.
 14. Your bid will be taken as an offer to supply. Bids once made by you, cannot be cancelled / withdrawn and you shall be bound to supply as mentioned above at your final bid price. **Should you back out and not supply as per the rates quoted, SBI shall take action as appropriate.**
 15. You will be able to view the following on your screen along with the necessary fields in the English Reverse (no ties) {Reverse Auction}:
 - a. Leading Bid in the Auction
 - b. Bid Placed by you
 - c. Opening Price.
 - d. Your rank in the auction.
 16. At the end of the Reverse Auction, SBI will decide upon the winner. SBI's decision on award of Contract shall be final and binding on all the Bidders.
 17. SBI shall be at liberty to cancel the reverse auction process / tender at any time, before ordering, without assigning any reason.
 18. SBI shall not have any liability to bidders for any interruption or delay in access to the site irrespective of the cause.
 19. Other terms and conditions shall be as per your techno-commercial offers and other correspondences till date.
 20. You are required to submit your acceptance to the terms / conditions / modality given above before participating in the reverse auction.

Terms & Conditions of Reverse Auction

1. **LOG IN NAME & PASSWORD:** Each Bidder is assigned a Unique User Name & Password by e-Procurement Technologies Ltd. **The Bidders are requested to change the Password and edit the information and check the company details in the Registration Page after the receipt of initial Password from e-Procurement Technologies Ltd., Ahmedabad. All bids made from the Login ID given to the bidder will be deemed to have been made by the bidder. e-Procurement Technologies Ltd. and SBI are not responsible for the same.**
2. **BIDS PLACED BY BIDDER:** The bid of the bidder will be taken to be an offer to execute the work. Bids once made by the bidder cannot be cancelled. The bidder is bound to execute the work as mentioned above at the price that they bid. Should any bidder back out and not make the supplies at per the rates quoted, SBI and / or ETL shall take action as appropriate.
3. **LOWEST BID OF A BIDDER:** In case the bidder submits more than one bid, the lowest bid will be considered as the bidder's final offer to execute the work
4. **BIDDER MANUAL:** Complete bidder manual is available on the website <https://sbi.abcprocure.com>. in which all the aspects of Reverse Auction is mention in details. Bidders are advice to read the bidder manual thoroughly before the entering into the Reverse Auction.
5. **AUCTION TYPE:** 1). Online Sealed Bid
2) English Reverse No Ties
6. **DURATION OF AUCTION:** The auction will be of 1 hour duration. In case there is any acceptable bid quoted by any bidder within 5 minutes of closing of the auction, the auction will be extended by another 5 minutes. Such extension will be allowed to continue till no quote is placed within 5 minutes of the last quote or 30 minutes whichever is lower. Please note that if there is more than one item in a single auction, the auto-extension will be applicable to the entire event in any event the auction process deems to have concluded by 90 minutes from the start of the auction. **However, vendors are advised not to wait till the last minute or last few seconds to enter their bid during the auto-extension period to avoid complications related with internet connectivity, network problems, system crash down, power failure, etc.** (THIS SCHEDULE IS TENTATIVE. IF ANY CHANGE IN SCHEDULE, THE SAME SHALL BE COMMUNICATED TO YOU).
7. **BID DECREMENT:** **The minimum Bid decrement shall be available to the Bidders at the start of the auction. The bidder can view the same by clicking on the Item details at the start of the auction. The bidder can bid lower than the Lowest Bid in the auction by a decrement, multiple of the minimum Bid decrement or at least of minimum bid decrement plus multiples of Bid Decrement. Also, please note that the start price of an item in online reverse auction is open to all the participating bidders. Any bidder can start bidding, in the online reverse auction, from the start price itself. Also, please note that the first online bid that comes in the system during the online reverse auction can be equal to the auction's start price, or lesser than the auction's start price by one**

decrement, or lesser than the auction's start price by multiples of decrement. The second online bid and onwards will have to be lesser than the L1 rate by one decrement value, or lesser than the L1 rate by multiples of the decrement value.

8. **VISIBILITY TO BIDDER:** The Bidder shall be able to view the following on his screen along with the necessary fields during English Reverse – No ties Auction:
- Leading Bid in the Auction
 - Bid Placed by him
 - Rank of the respective bidder
 - Start Price & Bid Decrement Value
9. **AUCTION WINNER:** At the end of the Reverse Auction, SBI will evaluate all the bids submitted and will decide upon the winner.
10. **OTHER TERMS & CONDITIONS:**
- The Bidder shall not involve himself or any of his representatives in Price manipulation of any kind directly or indirectly by communicating with other suppliers / bidders.
 - The Bidder shall not divulge either his Bids or any other exclusive details of SBI to any other party.
 - SBI's decision on award of Contract shall be final and binding on all the Bidders.
 - SBI along with ETL can decide to extend, reschedule or cancel any Auction. Any changes made by SBI and / or ETL, after the first posting will have to be accepted if the Bidder continues to access the site after that time.
 - ETL shall not have any liability to Bidders for any interruption or delay in access to the site irrespective of the cause.
 - ETL is not responsible for any damages, including damages that result from, but are not limited to negligence. ETL will not be held responsible for consequential damages, including but not limited to systems problems, inability to use the system, loss of electronic information etc.

N.B.

- All the Bidders are required to submit the Agreement Form (**Annexure- II**) duly signed to M/s e-Procurement Technologies Ltd, Ahmedabad.
- **All the bidders are requested to ensure that they have a valid digital certificate well in advance to participate in the online event. Under no circumstances will the bidders be allowed to participate in the online event without Digital Certificate.**
- After the completion of the Auction event, all the Bidders have to submit the Price Confirmation (**Annexure III**) immediately to M/s e-Procurement Technologies Ltd, Ahmedabad for further proceedings.

ANNEXURE- I

The List of Items to be procured along with the Quantities and the Auction Start Time & Close Time is as follows:

ITEM DESCRIPTION: **Empanelment Of Enrolment Agencies For Sbi Aadhaar Project - RB/UID/Tender/2014-15/001 dated 26.12.2014**

| Item | Quantity | Opening Prices in Rs | Bid Decrement in Rs | Opening Time | Closing Time |
|---|--------------|---|---|--------------|--------------|
| Empanelment Of Enrolment Agencies For Sbi Aadhaar Project - RB/UID/Tender/2014-15/001 dated 26.12.2014 | 1 Lot | Would be displayed before five minutes of the Auction | Would be displayed before five minutes of the Auction | As per Above | As per Above |

Annexure- II

Process Compliance Form

(The bidders are required to print this on their company's letter head and sign, stamp before faxing)

To

e-Procurement Technologies Ltd. (abcprocure)
B-705, Wall Street - II,
Opp. Orient Club,
Nr. Gujarat College,
Ahmedabad - 380 006.
Gujarat State, India

Sub: Agreement to the Process related Terms and Conditions for the Reverse Auction

Dear Sir,

This has reference to the Terms & Conditions for the Reverse Auction mentioned in the Tender document for **Empanelment Of Enrolment Agencies For SBI Aadhaar Project - RB/UID/Tender/2014-15/001** **dated 26.12.2014**

This letter is to confirm that:

- 1) The undersigned is authorized representative of the company.
- 2) We have studied the Commercial Terms and the Business rules governing the Reverse Auction as mentioned in RFP of SBI as well as this document and confirm our agreement to them.
- 3) We also confirm that we have taken the training on the auction tool and have understood the functionality of the same thoroughly.
- 4) We confirm that SBI Group and ETL shall not be liable & responsible in any manner whatsoever for my/our failure to access & bid on the e-auction platform due to loss of internet connectivity, electricity failure, virus attack, problems with the PC, any other unforeseen circumstances etc. before or during the auction event.
- 5) We understand that in the event we are not able to access the auction site, we may authorize ETL to bid on our behalf by sending a fax containing our offer price before the auction close time and no claim can be made by us on either State Bank Group or ETL regarding any loss etc. suffered by us due to acting upon our authenticated fax instructions.
- 6) I/we do understand that ETL may bid on behalf of other bidders as well in case of above mentioned exigencies.
- 7) We also confirm that we have a valid digital certificate issued by a valid Certifying Authority.
- 8) We also confirm that we will fax the price confirmation of our quoted price as per Annexure III of Tender Document within 24 hour of the completion of the reverse auction and the format as requested by SBI/ ETL.
- 9) We, hereby confirm that we will honour the Bids placed by us during the auction process.

With regards

Signature with company seal

Name –

Company / Organization –

Designation within Company / Organization –

Address of Company / Organization –

- **Sign this document and Fax at [+91 - 079 40016876](tel:+91-079-40016876)**

Annexure III
Price Confirmation

To,
e-Procurement Technologies Ltd. (abcprocure)
B-705, Wall Street - II,
Opp. Orient Club,
Nr. Gujarat College,
Ahmedabad - 380 006
Gujarat State, India

Sub: Final price quoted during reverse auction and price break **Empanelment Of Enrolment Agencies For Sbi Aadhaar Project - RB/UID/Tender/2014-15/001 dated 26.12.2014**
Ref : **1. Reverse Auction DT.**

Dear Sir,

We confirm that we have quoted.

1. -----

(Price quoted on Total cost to SBI)

as our final lump sum prices during the Reverse Auction conducted today.

Thanking you and looking forward to the valuable order from SBI.

Yours sincerely,

For _____

Name:
Company:
Date:
Seal:

Annexure IV

Price Break Up

The Format of Price Break Up will be provided by Bank.

CONTACT INFORMATION

| E -Procurement Technologies Ltd. | State Bank of India |
|--|--|
| <p data-bbox="188 436 496 604">A-201, Wall Street - II, Opp. Orient Club, Nr. Gujarat College, Ahmedabad - 380 006. Gujarat State, India</p> <p data-bbox="188 636 735 735">Tel.:- PH. NOS. : +91 79-40016868/ 861 / 863 / 864 / 866 / 874 / 875 / 877 / 878 / 880 / 882 / 800</p> <p data-bbox="188 770 532 802">Fax:- 91 - 079 - 40016876</p> <p data-bbox="188 871 691 934">ABC procure representative contact details.</p> | <p data-bbox="776 468 1328 535">Contact details of SBI Official along with department name and designation.</p> <p data-bbox="776 567 1153 703">Mr. Aravind VS Cell : 7710074226 Landline: 022 22742913 E mail : dgm.dbt@sbi.co.in</p> |