EXPRESSION OF INTEREST

For Appointment of Audit firms for conducting Internal Audit as Lead Auditor and Circle Auditor for 19 Circles in Assam for the Financial Year 2018-19

REQUEST FOR PROPOSAL



By

Assam Power Distribution Company Limited Office of the CGM (Finance & Accounts), APDCL Bijulee Bhawan, Paltanbazar, Guwahati-781001

Description of task, qualification required, EOI submission format and procedure is available on APDCL website (www.apdcl.org).

Manish Dasgupta, FCA CGM (F&A), APDCL

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Section - I

1. Introduction

Assam Power Distribution Company Limited (APDCL) is a deemed licensee under the provisions laid down in Section 14 Provision 5, read with Section 131 (2) of the Electricity Act 2003. APDCL is a public sector company, engaged in Electricity Distribution, trading of power in the State of Assam or outside in accordance with provisions of Applicable Law and all activities ancillary or appurtenant thereto. The main object of the company is to develop, maintain and operate power distribution system in the state of Assam. The objective of the Company is to undertake the electricity distribution, trading, supply in the state of Assam or outside in accordance with provisions of Applicable Law and all activities ancillary or appurtenant thereto. APDCL has a single GST registration number covering the entire state of Assam.

Assam Power Distribution Company Limited (APDCL), hereinafter referred to as Company has its Head Office (HO) at Guwahati (Assam) and functions with the field offices layered into jurisdictional hierarchy of Nineteen Circles, Forty-Seven Electrical Divisions and One Hundred Fifty-Eight Electrical Sub-Division.

2. Important Dates

S.No.	Action	Date & Time
1	Date of Release of RFP &	21.08.2019 RFP documents can be downloaded free of
	Downloading of RFP	cost from www.apdcl.org
2	Last Date & Time of	30.08.2019 upto 1 p.m.
	submission of RFP	
3	Date & time of Opening Bid	30.08.2019 at 2 p.m.
4	Address for Communication	Office of CGM (F&A), APDCL, Bijulee Bhawan,
		Guwahati-781001.
5	Contact Person	Nabaratna Acharya, AM (F & A). Estt. O/o the CGM
		(F&A), APDCL, Bijulee Bhawan, Guwahati-781001.

a) The schedule of issue, submission and opening of RFP documents are given hereunder

b) If any "Holiday" falls on any of the scheduled date, then the next working day (between mentioned working hours) shall be considered as the scheduled date.

3. Qualifying Criteria (Eligibility conditions):

3. A: Qualifying Criteria (Eligibility conditions) for Lead Auditors:

S.N	Criteria	Particulars	Documents
0.			
1	Form of Entity	Firms of Chartered Accountants/ Cost Accountants	Certificate of Incorporation.
2	Tenure of Establishment	Minimum 20 (Twenty) Years	Certificate of Incorporation.
3	Head Office	Head Office shall be situated in the State of Assam.	Certificate of Incorporation
4	No. of Partners	At least 5 (Five) full time working partner in the immediately preceding three financial years.	01. Certificate of Incorporation02. Certificate of Practice of all the Partners
5	Turnover of Firm (Professional Receipts)	Minimum Rs 50 (Fifty) Lakhs or more in each of immediately preceding three financial years	Audited Balance Sheet and Profit & Loss A/c OR Income Expenditure A/c and Receipt Payment A/c duly supported by Income Tax Returns.
6	Experience	Minimum of 5 assignments in total of Internal Audit of Power Distribution PSU during last preceding Seven Financial Year (FY). Assignment relating to physical verification of stock, fixed assets, etc. which are mere counting of physical items against book quantity and not an independent check and / or audit on the functional & system control, shall not be considered as Internal Audit for this purpose.	Engagement Letter along with terms of reference and type of audit.
7	Others	 Valid PAN Valid GSTIN Registration. No Criminal Proceedings are pending w.r.t the Firm and / or Partner in any Court of Law in India or before any Disciplinary Committee of ICAI / ICAI (Erstwhile ICWAI)or any other professional institute. 	Copy of PAN Card. Copy of GST Registration Certificate in Assam. Affidavit.

S.No.	Criteria	Particulars	Documents
1	Form of Entity	Firms of Chartered	Certificate of Incorporation.
•		Accountants/ Cost Accountants	
2	Tenure of	Minimum 8(eight) Years	Certificate of Incorporation.
	Establishment		1
3	Head Office	Head Office/ Branch shall be	Certificate of Incorporation
		situated in the State of Assam.	
4	No. of	At least 2 (Two) full time working	Final Pass Certificate of qualified
	Employees	professionally qualified employee in	employee.
		the immediately preceding three	List of commerce background Audit
		financial years and at least 10 (ten)	staffs along with mark sheet.
		numbers of audit staff.	
5	Turnover of	Minimum average of Rs 15 Lakh	Audited Balance Sheet and
	Firm	or more in the immediately	Profit & Loss A/c OR Income
	(Professional	preceding three financial years.	Expenditure A/c and Receipt
	Receipts)		Payment A/c duly supported by
			Income Tax Returns.
6	Experience	Minimum of two (2) aggignments in	Engagement Letter along with terms
Ŭ	r	Minimum of two (2) assignments in	of reference and type of audit.
		total of Internal Audit of any PSU/	
		govt department during last	
		preceding Seven Financial Year	
		(FY) excluding the FY of bidding.	
		Assignment relating to physical	
		verification of stock, fixed assets,	
		etc. which are mere counting of	
		physical items against book	
		quantity and not an independent check and / or audit on the	
		functional & system control, shall	
		not be considered as Internal Audit	
		for this purpose.	
7	Others	Valid PAN	Copy of PAN Card.
		✤ Valid GSTIN Registration.	Copy of GST Registration Certificate
		✤ No Criminal Proceedings are	in Assam.
		pending w.r.t the Firm and / or	Affidavit.
		Partner in any Court of Law	
		in India or before any	
		Disciplinary Committee of	
		ICAI / ICAI (Erstwhile	
		ICWAI)or any other	
		professional institute.	

3.B: Qualifying Criteria (Eligibility conditions) for Circle Auditors:

4. Evaluation Criteria for Selection of Internal Auditor (Selection Criteria)

4.A: Technical Evaluation:

4.A.1:Technical Evaluation for Lead Auditor:

S.No.	Criteria	Points over the Minimum Eligibility	Total Points	Supporting Documents
1	Tenure of Existence	More than 20 and less than 30 years: 10 Marks. More than 30 Years and less than 40 years : 15 Marks. More than 40 years: 30 marks	30	Certificate of Incorporation from ICAI.
2	No. of Partners	 2 marks per FCA/CMA up to maximum of 10 Marks. 1 Marks per ACA maximum of 3 Marks. Additional 2 Marks for qualification as DISA/CISA up to maximum of 2 marks. 	15	Certificate of Incorporation from ICAI. DISA/ CISA Certificate from ICAI of individual partners.
3	Turnover of the Firm (Professional Receipts)	In each of 3 (three) immediately preceding financial year Rs 50.00 Lakh to Rs 75.00 lakh: 5 Marks More than Rs 75.00 lakh: 10 Marks	10	Audited Balance Sheet and Profit & Loss A/c OR Income Expenditure A/c and Receipt Payment A/c duly supported by Income Tax Returns.
4	Office	2 Marks per Branch in Assam and 1 Mark per branch outside Assam.	5	Certificate of Incorporation from ICAI.
5.	Experience	Internal Audit Experience in Power Distribution Company / Corporation: 4 Marks per assignment (Maximum 20 Marks) CAG appointed Statutory Audit in Power Distribution Company / Corporation: 4 Marks per assignment (Maximum 20 Marks)	40	Engagement Letter along with terms of reference and type of audit.
Total Ma	urks Tp (Score Technical)		100	

S.No.	Criteria	Points over the Minimum Eligibility	Total Points	Supporting Documents
1	Tenure of Existence	More than 8 years and less than 15 Years : 7 Marks. More than 15 Years: 10 Marks.	10	Certificate of Incorporation from ICAI.
2	No. of employees	 5 marks per FCA/FCMA up to maximum of 10 Marks. 1 Marks per ACA/FCMA maximum of 3 Marks. Additional 1 Marks for qualification as DISA/CISA upto maximum of 2 marks. 	15	Certificate of Incorporation from ICAI. DISA/ CISA Certificate from ICAI of individual partners.
3	Turnover of the Firm (Professional Receipts)	Average of each 3 (three) immediately preceding financial year Rs 15.0 Lakh to Rs 20.00 lakh: 5 Marks Rs 20.00 lakh to Rs 30lakh: 8 Marks More than Rs 30.00 lakh: 10 Marks	10	Audited Balance Sheet and Profit & Loss A/c OR Income Expenditure A/c and Receipt Payment A/c duly supported by Income Tax Returns.
4	Office	3 Marks for head Office in Assam and 1 Mark per branch inside/outside Assam.	5	Certificate of Incorporation from ICAI.
5.	Experience	Internal Audit Experience in Any PSU/govt department: 5 Marks per assignment (Maximum 50 Marks) CAG empanelment: 10 Marks	60	1.EngagementLetter along withterms of referenceand type of audit.2.CAGempanelment letter
Total Ma	arks Tp (Score Technical)		100	· ·

4.B.2:Technical Evaluation for Circle Auditor:

- a) The RFP is to be submitted by hand in the Tender Box lying in front of "Office of CGM (F&A), 5th Floor, Bijulee Bhawan, Paltan Bazar, Guwahati-78101" in one part viz Part-1: Technical Bid marked as "RFP for Internal Audit Appointment (for Lead Auditor) / (for Circle Auditor) PART-1 within the due date prescribed in this RFP document.
- b) The Professional Fees of Lead Auditor and/ or Circle Auditor will be determined by APDCL management based on volume and size of audited circles and will be offered to the technically qualified firms in due course.
- c) The lead Auditor selected will automatically be qualified as Circle Auditors for four numbers of Circles.
- d) One firm can submit their RFP for either the Lead Auditor or the Circle Auditor.

6. Scope of Work & List of Circles and Subdivision & Divisions within the Circles:

- a) The Scope of the Internal Audit will be as per Annexure-I enclosed.
- b) The List of Circles and Subdivision & Divisions within the Circles are as per Annexure II enclosed.

7. Tenure of Engagement

The tenure of engagement under the RFP shall be for financial years of 2018-19.

8. Audit Fees & RFP Validity:

- a) The rate of Audit Fee shall be fixed by APDCL Management and shall be valid for acceptance for a period of 6 months from the next day of issuing the letter of offer to the technically qualified participants.
- b) In exceptional circumstances, prior to expiry of the original RFP validity period, the APDCL may request to the RFP participants for a specified extension in the period of validity. The requests and the responses shall be made in writing. The RFP participants shall be deemed to have given undertaking that the Audit Fees offered by APDCL management and terms and conditions condition mentioned in Letter of Offers to the selected shall be binding on them.

9. Responsibility of RFP Participants:

- a) The **RFP Participants** is expected to examine and confirm to all instructions, forms, terms and specifications in the RFP document before submission of RFP. Failure to furnish and / or not complying with RFP conditions towards all the instructions, forms, terms and specifications in the RFP document may be treated as non-responsive and result into rejection of the RFP without seeking any clarification.
- b) It shall be sole responsibility of the RFP Participants to determine and satisfy themselves by such means as they consider necessary or desirable for all matters pertaining to this RFP including, in particular, all factors that may affect the cost, duration and execution of the work.
- c) The RFP Participants shall entirely & exclusively bear all costs and expenses associated with attending discussions with APDCL and/ or Lead Auditor, presentations etc and providing any additional information, development, preparation and submission of RFP Document. APDCL will in no case shall be held liable for those costs and expenses regardless of the outcome of the bid.

10. Formation of Cartel & Penal Measures

- a) Any form of canvassing / lobbying / influencing etc. by the RFP Participants will result into disqualification of such bidder.
- b) Any evidence of unfair trade practices, will automatically disqualify the RFP Participants. Occurrence of such evidence shall be viewed seriously by APDCL authority and penal measure as deemed fit; barring from present & future RFP Participation process, along with referring the matter to disciplinary committee of the respective Institute could be considered.

11. Language of RFP

The RFP submitted by the bidder shall be in English language and all correspondences between the Bidder and APDCL shall be in, English language.

12. Termination of Engagement

APDCL reserves the right to terminate the contract pre-maturely, if the reporting of the firm is considered unsatisfactory.

In case a firm fails to commence the stipulated audit within one month from the date of award of the contract, APDCL shall have right to terminate the contract awarded to the concerned firm by giving a notice of termination. All costs associated in this regard will be recovered from the firms.

13. Audit Reports

- a) The Internal Audit Reports must be submitted in triplicate along with Audit Programme, Sign-off Checklists, Issue Summary Sheet, Audit working papers & other documents forming part of the report, within 15 (fifteen) days from the scheduled date of completion of field work of Audit. A soft copy of the report in a DVD / USB drive also needs to be submitted.
- b) The report to be included with an Executive Summary of the critical issues/findings that requires attention of the senior management by providing financial involvement, wherever applicable. The report should be structured in a manner indicating the observations/weaknesses, the implications, suggestions for improvements and the auditee comments. The status of the actions taken by the management on the recommendations of the previous report should also be provided.
- c) The Internal Audit report as submitted is subject to review of the intended coverage and focus on the existence, design & operating effectiveness of internal control. In course of review of submitted Audit Reports, if those were found incomplete/ deficient/ partial and thus forming an opinion on the design/ operating effectiveness of control and/ or the business process could not be formed for management reporting, those shall not be accepted and returned for necessary revision/ rectification and resubmission. The Company shall not be liable for any cost & expenses as may be incidental for carrying out such revision/ rectification and such costs will have to be borne by the relevant firm only.

14. Ownership of Material

- a) Any study report or other documented materials, presentation, graphics, software or otherwise prepared / developed by the Audit firm exclusively for the purpose of conducting internal audit as per engagement under this RFP shall belong to and remain the property of the Company.
- b) Publication and/or any other form of use by the Audit firm of those documented materials, presentation, graphics, software or otherwise prepared / developed cannot be made without written permission of the Company.

15. Completion Time

a) Timely completion with satisfactory performance of each audit assignment including submission of report is the essence of the contract. Internal Audit Report is to be submitted within 15 (fifteen) days from the scheduled date of completion of field work of Audit.

16. Penalty

a) The Firms should submit the Internal Audit Report within 15(Fifteen) days from the scheduled date of completion of field work of Audit. If there is a delay in submission of Internal Audit Report, Penalty shall be imposed @1/2% (half percent) per week or part of delay subject to a maximum of 10% (ten percent) of the professional fees w.r.t. each Audit.

17. Performance Standards

- a) The Audit firm should perform the Audit with the high eststandards of professional and ethical competence and integrity.
- b) It is expected that compliance to different standards of auditing as may have been issued time to time by professional institutes / bodies etc with particular emphasis on Risk Assessment & Internal Control including Information Technology General Control (ITGC) shall be harmoniously exercised while carrying the audit work under the engagement.
- c) Regular review of audit performances shall be conducted in assessment of improvement in quality of services and effective utilization.

18. Controlling Officer

The Lead Auditor in consultation with APDCL designated Chief General Manager (F&A) shall act as Audit Project Administrator. The Audit Project Administrator will co-ordinate all the activities under the engagement viz the acceptance and approval of reports, approving bills for payment and other deliverables.

19. Confidentiality

Professional firm shall not disclose any proprietary or confidential information relating to the Services under this engagement or the APDCL's business or operations without the prior written consent from the Authorities of APDCL.

20. Assignments

The firm will not be able to assign any part of the services as contained in the engagement under this RFP to a Third Party and / or any Associates without prior written consent of the Company.

21. Terms of Payment

The payment of Audit Fees shall be as per terms and conditions prescribed in the Engagement Letter and shall be subject to satisfactory completion of each audit assignment in accordance with respective audit programme and audit check list set by APDCL Management & acceptance of Audit Report by Lead Auditor and also by the Management of APDCL. All the Invoices should be GST compliant.

22. Force Majeure

- a) In the event of either party to the engagement under this RFP being rendered unable by Force Majeure to perform any obligation required to be performed by them, the relative obligation of the party affected by such Force Majeure shall be suspended for the period during which such cause lasts.
- b) The term "Force Majeure" as employed herein shall mean acts of God, War, Civil Riots, Fire directly affecting the performance of the engagement, Flood and Acts & Regulations of respective government of the either party to the engagement.
- c) Upon the occurrence of such cause and upon its termination, the party alleging that it has been rendered unable as aforesaid thereby, shall notify the other party in writing, the beginning of the cause amounting to Force Majeure as also the ending of the said clause by giving notice to the other party within 72 hours of the ending of the cause respectively. If deliveries are suspended by Force Majeure conditions lasting for more than 2 (two) months, the Company shall have the option of canceling the engagement in whole or part at his discretion without any liability at his part. Time for performance of the relative obligation suspended by Force Majeure shall then stand extended by the period for which such cause lasts.

23. Dispute Resolution

- a) Applicable Laws: This contract shall be governed as per relevant provision of Applicable Laws of India.
- b) Amicable settlement of dispute. Efforts be made by the parties to resolve the disputes amicably through mutual negotiation.
- c) If the matter still unsettled, then either party can invoke arbitration as per relevant provision of Arbitration & conciliation Act^{*}1996. (including Subsequent amendments) Place of Arbitration shall be in Guwahati.
- d) In case of litigation, between the parties, it will be within the jurisdiction of High Court, Gauhati or any competent Subordinate Courts.

24. General Terms & Conditions

- a) All the sections of Technical Bid has to be filled in. Any section left blank would be considered as zero for evaluation. Please write "Not Applicable" wherever necessary.
- b) Any RFP document submitted in a manner other than as set out in this RFP document and / or attaching any condition shall not be treated as eligible and rejected in the selection process.
- c) This Request for Proposal (RFP) document has been prepared solely to enable APDCL for framing Risk Based Internal Audit model for further strengthening Internal Controls in the company. The RFP document is not a recommendation offer or invitation to enter into a contract, agreement or other arrangement in respect of the services.
- d) Participation in this RFP in the form of a Consortium and/or Joint Venture is not allowed.
- e) No binding relationship will exist between any of the RFP Participants and the Company until constitution of the contract.
- f) The Audit firm to be engaged as the Internal Auditor of the Company will not render an attestation or assurance report or assurance report opinion under the engagement, but may include:
 - i. An audit, review or examination of financial statements in accordance with generally accepted accounting standards,
 - ii. An examination of prospective financial statements in accordance with applicable professional standards,
 - iii. A review to detect fraud or illegal acts
 - g) Non-solicitation of Personnel: During the tenure of engagement and for subsequent 12 (twelve) months following its termination for any reason, the Audit firm will not solicit for employment, or hire, any personnel of the Company.
 - h) The Audit Firm, including any Partner or other personnel in the firm will not solicit for a position on the Company's Board of Directors, nor hire, any present professional employee of the Company, if such solicitation, hiring or employment may impair the independence of the Company under ANY other law, regulation, rule, listing requirement or professional standards governing the independence of accountants. Without limiting the foregoing, the Internal Auditors agrees not to solicit, hire or employ, without the prior written consent of the Company, any present professionally qualified employee of the Company.
 - i) The Company reserves the right to accept / reject any or all the RFPs without assigning any reason whatsoever.
 - j) The Company also does not bind itself to accept any of **RFP Participants.**
 - k) The RFP documents will be opened on the stipulated date in presence of RFP Participants in the conference hall of O/o the CGM (RE), APDCL.

SECTION-2 EOI FORMS REQUEST FOR PROPOSAL

App	lying	FOR LEAD CUM CIRCLE	FOR CIRCLE AUDITOR ONLY
F	or	AUDITOR	YES/ NO
		YES/ NO	

(PLEASE FILL THE FOLLOWING IN BLOCK LETTERS)

Particul	ars	Details
1a.	Name of the Firm	
1b.	Date of establishment (in dd/mm/yyyy	
	format)	
1c.	Firm's Registration Number	
1d.	Address of the Firm (Head Office) with	
	contact details.	
1e.	Email Address:	
1f.	Mobile No.	
1g.	Number of Branch Office	
1h.	Address of the Branch Office (if any) with	
	contact details.	
1i.	Nature of Firm (CA/CMA)	

2a.	a. Total Number of Partners as on 31st March of respective year		FY 2016-17	FY	2017-18	FY 2018-19		
2b.	Details of Partners as on 31.03.2019 (Copy of Latest Firm Constitution Certificate issued by ICAI as on 01/01/2019 to							
	be enclosed):							
Full N	Full Name of Partner Members		r · · · · · · · · · · · · · · · · · · ·		Date of admission as Partner in the current firm. (dd/mm/yyyy)			
			<u>.</u>				-	
3.	Annual Turnover of t	· ·	FY 2014-15	FY 2015-16		FY 2016-17	FY 2017-18	
	in Rs. and as per audited financial statements & return of Income)							

4a.	a. Internal Audit Experience of the Firm in Power Sector during the eligible period as mentioned in RFP.						
Name Audite Organi	e	Type of Organisation	Date of engagement letter	Concerned Financial Year	Auditee Turnover of the concerned Financial Year.		

4b.	-	Experience of the Firm in Statutory Audit of Power Distribution Organisation, during the eligible period as mentioned in RFP.						
Name of the Organisation	Type of Organisation	Date of engagement letter	Concerned Financial Year	Turnover of the concerned Financial Year.	Is the Auditee Organisation engaged in Power Distribution?			

5	PAN No. of the firm	
6	GST Registration No. of the Firm	
7	Whether any criminal proceedings are pending w.r.t. the firm and/ or Partner in any Court of Law in India or before	Yes/
	any Disciplinary Committee of ICAI/ ICAI (erstwhile ICWAI/ ICSI or any other professional institute / bodies:	No

8	List of documents attested with name and designation under common seal of the firm	
a)	Copy of Constitution Certificate issued by the institute: As of 01.01.2019.	YES/ NO
b)	Copy of Certificate of Membership of all the Partners:	YES/ NO
c)	Copy of Certificate of Practice of all the Partners :	YES/ NO
d)	Copy of latest Certificate of Reconstitution of Firm (if any):	YES/ NO
e)	Copy of Audited Financial Statement of the Firm: 01. FY 2014-15, 02. FY 2015-16, 03. FY 2016-17 & 04 FY 2017-18	YES/ NO
f)	Copy of Income Tax Returns for the period: 01. FY 2014-15 02. FY 2015-16 03. FY 2016-17 & 04 FY 2017-18	YES/ NO
g)	Copy of PAN Card	Y ES/NO
h)	Copy of GST Registration Certificate	YES/NO
i)	Affidavit in original (duly notarized in non-judicial stamp paper of minimum Rs 10) in support of no criminal proceedings are pending w.r.t. the firm and/or Partner in any Court of Law in India or before any Disciplinary Committee of ICAI / ICAI (erstwhile ICWAI) or any other professional institutes / bodies as per template in Section-3 of this RFP.	YES/NO
j)	Copies of Engagement Letter along with terms of reference/ Work Order in support of Internal Audit/ Statutory Audit experience of the firm .	YES/NO
k)	Copies of work completion certificate / proof of final payments.	YES/NO

(Signature of the authorized signatory with name & designation under common seal of the Firm)

Date:

Place:

Section - 2

Format of Declaration

Non Judicial Stamp Paper Minimum – Rs. 10/- Duly Notarized

DECLARATION

I Sri on behalf of M/s. do hereby solemnly affirm as follows:

- 1. I along with my audit team have carefully perused the RFP in its totality and understood its implication.
- 2. I along with my audit team have carefully examined the entire RFP and having obtained all requisite information about the assignment. We do hereby propose to provide the desired professional service as detailed in the RFP.
- 3. I along with my audit team do state that if APDCL sustains any damages or loss as a result of negligence on our part, such loss or damages should be mitigated by indemnifying APDCL without any preconditions and pretext.
- 4. I along with my audit team do declare that no criminal proceedings are pending w.r.t.the firm and/or Partner in any Court of Law in India or before any Disciplinary Committee of ICAI / ICAI (erstwhile ICWAI) or any other professional institutes / bodies.

(Signature of the authorized signatory with name & designation under common seal of the Firm)

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