

Office of Inspector General of Registration & Superintendent of Stamps, Madhya Pradesh
(Panjiyan Bhawan, opposite Old Vidhan Sabha, Bhopal-462003)

Order

Dated 13 Sept. 2013

No. 19/Com:.... Pursuant to the tender process of tender no. IGR 1/2013 issued by the department M/s Eagle Software India Pvt. Ltd. was selected as L-1 bidder for digitization of old registered documents of Registration and Stamps department and accordingly Letter of Intent (LOI) bearing no. 2756/Computer/2013 Dated 04.07.2013 was issued, seeking its acceptance of LOI by 12.07.2013. On 12.07.2013, at 07:05 PM the department received its email saying that it had made a clerical mistake in preparing the commercial proposal and requested for an appointment to explain the same.

2. Since there was no scope in the RFP to permit modification in the commercial bid after submission of Bid, its request to consider the clerical mistake in the commercial proposal was rejected vide letter no 2929/computer /2013 dated 16.07.2013 and it was given time to submit the Acceptance of LOI till 17.07.2013. But it had failed to comply.

3. The department had granted M/s Eagle Software India Pvt. Ltd, sufficient time for the acceptance of LOI and to proceed for entering into an agreement with the department for the execution of work as per RFP IGR 1/2013. Due to its failure to submit the acceptance of the LOI, its EMD was forfeited and LOI was cancelled with immediate effect vide department's letter no.-3012/computer/2013, dated 24.07.2013.

4. On account of bidder's failure to comply with its obligations under RFP for bid no.- IGR-1/2013, the tender had to be cancelled vide order no.- 16/computer/2013 dated 23.08.2013. Subsequently as per provisions under clause 2.24.3 of the tender document the department decided to initiate proceedings to black list M/s Eagle Software India Pvt. Ltd from any further tenders issued by the department. Vide S.C.N dated 29.08.2013 the company was given time till 6th Sept. 2013 to explain as to why it should not be black listed for all future tenders issued by the department for its irresponsible and unprofessional conduct.

5. M/s Eagle Software India Pvt. Ltd through its head HR Mr. R.Sudhakar submitted the letter dated 05/09/2013 in response to the above said SCN.

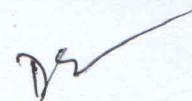
In the above said letter dated 05/09/2013 M/s Eagle Software India Pvt. Ltd has submitted its reply stating :-

"Due to clerical mistake of one of our staff, the price quoted in the tender had human error , which we have declared to the Department at the time of opening the tender. We expressed the same through email dated 12th July 2013 before the deadline given by the department . We had neither accepted LOI nor have we commenced the work . We have also not entered into any agreement. Since we have communicated the same within your prescribed timelines , we request you to consider our timely response as proof of our intention to avoid any process delay.

We have communicated the human error within the time frame given in the LOI with the intention that the project need not be delayed . We have also taken corrective action upon the staff who had committed the mistake."

Bare perusal of the above representation makes it clear that in the name of having made a clerical mistake, M/s Eagle Software India Pvt. Ltd. has not accepted the rate quoted in its own bid. Having been declared L1 in the tender, the fact that M/s Eagle Software India Pvt. Ltd. did not accept the LOI issued to them amounts to breach of faith and violation of the terms of the RFP on their part. This kind of irresponsible and unprofessional conduct on part of M/s Eagle Software India Pvt. Ltd. has impeded the project and the department has suffered irreparable loss in terms of time & money. As a result the department has had to re-tender and the project has been delayed by several months and the cost of implementation is likely to increase.

In view of the above, the representation made by M/S Eagle Software India Pvt. Ltd is rejected and M/S Eagle Software India Pvt. Ltd is hereby black listed and debarred from participating in all future tenders issued by the Department.



(Dipali Rastogi)
I. G. Registration,
Madhya Pradesh

No. 3656 /Computer/2013

Dated : 13-9-13

Copy to

1. Secretary, Govt. of MP, Dept. of for information.
2. MD, MPSEDC, State IT Center, 2nd Floor, 47-A Arera Hills, Bhopal (M.P.)
3. Collector, District for information.
4. M/S Eagle Software India Pvt. Ltd , 25/27, First Floor, Greams Road Thousand Lights, Chennai-600006



I. G. Registration,
Madhya Pradesh