

**GOVERNMENT OF INDIA  
MINISTRY OF INFORMATION & BROADCASTING  
DIRECTORATE OF ADVERTISING & VISUAL PUBLICITY  
Soochna Bhawan, Phase-V, C.G.O. Complex, New Delhi – 110003**

F. N- AV/3/2010 (Vol. II)

Dated: 25.08.2017

**Subject: Digital Delivery of TV Commercials to C&S TV Channels and Digital Cinema Agencies-Reg.**

DAVP proposes to empanel agencies for digital delivery of TV commercials to C&S TV Channels and Digital Cinema Agencies.

Interested agencies are hereby invited to submit the Technical and Financial Bids in separate sealed envelopes. The said proposal should be addressed to **Director (AV)** and must be submitted in person in the tender box kept in Room no. 277 (PA to Director-AV), 2<sup>nd</sup> Floor, Directorate of Advertising & Visual Publicity, Soochna Bhawan, C.G.O. Complex, Lodhi Road, New Delhi-110003 on or before 5 PM of 15<sup>th</sup> September, 2017. The bids submitted after the due date and time will not be considered.

**The financial proposals of ONLY “Technically Qualified” agencies shall be opened in presence of their representatives.**

  
Deputy Director (AV)  
Tel: 011-24369710

<b>Section I: Data Sheet</b>		
<b>1.</b>	<b>Name of the client</b>	Government of India
<b>2.</b>	<b>Assignment</b>	Digital Delivery of TV commercials to C&S TV channels and Digital Cinema Agencies in their desired formats.
<b>3.</b>	<b>Contact Person</b>	Director (AV) Tel # 011-24369188
<b>4.</b>	<b>Period of Empanelment</b>	One Year (Empanelment may be further extended by another year subject to satisfactory performance of the digital delivery agencies after the approval of competent authority in DAVP, M/o I&B, Govt. of India)
<b>5.</b>	<b>Bid submission date and time</b>	Bids must be submitted not later than the following date and time: <b>15<sup>th</sup> September 2017 (Time: 5 PM)</b>
<b>6.</b>	<b>Submission of technical and financial proposals</b>	<ul style="list-style-type: none"> <li>(a) The proposals must be submitted under the two-bid system.</li> <li>(b) Financial and Technical proposals must be submitted together but in separate envelopes properly sealed and labeled.</li> <li>(c) The bidder must put these two sealed envelopes in a bigger envelop duly sealed.</li> <li>(d) The proposals must be submitted in tender box kept at the address mentioned below: (For details on submission of proposals, refer to section IV-A of the tender document)</li> </ul>
<b>7.</b>	<b>Earnest Money Deposit</b>	<ul style="list-style-type: none"> <li>(a) Earnest Money Deposit (EMD) of Rs. <b>One Lakh</b> must be deposited in the form of a demand draft in favour of "Accounts Officer, DAVP, New Delhi"</li> <li>(b) EMD will be subject to forfeiture if a bidder withdraws his/her bid after submission. Bid not accompanied by EMD shall be rejected.</li> </ul>
<b>8.</b>	<b>Address for submission of proposals</b>	<b>Director (AV), Directorate of Advertising and Visual Publicity (DAVP) Room No. 277, 2<sup>nd</sup> Floor, Sochna Bhawan, C.G.O. Complex, Lodhi Road, New Delhi-110003</b>
<b>9.</b>	<b>Number of agencies to be empanelled</b>	<b>5 (five), However, DG: DAVP's decision with regards to number of agencies to be empanelled will be final.</b>

*Note: Proposals received after the stated date and time shall not be considered and will be returned unopened.*

## Section II : Technical Brief

1. The Audio Visual wing of DAVP handles audio visual campaigns of various client Ministries. The TV commercials are received from client Ministries and have to be dispatched to the C&S TV channels and Digital Cinema agencies for telecasting/screening within stipulated time in their desired formats.
2. DAVP has already been doing distribution of TV commercials in digital mode through empanelled agencies. However as the term of present empanelment is approaching an end, DAVP is considering fresh empanelment of agencies for digital delivery of TV commercials to TV channels and Digital Cinema agencies.
3. These spots/ creatives are usually available with DAVP on the Beta Tapes/Digi Beta tapes/DVC Pro tapes/ External hard disks/ transfer links etc. and can be of different durations (i.e. 30 sec, 40 sec, 60 sec, etc.), in different languages and on various topics/subjects/themes.
4. Campaigns are time-bound but at times creatives are received at the last minute and have to be delivered to the TV channels/Digital Cinema agencies immediately within a very short time. Therefore, the bidders must be ready to provide service 24X7 throughout the agreement period if the situation so demands.
5. The task of digital delivery is an important and time bound task as it pertains to campaigns of social importance and public interest. Hence, DAVP requires a panel of digital delivery agencies to ensure digital delivery of creatives at any given point of time without delay.

## Section III: Terms of Reference

1. **The main tasks of the agency are as follows:**

(a) **Collection of Beta Tapes / DVC Pro/ Digi Beta/ External Hard Disk/ Pen drives/FTP of the spots from DAVP (in the default format and of duration as provided by client ministry) immediately after the intimation received from DAVP:**

(Since the campaigns are mostly time bound and betas are received from the client Ministries at the last minute, the capacity to collect the tapes and start the process of digital delivery, is critical to the success of the campaign.)

(b) **Digital delivery of spots of different duration / languages/ topics / themes to the TV channels / digital cinema agencies:**

The spots can be of different duration such as 30 sec, 40 sec, 60 sec and so on, which should be promptly converted in desired formats for TV channels / Digital Cinema Agencies to be able to use them instantly. Also, the spots may be available on different topics as well as in multiple languages. Therefore, the agency must have the capacity to upload and distribute the spots digitally in the shortest possible time for use by TV channels/ Digital cinema agencies across the country.

(c) **Capability to convert the spots received from DAVP in desired digital formats for TV channels/ digital cinema agencies:**

The agency should be capable of converting the received creatives from DAVP in desired digital formats for TV channels/ digital cinema agencies without delay. Agencies / agency refusing or expressing their inability to convert in a particular format desired by channel/ Digital cinema agency would invite proceeding for removal from the Empanelment list. **The spots uploaded after conversion to the digital format should be of high telecast quality. It may be the case that different digital formats may be desired by different**

channels/ digital cinemas and it will be the responsibility of the agency to provide the creatives in desired formats to any given channel/digital cinema agency. The agency may also have to make necessary technical corrections before uploading the digital file. No separate payment shall be made for this. (No editing in visuals / content is permissible)

(d) **Capability to upload the final digital version to the concerned TV channels/ digital cinema agencies within 8 hours of the receipt of the creatives from DAVP:**

No payment shall be made if the spot is not delivered within 8 hours of the receipt of the creatives from DAVP.

(e) **Monitoring and Reporting**

The agencies will be required to submit a time-bound report to DAVP as follows:

- **Submission of "Creative Delivery Report" to DAVP immediately after the delivery is complete:**  
The agency should provide the "Creative Delivery Report" (the report that would certify that the spots have been delivered by the agency) immediately to DAVP after the completion of job of digital delivery.

(f) **The capacity to maintain digital library of spots delivered:**

The agency must keep the converted creatives in digital format in an E-Library with them for a period of 12 months from the date of first delivery of the creatives to channels / digital cinema agencies. DAVP will have 24X7 (throughout the agreement period) access to this e-library maintained by the agency without any additional cost / charges, for which the agencies must provide master Log-in ID and password to DAVP for accessing the digitally stored creatives with them. If required the agency should provide free of cost copy/ link of the creatives/ spots of the past campaign distributed through them to channels/ digital cinema agencies.

2. **The agency must fulfill following requirements:**

- (a) Connectivity to maximum number of channels/digital cinema agencies for delivery of content digitally. The digital delivery agency should be able to scale up its capacity to meet the demand of potential expansion in number of TV channels / digital cinema agencies empanelled with DAVP from time to time.
- (b) Capacity to convert the spots from video tape format to digital format or from one digital format to another digital format maintaining highest telecast quality standards.
- (c) Ability to recover lost content stored in digital library maintained by the agency without additional cost.
- (d) Submission of 'Creative Delivery Report' as mentioned in clause 1(e) of Section III.

#### Section IV: Eligibility Criteria

##### 1. Eligibility Criteria

**The agency/firm/company-**

- (a) Must be in the business of digital delivery for a minimum period of one year and must be able to provide the services as mentioned in section-III above.
- (b) Must have the list of leading advertisers as well as TV channels and Digital Cinema Agencies that use its services.
- (c) Must be an Indian entity owning the related genuine software or must be an Indian agency/firm/company having tie-up with an international agency/firm/company or must be a wholly owned Indian subsidiary of an international agency/firm/company registered in India that own such a software/platform.

## Section IV-A : Selection Procedure

DAVP will evaluate the technical proposal submitted by the respondents through a detailed scrutiny. During evaluation of proposals, DAVP may, at its discretion, ask the respondents for clarification w.r.t. any point submitted in their proposals. The process for selection is as given below:

**1. Technical evaluation based on technical bid:** The parameters to be used for technical evaluation and the corresponding weightage are as follows:

Sl. No.	Parameters	Weightage
a	Reach of the agency to maximum no of TV channels and Digital Cinema agencies and the agency's existing tie-ups with channels/channel groups/digital cinema agencies. Proposal must include the details and must be supported by necessary documents.	35%
b	Ability to convert and upload the spots in a high telecast quality digital format and across different formats	20%
c	Capacity to maintain digital library of spots / creatives converted and delivered to channels / cinema agencies. This must be supported by necessary documents as well as any related reference.	15%
d	Monitoring and processing of the delivery of spots/ creatives and submission of delivery reports to DAVP. A format for submission of desired reports must accompany your bid.	10%
e	Number of years of experience in the business of digitally transmission of spots to TV channels and digital cinema agencies (cumulative).	10%
f	Number of advertisers using your services and details of formats being provided by you	10%

The technical bid will be evaluated by a committee constituted for the purpose.

### 2. Technical bids:

The following documents must be submitted along with their bids:

- a. Respondent should explain the methodology / process proposed to be used for the execution of the job.
- b. The respondent must explain in the proposal the capability with respect to the points (a) to (f) mentioned in the clause 1 of Section IV (A) above.
- c. **(All documents in support of the capability in terms of parameters specified in (a) to (f) under clause 1 of Section (A) above, must be submitted with the bid document, signed and authenticated by the authorized signatory for verification.)**
- d. **The documents mentioned in clause 14 under section V (terms and conditions) must be submitted with the bid documents signed and authenticated by the competent authority.**
- e. **The EMD (Earnest Money Deposit) mentioned in clause 15 under section V (terms and conditions) must be submitted in the envelope containing the technical bid. Bids without EMD will be summarily rejected.**
- f. The index (at the beginning of the bid document) must clearly state the supporting documents submitted by the agency. It must include:
  - Name of the supporting documents
  - Page no. at which it is placed

### 3. Financial Bid:

- (a) Financial bid of only "Technically Qualified" bidders shall be opened.

(b) The bidders should quote their rates (inclusive of 15 percent agency commission which will be deducted from the approved rates) for spots of different durations, as specified in the 'Proforma for Financial Bid', on their official letter head signed by the authorized signatory. The quoted rate should be exclusive of applicable taxes which will be paid by DAVP at the applicable rates from time to time.

**4. Submission of proposals by respondents:**

- (a) Technical and Financial proposals must be submitted together but in separate envelopes each properly sealed and labeled. The envelopes for Technical and Financial Bids must be separately superscribed "Technical Bid for Digital Delivery" and "Financial Bid for Digital Delivery". The bidder should put these two sealed envelopes in a bigger envelopes duly sealed and labeled "**Bid for Digital Delivery**".
- (b) 1. The envelopes must be submitted in the name and address as mentioned in section-1.  
2. The envelopes must indicate the name and address of the agency and should be properly sealed and labeled. In case the envelopes are not sealed and labeled, DAVP shall assume no responsibility for the misplacement or premature opening of the proposals.

**5. Award of Contract:**

(a) **Technical evaluation:** The technical proposals of agencies will be evaluated by the committee constituted for the purpose based on criteria mentioned in clause 1 of Section IV-A. The number of agencies which are found to be technically qualified will be intimated along with the scores given to them.

(b) Financial bids of only those agencies will be opened which have been found to be technically qualified. The following criteria will be used to determine L-1:

**The lowest rate in each of the three categories of spot durations taken together, as mentioned in Section VI (i.e the proforma for financial bid), would be considered as L-1. For example, if the lowest rates quoted by agency (A) is Rs. X in category-1, by agency (B) Rs.Y in category-2 and by agency (C) Rs.Z in category-3, then the L-1 would be Rs. X, Rs.Y and Rs.Z in category-1, category-2 and category-3 respectively.**

**Then L-1 set of rates (as mentioned above) would be offered to 5 (five) technically qualified agencies. The agency (or agencies) that quotes L-1 in any category will be offered L-1 rates in the other two categories also. In other words, no agency would be offered a rate for a single category. This way a minimum of 1 (e.g. when one agency quotes the L-1 rate in all three categories) and maximum of 3 agencies (when three different agencies quote L-1 rate across three categories) will be offered the L-1 set of rates as explained above. The remaining 2 or 3 or 4 agencies, as the case may be, would be chosen on the basis of technical scores / ranking they secure during technical evaluation. Once an agency accepts the rates offered by DAVP to them, DAVP will notify the successful respondents in writing.**

(c) **In case one or more agencies do not accept the L-1 rates for all categories, other agencies in the group of bidders (equal to the shortfall from the number of agencies to be empanelled) would be offered the L-1 rates on the basis of technical ranking as mentioned in the point (b). An agency has to accept the L-1 rates offered to them by DAVP in all the three categories.**

(d) **Partial acceptance in one or two categories will disqualify the agency from the selection/empanelment process.**

(e) The empanelment of agencies shall be valid for one year from the date of issue of letter of empanelment. The empanelment may be renewed for a further period of one year or less subject to satisfactory performance and approval of the competent authority. In this regard, decision of DG, DAVP shall be final and binding.

(f) **The campaigns shall be allocated to the empanelled agencies on a roster system i.e. an agency which has been given a job order for one campaign will get another job order only after the other**

**empanelled agencies have also been issued job orders or if the agency which has been offered the job, refuses to accept the job.**

- (g) DAVP reserves the right to utilize the services of any of the agencies empanelled with it for this specific job. The empanelment does not guarantee any business from DAVP.
- (h) If the selected agency fails to deliver the spot within 8 hours to the channel/ digital cinema agencies, DAVP may de-empanel it and choose a replacement as mentioned in clauses (b) and (c) above.

#### **Section V: Terms and Conditions**

1. The bidder shall bear all costs associated with the preparation and submission of its bid and DAVP will, in no way, be held responsible or liable for these costs, regardless of the selection or rejection of the bidder due to any reason whatsoever. It is also clarified that no bidding relationship shall exist between any of the respondents and DAVP until execution of a contractual agreement.
2. *The bidder is expected to examine all instructions, statements, forms, terms and specifications in the bidding documents. Failure to furnish the necessary documents/ information may lead to rejection of bid.*
3. No consideration shall be given to a bid received after the date and time stipulated by DAVP. However, DAVP reserves the right to extend the time for submission of the bids at its own discretion.
4. To assist in Technical evaluation, DAVP reserves the right to call for any clarification from any/all bidder/agency during the course of evaluation of the bids. The agencies may be asked to submit their clarification in writing or the agencies may be called for a presentation to the technical committee constituted by DAVP for the purpose.
5. Overwriting/correction in the financial bid are not permitted and any such overwriting in the financial bid shall lead to its rejection.
6. **Participation in this bid shall imply that the bidder has accepted all the terms and conditions and subsequent modifications, if any, of this bid documents.**
7. At any future point of time if it is found that the bidder has made a statement which is factually incorrect or misleading or if the bidder does not fulfill any of the contractual obligations, DAVP may debar the bidder from bidding prospectively for a period to be decided by DAVP and take any other action as deemed necessary.
8. **The agency applying for empanelment shall submit an undertaking in the form of a self certificate that the information submitted by them is correct and they shall abide by the decision of DAVP in respect of empanelment. In case the information submitted by the agency is found to be false and / or incorrect in any manner, the agency shall be suspended and / or debarred from empanelment.**
9. Notwithstanding any of the provision mentioned above for empanelment of agencies and their terms and conditions, in case of any disagreement etc. decision of DAVP will be final and binding.
10. **Conditional bids will be summarily rejected.**
11. **Once a bidder is offered rates as mentioned in clauses 5(b), 5(c) & 5(d) in Section IV-A, the bidder has to accept rates across all categories. Partial acceptance of rates in one or two categories will not be accepted.**
12. DAVP reserves the right to cancel the entire empanelment process at any stage without assigning any reason thereof.
13. **A copy of this tender document duly signed and stamped on every page shall be submitted with the bid documents as a mark of acceptance of terms and conditions mentioned therein.**

**14. An empanelled agency will undertake in writing that DAVP approved rates accepted by them are their lowest rates and exclusive to DAVP and cannot be offered to any other agency. DAVP reserves the right to review empanelment rates if this condition is violated.**

**15. Earnest Money Deposit:**

Earnest Money Deposit (EMD) of **One Lakh Rupees** must be deposited in the form of a Demand Draft drawn in favour of “**Accounts Officer, DAVP, New Delhi**”. EMD will be subject to forfeiture if a bidder withdraws his bid after submission. Bid not accompanied by EMD shall be rejected as non-responsive.

**16. Preparation of Proposal**

The respondent shall comply with the following related information during preparation of the proposal:

- (a) The financial bid shall conform to the prescribed format as mentioned in Section VI. No interlineations, erasures or over writings shall be allowed.
- (b) The technical proposal shall be typed or written in indelible ink (in required) and shall be signed by the respondent or duly authorized person(s). The letter of authorization shall be indicated by written power of attorney and shall accompany the proposal.
- (c) The proposals received by facsimile shall be treated as defective, invalid and rejected. Only detailed complete proposals in the form indicated above received prior to the closing time and date of proposal shall be taken as valid.
- (d) Respondents are not permitted to modify, substitute or withdraw proposals after the expiry of the deadline for submission.

**17. Supporting documents to be submitted --**

- (a) The agency must be incorporated in India. A duly certified Certificate of Incorporation (COI) must be submitted by the bidder along with the bidding documents.
- (b) The agency must be in the business of digital delivery for a minimum period of one year and the necessary documentary evidence to support the same must be submitted by the bidder along with the bidding documents.
- (c) The agency must submit valid GST Registration Certificate mentioning the GST no. The bidder must also submit details like name of contact person and other contact details including full permanent head office address, branch office addresses, email addresses of the contact persons concerned with the job.
- (d) The agency must submit audited financial statement / balance sheet for last FY's 2016-17.
- (e) The agency must submit the Mandate Form (in the format prescribed), duly signed and stamped by their bank along with a blank, unsigned and crossed cheque. This form is mandatory to be submitted to facilitate the payment through ECS / NEFT.
- (f) The agency must submit all the supporting documents as mentioned in clause (2) of Section IV-A.

**18. Payment Terms-**

- (a) The agency **MUST** submit a consolidated bill to DAVP within 15 days of the completion of the digital delivery job, which was performed as per the DAVP's job order for a particular campaign.
- (b) **The agency shall charge DAVP as per the accepted rates per spot / delivery. In case more than one channel belongs to a single group of company and the delivery to these channels is single, it shall be treated as a single delivery.**
- (c) DAVP will deduct an agency commission of 15% from approved rates at the time of payment.



(d) DAVP shall pay applicable taxes to the agency as charged in the bill.

**19. Penalty Clause-**

- (a) No payment shall be made by the DAVP to the agency if the spot is not delivered within 8 hours of the collection of tapes from DAVP.
- (b) Failing to execute the job order assigned by DAVP on two occasions within a period of six months for any reasons whatsoever will result in suspension from the panel of DAVP for a period as decided by DG: DAVP.
- (c) Decision of DG: DAVP in this regard will be final and binding on all the empanelled agencies.

**20. Disqualifications--**

DAVP on behalf of the Government of India may at its sole discretion and at any time during the evaluation of the proposals, disqualify any respondent, if the respondent has:

- (a) Submitted the proposal documents after the response deadlines.
- (b) Made misleading or false representation in the forms, statements and attachments submitted as proof of the eligibility requirements.
- (c) Exhibited a record of poor performance such as abandoning works, not properly completing the contractual obligations, inordinately delaying completion or financial failures etc. in any project in last one year.
- (d) Submitted the proposals that is not accompanied by required documentation or is non-responsive.
- (e) Failed to provide clarifications related thereof, when sought.
- (f) Submitted more than one proposal.
- (g) Been declared ineligible by the Govt. of India for corrupt and fraudulent practices or has been blacklisted.
- (h) Submitted a proposal with price adjustments/variation provision.
- (i) Canvassed for selection by meeting government officials.

21. Decision of the DG: DAVP in all matters with regard to this tender will be final and binding on all the bidders participating in this bid.

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**Section VI: Pro-forma for Financial Bid**

Name of the items	Category Price Bid (per spot basis per delivery)* (Exclusive of applicable taxes)
Collection and conversion of spots into desired digital format and the digital delivery of the spot to the TV channels / Digital Cinema Agencies. Cost may be worked out per spot/destination (i.e. channel group)	Up to 30 sec. spot:..... 31 to 60 sec. spot:..... 61 to 90 sec. spot:.....  Rates for spots of duration more than 90 sec. shall be considered on pro-rata basis of approved rate for 90 sec spot.

\* Price bid (per spot basis per delivery) will be inclusive of 15% agency commission which will be deducted from approved rates at the time of payment to digital delivery agency. Price bid should be exclusive of applicable taxes.

(Signature of Authorized signatory with office stamp)

**Name:**  
**Designation:**  
**Contact No/Email ID.**