



**Request for Proposal (RFP) for
“Appointment of Goods and Service Tax (GST) Consultants” for Odisha Mining
Corporation Limited**

Request For Proposal (RFP) No: 02/OMC/Finance/2020, Dated.07/12/2020

Last Date and time for submission of Proposal: 28 /12/2020 till 15.00 Hrs.

Odisha Mining Corporation Ltd.

(A Gold Category State PSU)

Registered Office: OMC House, Bhubaneswar-751001, India

Tel: 0674-2377400/2377401, Fax: 0674-2396889, 2391629, www.omcltd.in

CIN : U13100OR1956SGC000313



RFP No. 02/OMC/Finance/2020, Dated.07/12/2020

1.	Name of the work	Appointment of Goods and Service Tax (GST) Consultants
2.	Availability of RFP document in OMC Website, www.omcltd.in	07/12/2020 to 28/12/2020 Up to 3.00 PM
3.	Beginning Date for submission of Proposal.	08/12/2020
4.	Last Date & Time of submission of Proposal.	28/12/2020 up to 3.00 PM
5.	Date of opening of Proposal.	28/12/2020 At 3.30 PM

All other details can be seen from the RFP document available at OMC website i.e. www.omcltd.in.

OMC reserves the right to reject any or all proposals without assigning any reason thereof.

Sd/07/12/2020
ADDL. GENERAL MANAGER (FIN.)

Odisha Mining Corporation Ltd.

(A Gold Category State PSU)

Registered Office: OMC House, Bhubaneswar-751001, India

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RFP FOR APPOINTMENT OF GST CONSULTANTS AT ODISHA MINING CORPORATION LIMITED, BHUBANESWAR

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1. Notice Inviting RFP:

Sealed RFP (Documents) are invited for the Appointment of GST Consultants at Odisha Mining Corporation Limited, Bhubaneswar. The total period of appointment shall be for 3 (three) years but it shall be initially for a period of 12 (twelve) months from the date of initial appointment. The appointment shall be extended on year to year basis by the Management of the Corporation as per the requirement and on the basis of performance of the Agency during the immediately preceding year. The Consultants shall be paid as per Corporation's approved scheduled rate annexed as Form-J. The scheduled rate shall be escalated @ 10% for each subsequent years of appointment.

2. An Introduction- Odisha Mining Corporation Limited(OMC):

Odisha Mining Corporation Limited (OMC) incorporated on 16th May, 1956 as a Joint venture Company of Government of Odisha and Government of India to explore and harness mineral wealth of the State of Odisha and make value addition. Subsequently on 17th November, 1961, OMC became a wholly State Owned Corporation of Government of Odisha. The major minerals mined by OMC are Iron Ore, Chrome Ore and Bauxite which cater to the requirement of Mineral based Industries. OMC has been classified as a Gold Category State PSU. The Authorized Share Capital of the Corporation is Rs.100.00 Crore and the paid up capital is Rs.31.45 Crore as on 31.03.2020. OMC achieved the highest Turnover of Rs.4092.94 Crore during the Financial Year 2019-20.

3.SALIENT FEATURES OF RFP DOUMENT:

3.1.DATA SHEET

1	Name of the Assignment	Selection of Firm(s) for extending services as GST Consultants of Odisha Mining Corporation Limited, Bhubaneswar.
2	Availability of RFP Document	OMC Website : www.omcltd.in
3	Language of documentation	English
4	Method of Selection	As per OMC selection procedure (Refer clause No.6)
5	Address for submission of RFP	Addl. G. M. (Finance)- Tax OMC Limited OMC House, Post Box No. . 34 Bhubaneswar . 751001
6	Contact person	Sri Lalatendu Das, Manager (Fin.), Corporate Office, OMC, BBSR -751001. Office Tel: 0674-2377539
7	Date of Issue of RFP	07/12/2020
8	Last Date and Time of Submission of written queries for clarifications on RFP Document to OMC. (rkpanda@odishamining.in / ldas@odishamining.in)	20/12/2020
9	Mode of Submission	Proposals complete in all respects should be submitted to the inviting authority through Speed Post / Registered Post only. Authority will not be responsible for postal delay or any other delay.

10	Last date and time for submission of RFP	28/12/2020 up to 3:00 PM. The RFPs received beyond the stipulated date and time will be liable for rejection.
11	Date and time for opening of proposal.	28/12/2020 at 3.30 PM.

3.2. General Instructions to the Applicant Firms:

This enquiry is in the nature of Request for Proposal (RFP) intended for appointment of qualified CA / CMA firms as GST Consultants of Odisha Mining Corporation Limited, Bhubaneswar for under taking various GST assignments of the Corporation.

- i. The Firm shall be required to undertake the assignments as mentioned in the Scope of Work of this RFP at clause 4.0.
- ii. Please note that costs of preparing the proposal, presenting the same, if any and negotiating the contract, if any, including visits to the Client etc. are not reimbursable.
- iii. The Firm shall be deemed to have full knowledge of the roles and responsibilities of the work.
- iv. The Firm is expected to carefully examine all the instructions, guidelines, terms and conditions and formats in the RFP. Failure to furnish all the necessary information as required by the RFP or submission of a proposal not substantially responsive to all the requirements of the RFP shall be at the applicant firm's own risk and is liable for rejection.
- v. The proposal and all the associated correspondence shall be in writing and in English only and shall conform to the prescribed formats as per clause 16 of the RFP.
- vi. The proposal shall be neatly typed and shall be signed by the applicant firm or its duly authorized person to bind the applicant firm to the contract. The letter of authorization shall be indicated by written power of attorney and shall accompany the proposal.

- vii. The envelopes containing the proposal shall be super scribed as ~~%~~Proposal for Appointment of GST Consultants of OMC Limited+and mention the name and address of the applicant Firm.
- viii. Proposals received by facsimile shall be treated as defective, invalid and liable for rejection.
- ix. No applicant firm is allowed to modify, substitute or withdraw the PROPOSAL after its submission.

3.3. Disqualification:

- I. OMC may at its sole discretion and at any time during the evaluation of the Proposal disqualify any Applicant Firm in the following cases:
 - i. The firm has made misleading or false representations in the forms, statements and attachments submitted in proof of the eligibility requirements.
 - ii. The firm has filed cases against the Corporation (OMC Limited) and the cases are still pending in any court of law as on the date of submission of the proposals.
 - iii. Exhibited a record of abandoning works, not properly completing the contractual obligations, inordinately delaying completion or financial failures in any of the three preceding years by the concerned applicant firm.
 - iv. The firm is blacklisted/ declared as ineligible by Gol/ State Govt./ UT for corrupt or fraudulent practices.
 - v. The firm or any of its partner is engaged in corrupt, fraudulent or unfair trade practices.
 - vi. The firm proposes any alteration in the works specified or any conditions stipulated in this RFP.
 - vii. Any alteration made in the RFP is unauthenticated or any page or pages is/are removed or replaced.
 - viii. In-complete PROPOSAL document.
 - ix. Validity period of the PROPOSAL is less than the required validity period as stated in the RFP.
 - x. The PROPOSAL is conditional.

- xi. Does not submit the signed RFP with enclosure documents on or before the stipulated time and date.
 - xii. Does not attach the required documents along with the PROPOSAL.
 - xiii. Canvassing in any manner to influence the Authority will be liable for rejection.
- II. Withdrawal of the PROPOSAL submitted by the applicant firm after the submission due date shall lead to black listing and debarring the applicant firm in all the future assignments.

3.4. Conflict of Interest:

The Firms at all times shall hold the Corporation's interests paramount important and shall avoid conflicts with its other assignments.

3.5. Right to Accept or Reject Proposals:

OMC reserves the right to annul the RFP process, or to accept or reject any proposal, in whole or part without assigning any reasons and without any obligation to inform and without incurring any liability to any of the applicant firms.

3.6. Validity of PROPOSAL:

The PROPOSAL submitted by the applicant firms shall remain valid for a period of **120 days** from the date of opening of the Proposal.

3.7. Amendments and Clarification for RFP:

OMC reserves the right to modify/amend the contents of the RFP before the last date of submission of PROPOSAL by issuing a corrigendum. The interested Firms are requested to visit the OMC website (www.omcltd.in) regularly for any update(s) on the RFP. In order to provide the prospective applicant firms reasonable time to take the amendments into account in preparing their proposals, OMC may, at its discretion extend the last date for submission of proposal.

3.8. General instructions for the applicant firms for the submission of proposal:

- i. The applicant firm is expected to examine the RFP Document, including all instructions, forms, terms and specifications in the RFP Document. Failure to furnish all information required as per the RFP may result in the rejection of the proposal.
- ii. The proposal should be complete in all respects and must contain all the required information and documents. Incomplete proposals are liable for rejection.
- iii. Applicant firm shall, as part of their proposal, submit a written Authorization Letter in the given format in RFP from the Managing Partner of Applicant Firm if the signatory is other than the Managing Partner.
- iv. The proposal shall be submitted by **Registered Post / Speed Post (not through private courier)** within the stipulated time and date and place specified in the data sheet.
- v. Clarifications, if any, in respect of this RFP can be obtained from AGM (Fin) - Tax, through e-mail: rkpanda@odishamining.in. The responses to applicant firms queries/ clarifications raised will be furnished as expeditiously as possible. Any modification of the RFP Document, which may become necessary as a result of the applicant firms query, shall be uploaded in the Corporation's website (www.omcltd.in) through the issue of an Addendum/ Amendment.

3.9. Pre-Proposal Queries:

Applicant firms are requested to forward their queries by e-mail to rkpanda@odishamining.in/ldas@odishamining.in on or before 20/12/2020.

3.10. Validity of the RFP:

RFP proposals submitted by applicant firm shall remain valid for a minimum period of 120 days from the date of opening of the Proposal. Applicant firms without the consent in writing of OMC, shall not be entitled during the said period of 120 days, to revoke or cancel their proposal or to vary the proposal given or any term thereof.

3.11. GENERAL TERMS & CONDITIONS

- i. Submission of a proposal by an applicant firm shall mean that they have read this notice and RFP documents and is aware of the scope of work and terms and conditions of the work to be done that may be required by the firm in carrying out the work, laws and by laws of the Government, OMC and other factors bearing influence on the execution of the service so proposed.
- ii. Applicant firm shall ensure that, there should not be any conflict of interest for their carrying out this assignment.
- iii. Applicant firm shall not be under liquidation, court receivership or similar proceedings.
- iv. RFP documents shall at all times remain the exclusive property of OMC Ltd.
- v. The Proposal should be complete in all respect and must be accompanied with required documents, failing which proposal shall be considered as non-responsive and may be liable for rejection
- vi. OMC shall not be responsible for any expense incurred by applicant firms in connection with the preparation and delivery of their proposals, site visit, participating in the discussion and other expenses incurred during the RFP process.
- vii. OMC reserves the right to accept or reject any proposal and to annul the RFP process and reject all proposals at any time prior to or award of assignment without assigning any reason whatsoever, without thereby incurring any liability to the affected applicant firm or applicant firms or without any obligation to inform the affected applicant firm or applicant firms of the grounds or the reasons for the said action.
- viii. Canvassing in any form by the applicant firm or by any other agency on their behalf may lead to disqualification of their proposal.
- ix. In case any applicant firm is found to be involved in any cartel formation, its proposal will not be considered for evaluation/placement of order. Such applicant

firm will be debarred from participation in future.

- x. The applicant firm shall not sublet, transfer or assign the contract or any part thereof to any other person / firm / consulting company/organization.
- xi. The proposal(s) received after proposal submission due date and time shall not be considered and out rightly liable for rejection.
- xii. OMC reserves the right to cancel / alter the RFP requirement without assigning any reasons thereof.
- xiii. Competent Authority reserves the right to open or not to open any or all proposal documents without assigning any reason thereof.

4.Scope of work of GST Consultants:

The applicant firms should have clear understanding of the current work culture and work flow of OMC with respect to Accounting and Indirect Taxation.

Broad Scope of Work:

- i. Verification of ITC Register of OMC every month and determine eligible ITC to be claimed in the return and communicating the same to Tax Cell, OMC.
- ii. Verification of Non-ITC Register of OMC every month and identify any eligible ITC posted in Non-ITC and communicating the same to OMC Tax Cell for necessary correction in the books of account by OMC.
- iii. Reconciliation of ITC Ledger in SAP.
- iv. Assisting OMC for preparation of grounds of appeal for all forums.
- v. Appeals before the assessing Authority and appellate authorities {up to Commissioner (Appeals)}.
- vi. Data security and non-sharing of data with others.

The Scope of work includes the following, but not limited:

- I. **Preparation of ITC Manual for OMC Limited:** The GST Consultants shall prepare an ITC Manual for OMC Limited. The ITC manual shall cover:
 - a. The general provisions in GST Act & Rules related to ITC along with relevant notifications.

- b. **Guidelines for OMC specific ITC eligibility:** This part shall be prepared considering various inputs and capital goods procured by OMC during the preceding 40 months (i.e. from 01.07.2017 to 30.11.2020). Relevant Case Laws and Advance Rulings shall be provided wherever required. The ITC & Non-ITC Register for the last 40 months shall be provided by OMC.
- c. The ITC Manual shall be completed within 3 (Three) months from the date of assignment of work.

II. General Scope of work:

- a. Preparation of Frequently Asked Questions (FAQ) on GST and suitable answers to it from OMC point of view for each region as well as for HO as per the requirement.
- b. Bringing awareness and facilitation of handling critical issues in GST Laws and the changes or amendments if any made there under.
- c. Understanding and analyzing the current contracts, work orders, purchase orders etc. undertaken/ executed/ issued by Corporation and assisting to make them GST Compliant as and when required by OMC.
- d. If required by OMC, assisting OMC in filing monthly and annual GST returns.
- e. Guiding in preparation and maintenance of the statutory records in accordance with the provisions of the GST Law.
- f. Assistance in meeting the compliance requirement under GST Law.
- g. Visit to each region quarterly for verifying compliances under GST Law and reporting the non-compliances.

III. In relation to regular compliance:

A. Verification of ITC and Non-ITC data of Regional Offices: The Consultants shall undertake following works in relation to verification of ITC and Non-ITC data of Regional Offices:

- a) The Consultants shall verify the ITC Register and Non-ITC Register provided by OMC every month to identify the eligible ITC to be claimed and Non-ITC to be reported in the monthly return. This activity shall be completed by the Consultants by 12th of every month.

- b) A team comprising of at least one qualified professional (CA/CMA) and one semi-qualified staff (Inter CA/CMA) of the consultants shall visit to each Regional Office of OMC once in every three months to verify that:
- a) The payments made by the Regional Offices during the preceding three months are properly accounted in the books of account as per GST Act, like ITC, Non-ITC, Exempted and Non-GST. The payment details shall be verified from Payment Vouchers (Bank & Cash) maintained by the Regional Offices during the period and to be compared with entries posted in SAP.
 - b) The tax invoices submitted by the suppliers of OMC are proper as per GST Act.
 - c) GST is charged and paid under RCM against all Taxable input supplies liable to RCM.
 - d) GST is charged against all Taxable Supplies by OMC during the period.
 - e) Report the non-compliances to the concerned Regional Office over mail with copy to Tax Cell, H.O.
- c) The visit shall be conducted as per the availability of guest house of OMC at the concerned Regional Offices as communicated by the concerned Regional Office.
- d) The Consultants shall resolve the matters related to each Regional Office at the Regional Office itself with the help of GST Nodal Officer of the concerned Region.
- e) The duration of visit to each regional offices shall be as follows:
- a) Minimum 04 days to the JK Road R.O., Daitari R.O. Gandhamardan R.O. & Barbil R.O. excluding the time of travel.
 - b) Minimum 03 days to the Koira R.O., Rayagada R.O. and Bangur R.O. excluding the time of Travel.
 - c) It may be noted that the days of visit stated above are minimum required days, the actual days shall be till completion of the assigned work.

B.Filing of Monthly & Annual GST Returns:

All monthly returns shall be filed by OMC, and the consultants shall assist OMC in filing the monthly and annual GST returns.

IV. Assistance under GST law:

A.To advise/ give written opinions relating to GST matters referred from time to time as per the requirement of the Corporation. The matters are listed below:

- a) ITC eligibility on a supply of goods or service received by OMC.
- b) Applicability of GST on any supply of goods or services made by OMC.
- c) Applicability of GST under RCM on payments made by OMC to various Government Departments and Agencies.
- d) Interpretation of any revenue earned by OMC as supply of goods or service as the case may be under GST Act or not.
- e) HSN code or SAC for goods or services.
- f) Rate of GST applicable to goods or services.
- g) The above list is not exhaustive.

B.The Consultants shall adhere to the following time limits in providing the opinions:

- a. For critical matters: within 2(two) days for interim opinion and within five working days or time specified by OMC for final opinion.
- b. For other than critical matters: within 7(seven) working days or time specified by OMC.

C. To prepare submissions/ replies for assessment proceedings, appellate proceedings and any other GST related proceedings/notices/letters/ summons/ audit replies or compliances, etc.

D. To prepare, facilitate and file appeals up to Commissioner (Appeals).

E.To represent/attend before GST Assessing Authority/ Commissioner (Appeals) for hearing proceedings and to meet Commissioner of GST or any other GST authority on behalf of the Corporation relating to any GST matter/ enquiry / liaison as and when required.

F.To assist the appointed advocate/representative of the Corporation in appeal matters before Hon^{ble} CESTAT/ High Court/ Supreme Court.

- G. To examine any order/communication received from GST Authority and advice further course of action.
- H. To take necessary follow-up action including filing of refund application with GST Authority for any input credits/ refunds due.
- I. To update about relevant changes/amendments/ case laws/ judgments in the GST Act & Rules and Finance Act from time to time (more specifically having implications on OMC) regularly through mail.
- J. To arrange for any GST Clearance/Exemption Certificate, as and when required.
- K. To submit a quarterly report of pending GST disputes at the end of the each quarter with necessary comments regarding status, merit and expected date of disposal in cases pending at different forums for submission to the Higher Management of OMC.
- L. To ensure correct computation of interest, refund and receipt of correct appeal effect benefits within 30 days of receipt of the Appeal Orders of Assessing Authority/ Commissioner (Appeals) for filling of rectification. For old cases, wherever a lapse is detected at a later stage, necessary rectification petition be filed within a maximum period of 15 days of communication of such lapses as per the requirement.
- M. All compliances should be done in due time to avoid no-attendance penalty from the GST Authorities, any deviation by the Consultants firm for no-attending any compliance in time and consequential loss if any, shall be to the Consultants firm's account and OMC Management has no role in this other than providing documents and information required by the Consultants firm.
- N. To take appropriate steps for registration /renewals/amendments for Certificates, etc. as and when required.
- O. Any kind of query raised by the Corporation (H.O./Regional Offices) in relation to GST should be resolved within 7 days from the date of such query.
- P. The Consultants will educate the staff/executives in relation to GST through training/seminars as and when required at H.O./ Regional Offices of the Corporation.

Q. The Consultants shall attend the review meetings at OMC as and when required and submit the progress report on different issues/cases/assignment related to GST.

R. At the time of termination of the assignment for any reason, the consultants firm will return all the related papers/documents/files lying with them including user ID and Passwords.

S. To provide any other consultancy services related to GST works other than those mentioned above.

V. Assisting OMC in GST Audit: The Consultants shall assist OMC during conduct of :

- i. GST Audit by the GST Auditor; and
- ii. GST Audit by the GST Department.

5. Eligibility Criteria:

The applicant firm must possess the following eligibility criteria and to this effect must produce supportive documents for the following along with other documents/information as specified below:

Sl. No.	Eligibility Criteria	Documents to be furnished along with the pre-qualification proposal
1.	The applicant firm must be registered with The Institute of Chartered Accountants of India/ Institute of Cost Accountants of India having certificate of practice.	Self-attested copy of Certificate of practice / Registration certificate of Firm & Constitution Certificate of the Firm if any.
2.	The applicant firm should have its head office (HO) in Odisha and the HO / a Branch Office in Bhubaneswar / Cuttack.	Copy of Registration Certificate indicating the HO/Branch Office's location and address issued by respective Institutes as on 30.11.2020.

3.	The applicant firm should have minimum professional work experience of 4(Four) years as on 30.11.2020 in handling the Indirect Tax matters in the field of providing Indirect Tax Consultancy including appearance/representing the cases for Corporate Assessee before the Indirect Tax authorities up to the level of Commissioner (Appeal). Experience in dealing and handling GST matters may be indicated separately.	Details to be furnished in FORM-E with copies of concerned work orders/ certificates of performance from the clients in support of minimum 4 yearsqexperience in Indirect Tax matters. The applicant firm is required to furnish appellate orders mentioning the name of the partner in the list of persons attended on behalf of appellant for a Corporate Assessee and letter from corporate client(s) in support of 4(Four) yearsq experience.
4.	The average annual turnover of the applicant firm in last three financial years i.e. 2017-18, 2018-19 & 2019-20 should not be less than Rs. 50 Lakh (Rupees Fifty Lakh).	Details to be furnished in FORM-I with copies of audited Balance Sheet and Profit Loss Statement for the given periods.
5.	The eligible applicant firm should have at least 4(Four) Partners as on 30.11.2020 (FCA/FCMA and/or ACA/ACMA)	Details to be furnished in FORM-D with self-attested copies of membership certificates.

In addition to the above the applicant firms have to furnish the following documents along with the RFP:

- Covering letter (FORM-A)
- Anti-collusion Certificate (FORM-B)

6.Selection Process:

Technical proposal of eligible applicant firms shall be evaluated. The scoring pattern for technical proposals shall be as follows:

Sl. No.	Sub. SI. No.	Criteria	Maximum Marks	Supporting documents required to be furnished along with this form
1		No. of years of experience of the firm. 5 years -3 marks, for every additional 1 year -1 mark subject to maximum of 5 marks.	5	Firm constitution certificate from respective institute as on 30.11.2020.
2		Average Audited Turnover of the CA/ CMA Firm during last three Financial Years 2017-18, 2018-19 and 2019-20 having Turnover of Rs.50 Lakh -5marks. For every additional turnover of Rs.10 lakh 1 mark subject to maximum of 10 marks.	10	Copies of audited Balance Sheets and P&L Statement for the financial years 2017-18, 2018-19 and 2019-20.
3		No. of Partners (FCA/FCMA) @ 2 Marks for each partner.	10	Copies of Firm constitution certificate along with Fellow Certificate of Practice of the Partner from respective Institutes as on 30.11.2020.
4		No. of Partners (ACA/ ACMA) @ 1 Mark for each partner.	7	Copies of Firm constitution certificate along with Associate Certificate of Practice of the Partner from respective Institutes as on 30.11.2020.

Sl. No.	Sub. Sl. No.	Criteria	Maximum Marks	Supporting documents required to be furnished along with this form
5		Number of Staff:		
	(i)	Qualified (CA/CMA): . 1 Mark per Staff	7	Copies of Final Pass Certificate issued by CA/CMA Institute duly certified by the Applicant Firm.
	(ii)	Semi Qualified (Inter CA/CMA): At least 7 Staffs - 4 Marks 8 to 12 Staff - 6 Marks >12 Staffs - 8 Marks	8	Copies of the Intermediate Pass Certificate issued by the concerned Institute and the copy of the appointment letter and CV of the concerned staff duly certified by the Applicant Firm.
	(iii)	Other Staff: 5 to 10 staff - 3 Marks 10 to 15 staff . 5 Marks > 15 staff - 6 Marks	6	CV of the concerned staff along with copy of the certificate of highest qualification hold by the concerned staff duly certified by the Applicant Firm.
6	(i)	Experience in Corporate Sector as Indirect Tax Consultants during the period from 01.04.2010 to 30.06.2017 (Pre-GST period) and the turnover of the client organization should not be less than Rs.50.00 Crore in each year. 1 to 3 nos. - 5 Marks 4 to 6 nos. - 8 Marks > 7 nos. - 10 Marks The Organisation where the applicant firm have worked for six months or more shall be considered as one Organisation.	10	Copies of letter of engagement/Work Order and certificate of completion issued by the organization. Copies of the Auditors Report, Balance Sheet, P&L Statements of the client Organisation for the respective financial years duly self-attested by a partner of the CA/CMA Firm. Details to be furnished in Table A of Form –E.

Sl. No.	Sub. Sl. No.	Criteria	Maximum Marks	Supporting documents required to be furnished along with this form
	(ii)	<p>Experience in Corporate Sector in Last 4 Years (2017-18, 2018-19, 2019-20 & 2020-21) for GST Consultancy, the turnover of the client organization should not be less than Rs.50.00 Crore in each financial year.</p> <p>1 to 3 nos. - 8 Marks 4 to 6 nos. - 12 Marks 7 to 9 nos. - 15 Marks > 9 nos. - 17 Marks</p> <p>The Organisation where the applicant firm have worked for six months or more shall be considered as one Organisation.</p>	17	Copies of letter of engagement/Work Order and certificate of completion issued by the organization. Copies of the AuditorsqReport, Balance Sheet, P&L Statements of the client Organisation for the respective financial years duly self-attested by a partner of the CA/CMA Firm. Details to be furnished in Table B of Form –E.
	(iii)	<p>Experience in Mining sector (Corporate Sector) during last Four years (2017-18, 2018-19, 2019-20 & 2020-21 (up to 30.11.2020) as GST Consultants, the annual turnover of the client organization should not be less than Rs. 50 crore in each financial year.</p> <p>1 to 2 nos. - 5 Marks 3 to 5 nos. - 8 Marks > 5 nos. - 10 Marks</p> <p>The Organisation where the applicant firm have worked for six months or more shall be</p>	10	Copies of letter of engagement/Work Order and certificate of completion issued by the organization. Copies of the AuditorsqReport, Balance Sheet, P&L Statements of the client Organisation for the respective financial years duly self-attested by a partner of the CA/CMA Firm. Details to be furnished in Table B of Form –E.

Sl. No.	Sub. Sl. No.	Criteria	Maximum Marks	Supporting documents required to be furnished along with this form
		considered as one Organisation.		
7		The firms dealt with Indirect Tax Matters at CESTAT Level: 1 to 2 Cases - 4 Marks and for every additional case 2 marks subject to maximum of 10 marks.	10	Copies of the order of the CESTAT mentioning the name of Firm or their representative on the face of the order in support of the experience.
		Total	100	

A firm has to secure at least 50 % of marks out of 100 in Technical proposal to qualify for formal discussion with the management for selection of GST Consultants. However, securing 50% marks do not confer any right of the firm to get selected for the assignment. The Management reserves the right to invite the eligible firms for an interface with the Committee securing above 50 marks. 60% weightage shall be given for scores in the technical proposal and 40% scores for interface with the committee in form of presentation.

Note:

1. **Corporate Sector:** Corporate Sector means a Company registered under Companies Act, 1956 /2013.
2. The experience of the Individual Partner will not be considered. Only the experience of the Applicant Firm shall be considered.
3. In case of merger, the experience of the old firms whose majority partners are also partners in the new firm shall only be considered along with the experience of the new firm.
4. The period from 01.07.2017 to 31.03.2018 shall be considered as one completed year and like 01.04.2020 to 30.11.2020 shall be considered as one completed year.

7. Making and submission of Proposal:

All documents of the proposal shall be signed by the Partner / Authorized Person having valid authorization letter at the time of proposal submission. Any consequences resulting due to such signing shall be binding on the applicant firm. The applicant firm shall submit proposal as per details below:

- a. The proposal documents shall be submitted by **Registered Post / Speed Post (not through private courier)** within the stipulated time and date and place specified in the data sheet of the RFP. The envelope containing the proposal shall be super scribed with **%Proposal for Appointment of GST Consultants for OMC Limited+**.
- b. Proposal documents received after stipulated time line specified in the data sheet of the RFP shall not be considered and out rightly liable for rejection.
- c. The Proposal documents containing the following must be bound, indexed, completely page numbered and arranged in the order:
 - i. Covering letter of proposal on Applicant firm's letter head as per **Form-A** of the RFP.
 - ii. Anti-Collusion Certificate in **Form-B** of the RFP.
 - iii. Applicant firm General Information as per **Form - C** of the RFP. In case Applicant firm is a partnership firm, certified copy of the partnership deed and Registration Certificate to be provided.
 - iv. Documents / information relating to relevant qualification and experience of eligible partners, employees, staffs, etc. to be submitted as per **Form-D** of the RFP.
 - v. Documents / information relating to experience of applicant firm to be submitted as per **Form-E** of the RFP.
 - vi. Applicant firm's Bank Account details as per **Form-F** of the RFP.
 - vii. Undertaking for compliance to RFP requirement as per **Form-G** of the RFP.
 - viii. Letter of Authorization, wherever applicable, in favor of signatory(ies) of the proposal as per **Form-H** of the RFP.
 - ix. Average audited annual turnover of last three financial years of the applicant firm i.e. 2017-18, 2018-19 and 2019-20 in **Form-I** of the RFP.
 - x. The RFP document and subsequent Amendments / Addendums to the RFP document duly signed and stamped by the applicant firm in token of having

received and read all parts of the RFP document and having accepted and considered the same in preparing and submitting the proposal.

- xi. Any other information required in the RFP Documents or considered relevant by the applicant firm.
- xii. All documents furnished by the applicant firm as per the requirement of Technical Proposal Evaluation Criteria shall be duly signed and stamped by the applicant firm or authorized signatory of applicant firm.

8. Opening of the RFP Proposal:

OMC will open the proposals to the RFP in the presence of applicant firms' designated representatives at date and time as stipulated in the Data Sheet, but their absence shall not debar the opening of the proposal. The applicant firms' representatives who are present shall sign Proposal-opening statement evidencing their attendance. Applicant firms' names and any other such details as OMC may consider appropriate will be announced by OMC.

9. Evaluation of Proposals to RFP:

- a. No stipulation, deviation, counter terms and conditions, presumptions, basis etc. shall be stipulated in the proposal. Any conditions, if stipulated, shall be treated as null and void and may render the proposal liable for rejection.
- b. OMC, if necessary, will obtain clarifications on the RFP by requesting for such information / clarifications from any or all applicant firms, either in writing or through personal contact. All responses shall be in writing only.
- c. OMC reserve the right to assess applicant firms' capability and capacity to execute the work using in-house information including taking into account other aspects such as concurrent commitments, past performance, inquiries etc.

10. Award of Assignment:

OMC will notify the successful applicant firm in writing for finalizing the assignment conditions and communicate the same through speed post/e-mail as per details given by the Applicant firm. The successful applicant firm will be requested to accept the appointment letter if any, in writing and communicate

the same to OMC within 7 days of the intimation. After acceptance of the assignment, no variation or modification of the terms of the engagement shall be made except by written amendment signed by both the parties. The selected applicant firm have to start the work within 7 days or within such time as intimated by OMC from the date of award of the contract.

11. LEGAL JURISDICTION:

All legal disputes are subject to the jurisdiction of civil court of Bhubaneswar only.

12. Confidentiality:

Undue use of any confidential information related to the process by any of the applicant firm may result in rejection of the proposal. Confidential Information shall mean and include any and all confidential or proprietary information furnished in whatever form or medium or disclosed verbally or otherwise by the OMC to the applicant firm and not limited to financial data, personal statistics, and plans whether or not marked as confidential or proprietary.

13. Period of Assignment:

Initially the period of assignment will be for a period of one year, but the Management of OMC reserves the right to extend the assignment for further period of one year each subject to a maximum period of three years in total on the basis of the performance of the firm.

14. Terms of Payment:

- i. Payment shall be released against submission of Tax Invoice.
- ii. The payment towards fees will be made on monthly basis on receipt of Tax Invoice, after successful rendering of service during the respective month as per corporations approved scheduled rates annexed as **Form- J**.
- iii. Lodging and Boarding facility shall be provided to the GST Consultants at OMC guest house free of cost subject to availability. If any Regional Offices have confirmed the availability of the guest house and accordingly the Consultants have conducted their visit, but the same is not provided to them due to any official reason, then the Finance Head of the concerned Region shall try to make necessary lodging and boarding arrangements for the Consultants. But, if it is not possible for

OMC to provide the lodging and boarding facility the consultants shall make their own arrangements and cost for the same shall be reimbursed by OMC subject to production of documentary evidence for the same. Amount reimbursable shall be the minimum of actual amount claimed or actual amount eligible. The Consultants shall be eligible for lodging and boarding expenses equivalent to the eligibility of the executives of OMC below E5.

- iv. Travelling and other out of pocket expenses incurred towards quarterly visit shall be paid on submission of Tax Invoice for the same along with documentary evidence subject to the maximum amount specified in the RFP. While making the payments any applicable/required deductions will be made by OMC.
- v. Applicable TDS under Income Tax Act / GST Act shall be deducted and necessary Certificates will be issued to the Firm as per the applicable Act.
- vi. If the GST Consultants do not perform the quarterly visits to any Region, then no payment against the Invoices of the GST Consultants shall be released unless the visits are completed. If the irregularities are not resolved within 30 days from the receipt of the notice for such non-compliance by OMC, the assignment may be terminated at the sole discretion of OMC. In case of such termination the whole amount payable by OMC under the assignment shall be appropriated towards liquidated damages.

15. Termination of Engagement:

A. Termination for Default: OMC / Designated Authority may, without prejudice, to any other remedy for breach of agreement, by serving 30 days prior written notice of default sent to the Firm, terminate the work in whole without assigning any reason if:

- i. The qualified firm fails to deliver any or all of the obligations within the time period(s) specified in the scope of work, or any extension thereof granted by OMC or Authority Designated in this behalf.
- ii. The qualified firm fails to perform any other obligation(s) under the

assignment.

- iii. If the firm is in material breach of the representations and warranties contained in this assignment.
 - iv. Termination for Insolvency, Dissolution etc: OMC/Designated Authority may at any time terminate the assignment in case of dissolution of firm or winding up of company, provided that such termination will not prejudice or affect any right of action or remedy.
 - v. If the selected firm fails to start the work within 7 days or within the time stipulated by OMC from date of allotment of the work / assignment without intimating the reason of delay of work to the client, then the contract may be cancelled and the said work will be allotted to the other subsequent merit hold firm.
- C. Upon termination of this assignment, OMC shall have the right to enter into an agreement with any third party.

16. Proposal Forms:

Form-A

(TO BE SUBMITTED ON APPLICANT FIRM'S OWN LETTER HEAD)

Covering letter for submission of offer

From:

Our Ref: _____ Dated _____

SUBJECT: Appointment of GST Consultants in OMC Limited

Dear Sir,

Please find herewith our offer in line with requirement of OMC RFP document. We confirm that:

1. Offer is in complete compliance with the requirements of RFP Document and there is no deviation in the offer.
2. We understand that any deviation in the proposal shall render our offer liable for rejection.
3. Our proposal shall remain valid for a period of 120 days from the date of opening of proposal.

We declare that the statement made and the information provided in our proposal is true and correct in all respects. In case, it is found that the information/ documents provided by us are incorrect / false, our application shall be rejected by OMC without any reference to us.

Thanking you,

Yours sincerely,

(Signature of Authorized person)

Full Name:

Designation:

Applicant firm's official Seal

FORM –B

Anti-Collusion Certificate

We certify that, this proposal is made in good faith and that we have not fixed or adjusted the proposal by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not taken, and we will also not take any activities as state below:

1. Enter into any agreement or arrangement with any person / Firms that they shall restrain from Participation, that they shall withdraw the proposal once offered or amend the contents of any proposal to be submitted.
2. Pay, give or offer to pay or give any sum of money or other valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other proposal or proposed proposal or the work.

Signature (authorized signatory)

For and on behalf of

Date:

Form-C
Applicant firm's general information

1. Applicant firm Name:

2. Date of Birth / registration / incorporation: _____

3. Address of registered office:

4. Address of Local Office in Bhubaneswar / Cuttack:

5. Telephone No. _____

6. E-mail address _____

7. Website _____

8. Fax number _____

9. CA/CMA firm registration number _____

10. GST Registration No. (GSTIN) _____

11. Permanent Account Number (PAN) _____

Stamp and signature of applicant firm: _____

Name of authorized person: _____

Note: The self-attested copies of documents at Sl. No. 2, 9, 10 and 11 to be attached.

Form-D

Details of Eligible Partners and any other qualified professional(s) and staff, if any

1. Partners:

Sl. No.	Name & Designation	DOB & Age (as on 30/11/2020)	Qualification	Membership no. & Date of Registration as (FCA/ACA/FCMA/A CMA)	Relevant Experience in Indirect Tax

2. Qualified professional:

Sl. No.	Name & Designation	DOB & Age (as on 30/11/2020)	Qualification	Membership no. & Date of Registration as (FCA/FCMA/ACA/A CMA)	Relevant Experience in Indirect Tax

3. Semi-qualified Staff:

Sl. No.	Name & Designation	DOB & Age (as on 30/11/2020)	Qualification (Inter CA/Inter CMA)	Relevant Experience in Indirect Tax

4. Other Staff

Sl. No.	Name & Designation	DOB & Age (as on 30/11/2020)	Qualification	Relevant Experience in Indirect Tax

Note:

1. Applicant firms are required to furnish the complete and correct information for evaluation of their proposals. If any information furnished is found to be false/misleading/ incomplete, the same shall be considered as adequate ground for rejection of the proposals.
2. Applicant firms are required to furnish only those credentials in the above prescribed format for which documentary evidence is available with them. OMC reserves the right to seek additional information or ask for supporting documents from applicant firms for verifying/ evaluating their credentials whenever required.
3. Proper proof MUST be provided to support minimum 4 years of experience of eligible Partners / Qualified Professionals dealing with Indirect Tax matter as per Clause 5 Eligibility Criteria of RFP document.

Form-E

Relevant experience of the Consultants in Indirect Tax for the purposes of evaluation

A. Experience in Pre-GST period:

Name of the Corporate Client and Address	Work Order/ Assignment Letter No. and Date	Period of assignment From. to	Scope of work	Turn-over of the Client Organisation	Industry (Mining/ Other)	Ref No. of the Appellate Order passed by the Indirect Tax Authority	Name of the Appellate Authority	Name of the partner in the list of persons attended	Remarks

B. Experience in GST period:

Name of the Corporate Client and Address	Work Order/ Assignment Letter No. and Date	Period of assignment From. to	Scope of work	Turn-over of the Client Organisation	Industry (Mining/ Other)	Ref No. of the Appellate Order passed by the Indirect Tax Authority	Name of the Appellate Authority	Name of the partner in the list of persons attended	Remarks

Notes: Applicant firm to submit copies of the appellate orders and letters from client.

Form-F
E-Payment Form
Bank account particulars

1. Applicant firm's name
2. Address of applicant firm
3. Particulars of bank account
4. Name of the bank
5. Branch code
6. Address of the bank branch
7. Type of account (SB, Current, Credit)
8. Account number
9. Bank's IFSC code for RTGS/NEFT

I hereby declare that the particulars given above are correct and complete and accord our consent for receiving payment through electronic mechanism. I also undertake to intimate the changes, if any, in bank account details in future and OMC will not be held responsible for non-payment / delay due to above change in bank details and also due to technical reasons beyond its control.

(_____)
Signature of the authorized signatory(ies) &
Designation

Place:

Date:

Official seal of the applicant firm

BANK CERTIFICATION

Certified that the particulars furnished above are correct as per our records

Bank's Stamp

Place:

Date:

Stamp & Signature of the authorized official of the bank

Form-G
Undertaking

We hereby confirmed that all the documents submitted in this proposal are authentic, genuine copies of their originals and have been issued by the issuing authority mentioned above and no part of the document(s) / information is false, forged or fabricated.

We hereby confirm that our proposal complies with the total requirements/ terms and conditions of the RFP Document and subsequent addendum/corrigendum (if any), issued by OMC, without any deviation/ exception/ comments/ assumptions.

We hereby confirm that, we are not under any 'liquidation', any 'court receivership' or similar proceedings and 'bankruptcy'.

We hereby confirm that, any Partner / Director of the entity have not been convicted in any disciplinary proceedings / criminal case by regulatory authority(ies)/ court in connection with professional work.

We further confirm that, we have not been in negative list / blacklisted by any Public Sector Undertaking / Government Organization / OMC Limited.

We also confirm that the contents of this proposal have not been modified or altered by us. We agree that if any such acts, noticed in future, our proposal may be rejected / terminated.

We hereby confirm that we have gone through and understood the RFP Document and that, our proposal has been prepared accordingly in compliance with the requirement stipulated in the said documents.

We are submitting Master Index of RFP Document as part of our proposal duly signed and stamped on each page in token of our acceptance and as a part of the Contract in the event of award of Contract to us.

Stamp and signature of applicant firm: _____

Name of applicant firm: _____

NOTE: To be stamped and signed by the authorized signatory on letterhead of applicant firm.

Form-H
Letter of Authorization

(TO BE SUBMITTED ON APPLICANT FIRM'S OWN LETTER HEAD)

To
OMC Limited

SUBJECT: Appointment of GST Consultants in OMC Limited

Dear Sir,

We _____ hereby authorize following representative(s) to sign all PROPOSAL/Proposal documents / attend Technical Proposal opening against your RFP Document No. _____

Name & Designation _____

Signature _____

We confirm that we shall be bound by all commitments made by aforementioned authorized representatives.

Yours faithfully,

Signature

Name & Designation

For and on behalf of

(Applicant firm)

NOTES:

- a) This letter of authority should be on the letterhead of the applicant firm and should be signed by a person competent and having the power of attorney to bind the applicant firm.
- b) Not more than one person is permitted to attend proposal opening.
- c) Applicant firm's authorized executive is required to carry this authority letter while attending the RFP proposal opening and submit the same to OMC. Representatives should carry their id proof.

FORM – I

Financial Turnover of the applicant firm during last three Financial Years

Sl. No.	Financial Year	Turn Over in INR
1	2017-2018	
2	2018-2019	
3	2019-2020	
Average Audited Annual Turnover for the last three Financial Years (INR)		

Authorized Signatory

[In full initials and Seal]:

Name of the Firms:

(Please provide the copies of the IT Return, Audited Balance Sheet and Profit Loss Statement for the corresponding period along with the proposal).

Form J
Approved Fee Structure

Sl. No	Particulars of work	Fees to be paid.
1	Undertaking works as per Scope of work in Clause No. 4 of the Request for Proposal (RFP)	1,00,000/- Per Month (Rupees One Lakh Per Month Only)
2.	Travelling and other Out of Pocket Expenses incurred other than lodging and boarding expenses towards Quarterly visit to the Regional offices of OMC.	On Actual (Subject to maximum 25,000/- (Rupees Twenty Five Thousand) Per Quarter

Note:

1. The fees are exclusive of GST. The Corporation will pay applicable GST in addition to the above fees subject to claiming of the same in Tax Invoice.
2. Free Guest house accommodation/lodging and boarding shall be provided as per availability. Local conveyance/transportation at regional offices shall be provided during visit of ROs/Mines Office.