

**Expression of Interest(EOI)**  
**For**  
**Empanelment of Zonal Marketing & Distribution Agencies (ZMDAs)**  
**to**  
**Market & Distribute Books & Journals (*including Employment News*) Of**  
**Publications Division**

**Publications Division**  
**Ministry of Information & Broadcasting**  
**Soochna Bhawan, C.G.O Complex, Lodhi Road,**  
**New Delhi - 110 003**

**24<sup>th</sup> March 2020**

## INDEX

S.No.	CONTENTS	Page No.
1.	Text of Advertisement Invitation For Expression of Interest	3
2.	Letter of Invitation	4
3.	Background	5
4.	Aims & Objectives	5
5.	EOI Processing Fees	6
6.	Venue & Deadline for Submission of Proposal	6
7.	Validity of Offer	6
8.	Terms of Reference	6 /Annexure-I
9.	Instructions to Applicants	6
10.	Qualification Criteria	7
11.	Evaluation Criteria & Method of Evaluation	8
12.	Response	8
13.	Conflict of Interest	8
14.	Condition under which EOI is issued	8
15.	Last Date of submission of EOI	9
16.	FORMATS	
i)	Format – 1	10-11
ii)	Format – 2	12
iii)	Format – 3	13
iv)	Format – 4	14
v)	Format – 5	15
17.	Annexure I – Terms of Reference	16-22

## 1. TEXT OF ADVERTISEMENT

### Publications Division

### Ministry of Information & Broadcasting

Soochna Bhawan, C.G.O Complex,  
Lodhi Road,  
New Delhi-110003

### NOTICE INVITING EOI 'S

DPD, New Delhi invites applications from eligible distributors for empanelment as Zonal Marketing and Distribution Agencies for sale & marketing of DPD books & journals ( incl. Employment News/Rozgar Samachar) **five zones** (Northern Zone, Eastern Zone, Western Zone, Southern Zone and North Eastern Zone).

The EOI Document containing the details of qualification criteria, submission requirement, brief objective & scope of work and evaluation criteria etc. can be downloaded from the website [publicationsdivision.nic.in](http://publicationsdivision.nic.in).

Further details, if any, may be obtained from **Mr. Maruf Alam, Business Manager(I/c), Business Wing, Room No. 54**, Soochna Bhawan, New Delhi-110003 during working hours.

Last date for submission of EOI is **13.04.2020 upto 1500 hrs**. Sealed envelope marked to the captioned address, containing EOI and non-refundable fee of Rs 5000.00 (Rupees Five Thousand Only) by way of DD/Pay Order in favour of "PAO, DAVP", payable at New Delhi may be submitted mentioning "EOI for Empanelment of ZMDAs" on the top cover:

**"Section Officer (Ms. Anita Jain)"**

### Ministry of Information & Broadcasting

**Room No.: 60, Business Wing  
Soochna Bhawan, C.G.O Complex, Lodhi Road,  
New Delhi-110003**

Note: Publications Division or any of its designates reserves the right to cancel this request for EOI and/or invite afresh with or without amendments, without liability or any obligation for such request for EOI and without assigning any reason. Information provided at this stage is indicative and Publications Division reserves the right to amend/add further details in the EOI.

## 2. LETTER OF INVITATION

**Publications Division  
Ministry of Information & Broadcasting**

**Soochna Bhawan, C.G.O Complex,  
Lodhi Road, New Delhi-110003**

No.

Dated: 24.03.2020

Dear Sir/Madam,

Publications Division (Ministry of Information & Broadcasting) invites sealed EOI 's from Book Distributors/ Agents/Publishers for Empanelment of **Zonal Marketing & Distribution Agencies** to distribute & market books & journals of Publications Division.

The EOI Document containing the details of qualification criteria, submission requirement, brief objective & scope of work and method of evaluation etc. Is enclosed. The EOI Document is also available on the Publications Division website: [publicationsdivision.nic.in](http://publicationsdivision.nic.in)

You may submit your responses in sealed envelopes in prescribed format to Section Officer (BW) latest by **13.04.2020**

**“Section Officer (Ms. Anita Jain)”**

**Ministry of Information & Broadcasting**

**Room No.: 60, Business Wing  
Soochna Bhawan, C.G.O Complex, Lodhi Road,  
New Delhi-110003**

Queries if any may be referred in writing to **Mr. Maruf Alom, BM(I/c)(BW), Room No. 54, Soochna Bhawan, New Delhi-110003**, the above mentioned address or Telephone No.011- 24367260 or at E-mail: [businesswng@gmail.com](mailto:businesswng@gmail.com)

S. No.	Critical Dates	Date	Time
1.	Publishing Date	24.03.20	11:00 hrs
2.	EOI Submission End	13.04.20	15.00 hrs
3.	EOI Date Opening Date	17.04.20	16.00 hrs

Yours faithfully,

**(Somvir Singh)**  
**Deputy Director (Admn.)**  
for & on behalf of President of India

Encl.: EOI Document.

### 3 Background:

#### 3.1 Introduction:

Publications Division (DPD) is a repository of books and journals highlighting subjects of national importance and India's rich cultural heritage. The mandate of the organization is to preserve national heritage and disseminate the same through the production and sale of quality reading material at affordable prices. It is publishing books & journals in Hindi, English and other regional languages and marketing them through its nation-wide sales network.

3.2 Publications Division is also publishing monthly magazines and journals on various aspects of Indian life. Yojana, with its 13 language editions, is the flagship magazine on development-related issues. Kurukshetra, in English and Hindi, is devoted to rural development. Ajkal, in Hindi and Urdu, is a prestigious literary magazine. Bal Bharati is a popular children's magazine in Hindi. Employment News, in English, Hindi and Urdu, is a weekly dedicated to providing valuable and authentic information on jobs in central government, including the public sector.

3.3 **Jurisdiction & HQ :** Jurisdiction of the respective Zones will be as per the following indicative list :-

Sl.	Zone	Head Quarter	Jurisdiction
01.	<b>North Zone</b>	<b>Delhi</b>	Haryana, Punjab, Uttara Khand, Uttar Pradesh, Himachal Pradesh, Jammu & Kashmir
02	<b>East Zone</b>	<b>Kolkata</b>	West Bengal, Odisha, Bihar, Jharkhand and Chhatisgarh
03	<b>South Zone</b>	<b>Hyderabad</b>	Kerala, Tamil Nadu, Andhra Pradesh, Karnataka, Telengana, Pudduchery
04.	<b>West Zone</b>	<b>Mumbai</b>	Maharashtra, Rajasthan, Gujarat, Madhya Pradesh, Goa, Daman & Diu
05	<b>North-East</b>	<b>Guwahati</b>	Assam, Mizoram, Manipur, Tripura, Arunachal Pradesh, Nagaland

The above jurisdiction is indicative in nature but there could be overlaps depending upon the order from a particular region.

#### 4. Aims & Objectives:

Presently, Publications Division's sales & marketing efforts are undertaken through network of its agents as well as its sales emporia located in eight cities. Publications Division envisages strengthening of its Distribution & Sales and Marketing efforts for books & journals by empanelling ZMDAs at 5 zones; namely Northern Zone, Eastern Zone, Western Zone, Southern Zone and NE Zone having HQ's at Delhi, Mumbai, Hyderabad, Calcutta & Guwahati.

## **5. EOI Processing Fees**

A non-refundable processing fee for Rs. 3,000/- (Three Thousand Rupees only) in the form of a Demand draft or a Pay Order drawn in favour of “ADG, Publications Division, Ministry of Information & Broadcasting” Payable at New Delhi has to be submitted along with the **EOI documents**. Bids received without or with inadequate EOI processing fees shall be liable to get rejected.

## **6. Venue & Deadline for submission of proposal**

Proposal, in its complete form in all respects as specified in the EOI Notification, must be submitted to Publications Division at the address specified herein earlier. In exceptional circumstances and at its discretion, Publications Division may extend the deadline for submission of proposals by issuing an amendment to be made available on the Publications Division website, in which case all rights and obligations of Publications Division and the Bidders previously subject to the original deadline will thereafter be subject to the deadline as extended.

## **7. Validity of Offer:**

The offer for EOI as per this document shall be valid for a period of three (3) months initially which may be extended further if required by Publications Division, Ministry of Information & Broadcasting.

## **8. TERMS OF REFERENCE**

The detailed terms of reference are enclosed at **Annexure-I**.

## **9. INSTRUCTIONS TO APPLICANTS**

**9.1** The EOI Document is to be submitted in the manner prescribed below:-  
All information as detailed below is to be submitted in two hard copies in separately sealed envelopes and one soft copy in CD:-

- a) Applicant's Bid as per Format-1.
- b) Organizational Contact Details as per Format-2.
- c) Experience details of the organization as per Format-3.
- d) Financial strength of the company as per Format-4.
- e) Declaration as per Format-5.
- f) Power of Attorney in favour of Authorized Signatory with long and short signatures of Authorized person.
- g) Applicants must have its office in Delhi / NCR.

**9.2** EOI Documents have been hosted on the website – [publicationsdivision.nic.in](http://publicationsdivision.nic.in) and may be downloaded from the website.

The Bidders are expected to examine all instructions, forms, terms and other details in the EOI document carefully. Failure to furnish complete information as mentioned in the EOI document or submission of a proposal not substantially responsive to the EOI documents in every respect will be at the Bidder's risk and may result in rejection of the proposal.

#### **10. Qualification Criteria:**

Following will be the minimum pre-qualification criteria. Each eligible consultant should possess all the following pre-qualification criteria. Responses not meeting the minimum pre-qualification criteria will be rejected and will not be evaluated.

<b>S.No</b>	<b>Pre-Qualification Criteria</b>	<b>Supporting Compliance Document</b>
1.	The applicant shall be a firm/ company/ partnership/ proprietorship firm registered under the Indian Companies Act 1956/ the Partnership Act, 1932 and who have their registered offices in India and must have an office in National Capital Region of Delhi.	Copy of Certificate of Incorporation and Partnership deed, if any
2.	The applicant should be a Book/ Journals Distributor/ Agent/ Publisher.	One page note outlining the brief activities/ experience of the organisation as Distributor/ Agent/ Publisher of Books/ Journals.
3.	The firm should be in the business of providing similar services for at least 03 years as on 31.03.2019	Certificate by Company Secretary of the Bidder's organization.
4.	The Bidder should have an annual turnover of rupees 50 lakh in each of the last 03 consecutive years ( FY 2016-17, 2017-18 and 2018-19) from only sales & marketing services rendered in India. However in respect of NE, the minimum turnover limit shall be 10 lakh.	(i) CA certified document with name of CA registration number, signature & stamp.  (ii) Copy of Work Order/ Contract relating to  1. Distribution of books and journals .  2. Marketing of books and journals.

5.	The firm should not be blacklisted by any Central Govt./ State Govt./ PSU/ Govt. Bodies	Certificate signed by the authorized signatory.
6.	PAN No. / GST Certificate	Copy of Certificate to be enclosed.
7.	The Bidder must have an office in Delhi/ NCR	Details of branch offices in State/ Uts other than Delhi/ NCR area, if any, may be submitted.

#### **11. Evaluation Criteria and Method of Evaluation:**

- a. Screening of EOI's shall be carried out as per eligibility conditions mentioned in this document and based on verification of testimonials submitted.
- b. EOI will be evaluated for short listing inter alia based on their past experience of handling similar type of project, strength of their man power, financial strength of firm and presentation / proposal to the selection committee whose decision will be final.
- c. Agencies who qualify as per the eligibility conditions will be provided a brief about the Scheme. The agencies may be required to make a presentation, if required, to a selection committee show-casing their proposals.
- d. Publications Division will take up references and reserves the right to pay due heed to the Bidder's performance elsewhere and any past experience from Ministry of Information & Broadcasting.

#### **12. Response:**

- 12.1** Bidders must ensure that their Bid response is submitted as per the formats attached with this document. Special comments on the objectives and scope of the service projected in the enquiry may also be submitted along with the offer.
- 12.2** Application in sealed cover super scribed, as "BID for Empanelment of ZMDAS to distribute & market journals of Publications Division of Ministry of Information & Broadcasting."

#### **13. Conflict of Interest:**

- 13.1** Where there is any indication that a conflict of interest exists or may arise, it shall be the responsibility of the Bidder to inform Publications Division, detailing the conflict in writing as an attachment to this Bid.
- 13.2** Publications Division will be the final arbiter in cases of potential conflicts of interest. Failure to notify Publications Division of any potential conflict of interest will invalidate any verbal or written agreement.



**13.3** A Conflict of Interest is where a person who is involved in the procurement has or may be perceived to have a personal interest in ensuring that a particular Bidder is successful. Actual and potential conflicts of interest must be declared by a person involved in a Bid process.

**14. Last date of submission of EOI:**

The last date of submission of EOI is **13.04.2020** (1500 hrs.).

Bid Opening Date & Time is **17.04.2020** (1600 hrs.)

## 15. FORMATS FOR SUBMISSION:

### FORMAT – 1 APPLICANT'S EOI

To,  
Deputy Director( Somvir Singh)  
Publications Division  
Ministry of Information & Broadcasting  
Room No.: 778,  
Soochna Bhawan, C.G.O Complex, Lodhi Road,  
New Delhi-110003

**Sub: Submission of EOI to undertake Empanelment of ZMDAs to distribute & market Books & Journals of Publications Division of Ministry of Information & Broadcasting.**

Dear

In response to the EOI published on 24<sup>th</sup> March, 2020 for the above purpose, we would like to submit EOI for carrying out the above proposed task. As instructed, we attach 2 sets of the following documents in separately sealed envelopes and one soft copy:

1. Organizational Details (Format-2)
2. Experience in related fields (Format-3)
3. Copies of annual accounts, namely, Trading Account, Profit and Loss Account and the balance sheet of the last three years (i.e. 2016-17, 2017-18 and 2018-19) duly authenticated by chartered accountant indicating annual turnover.
4. Self certified copy of Income Tax return for the last 2 years i.e. (2016-17, 2017-18 and 2018-19) and PAN card in the name of proprietor in case of a proprietary firm or in the name of the firm in case of a partnership/Pvt. Ltd Company.
5. Submission of supporting documents to establish offices in various cities/towns of India.
6. Supporting documents to establish number of publications being distributed by the applicant (publications with RNI No.)
7. Supporting documents to establish the number of publishers with whom the applicant is associated for marketing/distribution
8. Supporting document to establish number of towns/cities from where the applicant is dispatching.
9. CA Certified document regarding the applicant being a Distributor/Agent/Publisher of Books/ Journals.

10. Copies of Work Orders/ Contracts relating to distribution of Books/ Journals and Marketing of Books and Journals.
11. Certificates regarding 'the firm not under any blacklist of Central/ State Govt./ PSU/ Govt. Bodies.
12. Self certified copy of PAN Number.
13. Self certified copy of GST Number.
14. Details of offers in Delhi/ NCR.
15. Financial strength of company as per format-4.
16. Declaration as per format-5.
17. Power of Attorney in favour of authorised signatory.

Sincerely Yours,  
Signature of the applicant  
[Full name of applicant]  
Stamp.....  
Date:

Encl.: As above.

Note: This is to be furnished on the letter head of the organization.

**FORMAT -2**

<b>S. No</b>	<b>Organizational Contact Details</b>	
1.	Name of Organization	
2.	Main areas of business	
3.	Type of Organization Firm/ Company/ partnership firm registered under the Indian Companies Act, 1956/ the partnership Act, 1932	
4.	Whether the firm has been blacklisted by any Central Govt. / State Govt./PSU/ Govt. Bodies / Autonomous? If yes, details thereof.	
5.	Address of registered office with telephone no. & fax	
6.	Address of offices in i) National Capital Region of Delhi ii) All other State/UT's	
7.	Contact Person with telephone no. & e-mail ID	

Signature of the applicant

Full name of the applicant

Stamp & Date

### FORMAT-3

<b>Experience in Related Fields</b>				
Overview of the past experience of the Organization in all aspects related to Sales & Marketing and Distribution of Books & Journals				
<b>S.No.</b>	<b>Items</b>	<b>Number of assignments during last five years.</b>	<b>Order value of each Assignment in Lakhs (enclose copy of each order)</b>	<b>Mention the name of Client/ Organization (enclose completion certificates)</b>
<b>1</b>	Experience of assignments of similar nature.			
<b>1.1</b>	Experience in carrying out similar assignments in Government.			
<b>1.2</b>	Experience in carrying out similar assignments in Public Sector.			
<b>1.3</b>	<p>Any other relevant information that the applicant may like to submit. Decision of Evaluating Committee in ascertaining “similar nature” and “similar assignment” will be final.</p> <div style="text-align: right; margin-top: 100px;"> Signature of the applicant  Full name of applicant  Stamp&amp; date </div>			

**FORMAT – 4**

<b>Financial Strength of the Organization</b>					
<b>S. No</b>	<b>Financial  Year</b>	<b>Whether  profitable Yes/NO</b>	<b>Annual net  profit (in Crores of Rs.)</b>	<b>Overall annual  turnover (in Crores of Rs.)</b>	<b>Annual turnover from only Sales &amp; Marketing &amp; Distributions services of books &amp; Journals rendered in India (in Crores of Rs.)</b>
1	2016-17				
2	2017-18				
3	2018-19				

Signature of the applicant

Full name of applicant

Stamp & Date

## FORMAT -5

Declaration
<p>We hereby confirm that we are interested in competing for the Engagement of Zonal Marketing &amp; Distribution Agency to undertake the task related to distribution &amp; marketing of journals of Publications Division of Ministry of Information &amp; Broadcasting.</p> <p>All the information provided herewith is genuine and accurate.</p> <p>Authorized Person's Signature.</p> <p>Name and Designation:</p> <p>Date of Signature:</p>

Note: The declaration is to be furnished on the letter head of the organization.

**EOI FOR ENGAGING ZONAL MARKETING/ DISTRIBUTION AGENCY(ZMDAS) FOR BOOKS & JOURNALS OF PUBLICATIONS DIVISION**

**1. Introduction:**

Publications Division (DPD) is a repository of books and journals highlighting subjects of national importance and India's rich cultural heritage. The mandate of the organization is to preserve national heritage and disseminate the same through the production and sale of quality reading material at affordable prices. It is publishing books in Hindi, English and other regional languages and marketing them through its nation-wide sales network.

1.1 Publications Division is also publishing magazines and journals on various aspects of Indian life. Yojana, with its 13 language editions, is the flagship magazine on development-related issues. Kurukshetra, in English and Hindi, is devoted to rural development. Ajkal, in Hindi and Urdu, is a prestigious literary magazine. Bal Bharati is a popular children's magazine in Hindi. Employment News, in English, Hindi and Urdu, is a weekly dedicated to providing valuable and authentic information on jobs in central government, including the public sector.

1.2 Presently, Publications Division's sales & marketing efforts are undertaken through network of its agents as well as its sales emporia located in eight cities. However, on account of limited manpower, limited flexibility in Business Policy available to undertake sales and marketing (S&M), inability to keep pace with the changing marketing needs, lack of expertise and specialization, etc., these sales emporia are not in a position to undertake marketing and book promotion efforts of the level required by Publications Division. Publications Division therefore, envisages strengthening of its sales and marketing efforts by empanelling a ZMDAs at the zonal level.

1.3 DPD, New Delhi wishes to engage 5 Zonal Marketing and Distribution Agencies (ZMDAs) for the purpose of sales, marketing and distribution of all the books and journals (including Employment News) of DPD. The ZMDAs shall undertake sales, promotion and marketing for all the journals of DPD. Accordingly, Publications Division envisages ZMDAs to act as an extended arm of Publications Division and will undertake aggressive sales and marketing efforts to ensure greater reach for the quality journals of Publications Division. They shall be covered under the existing Business Policy guidelines and will be provided discount as per the prevalent discount structure based on a slab structure. Discount will change as and when corresponding charges are made in Business Policy. Details of Business Policy may be seen at the website [www.publicationsdivision.nic.in](http://www.publicationsdivision.nic.in). A copy of the same is also attached herewith.

1.4 DPD, New Delhi invites applications from eligible distributors for empanelment as ZMDAs for sale & marketing of DPD books & journals (incl. EN/RS) in the following 5 zones of the country to be HQ's at Delhi/NCR.



Sl.	Zone	Head Quarter	Jurisdiction
01.	North Zone	Delhi	Haryana, Punjab, Uttarakhand, Uttar Pradesh, Himachal Pradesh, Jammu & Kashmir
02	East Zone	Kolkata	West Bengal, Odisha, Bihar, Jharkhand and Chattisgarh
03	South Zone	Hyderabad	Kerala, Tamil Nadu, Andhra Pradesh, Karnataka, Telangana, Pudduchery
04.	West Zone	Mumbai	Maharashtra, Rajasthan, Gujarat, Madhya Pradesh, Goa, Daman & Diu
05	North-East	Guwahati	Assam, Mizoram, Manipur, Tripura, Arunachal Pradesh, Nagaland

1.4.1 The ZMDAs so empanelled is expected to perform the following functions:-

- a) Sale and distribution of all books & journals including Employment News across zones.
- b) Undertake aggressive sale promotion methods including participation in Book Fairs, Exhibitions and Events to facilitate better visibility for the books & journals.
- c) Take part in bulk tenders floated by libraries/institutions/State Governments.
- d) Ensure that sufficient display copies are made available to leading book agents for display.
- e) Any other work relating to sales/marketing as assigned from time to time.

1.5 Existing Agents/Distributors of Books/Journals could continue to work under the present arrangement as per the extant Business Policy Guidelines. However, they may also apply for Empanelment of ZMDA's.

## **2. Terms of payment :**

2.1 All supplies of DPD publications will be made on pre-payment basis, i.e. payment through Demand Draft or electronic transfer. The credit facility shall also be allowed subject to submission of EMD to the tune of 100% of sales calculated for a stock value of two months of supply (stock value will be calculated by multiplying tentative print order with number of issues in two month period with cover price (in respect of Journals). In respect of Books, credit will be allowed on submission of EMD / BG to the tune of Net Sales of the order (not below Rs. 5 Lacs.)

## **3. Sales based incentive:**

Additional discount could be given as incentives for achieving higher value of sales of journals as below :

Sl. No.	Gross Sales (in Crore)	Additional Discount
1	Upto 5.0	2%
2	5.0-10.0	3%
3	Above 10.0	5%

#### **4. Return Policy :**

A return of up to 10% of the total value shall be allowed on a quarterly basis subject to the condition that the stock returned to DPD is in a saleable and presentable condition. The same shall be revised to 5% from second year onwards.

#### **5. Cost of Distribution/Dispatch charges :**

The ZMDAs are expected to take up the stock for dispatch from the press/warehouse of DPD and ensure its supply to all the cities/towns. Further, it will be the responsibility of ZMDAs to ensure distribution to these specific agents/distributors on the due date of release of the concerned journals to ensure that journals/Employment News are visible across the country on the date of release. The schedule of printing and date of release , etc. shall be informed to the ZMDAs and will be updated from time to time as and when a change in the schedule happens. 10% of Gross Sales shall be paid as Dispatch/Distribution Charges and will be adjusted against the receivables from ZMDAs.

#### **6. Replacement of defective copies :**

It will be the responsibility of the ZMDAs to check the quality of book at the time of receiving the supply. However, in certain cases, replacement of defective copies shall be allowed if the same is brought to the notice of the DPD within the period of 10 days of receipt of supply of sufficient copies are not available for replacement, credit note shall be issued by the Publications Division.

#### **7. Display of DPD's journals :**

- To ensure suitable visibility of books & journals of DPD right up to the District level, the ZMDAs shall ensure that sufficient display copies are made available to all the leading book agents across the country and an extra discount of 2% on the value of sale shall be allowed provided the ZMDAs submits suitable documentary evidence to prove that the leading book agents/distributor in the respective cities are prominently displaying books & journals of DPD throughout the month. It will be the responsibility of ZMDAs to ensure that atleast, copy of all the journals is available for display in the leading book agents / distributors till the issue is live or the next issue is available, whichever is earlier.
- ZMDAs will also endeavour to display banners/signboards to promote DPD books & journals.

#### **8. Period of contract :**

This exclusive marketing and distribution arrangement shall initially be on a pilot project basis for one year to be effective from date of signing of Agreement. The contract can then be extended further for a period of two year on mutually acceptable terms and conditions depending on the actual sales performance during this period.

## **9. Eligibility criteria :**

All the agencies seeking empanelment as ZMDAs should meet the following qualifying criteria :

A bonafide book distributor/agents having at least three years of experience in distributing journals with exclusive marketing/ distribution network with a minimum average turnover of Rs. 50 lakh over the past three years ( 2016-17,2017-18 and 2018-19), However in respect of NE, the minimum turnover limit shall be 10 lakh. Only the turnover achieved in distribution/marketing shall be considered.

## **10.EMD & Security Deposit :**

### **10.1 EMD**

Applicants are required to submit security deposit of Rs. Five Lakh (5,00,000/-) in the form of demand draft payable to Publications Division. In respect of empanelment for NE Zone Security Deposit shall be of 1 lakh. The security deposit shall be refundable as and when the Distributor wishes to discontinue. He can apply for the same after giving three months notice and the security amount will be refunded to him.

### **10.2 SECURITY-**

Selected entity will have to submit a Performance Bank Guarantee of the value minimum two months of Stock Journals (stock value will be calculated by multiplying tentative print order with number of issues in one month period with cover price)

## **11.Process of Selection:**

11.1 Empanelment of ZMDAs will be based on technical scrutiny in response to such eligible distributors who shall apply in response to this advertisement. A duly constituted committee of Publications Division will evaluate such responses on the basis of indicative parameters as mentioned in para 13 below and shortlist the ZMDAs and the decision of the Committee shall be final and bounding.

## **12.Indicative Evaluation criteria :**

12.1 Number of years of experience in distributing journals ;

12.2 Turnover for the last three years ;

12.3 Number of offices in India ;

12.4 Number of towns/cities being serviced by the applicants for journals for the last three years ;

12.5 Number of publishers associated with the applicant ;

12.6 Number of journals currently distributed by the applicant ;

12.7 Number of cities/towns from where the magazine/journal is being dispatched.

### **13. Penalty Clause ;**

- a) In case of delay in achieving the desired outputs or poor quality of work, damages @ 2.5% of the gross value of stock taken will be imposed.
- b) In case of delay in payment as against the terms of payment mentioned in Section 2, a penalty of 5% against the outstanding payment will be imposed.
- c) In case of dishonour of payment, a penalty of 5% against the outstanding payment will be imposed.

### **14. Termination of Contract :**

14.1 Subject to the remaining provisions of this clause 12, either party may at any time and without cause terminate this agreement by giving ninety (90) days' written notice of termination to the other party.

14.2 Either party may terminate this Agreement with immediate effect upon 30 days notice if the other party commits a material breach of its obligations under this agreement which has not been cured within such 30 days notice period.

14.3 In the event of termination pursuant to clause 14.1 or 14.2 above, the agency shall pay for:

14.3.1 all services rendered and expenses incurred by personnel up to and including the date of termination; and

14.3.2 any demobilisation costs resulting from such early termination as provided for in the relevant order.

14.4 The expiry or termination of this Agreement shall not give either party the right to claim any compensation, indemnity or reimbursement whatsoever from the other by reason of such termination, but termination shall be without prejudice to any rights or remedies available to, or any obligations or liabilities accrued to, either party at the effective date of termination.

### **15. Notice:**

Any notice or other communication given pursuant to this Agreement shall be in writing and shall be effective either when delivered personally to the party for whom intended , or five (5) days following deposit of the same into the mail( registered or recorded post or first class postage prepaid) or other local equivalent postal service, if sent by facsimile on receipt of confirmation of delivery if sent on a business day in the place of receipt or, if not sent on a business day in the place of receipt, on opening of the business on the next business day or the next day if sent by overnight delivery services ( with confirmation of delivery) , addressed to such party at the address set forth on the

initial page of this Agreement. Either party may designate a different address by notice to the other given in accordance with the terms of this clause

## **16. Force Majeure**

16.1 Neither party shall be liable for any delays or failures in performance in whole ( or in part) of its obligations under this agreement if such delay or non-performance is due to any act of god, war, terrorism, insurrection, riot, civil disturbance, rebellion, government regulation, embargo, explosion, fire, flood, tempest, strike, or failure in lighting, electrical power or telecommunications equipment, circuits, or other events beyond the reasonable control of the party whether or not similar to the foregoing( an" event of Force Majeure"). In any such event the parties will discuss the feasibility of continuing the provision of the services, including the cost related thereto.

16.2 in the event that the event of Force Majeure persists for a period of 30 business days or more and whichever party's performance is affected by the event of force majeure , either party shall be entitled to terminate the relevant Order under this Agreement unilaterally without liability to the other in respect of such termination. Upon such termination, Client shall pay for all services rendered and expenses incurred by Personnel up to and including the date of termination and demobilization costs resulting from such early termination as provided for in the relevant Order. In the event of such termination, Client acknowledges that the services will be work in progress and may not be in a finished state.

## **17. Arbitration Clause;**

The provisions of the Arbitration and Conciliation Act,1996 will be applicable and the award made there under shall be final and binding upon the parties hereto, subject to legal remedies available under the law. Such differences shall be deemed to be a submission to arbitration under the Indian Arbitration and Conciliation Act,1996, or of any modifications, rules or re-enactments thereof.

## **18. Pre- BID Meeting;**

A pre-BID meeting will be held on 08.04.2020 at 15:00 Hrs at Publications Division office with registered prospective Bidders.

### **Pre-Bid Schedule**

	<b>Calendar of Events</b>	
1	Pre- Bid Conference	Date and Time :  <b>08.04.2020 at 15:00 Hrs</b>  Venue:  <b>Employment News Committee Room, 7<sup>th</sup> Floor, Soochna Bhawan, CGO Complex, Lodhi Road, New Delhi-110003</b>

2	Registration of firms is necessary for Bidders who would like to participate in pre-Bid meeting of this tender.	<p>The prospective Bidders shall register before 04.04.2020 by 3.00 PM along with following information:</p> <ul style="list-style-type: none"> <li>i) Name of the Bidder with address/email ID of their registered office.</li> <li>ii) Name and designation, mobile number of persons who will attend pre-Bid meeting (entry is limited to maximum of 2 members per firm).</li> </ul>
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**19. Last date & place of submission:**

The last date of submission of EOI is 13.04.2020 (1500 hrs.).

EOI Opening Date & Time is 17.04.2020 (1600 hrs.)