



## **BIHAR VIKAS MISSION**

(Under Cabinet Secretariat Department, Government of Bihar)

Bihar State Building Construction Corporation campus,

Hospital Road, Rajvanshi Nagar, Patna – 800023

Telephone No – 0612-2285262

Memo No. – BVM /13(F10)-02/2018 P.F-02-64 Patna -23, Date: 27.01.2022

### **Office Order**

Bihar Vikas Mission had published Notice Inviting Tender for “Empanelment of Recruitment agency for hiring manpower at Bihar Vikas Mission enabling to achieve the stated goals and objectives” vide Ref. No. BVM/2019-20/HR/02 dated 09-02-2019. Quess Corp Limited was empaneled as one of the recruitment agency after qualifying in the technical evaluation in aforementioned tender. Further upon being successful in the commercial bid, Quess Corp Limited was awarded 16 position for recruitment in phase-VI vide letter no. BVM/(अधि०)-23/2019-P.F.-01-151 dated 04.03.2020.

“Agency shall engage the following personnel to accomplish the deliverables:

1. Project Manager – 1 (One)
2. Assistant Project Manager / Recruiter – 3 (Three)
3. Offsite Sourcing team – As per requirement

**Onsite Resource:** At least one of the Assistant Project Manager / Recruiter proposed in the technical bid is required to be present full-time at BVM office during the project (After the submission of Initial Shortlist of Recommended Candidates or as mutually agreed between BVM and the Agency). The Onsite resource will be located at BVM’s office premises (as required) and will be responsible for all day to day interactions and recruitment process management.

Any changes to the resources being provided i.e. Project Manager or Assistant Project Manager / Recruiter (whose profiles have been shared during the Technical Evaluation stage), unless called for or approved by BVM or in case of their separation from Agency’s employment, will lead to 10% fee reduction of the total fee paid payable to the Agency. Agency can, in writing, request for changes to team members and it will not be binding upon BVM to approve of the same.”

During the course of phase-VI recruitment, Quess Corp Limited intimated replacement of Project manager Ms. Gurmeet Kaur with Mr. Raghunath BV vide email dated 19<sup>th</sup> June 2020, however Mr. Raghunath was never deployed on BVM project and had never been part of any communication.

In line with the terms of the agreement, after submission of initial shortlist by the agency, BVM had requested for deployment of on-site resource vide email dated 6<sup>th</sup> July 2020 and subsequently reminded the agency multiple times but the agency only provided assurances and proposed resources were not deployed by the agency. Instead of deploying resources proposed in its project plan, the agency made intermittent temporary deployment of other personnel without sharing their CV / profile and seeking approval for same.

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A summary of the communication between BVM and the agency in this regard is provided below:

| Sl. No. | Date                      | Communication from BVM   | Communication from Agency  | Remarks  |
|---------|---------------------------|--|--|--|
| 1       | 19 <sup>th</sup> Jun 2020 |  | Information regarding replacement of Project Manager Ms Gurmeet Kaur with Mr. Raghunath BV.  | The replacement resource was never deployed for BVM and had never been part of any communication with BVM on the project.  |
| 2       | 6 <sup>th</sup> Jul 2020  | After submission of "initial list of candidates", BVM requested all agencies for deployment of on-site resource.   |  | In response, while the other agencies deployed their proposed resources, there was no deployment from Quess.   |
| 3       | 9 <sup>th</sup> Oct 2020  | Another request was made to Quess Corp Ltd to deploy on-site representative from 14 <sup>th</sup> Oct to assist in observation-redressal process.  |  |  |
| 4       | 12 <sup>th</sup> Oct 2020 |  | "We shall depute our on-site representative for smooth conduct of the process from 14 <sup>th</sup> Oct 2020".   | Even under such situation, none of the resources proposed by the agency (Project Manager / Assistant Project Manager) in project plan were deployed, leading to further delay and challenges in recruitment processes. |
| 5       | 14 <sup>th</sup> Oct 2020 |  | "We shall take two more days to depute the person at BVM Patna Office. Meanwhile Myself & Swapnil are available on any discussion that you may want to have wrt the candidature / observations." |  |
| 6       | 22 <sup>nd</sup> Oct 2020 | Agency's representative Samarjeet Singh joined BVM on 22 <sup>nd</sup> Oct 2020.   |  | Mr. Samarjeet was intermittently deployed only for few days and was completely unaware of the ongoing recruitment.   |
| 7       | 27 <sup>th</sup> Nov 2020 | "Please note that your on-site representative, Samarjeet, has not been coming to the BVM office since 2 <sup>nd</sup> Nov 2020. Over the last few days, Swapnil is also not responding due to ill-health and redressal of the observations on some of the positions are still pending. This is leading to further delay in the already delayed recruitment process". |  | Neither CV / profile was submitted nor approval sought for replacement.  |
| 8       | 28 <sup>th</sup> Nov 2020 |  | The agency responded regarding delay in redressal / submission but did not clarify on non-deployment of onsite resource.   | Even under such situation, none of the resources proposed by the agency (Project Manager / Assistant Project Manager) in project plan were deployed, leading to further delay and challenges in recruitment            |
| 9       | 3 <sup>rd</sup> Dec 2020  | "It may be noted that your on-site representative, Samarjeet, has been present at BVM office only for 5 days during the entire phase-VI which is in  |  |  |

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|    |                           | contradiction to the clauses of the agreement. All this is leading to unprecedented delay in the process. BVM is highly disappointed with lack of professionalism on part of the agency.” |  | processes.  |
| 10 | 3 <sup>rd</sup> Dec 2020  |   | The agency responded regarding delay in redressal/submission but did not clarify on non-deployment of onsite resource.   |   |
| 11 | 13 <sup>th</sup> Jan 2021 | Along with relevant provisions of the agreement, the agency was directed to “Deploy onsite resources immediately in line with the provisions of the agreement.”                           |  |   |
| 12 | 15 <sup>th</sup> Jan 2021 |   | “The erstwhile implant Mr. Ashish Kumar Ranjan based in Patna is no longer with Quess Corp. The other Assistant Project Managers / Recruiters can't be made available in Patna BVM Office due to travel restrictions imposed by the company as a result of COVID 19. But we wish to inform you that we shall make available a competent resource from our Patna Branch to handle candidate coordination & all day to day interactions and recruitment process management.” | The agency kept making false assurances regarding the deployment of on-site resources.<br><br>Separation of Mr. Ashish was never communicated to BVM. On the contrary Quess did not engage other resources as proposed in its project plan.             |
| 13 | 19 <sup>th</sup> Jan 2021 |   | “This is to inform you that we have identified our resource Mr. Suman Chaudhary who will be deployed at BVM office and will be joining shortly.”   | Mr. Suman was intermittently deployed only for few days and was completely unaware of the ongoing recruitment.<br><br>Neither CV / profile was submitted nor approval sought for replacement.   |
| 14 | 3 <sup>rd</sup> Feb 2021  |   | “This is to inform you that Mr. Suman Chaudhary's little niece has passed away due to which he had to travel in the midst of emergency, we will keep you posted on his joining. Meanwhile Mr. Dharmendra has already reported to BVM office 2 days back for smoothening the co-ordination. Also myself and Vanita is available for anything which is required for successful completion of the interviews.”  | Once again on-site resource changed by Quess.<br><br>Mr. Dharmendra was intermittently deployed only for 2-3 days and was completely unaware of the ongoing recruitment.<br><br>Neither CV / profile was submitted nor approval sought for replacement. |
| 15 | 22 <sup>nd</sup> Feb 2021 |   | “This is to inform you that, Mr.Suman has still not able to join us because of the mishap in his family.<br>Mr. Nitesh Kumar will be reporting at  | Once again on-site resource changed by Quess.   |

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|    |             |  | BVM office today.”   | Mr. Nitesh was intermittently deployed only for 2-3 days and was completely unaware of the ongoing recruitment.<br><br>Neither CV / profile was submitted nor approval sought for replacement.  |
| 16 | August 2021 |  | The agency deployed one resource – Dollar Jha. However no communication from agency regarding placement of Dollar Jha as an onsite resource. | Once again on-site resource changed by Quess.<br><br>Mr. Dollar was intermittently deployed only for few days and was completely unaware of the ongoing recruitment.<br><br>Neither CV / profile was submitted nor approval sought for replacement. |

#### **Deployment of non-qualified temporary resources without any approval**

From the above mentioned tabular chart, it is clear that Quess Corp Ltd. only made intermittent temporary deployment of non-qualified personnel as on-site resource which were present at BVM office only on the day of some of the interviews or for very limited number of days. The temporary onsite-resource deployed by the agency were not only different from the personnel submitted in the technical proposal & project plan but it was done without seeking any approval from BVM on such replacement being made. Also no CV / documents was submitted by the agency to ensure that even the temporarily deployed on-site resource meets the criteria for Assistant Project Manager / Recruiter as mentioned in the technical qualification criteria of the tender.

**In light of the above facts, it is evident that the agency did not fulfill the contractual obligations of the Agreement as it made multiple changes to proposed team members / on-site resource without any approval. Therefore in accordance with the terms and conditions of the agreement, the agency is liable for 10% fee reduction of the total fee payable to the Agency.**

#### **Non-engagement and Non-deployment of proposed team members**

As per the technical proposal submitted during bid process and the project plan submitted for Phase-VI (vide email dated 27<sup>th</sup> May 2020 from [vanita.singhal@quesscorp.com](mailto:vanita.singhal@quesscorp.com)), the team structure proposed by Quess Corp Ltd. consisted of following members –

- Gurneet Kaur / Mr. Raghunath BV. – Project Manager
- Ashish Ranjan – Asst. Project Manager
- Sudhamai – Asst. Project Manager
- Vaishali Agarwal – Asst. Project Manager

In the technical evaluation of 100 marks, 26 marks were allotted for CVs of personnel proposed by the bidder out of which Quess Corp Ltd. achieved 21 marks. Technical proposal was evaluated on the basis of CV of above mentioned team members and 21 marks (5 marks for Project Manager and 16 marks for Assistant Project Managers / Recruiters) were awarded to the agency during evaluation of technical proposals. On the basis of marks awarded for the CV of above-mentioned person, the agency qualified the criteria-wise cut-off marks in the technical evaluation. However, during

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the course of phase-VI recruitment, none of the above-mentioned resources were engaged with BVM nor deployed as on-site resource.

It is therefore clear that the agency, Quess Corp Limited, used CVs of its proposed team only to gain advantage and qualification in technical evaluation but did not deploy them on the project when required. Such an act on part of the agency is not only a breach of terms and conditions of the agreement but also adversely affected the quality of execution of phase-VI recruitment process. In light of non-engagement and non-deployment of resources proposed in the technical proposal/project plan by the agency, a proportionate deduction in the fees payable to the agency shall be made for phase-VI of the recruitment process in the same ratio as that of marks awarded to Quess Corp Ltd. for such resource out of total marks i.e. 21/100 (21%) during technical evaluation of the tender.

**In light of the above facts, it is decided that a total of 31% (i.e. 10% for change in resources without any approval and 21% for non-engagement and non-deployment of proposed team members) of total fees payable to the agency, after accounting for any penalty on error and/or late submission (if any), will be deducted from each invoice for phase-VI recruitment.**

This issues with the approval of Member Secretary.



Chief General Manager