

**Request for Proposal [RFP] for selection of a firm
of Chartered Accountant as a GST & TDS
Consultant for compliances under TDS & GST Laws
for
Bihar State Mining Corporation Limited.**

Date of Issue: 28th June, 2020

Deadline for Submission: 8th July, 2020

Bihar State Mining Corporation Ltd.

(Government of Bihar Undertaking)

Room No.164,Vikas Bhawan (New Secretariat), Bailey Road, Patna - 800015

CIN: U10300BR2017SGC035811

Email: bih.minescorp@gmail.com

Website: www.bsmcl.in

Ref. No.

Date.....

Short Tender Notice

NOTICE INVITING EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF FIRM OF CHARTERED ACCOUNTANT AS GST & TDS CONSULTANT OF THE BIHAR STATE MINING CORPORATION LTD. FOR THE FINANCIAL YEARS 2020-21 TO 2021-22.

Bihar State Mining Corporation Limited (the Corporation), a Govt. of Bihar Undertaking invites expression of interest (EOI) from firms of Chartered Accountant having its head office in Patna, Bihar for empanelment as GST & TDS Consultant of the Corporation for the financial years 2020-21 to 2021-22.

The format of application along the eligibility criteria, the extent and scope of work, terms and conditions etc. are available at website www.bsmcl.in and can be downloaded accordingly.

Interested firms may send their applications in the prescribed format under sealed cover in 2 (two) separate sealed envelopes marked "*Technical Bid*" and "*Financial Bid*" to the General Manager of the Corporation so as to reach latest by on or before 8th July, 2020 up to 04:00 PM.

Financial Bid of only technically qualified firm shall be opened after intimating them in advance. Managing Director of the Corporation reserves the right to accept or reject any application(s) fully / partially, without assigning any reasons thereof. The decision of the Managing Director of the Corporation for empanelment of the firms shall be final and binding.

Sd/-
General Manager
BSMC, Patna

Invitation to the Tender

Bihar State Mining Corporation Limited invites proposals (Technical Bid and Financial Bid) from eligible firms of Chartered Accountant for empanelment as GST and TDS Consultant for compliances under Indirect and Direct Tax Laws in accordance with the scope of work set out in the tender document.

RFP Summary Sheet

| Sr. No. | Information | Details |
|---------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Name of the Company | Bihar State Mining Corporation Limited |
| 2. | Tender Cost | Free of Cost |
| 3. | Date of issue of tender document | 28 th June, 2020 |
| 4. | Last Date of Submission of Bid | 8 th July, 2020 at 04:00 P.M. |
| 5. | Opening of Technical Bid | 10 th July, 2020 at 03:00 P.M. |
| 6. | Place, Time and Date of opening of Financial Bid | To be communicated to technically successful firms |
| 7. | Contact person for queries | General Manager Bihar State Mining Corporation Ltd. email: bih.minescorp@gmail.com csbsmc@yahoo.com |
| 8. | Addressee and address at which proposal in response to RFP notice is to be submitted | General Manager Bihar State Mining Corporation Ltd. Room No. – 164, New Secretariat (Vikash Bhawan), Patna - 800015 |

The Corporation reserves the right to reject any or all offers without assigning any reason. Tender offers will be opened in the presence of the firm's representatives who choose to attend the opening of the tender on the above-specified date, time and place.

Technical Specifications, Terms and Conditions and various formats and pro-forma for submitting the tender offer are described in the tender document.

The Corporation reserves the right to change the schedule mentioned above or elsewhere mentioned.

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1. Introduction

Bihar State Mining Corporation Limited (the Corporation) is a Public Sector Undertaking established by the Department of Mines & Geology, Government of Bihar. The Corporation has been nominated as State Nominated Agency (SNA) for coal e-distribution amongst Micro Small and Medium Enterprises (MSMEs) and other small consumers in the state of Bihar in accordance with the provisions of New Coal Distribution Policy, 2007.

The Corporation is looking for empanelment of GST & TDS Consultant to advise and assist in administration and compliance of Indirect and Direct Tax laws applicable to the Corporation as detailed in the Scope of Work. Interested firms of Chartered Accountant may submit their proposal. Selection will be made based on least cost consultancy service provider meeting the eligibility criteria.

2. Scope of Work

For Indirect Taxes

- i. To prepare and filing of the all applicable GST returns for the Corporation;
- ii. To check veracity and correctness of data before filing of GST returns;
- iii. To review and suggest overall improvement in regulatory compliance, if considered necessary;
- iv. To provide routine advisory services in relation to the applicable Indirect Tax Laws.
- v. To assist the Corporation in reconciliation of revenue/expenses as per books and returns and filing of the monthly/ quarterly / annual returns.
- vi. Advising on determination of Time of Supply, Place of Supply of Goods or Services or any other Rules with respect to GST.

For Direct Taxes

- i. The scope of advisory shall cover the Income Tax Act, 1961 and Income Tax Rules, 1962;
- ii. To review and file necessary TDS filing (original / revised);
- iii. Downloading of TDS Certificates from TRACES website;
- iv. To guide and filing of various Forms with the income tax authorities.

3. Firm's Eligibility Criteria

| Sr. No. | Criteria | Document to be submitted |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | The firm should have been registered with Institute of Chartered Accountant of India (ICAI) and practicing continuously in India for the last 2 years as on 31/03/2020. | Constitution Certificate issued by the ICAI. |
| 2. | Firm should have minimum 5 partners (at least 2 FCA) and at least 5 employees / trainees as on 31/03/2020. | Details of respective partner, employees / trainees. |
| 3. | Firm should have at least 2 years of experience in working / consulting in taxation laws in at least 3 Central / State level Government Organizations of India or in any State Government or Central Government Undertakings. | Provide brief details and a Declaration signed by the Principal Officer of the Firm and Appointment letter / Client letter issued by the PSU / Government Organizations. |
| 4. | The firm should have a full-fledged head office in Patna for at least last two years with at least two partners stationed in Patna. | Details to be provided for office in Patna for last two years. |
| 5. | The firm should not have been banned / declared ineligible for corrupt and fraudulent practices by the Govt. of India / State Governments / govt. authorities and should not have any disciplinary proceedings pending against the firm with any govt. authority; | Undertaking by the firm in format as per Annexure VI. |
| 6. | The firm should have average turnover of at least 50 lakhs during last financial year and should not have negative net worth. | Copy of Audited Financial Accounts for financial year 2018-19. |

4. Bid Submission Process

- i. The Bid prepared by the firms, as well as all correspondence and documents relating to the Bid exchanged by the firm and the Corporation shall be written in English language;
- ii. The covering letter must be signed with the firm's name and by an Authorized Signatory of the firm, who is authorized for contractual obligations on behalf of the firm. All obligations committed by such signatories are liable to be fulfilled by the firm who would be selected to carry out the work as per the terms of this RFP;
- iii. RFP shall be submitted by the firms to General Manager at the address specified above, within due date and time failing which firm's submission is liable to be rejected. Technical Bid and Financial Bid should be sealed in separate envelopes and placed in one bigger envelope and sealed. This bigger envelope should be super-scribed with RFP for empanelment of GST and TDS Consultant.
- iv. Firms are required to submit bids in two parts:
 - a. Technical Bid; and
 - b. Financial Bid.

v. Technical Bid:

Interested and eligible firms may submit their proposal in the prescribed format (enclosed here) with complete information. The proposal duly filled in, along with all supporting document(s) / information should be submitted to the Corporation.

vi. Financial Bid:

The firm shall submit the financial bid as per the format given in Annexure VI. In the event of any difference between figures and words, the amount indicated in words shall be taken into account.

The Financial Offer should give all relevant information and should not contradict the Technical Bid document in any manner.

5. Bid Evaluation

Opening of RFP

For bids received within the prescribed closing date and time, the Technical Bid will be opened in the presence of firm's representatives who choose to attend the opening of the offer on the date and time mentioned in this document.

Any change shall be informed to firms through public notice / e-mail to the authorized representative. The representatives of firms present shall sign a register of attendance.

Only the firms, who have been deemed qualified in technical evaluation, financial bid will be opened on prospective dates which will be communicated to them in due course.

Shortlisting of Firms

For responses received within the prescribed closing date and time, the Corporation will scrutinize the offers received to determine whether they are complete as per the requirements, and also whether all the required documents have been submitted and properly signed, etc.

Upon receipt of applications (RFP), the same shall be scrutinized and evaluated and the Corporation will shortlist firms as per requirement and the same shall be communicated to them. The Corporation reserves the right to accept or reject any or all applications without assigning any reason whatsoever.

During evaluation of the proposals, the Corporation may, at its discretion, ask respondents for clarifications on their proposal. The respondents are required to respond within the time frame as may be prescribed by the Corporation.

Respondents are not permitted to modify, substitute or withdraw proposals after its submission.

Financial Bid Evaluation

The Financial bids will be evaluated on the basis of the quotes, quoted by technically qualified firms.

6. Terms and Conditions:

i. Modifications and withdrawal of bids

No bid can be modified by the firm, subsequent to the closing date and time for submission of bids.

ii. Clarification of bids

Any firm requiring any clarification on this document may notify the Corporation in writing by e-mail at the email address provided in the "RFP Summary Sheet".

iii. Revised bids

If necessary, the Corporation reserves the right to call for revised technical or financial bid from all the eligible firms for empanelment as GST & TDS Consultant.

iv. Confidentiality

The information given in this document is confidential and is for use by the firms to whom it has been issued. Each party, i.e. the Corporation and the firm, shall treat the other party's information as confidential and will take necessary steps to prevent the disclosure of the other's confidential information to third parties. Both the parties will keep the contents of order / Agreement confidential, including the price information.

v. Compliance to Terms and Conditions

It is essential that all the firms should agree to all the terms and conditions mentioned in this document and they should submit one statement to that effect on the letterhead of the firm (as per Annexure-III) along with the technical bid; otherwise the offer shall be rejected.

vi. Applicable law and jurisdiction of court

This RFP shall be governed in accordance with the Laws of India for the time being in force and will be subject to the exclusive jurisdiction of Courts at Patna.

vii. Contract Validity Period

The contract shall be valid for a period of 2 years post signing of the contract. This term can be extended for another period of 1 year depending on the performance of the firm or requirement of the Corporation and mutual understanding at the same rates terms and conditions.

viii. Payment Terms

All payments shall be subject to deduction of taxes at source (TDS) as per applicable laws and the payment to the selected firm would be made on a monthly basis.

ix. Indemnity

The firm shall indemnify, protect and save the Corporation and hold the Corporation harmless from and against all claims, losses, costs, damages, expenses relating to or resulting directly or indirectly from an act or omission of the authorized signatory, its agents, or partners etc. in the performance of the services provided by the firm.

x. Termination of Agreement

The agreement with the empanelled firm may be cancelled / terminated at the discretion of the Corporation on account of following or without assigning any reason:

- a. On refusal to take up the allotted assignment;
- b. If the firm stands dissolved;
- c. On not abiding by the terms and conditions stipulated in the agreement with the firm;
- d. If the performance of the firm is not found satisfactory;
- e. Any other reason at the discretion of the Corporation.

The Corporation will reserve the right to terminate the contract / cancel the contract with one month's notice after giving a reasonable opportunity to the firm for improvement in the services. This reasonable period will not exceed more than 45 days after a communication is sent to the firm by the Corporation to this effect.

xi. Resolution of Dispute and Arbitration

- a. All disputes or differences arising out of or in connection with the agreement or any part thereof, should be settled by bilateral discussions;
- b. Any dispute, disagreement or question arising out of or relating to the Agreement or relating to performance, which cannot be settled amicably, shall within sixty (60) days or such longer period as may be mutually agreed upon, from the date on which either party informs the other in writing by a notice that such dispute, disagreement or question exists, will be referred to a sole Arbitrator as acceptable to both the parties concerned;
- c. Within sixty (60) days of the receipt of the said notice, an arbitrator shall be nominated in writing by the authority agreed upon by the parties;
- d. The arbitration proceedings shall be conducted under the Indian Arbitration and Conciliation Act, 1996 and the award of such Arbitration Tribunal shall be enforceable in Indian Courts only;
- e. Each party shall bear its own cost of preparing and presenting its case. The cost of arbitration including the fees and expenses shall be shared equally by the parties, unless otherwise awarded by the sole arbitrator.

xii. Disciplinary action for professional misconduct

The selected firm should be subject to disciplinary rules as enumerated in the Chartered Accountant Act, 1949 or other such regulation relevant for the organization.

Annexure – I

Checklist for Bid Submission

| Sr. No. | Section Heading | Pro-forma Given |
|----------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Technical Bid Index | | |
| 1. | Firm Response Cover Letter | Annexure - II |
| 2. | Conformity Letter | Annexure - III |
| 3. | Eligibility Criteria Compliance | Duly filled Annexure - IV |
| 4. | Firm's Details | Duly filled Annexure – V along with copy of Certificate of Membership issued by ICAI and other supporting documents in conformity with the information being provided. |
| 5. | Self-Declaration | Annexure - VI |
| 6. | Supporting documents for Office address | Constitution Certificate issued by ICAI and latest Electricity Bill. |
| 7. | Supporting to Financial criteria compliance | Audited Financial Statement for financial year 2018-19. |
| Financial Bid Index | | |
| 8. | Financial Bid Details with price | Annexure - VII |

Annexure - II

Firm Response Cover Letter

(To be submitted on letterhead)

To

The General Manager
Bihar State Mining Corporation Limited
Room No. 164, New Secretariat (Bailey Road)
Patna - 800015

Sir,

1. Having examined the Scope Documents including all Annexures, the undersigned offers to provide services for the scope of work mentioned in the 'Request for Proposal' and the other schedules of requirements and services for your company in conformity with the said Scope Documents.
2. If our Bid is accepted, we undertake to abide by all terms and conditions of this Scope.
3. We agree to abide by this offer and our offer shall remain binding on us and may be accepted by the Corporation any time before expiry of the offer.
4. This Bid, together with your written acceptance thereof, shall constitute a binding Contract between us.
5. We undertake that in competing for and if the work is allocated to us, we will strictly observe the laws against fraud and corruption for the time being in force in India.
6. We certify that we have provided all the information requested by the Corporation. We also understand that the Corporation has the exclusive right to reject this bid in case the Corporation is of the opinion that the required information is not provided.

Yours faithfully

Authorized Signatory
Designation

Annexure - III

Conformity Letter

(To be submitted on letterhead)

To

The General Manager
Bihar State Mining Corporation Limited
Room No. 164, New Secretariat (Bailey Road)
Patna - 800015

Sir,

Further to our proposal dated, in response to the RFP document (hereafter referred to as "RFP Document") issued by Bihar State Mining Corporation Limited, we hereby warrant and confirm that:

2. We hereby agree to comply with all the terms and conditions / stipulations as contained in the RFP document and other documents shall form a valid and binding part of the aforesaid RFP document;
3. The Corporation is not bound by any other extraneous matters or deviations, even if mentioned by us elsewhere either in our proposal or any subsequent deviations sought by us, whether orally or in writing, and the decision of the Corporation not to accept any such extraneous conditions and deviations will be final and binding on us.

Yours faithfully

Authorized Signatory
Designation

Annexure - IV

Eligibility Criteria Compliance

| Sr. No. | Criteria | Document to be submitted | Eligibility (Yes / No) |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1. | The firm should have been registered with Institute of Chartered Accountant of India (ICAI) and practicing continuously in India for the last 2 years as on 31/03/2020. | Constitution Certificate issued by the ICAI. | |
| 2. | Firm should have minimum 5 partners (Qualifying Partners) and at least 5 employees / trainees as on 31/03/2020. | Details of respective partner, employees / trainees. | |
| 3. | Firm should have at least 2 years of experience in working / consulting in taxation laws in at least 3 Central / State level Government Organizations of India or in any State Government or Central Government Undertakings. | Provide brief details and a Declaration signed by the Principal Officer of the Firm and Appointment letter / Client letter issued by the PSU / Government Organizations. | |
| 4. | The firm should have a full-fledged head office in Patna for at least last two years with at least two partners stationed in Patna. | Details to be provided for office in Patna for last two years. | |
| 5. | The firm should not have been banned / declared ineligible for corrupt and fraudulent practices by the Govt. of India / State Governments / govt. authorities and should not have any disciplinary proceedings pending against the firm with any govt. authority; | Undertaking by the firm in format as per Annexure VI. | |
| 6. | The firm should have average turnover of at least 50 lakhs during last financial year and should not have negative Net Worth. | Copy of Audited Financial Accounts for financial year 2018-19. | |

Annexure – V
Firm's Details

To

The General Manager
Bihar State Mining Corporation Limited
Room No. 164, New Secretariat (Bailey Road)
Patna – 800015

| S. No. | Required Details | Response |
|------------------------------|-------------------------------------------------------|-----------------|
| General Details | | |
| 1. | Name of the Firm | |
| 2. | Complete Postal Address of the Firm | |
| 3. | Telephone, Email Id | |
| 4. | Website address (if any) | |
| 5. | Details of ownership / constitution | |
| 6. | Date of Incorporation of the Firm | |
| 7. | Firm Registration No. with ICAI | |
| 8. | CAG Empanelment No. (if any) | |
| 9. | GST Registration No. | |
| 10. | Income Tax PAN | |
| Financial Information | | |
| 1. | Annual Turnover (FY 2018-19) | |
| 2. | Net Worth | |
| Bank Details | | |
| 1. | Bank Name | |
| 2. | Branch Address | |
| 3. | Account Number | |
| 4. | IFSC Code | |
| Others | | |
| 1. | Details of major assignments | |
| 2. | Any other information considered relevant by the firm | |

Particulars of Partners of the Firm

| Sr. No. | Name of the Partner | Partner since | Name of other firms with which associated | Area of specialization | Membership No. of the Partner with ICAI |
|---------|---------------------|---------------|-------------------------------------------|------------------------|-----------------------------------------|
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| 4. | | | | | |
| 5. | | | | | |

Particulars of employees / trainees of the Firm

| Sr. No. | Name of the employee | Joining Date | Name of other firms with which associated | Area of specialization | Membership No. with ICAI / ICSI (if any) |
|---------|----------------------|--------------|-------------------------------------------|------------------------|------------------------------------------|
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| 4. | | | | | |
| 5. | | | | | |

Particulars of engagement in Taxation Laws

Particulars of engagement in Taxation Laws Consultancy Central / State Govt. PSUs or in any Govt. Organization as on 31st March, 2020.

| Sr. No. | Name of the PSU / Govt. Undertaking | Brief details of scope of work | Name of person in-charge from client side with Contact No. | Period | |
|---------|-------------------------------------|--------------------------------|------------------------------------------------------------|--------|----|
| | | | | From | To |
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |

*ICAI – Institute of Chartered Accountants of India

*ICSI - Institute of Company Secretaries of India

Declaration:

I hereby declare that I have verified the details indicated above and also confirm that all the information submitted is true to the best of my knowledge.

Authorized Signatory
Designation

Annexure – VI

Self-Declaration

(To be submitted on letterhead)

To

The General Manager
Bihar State Mining Corporation Limited
Room No. 164, New Secretariat (Bailey Road)
Patna – 800015

Self-Declaration

Sir,

I, on behalf of _____ (firm's name) declare the following:

2. I / We hereby declare that I / we have neither failed to perform on any engagement during the last two years nor been expelled from any project or agreement.
3. Further, we have neither been banned / declared ineligible for corrupt and fraudulent practices by the Govt. of India / State Governments / govt. authorities and nor any disciplinary proceedings are pending against the firm with any government authority.
4. We hereby undertake and confirm that we have understood the scope of work properly and shall comply with the terms of engagement.

Authorized Signatory

Annexure – VII

Financial Bid Format

(To be submitted on Letter head)

| Sr. No. | Description of Service | Unit of Measure | Value in figures | Value in words |
|----------------|------------------------------------------------------------|------------------------|-------------------------|-----------------------|
| 1. | Monthly Retainership fee for compliances under GST and TDS | Per Month | | |
| 2. | Taxes and duties | | | |
| 3. | Total rate (inclusive of taxes and duties) | | | |

(Signature, name and designation of the Authorised Signatory)