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(iii) In case of QCBS selection method, if the negotiations with the selected consultant fail, the procuring authority shall cancel the bidding procedure and re-invite the bids.

(iv) In case of Least Cost Selection method, if the negotiation with the L1 bidder fails, then the Procuring Entity may invite the L2 bidder to execute the assignment at price of L1. If the negotiation with the L2 bidder fails, the Procuring Entity shall cancel the bidding procedure and re-invite the bids.

253. Monitoring the Contract :The Administrative Department engaging the Consultant shall be involved throughout in the conduct of consultancy preferably, by taking a task force approach and continuously monitoring the performance of the consultant (s) so that the output of the consultancy is in line with their objectives.

254. Public competition for Design of symbols/logos : Design competition shall be conducted in a transparent, fair and objective manner. Wide publicity shall be given to the competition so as to ensure that the information is accessible to all possible participants in the competition. This shall include publication on the website of the Administrative Department concerned. If the selection has been by a jury of experts nominated for the purpose, the composition of the jury may also be notified.

SECTION-II
OUTSOURCING OF SERVICES

255. Non-Consulting Service :

(i) "Non-Consulting Service means any subject matter of procurement (which as distinguished from "Consultancy Services") involve physical, measurable, deliverables /outcomes where performance standards can be clearly identified and consistently applied, other than goods or works, except those incidental or consequential to the service.

(ii) It includes routine jobs of Small Offices like cleaning and sweeping of the premises, watch and ward, horticulture work, housekeeping services, security services, Catering services for Hostels and Guest Houses, Cook-cum-Housekeeping for Small Guest House etc. which requires deployment of outside agencies on a sustained long term (for one year or more), which were being traditionally done by the in-house employees.

(iii) The offices with larger built-up area may adopt Comprehensive Facilities Management Services focusing upon the efficient and effective delivery of all services i.e. Housekeeping and Sanitation service, Security Services, Operation and Maintenance of all Equipment, Horticulture and Plantation, Front Desk Management, Waste Management, Parking Management, Reporting and Complain Management etc. under one contract. Administrative Department/ Heads of the Department and other Government offices having minimum built up area of 40,000 sq. ft or more may opt for Comprehensive Facilities Management Services to bring economy and efficiency in provision of services.

256. Outsourcing of Non Consulting Services :

(i) Authority competent to outsource services: Administrative Departments and Heads of Departments may allow outsourcing certain services in the interest of economy and efficiency.

(ii) Conditions precedent to outsourcing: Outsourcing of services may be resorted to if adequate man-power is not available in the Organization for providing the required services. The services to be outsourced may include routine jobs like cleaning and sweeping of the premises, watch & ward, horticultural work, housekeeping services, maintenance of buildings, transport services, courier services, information and communication technology related services, highly professional and technical services etc. which is illustrative but not exhaustive. Other kinds of services may also be outsourced in case of the need for economy and efficiency in provision of services.

(iii) Identification of the service to be outsourced: The identification of the service to be outsourced is to be finalized by the Administrative Department and Head of Department in respect of its own Office or any attached or subordinate Office(s).

(iv) Cost Estimate and Budget Provision: The competent authority proposing to outsource a particular service should estimate the reasonable expenditure for the same by ascertaining the prevalent market conditions and consulting other Organizations/ Departments/ PSUs engaged in similar activities and ensure that available budget provision is adequate for the purpose and then proceed to outsource the service.

257. Powers to sanction expenditure and approve outsourcing of services : The Administrative Departments and Heads of Departments may approve outsourcing of services and sanction expenditure thereon subject to the power delegated under Delegation of Financial Power Rule, 1978 as amended from time to time. However, sanction of expenditure in this account shall be subject to availability of budget provision.

258. Identification of Potential Service Providers : The authority proposing to outsource a particular service shall prepare a list of likely and potential service providers on the basis of formal or informal enquiries from other Administrative Departments, Heads of Departments, Heads of offices and Organisations involved in similar activities, scrutiny of 'Yellow pages', and trade journals, web site etc, if available.

259. Preparation of Tender enquiry :

The authority proposing to outsource a particular service shall prepare a tender enquiry containing, inter alia:

(i) The details of the work or service to be performed by the service provider;

(ii) The facilities and the inputs/materials which will be provided to the service provider by the procuring authority;

(iii) Eligibility and qualification criteria to be met by the service provider for performing the required work / service; and

(iv) The statutory and contractual obligations to be complied with by the service provider.

260. Model Bidding Documents :

(i) The Model Bidding Documents, for use by the Administrative Departments/Heads of the Departments/ Other Government Offices for (i) Outsourcing of other services for small offices and (ii)Comprehensive Facilities Management Services for Offices having larger built up Area of 40,000 sq.ft. or more, consist of a complete framework including instruction to Bidders, General Conditions of Contract, Technical Specification for model scope of the work (as indicative list of scopes) and evaluation of the proposals.

(ii) The soft copies of the model bidding documents for the above services are available in the Finance Deptt. website at www.finance.odisha.gov.in/OGFR.asp.

261. Procurement of Non-Consulting Services from e-platform :

(i) Administrative Departments, Heads of Department and other field offices may procure Non-Consulting Services from any authorized e-platform such as GeM, MSTC Ltd, State E-procurement portal etc. that is available on its platform.

(ii) If the services are to be procured from e-platform, Reverse Auction (RA) and Analytics tools available on such platform shall be mandatorily used to ensure reasonableness of price.

262. Invitation of Bids :

(i) For Procurement of Non-Consulting Services, up to **Rs 10,00,000/-**, the competent authority shall scrutinize the preliminary list of likely service providers as identified as per the provisions of **Rule-258**, decide the prima facie eligible and capable service providers and issue RFP as per Model Bidding Document to those shortlisted firms on a limited tender enquiry basis asking for their offers by a specified date and time as per standard practice. The number of the service providers so identified for issuing limited tender enquiry shall not be less than three.

ii) For Procurement of Non-Consulting Services above Rs 10,00,000/-, the competent authority shall issue advertised single stage tender enquiry asking for the offers by a specified date and time. Advertisement in such a case shall be published in two largely circulated Newspapers (One English Daily and One Odia Daily) and in the website of the concerned Administrative Department. An organisation having its own website shall also publish all its advertised tender enquiry on its website.

263. Late Bids : Late bids i.e. bids received after the specified date and time of receipt shall not be considered.

264. Evaluation of Bids Received :

(i) The Administrative Departments shall evaluate, segregate, rank the responsive bids and select the successful bidder for placement of the contract.

(ii) Technical evaluation of the bids in case of outsourcing of services of routine jobs and small offices will be done to determine whether the bid complied to the prescribed eligibility condition and the requisite documents/information have been properly furnished by the bidder or not. Bidders qualified the technical evaluation stage will be considered for opening of the financial bids. The financial bids shall be evaluated on the basis of Least Cost Selection Method.

(iii) The technical proposal of the bidders, in case of comprehensive Facilities Management Services, will be evaluated as per the prescribed technical score and the bidder who scores 70% or above will be technically qualified and shall be considered for financial evaluation. L1 offer among the technically qualified offers is selected on price criterion alone.

(iv) The minimum rate of service charge shall be 3.85% (3% profit plus transaction charge). The procuring entity may also fix the service charge above 3.85% with proper justification, whenever required, provided that the service charge should not exceed 7% in any case.

(v) The Committee constituted under Delegation of Financial Power Rule, 1978 will evaluate the responsive bids and select the successful bidder for placement of the contract. The tender inviting authority will award the contract to the bidder whose bid has been determined as the lowest and competitive evaluated bid price.

265. Procurement of Non-Consulting Services by nomination : In exceptional situations when it became necessary to procure a service from a particular service provider, adequate justification shall be available for such selection through nomination basis. In such case, prior approval of the next higher authority shall be obtained.

266. Negotiation and award of contract :

(i) Negotiations are not an essential part of the selection process. In many cases, however, it is felt necessary to conduct negotiations with the selected service provider. Negotiations shall include discussions on staffing, Department's inputs, and special conditions of the contract. These discussions shall not substantially alter the original terms of the contract, lest the quality of service, its cost, and the relevance of the initial evaluation be affected.

(ii) Financial negotiations shall only be carried out if due to negotiations as mentioned in sub rule (i) above, there is any change in scope of work which has any financial bearing on the final prices or of the costs/cost elements quoted are not found to be reasonable. In such negotiations, the selected firm may also be asked to justify and demonstrate that the prices proposed in the contract are not out of line with the rates being charged for other similar assignments. However, in no case such financial negotiation should result into increase in the financial cost as originally quoted and on which basis the service provider has been called for the negotiations.

(iii) In case of Least Cost Selection method, if the negotiation with L1 bidder fails, then the Procuring authority may invite the L2 bidder to execute the assignment at the Price of L1. If the negotiation with the L2 bidder fails, the Procuring authority shall cancel the bidding process and re-invite the bids for the assignment.

267. Monitoring the Contract : The competent authority should be involved throughout in the conduct of the contract and continuously monitor the performance of the service provider.