



SFAC
लघु कृषक
कृषि व्यापार संघ

REQUEST FOR PROPOSAL (RFP) FOR HIRING OF A SUITABLE EXTERNAL AGENCY FOR PROVIDING SERVICES TO SFAC IN RESPECT OF LEGAL DEFAULT CASES UNDER VENTURE CAPITAL ASSISTANCE SCHEME.

Introduction:

Small Farmers' Agribusiness Consortium (SFAC), an autonomous Society under the administrative control of Department of Agriculture and Farmers Welfare, Govt. of India is implementing Central Sector Scheme for Agri-business Development. Venture Capital Assistance (VCA) is implemented in conjunction with bank term loan. Under the Scheme, VCA is provided to meet the funding gap in the means of finance as worked out by the lending Financial Institution and is refundable back to SFAC after the repayment of term loan of lending Financial Institution as per original repayment schedule or earlier without interest or in four equal quarterly installments which will carry interest at the same rate as charged by the bank for the term loan.

SFAC is following the under noted practices as laid down in the Operational Guidelines of VCA Scheme:-

SFAC has obtained post dated cheques from borrowers before release of VCA. In cases of bouncing of cheques, legal action is initiated under section 138 of the Negotiable Instruments Act, 1881 or as per agreement with borrower where there is a clause "that in the event of any dispute arising between the parties, only Delhi Courts have jurisdiction to try, entertain and decide the said matter". In old cases, where post dated cheques are not available, arbitration proceedings are filed against the promoters before Indian Council of Arbitration (ICA) under Arbitration and Conciliation Act. SFAC has already engaged a panel of empanelled advocates for timely filing of legal proceedings before hon'ble Courts for recovery of Venture Capital Assistance as and when due.

Background:

In some complaints filed u/s 138 Negotiable Instrument Act the cases are disposed off by the Hon'ble Courts and declared sine die / absconder/Proclaimed Offender as the case may be mainly due to non availability of present addresses/non presence of the accused and some Execution petitions filed before Hon'ble District Courts outside Delhi for execution of arbitral awards passed by Indian Council of Arbitration, New Delhi in favour of SFAC also disposed off for non availability of present addresses & assets/non presence of the judgment debtors. In some claim petitions filed before Indian Council of Arbitration, New Delhi, borrowers are not participating in the arbitration proceedings.

Scope of Work:

In order to handle the above mentioned legal matters, SFAC invites applications from a suitable external agency for providing the following services :

- a) To find out present whereabouts of borrowers/judgment debtors.
- b) To trace out current business and residential address of borrowers who are not traceable or not available in the recorded addresses.
- c) To ascertain the present status of available assets.
- d) To find out whether there is a continuity of business or not.
- e) To verify whether the assets charged to the bank and offered as security are intact with the bank.
- f) In case the deceased borrower, to find out names and addresses of legal heirs.
- g) To ascertain fresh address of the borrower in sine die/absconder/proclaimed offender cases.

Eligibility Norms of Code of Conduct:

- a) The Agency/Service Provider should have been licensed to undertake investigative activities across the country.
- b) The Agency/Service Provider should work experience with any one of Central/State Govt./Autonomous Body etc.
- c) The Agency/Service Provider should empanelment with any one of Central/State Govt./Autonomous Body etc.
- d) The Agency/Service Provider should not have been black listed by any organization/department.

Methodology and Selection: The application received will be evaluated on the basis of methodology & selection criteria as stipulated in Annexure-1. The Financial Bid of those bidders, who qualify minimum qualifying marks in the technical evaluation, will only be opened. All other Financial Bids will not be opened. The Financial Bids of the technically qualified bidders will only be evaluated.

Scoring Criteria for Financial Bid: The bidders are requested to quote the rates in the format prescribed at Annexure-2. The rate quoted will be reasonable and valid for the period of contract from the date of opening of technical bid. In case any service is not covered in the fee schedule, fees for that service will be determined separately by SFAC.

Period of Contract: The period of contract will be for a period of two years and its services shall be availed on case to case basis on a fee as prescribed by SFAC. SFAC may consider renewal of contract for a further period based on the satisfactory performance record at it's sole discretion.

Termination of Contract: SFAC reserves the right to terminate the contract by serving a notice of one month before the expiry of the contract period without assigning any reason.

Process after submission of Applications:

- i. All applications received on or before the last date and time will be examined by the SFAC to determine if they meet eligibility criteria/terms and conditions mentioned in this document including its subsequent amendment(s), if any, and whether applications are complete in all respects.
- ii. On scrutiny, any application not found in order or failing to fulfill the relevant requirement will be rejected.
- iii. SFAC reserves the right to relax/waive any of the requirements of this RFP document if it is deemed fit.
- iv. SFAC may shortlist the applicants who fulfill the eligibility criteria, have experience and capability as per its requirement and who agree to abide by the terms and conditions of the SFAC.
- v. SFAC reserves the right to accept or reject any or all applications received without assigning any reason whatsoever and the SFAC's decision in this regard will be final. No contractual obligation whatsoever shall arise from the application process.
- vi. Any effort on the part of applicant to influence evaluation process may result in rejection of the application.
- vii. SFAC is not responsible for non-receipt of applications within the specified date and time due to any reason including postal delays or holidays in between.

Reservation of Rights:

The SFAC reserves the right to reject any application/s for hiring of the service Agency without any obligation.

Terms and Conditions:

Terms and Conditions of services with SFAC is attached at Annexure 3.

Paper/documents:

Self attested copies of the following papers/documents are to be submitted along with application:

- 1) Brief write up in the background, key activities experience of the Agency.
- 2) Brief profile of the Key persons of the Agency.
- 3) Experience certificate
- 4) Empanelment certificate.
- 5) Registration certificate of Company/Partnership/LLP/LLC etc., if applicable.
- 6) Any other supporting documents.

Submission of Request for Proposal:

Applications in the prescribed format as per annexure-4 are invited in sealed envelope superscripted as **<APPLICATION FOR HIRING OF A SUITABLE EXTERNAL AGENCY FOR PROVIDING SERVICES TO SFAC IN RESPECT OF LEGAL DEFAULT CASES UNDER VENTURE CAPITAL ASSISTANCE SCHEME >**. Sealed cover should contain the firms/individual credentials/ their field of specialization/ experience/ name of the clients.

Sealed envelope containing complete set of hard copy of application along with enclosures, if any, should be submitted by Post to or delivered in person on or before the last date to the Dy. Director (Administration), Small Farmers' Agri-business Consortium, NCU Auditorium Building, 5th Floor, 3, Siri Institutional Area, Hauz Khas, New Delhi – 110 016.

The last date for submitting application is 21 days from the date of Publication.

Annexure-1

Methodology and selection scoring pattern of Technical Evaluation

Parameters	Score	Minimum Qualifying Marks	Maximum Marks
License to undertake investigative activities across the country.	20	20	20
Experience			
>1yr-5yrs	20	20	30
>5yrs-10yrs	25		
>10yrs	30		
Empanelment			
1-2	20	20	40
2-3	30		
>3	40		
Personal Interaction/Presentation	10	10	10
Total Marks		70	100