



**Ministry of Culture
Government of India**

Request for Expression of Interest

Empanelment of Reputable Institutions and Agencies for Conceptualizing,
Designing and/or Fabricating Creative Installations, Tableaus, Set Designs etc. for
Ministry of Culture

Reference: F. No. 12-5/2023-ZCC/485

**Lalit Kala Akademi
Ministry of Culture
Government of India**

New Delhi

12th October 2023

NOTICE INVITING EXPRESSION OF INTEREST

1. Expressions of Interest are hereby invited from interested applicants for ‘Empanelment of Reputable Institutions and Agencies for Conceptualizing, Designing and/or Fabricating Creative Installations, Tableaus, Set Designs etc. for Ministry of Culture’. The tender document can be downloaded from www.lalitkala.gov.in and www.indiaculture.gov.in

2. Submission schedule:

S. No.	Activity	Date
1.	Date of issue of the tender document	12 th October 2023
2.	Due date for submission of Expression of Interest	11AM on 23 rd October 2023

3. Lalit Kala Akademi on behalf of Ministry of Culture shall be the nodal agency for the empanelment under this Request for Expression of Interest.

4. Submission shall be through email at eoilka@lalitkala.gov.in Expression of Interest shall be a PDF format file shared as an attachment to the email. Subject of the email must clearly indicate the title of the Expression of Interest.

5. Lalit Kala Akademi is not bound to accept any Expression of Interest submitted to it and reserves the right to reject all or any of the Expressions of Interest without assigning any reason whatsoever. Further, Lalit Kala Akademi may discontinue this process at any time without assigning any reason whatsoever. The decision of Lalit Kala Akademi in the evaluation and results of the evaluation of the Expressions of Interest shall be final. The applicant shall bear all its costs associated with or relating to the preparation and

submission of its Expression of Interest and Lalit Kala Akademi shall not be liable in any manner whatsoever for the same.

6. For any queries regarding the provisions of this Request for Expression of Interest, please email the concerned officer at the Email ID provided below.



Dr. Dillip Kumar Tripathy

Nodal Officer

Lalit Kala Akademi,

Ministry of Culture

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REQUEST FOR EXPRESSION OF INTEREST

1. Background and objective

Ministry of Culture undertakes various culture and heritage related installations each year, along with numerous events showcasing India's cultural diversity and advancements. In each of these instances, there is requirement of innovative design and fabrication with emphasis on creativity and technology. So far, such activities have seen participation from both public as well as private organisations; however, the Ministry desires to extend this participation and encourage youth contribution through involvement of educational institutions and creative start-ups. Such organizations are expected to be able to enhance these installations based on novel designs, aesthetics, creativity and technology.

In view of the above, Lalit Kala Akademi on behalf of Ministry of Culture has issued this Request for Expression of Interest to empanel institutions of eminence for conceptualizing, designing and/or fabricating cultural installations. These installations shall include but not limit to tableau design and fabrication, set design and other creative components.

The objective of this process is to empanel a suitable list of institutions for use by Ministry of Culture, other Central Ministries/Departments and Governments of States and Union Territories (termed as 'user Ministry/Department/State or UT Government' for the purpose of this Request for Expression of Interest). The end objective is to facilitate creative participation across the country over a pre-specified tenure.

2. Scope of work

The empanelled applicants shall be required to undertake one or more tasks mentioned in the scope below. It is to be noted that this scope of work is indicative only; it may be altered based on requirements of individual projects under the empanelment.

- (a) Conceptualization of culture and heritage related installations, including and not limited to tableau design, set design and other creative components

(b) Design:

- (i) Visual designs and sketches of installations
- (ii) 3D models of designs as per scale and proportion
- (iii) Robotic, mechanical, futuristic tech-based designs
- (iv) Regional/State-level visual designs with authentic motifs and use of local crafts and textiles

(c) Fabrication:

- (i) Construction of the installations including sculpting and woodwork, carpentry, steel and iron fabrication
- (ii) Construction using eco-friendly materials such as cotton, bamboo, jute, cork, recyclable materials, baked clay murals etc.
- (iii) Fabrication of designs styled with technological advancements and innovative ideas. This shall be a key component going forward.

An example of an upcoming project is the design and fabrication of Ministry of Culture's tableau for Republic Day 2024.

3. Eligibility criteria

Applicants must meet each of the following eligibility criteria:

(a) Applicant must be either:

- A unit/hub (innovation hub, incubator, alumni association etc.) of an educational institution (fine arts, design, engineering, architecture, textile and craft etc.); or
- A start-up of a creative entrepreneur.

Applicant must have a valid proof of registration or incorporation which is recognised by the Government of India. Individuals shall not be eligible.

(b) Applicant (as above 3. a) who has been in existence for at least two years would be desirable

(c) Applicant must meet all the requirements and conditions laid out in this Request for Expression of Interest

(d) Applicant must provide all the documents and information required in the Annexure of this Request for Expression of Interest.

4. Evaluation process of Expressions of Interest

Applicants that are declared eligible by the competent authority based on the above-mentioned criteria shall be further evaluated and graded based on the forms and instructions provided in the Annexure. These must be followed in their entirety.

Applicants will be graded on various parameters as detailed below:

Description of evaluation criteria	Maximum Score
(1) Prior experience	30
<p>The applicant must have successfully undertaken minimum three creative projects showcasing the scope of work mentioned above.</p> <p>Scores shall be allocated as follows:</p> <ul style="list-style-type: none"> • 3 suitable projects: 20 marks • 5 and above suitable projects: 30 marks 	
(2) Team profile	30
<p>Applicant must provide resumes of suitable team members with details of education qualification, skills and competencies, implementation of similar assignments, relevant projects carried out, as per the requirements of the Request for Expression of Interest. Profiles may include 2D/3D/Animation and Graphic Designers; Textile Designers; Visual Artists (Sculptors, Painters, Craftsperson etc.); Robotics Experts; 3D Model Makers; Fabrication Experts; Engineers; Architects etc. The applicant must have minimum five suitable profiles.</p> <p>Scores shall be allocated as follows:</p> <ul style="list-style-type: none"> • 5 suitable profiles: 20 marks 	

Description of evaluation criteria	Maximum Score
<ul style="list-style-type: none"> • 8 and above suitable profiles: 30 marks 	
(3) Presentation on prior creative experience and team profile to the designated committee of the authority	40
Total	100

In addition to fulfilling the eligibility criteria, applicant must **score minimum 70 marks** in order to get empanelled.

5. Validity of the Expression of Interest

The Expression of Interest shall remain valid for a period of not less than 90 days from the submission due date.

6. Terms and conditions for empanelment

Post completion of the empanelment process, the successful applicants will be invited to sign the empanelment contract with Lalit Kala Akademi, Ministry of Culture. The empanelment contract will inter-alia include the following terms. It is to be noted that the empanelment contract with Lalit Kala Akademi, Ministry of Culture does not guarantee award of any work orders for projects under the empanelment.

(a) Duration of the empanelment

Empanelment shall be for a period of three years from the date of notification of the empanelment, subject to fulfilment of all the requirements of this Request for Expression of Interest and the continued fulfilment of the terms and conditions laid out herein. Failure to do so at any point may lead to removal from the empanelment with no cost or other consequence to Ministry of Culture.

(b) Project process/work orders

- (i) Post completion of the empanelment process, the list of empanelled applicants will be shared by Lalit Kala Akademi with user Ministries/Departments/State and UT Governments.
- (ii) User Ministries/Departments/State or UT Governments may place work orders on the empanelled applicants as per their own requirements from time to time.

The concerned user Ministry/Department/State or UT Government shall conduct its own process for appointing one of the empanelled applicants. Once this process is successfully completed, it will issue a work order to the selected empanelled applicant directly. The payment for the services shall be paid/settled directly by the concerned user Ministry/Department/State or UT Government as per the agreed work order. Work orders may encompass the complete scope of work or may require few services only.

(c) Deliverables

Deliverables shall be defined and finalized as per the requirements of different projects under the empanelment.

(d) Payment terms and schedule

Payment terms shall be defined as per individual projects duly approved and the work order conditions entered into by respective competent authorities.

(e) Commercial terms

The empanelled applicant shall indemnify Ministry of Culture or the concerned user Ministry/Department/State or UT Government against all third-party claims arising out of a court order or arbitration award for infringement of any patent, trademark, copyright arising from the use of the supplied services or any part thereof.

(f) Confidentiality

- (i) The empanelled applicant and their personnel shall not, either during the term or after expiration of the empanelment, disclose any proprietary or confidential information relating to the services or operations of the user Ministry/Department/State or UT Government without the prior written consent of the respective competent authority.

- (ii) The empanelled applicant shall ensure that no information about the software, hardware, database and policies of the user Ministry/Department/State or UT Government or any other confidential or proprietary information of the user Ministry/Department/State or UT Government is removed or taken out in any form including electronic form or otherwise, from the work site by the manpower posted by them.
- (iii) The empanelled applicant shall not, without the Ministry's prior written consent, disclose the commercial terms of the work order to any person other than a person employed by the applicant in the performance of the work order.
- (iv) The clause on Confidentiality shall be valid for a further period of one year from the date of expiry or termination of the project, whichever is earlier.

(g) Force Majeure

- (i) Force majeure clause shall mean and be limited to the following in the execution of the work order:
 - War/hostilities
 - Riot or civil commotion
 - Earthquake, flood, tempest, lightning or other natural physical disasters
 - Restriction imposed by the Government or other statutory bodies, which is beyond the control of the applicant, which prevents or delays the execution of the work order by the applicant
- (ii) The concerned empanelled applicants shall advise the applicable user Ministry/Department/State or UT Government in writing about the beginning and the end of the above causes of delay, within seven days of the occurrence and cessation of the force majeure conditions. In the event of a delay lasting for more than one month, if arising out of clauses of force majeure, the user Ministry/Department/State or UT Government reserves the right to cancel the work order without any obligation to compensate the applicant in any manner for whatsoever reason, subject to the provision of this clause.

(h) Arbitration

Ministry of Culture/user Ministry/Department/State or UT Government and the empanelled applicant will make every effort to resolve amicably by direct negotiation any disagreement or dispute arising between them under or in connection with the contract/work order. If any dispute will arise between parties on aspects not covered by the contract/work order, or the construction or operation thereof, or the rights, duties or liabilities under these except as to any matters the decision of which is specially provided for by the general or the special conditions of the contract/work order, such dispute will be conducted by sole arbitrator mutually appointed by both the parties. If the parties fail to appoint sole arbitrator within thirty days, the Arbitral Tribunal consisting of three arbitrators, one each to be appointed by Ministry of Culture/user Ministry/Department/State or UT Government and the concerned applicant (Nominee Arbitrator), the third arbitrator shall be chosen by the two arbitrators so appointed by the parties which shall act as the Presiding Arbitrator and the award of the arbitration, as the case may be, will be final and binding on both the parties. Such arbitration shall be governed in all respects by the provision of the Indian Arbitration Act,1996 or later and the rules there under and any statutory modification or reenactment, thereof. The arbitration proceedings will be held in New Delhi, India and the courts of New Delhi shall have exclusive jurisdiction to deal with any or all the disputes arising out of this contract/work order.

(i) Applicable Law

The contract/work order shall be governed by the laws and procedures established by the Government of India, within the framework of applicable legislation and enactment made from time to time concerning such commercial dealings/processing.

(j) Suspension and termination

(i) Suspension:

Ministry of Culture or the concerned user Ministry/Department/State or UT Government may by a written notice of suspension, suspend all payments to the empanelled applicant under the work order, if the empanelled applicant fails to perform any of its obligations under the work order provided that such notice of suspension: (1) will specify the nature

of the failure; and (2) will request the empanelled applicant to remedy such failure within a specified period from the date of issue of such notice of suspension.

(ii) Termination by insolvency:

Ministry of Culture or the concerned user Ministry/Department/State or UT Government may at any time terminate the work order by giving written notice of four weeks to the applicant, without any cost or consequences towards the empanelled applicant, if the applicant becomes bankrupt or otherwise in case of insolvency, dissolution, winding up of, as the case maybe, provided that such termination will not prejudice or affect any right of action or remedy which has accrued prior thereto to Ministry of Culture or the concerned user Ministry/Department/State or UT Government.

(iii) Termination for convenience:

Ministry of Culture or the concerned user Ministry/Department/State or UT Government reserves the right to terminate by prior written notice of atleast thirty days, the whole or part of the work order. The notice of termination will specify the extent to which performance of work under the work order is terminated and the date on which such termination becomes effective.

(iv) Termination for default:

Default is said to have occurred:

- (a) If the empanelled applicant fails to deliver any or all of the services within the time period(s) specified in the work order or any extension thereof granted by Ministry of Culture or the concerned user Ministry/Department/State or UT Government.
- (b) If the empanelled applicant deploys persons who are not carrying the skills/experience/expertise of the level they are reasonably expected to on the basis of the scope description set out in this Request for Expression of Interest.
- (c) If the empanelled applicant deployed fails to perform any other obligation(s) under the work order.

- (d) If the empanelled applicant, in any of the above circumstances, does not take remedial steps within a period of thirty days after receipt of the default notice from Ministry of Culture or the concerned user Ministry/Department/State or UT Government, Ministry of Culture or the concerned user Ministry/Department/State or UT Government may terminate the work order in whole or in part.

(k) Miscellaneous terms and conditions

- (i) The end product of the work assignment carried out by the empanelled applicant, in any form, will be the sole property of Ministry of Culture/user Ministry/Department/State or UT Government.
- (ii) The empanelled applicant shall not out-source the work to any other associate/franchisee/third party under any circumstances without the prior approval of the user Ministry/Department/State or UT Government.
- (iii) The empanelled applicant shall perform the services and carry out its obligations under the empanelment with due diligence and efficiency, in accordance with generally accepted techniques and practices used in the industry and with professional engineering and training/consulting standards recognized by national/international professional bodies and shall observe sound management practices. It shall employ appropriate advanced technology and safe and effective methods.
- (iv) In the event the applicant or the concerned division is taken over/bought over by another company, all the obligations under the contract with Ministry of Culture should be passed on the compliance by the new company/division in the negotiation for their transfer.

Annexure – Forms for Submission of Expression of Interest

(On applicant's letterhead)

Form-1: Letter for Submission of Expression of Interest

[Location, Date]

To,
Lalit Kala Akademi,
Ministry of Culture
Govt. of India

Dear Sir,

We, the undersigned, have read and understood the tender document for **Empanelment of Reputable Institutions and Agencies for Conceptualizing, Designing and/or Fabricating Creative Installations, Tableaus, Set Designs etc. for Ministry of Culture** and agree to offer our services for the same. We are hereby submitting our Expression of Interest to Lalit Kala Akademi, Ministry of Culture.

We hereby declare that all the information and statements made in this Expression of Interest are true and accept that any misrepresentation contained in it may lead to our disqualification.

We understand that Lalit Kala Akademi, Ministry of Culture is not bound to accept any Expression of Interest it receives.

Yours faithfully,

Authorized Signatory [*signature in full, along with designation*]

Name and title of signatory:

Name of applicant:

Address:

Form-2: Details of the Applicant

Information	Details
Name of applicant	
Summary of services provided	
Details of applicant: Address Phone number Email Website	
Authorized Signatory/Contact Person (e.g., head of department, Chief Executive/ Head of Operations): Name Designation Mobile Number Email	
<u>Enclosure:</u> Copy of valid proof of registration or incorporation recognized by the Government of India	

Form-3: Prior experience

Use the format below to provide information about each assignment.

Assignment name	
Country	
Location within country	
Name of client	
Start date of assignment	
End date of assignment	
Total cost of assignment	
Description of the assignment and the creative works undertaken as part of it	
<u>Enclosure</u>: Pictures of the creative works/ installation	

Form-4: Team profile

Use the format below to provide information about each team member.

Name of employer	
Name of expert	
Date of birth	
Education (indicate college/university and other specialized education, giving names of institutions, degrees obtained, and dates of obtainment)	
Membership of professional associations	
Awards/appreciation received	
Employment record	
Detail the assignments undertaken that best illustrate the capability to handle the scope (Mention the following for each assignment: name of assignment, start date, end date, client, description of activities performed, other relevant details)	