

PRE BID QUERIES TO EOI Ref No: IB:CO:INSP:ISAC: 4 / 2019-20 - Empanelment of information system auditors

S.No	Ref	RFP Clause	Bidder's Query	Requested change by bidder	Bank's Response
1	Page 2 Cost of EOI document	Cost of EOI Document Rs 5000/- . The cost is Non -Refundable.	As per MSME Act, an MSE is exempt from paying Tender Fee / EMD. Request you to consider the same and waive tender fee / EMD for MSE		As per clause 5 (b), Tender fee is already exempted for Micro and Small Enterprises subject to submission of documentary evidence as per RFP.
2	Page 2 Schedule of Events	Last date and Time for submitting EOI : 27/12/2019 17:00 hrs	May we request you to extend the EOI submission date by 3 weeks after the release of the latest corrigendum/addendum of the EOI as preparation of proposal, taking necessary approval for the submission takes time.		RFP Terms to continue
3	Page 3 Validity of the Panel	The panel once formed, will remain valid for a period of 3 years	May we request you to modify the clause as "The panel once formed, will remain valid for a period of 5 years"		RFP Terms to continue
4	Page 4 Indicative Scope	• Incident / Forensic Analysis • Cyber law Consultancy / audit	It was specified that cyber law consultancy and forensic analysis as indicative scope, however they are not mentioned anywhere else in the EOI. Kindly confirm if our scope of work is limited to only providing Information System audit services as we will not be providing any direct or indirect legal services or such related services.		EOI is primarily for empanelment of IS audit organisations for IS Audit related activities. Assignments relating to Cyber Law consultancy and Incident/forensic analysis, if required by the Bank, will be taken up based on the background and experience of the audit organisations.
5	Page 4 & 5 - Indicative Scope and Indicative Deliver-ables	Various services included under the Indicative Scope and Indicative Deliverables	Details of Scope of Work and Deliverables like Number of applications / devices /location, etc.		The scope of audit will vary from assignment to assignment as per the requirement of the Bank and will be communicated while calling for commercial bids.



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6	Page 6 ELIGIBILITY CRITERIA	Only Companies/LLPs/Firms with CERT In Certification are required to apply. On expiry of the validity during the three year period, the renewal certificate (or any other documentary evidence to prove the extension of validity of the certificate) should be submitted within 1 month from the date of expiry to ensure continuation of the empanelment.	All the companies empanelled in Cert- in has validity up to 30th November 2019		RFP Terms to continue as CERT-in has already extended the validity upto 30th June 2020
7	Page 7 Eligibility Criteria #1	The Applicant should be a Company registered under Companies Act, 1956/2013 or LLP registered under Limited Liability Partnership Act, 2008 or Partnership Firm registered under Indian Partnership Act, 1932 and should have been operating for at least five years in India as on 30.06.2019.	Please allow Bid Submission through Bidder Consortium. Change the Applicant to "The Applicant/Bidder/Bidder Consortium"		RFP Terms to continue
8	Page 7 Eligibility Criteria #4	The applicant should have minimum annual turnover of Rs. 1 crore from Information Security audit activities in each of the last three financial years	Requested to kindly amend it minimum 5 cores per year for the last three financial years of the applicants. It is highly challenging for us to get engagement level revenues from a CA. Requesting Bank to kindly revisit this eligibility criteria as we are already providing relevant IS audit experiences as per the EOI	The applicant should have minimum annual turnover of Rs. 50 crore from Information Security audit activities in each of the last three financial years	RFP Terms to continue
9	Page 7 Eligibility Criteria #5	The applicant should be profit making in the last three financial years of the applicant.	CA certificate should be fine		RFP Terms to continue. Copies of Audited Financial Statements to be submitted, as already more than 8 months have lapsed since YE Mar 19.



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10	Page 8 Eligibility Criteria #7	<p>In the last three years as on 30.06.2019, the Applicant must have carried out Minimum three comprehensive Security Review and Information Systems Audit and of the entire ICT of the organization including Data Centre, DR site, Enterprise Network, ATM switch, Net-banking, mobile banking, SWIFT etc. in any organization of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each.</p>	<p>Kindly confirm whether the bidder should provide three POs for covering all of these or three POs covering any of these services.</p>	<p>"In the last three years as on 30.06.2019, the Applicant must have carried out Minimum three Security Review and/or Information Systems Audit and/or ISO 27001 based Assessments and should include any of the following: (1) Data Centre, DR site, (2) Enterprise Network, (3) ATM switch, (4) Net-banking, mobile banking, (5) SWIFT etc. for Scheduled Commercial Banks/NBFC/Small Finance Banks/Enterprise Organizations" "7. In the last Five years as on 30.06.2019, the Applicant must have carried out Minimum two comprehensive Security Review and Information Systems Audit and of the entire ICT of the organisation including Data Centre, Net-Banking, mobile banking, SWIFT etc. in any organisation of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each."</p>	<p>Eligibility Criteria as per RFP to continue. Bidders to provide documentary evidence as per RFP, for having completed minimum three comprehensive IS audit covering the entire auditee organisation, in respect of clause no.7. The experience covered under clause no.7 cannot be again considered for the remaining two categories, viz., clause nos. 8&9.</p>



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11	Page 8 Eligibility Criteria #8	In the last two years as on 30.09.2019, the Applicant must have successfully conducted minimum three IT General Security control audit / Application functionality & Process audit / Vulnerability Assessment and Penetration Testing of web applications, in any organization of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each. These assignments should be exclusive of assignments handled as part of ICT point 7 of Eligibility Criteria.	Kindly confirm whether the bidder should provide three POs for IT General Security control audit/application functionality and another three POs for Penetration testing and Vulnerability assessment or the bidder should provide three POs for any of these services. The mentioned scope of activities are part of CSR or IS Audit scope of many banking projects and hence may NOT be independent projects. The flexibility for showcasing the same as both part of CSR or IS audit maybe provided.	" In the last two years as on 30.09.2019, the Applicant must have successfully conducted minimum three IT General Security control audit / Compliance Audit (ISO 27001, SOC 2) / Application functionality & Process audit / Vulnerability Assessment and Penetration Testing of web applications, for any Scheduled Commercial Banks/NBFCs/Small Finance Banks/Enterprise organizations. Please remove this clause "These assignments should be exclusive of assignments handled as part of ICT in point 7 of Eligibility Criteria." "8. In the last Five years as on 30.09.2019, the Applicant must have successfully conducted minimum Two IT General Security control audit / Application functionality & process audit / Vulnerability Assessment and Penetration Testing of Web Applications, in any organisation of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each"	Eligibility Criteria as per RFP to continue. Bidders to provide documentary evidence as per RFP, for having completed minimum three audits relating to Web applications in respect of clause no.8. If a single documentary evidence covers both web applications and mobile applications the same can be considered under both the categories (clause nos. 8&9), provided the same is not considered for clause no.7.



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12	Page 9 Eligibility Criteria #9	In the last two years as on 30.09.2019, the Applicant should have conducted minimum three IT General Security control audit / application functionality and Process audit, Vulnerability Assessment and Penetration Testing of Applications relating to Mobile Banking/Mobile Payment Systems in any organization of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each. These assignments should be exclusive of assignments handled as part of ICT in point 9 of Eligibility Criteria	Kindly confirm whether the bidder should provide three POs for IT General Security control audit/application functionality and another three POs for mobile banking/mobile payment systems or the bidder should provide three POs for any of these services. The mentioned scope of activities are part of CSR or IS Audit scope of many banking projects and hence may NOT be independent projects. The flexibility for showcasing the same as both part of CSR or IS audit maybe provided.	" In the last two years as on 30.09.2019, the Applicant should have conducted minimum three IT General Security control audit / Compliance Audit (ISO 27001, SOC 2) / application functionality and Process audit, Vulnerability Assessment and Penetration Testing of Applications relating to Mobile Banking/Mobile Payment Systems for any Scheduled Commercial Banks/NBFCs/Small Finance Banks/Enterprise organizations. Please remove this clause "These assignments should be exclusive of assignments handled as part of ICT in point 7 of Eligibility Criteria." "9. In the last Five years as on 30.09.2019, the Applicant should have conducted minimum Two IT General Security control audit / Application functionality & process audit / Vulnerability Assessment and Penetration Testing of Applications relating to Mobile Banking/Mobile Payment Systems in any organisation of which atleast two of them are Scheduled Commercial Banks having minimum of 200 branches each"	Eligibility Criteria as per RFP to continue. Bidders to provide documentary evidence as per RFP, for having completed minimum three audits relating to mobile banking applications in respect of clause no.9. If a single documentary evidence covers both web applications and mobile applications the same can be considered under both the categories (clause nos. 8&9), provided the same is not considered for clause no.7.
13	Page Eligibility Criteria # 7, 8 & 9	Letter of satisfactory completion specifying the nature and scope of audit. In case the completion letter contains inadequate information, Copy of Work Order or any other documentary evidence containing the required details, to be furnished.	Copy of work can be given but all bank may not give the completion letter as per their policy		RFP terms to continue. Documentary evidence for satisfactory completion of work to be given.
14	Page 10 Eligibility Criteria #12	Applicant or their subsidiaries/ sister concerns >> whose Partner/Director is a member of the Bank's Board >> who have undertaken statutory audit of the Bank presently or in the last one year as on 31.03.2019 shall not be eligible to participate in the EOJ	Kindly suggest whether the "Director" refers to Board of Directors or Directors by designation or both and whether the "Partners" refers to partners or partners by designation or both. Word 'Director' and 'Partner' is used in multiple clauses across EOJ, kindly confirm if the clarification is applicable to all the places wherever they are referred.		Directors refer to Directors in the Board of the company and Directors by designation if having any voting rights and Partners refer to stakeholders/Partners as per Partnership/LLP deed. This clarification applies to all places wherever similar terms are referred in the tender document.



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15	Page 13 Document G, H & I	G-Certificate from Chartered Accountant regarding the Organization's net worth in the last three financial years of the applicant. H-Certificate from Chartered Accountant in respect of the annual turnover in the last three financial years of the applicant with break-up of earnings through IS us. Audit I-Audited Financial Statements for the last three financial years of the organization with Audit Report	These document templates are non-existent in the document. Can we use our own template or would you be sharing one with us.		RFP terms to continue. CA Certificate with the required details to be furnished. Copy of Audited Financial statements filed with ROC to be submitted.
16	Page 13 DOC-I	Audited Financial Statements for the last three financial years of the organization with Audit Report	Financial statement of FY 2018-2019 is still under audit, so we would not be able to provide financials for FY 2018-19 including provisional financial statement. However, we would be able to furnish financials for FY 2015-16, FY 2016-17, FY 2017-18. Kindly confirm.		RFP terms to continue. As already more than 8 months have lapsed since YE Mar 19, Audited financial statements for 2016-17, 2017-18 and 2018-19 are to be submitted.
17	Page 14 Point 5, Bullet pt.3	Bank also reserves the right to - change the dates mentioned in this EOI document, which will be notified on the Bank's website.		We request to intimate the vendors by email as well since we may miss checking the updates on the banks website.	RFP Terms to continue. Bidders are requested to verify the Bank's website till EOI submission.
18	Page 17 Point 26, Bullet pt.1	Bank reserves the right at its discretion to review and delist any Audit Organisation from the Panel at any time, in case any of the following is observed during the validity of the empanelment • the quotation / inquiry called for by the Bank is not responded on three occasions	We would request to kindly give us sufficient time to send the proposal from the time we get the SOW clarification from bank		The scope of audit and the required timeframe will vary from assignment to assignment depending on the requirement of the Bank and will be communicated while calling for commercial bids.



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19	Page 17 Point 26, Bullet pt.5	<p>Bank reserves the right at its discretion to review and delist any Audit Organisation from the Panel at any time, in case any of the following is observed during the validity of the empanelment</p> <ul style="list-style-type: none"> any system(s)/ applications(s)/ infrastructure that was subjected to VA/PT by the empanelled audit organisation, ceteris paribus, is found to have been compromised (including instances of near-miss) at a later date, apparently due to vulnerabilities that were not observed/highlighted on timely basis in the audit report. 		<p>Request the bank to elaborate this clause and include:</p> <ol style="list-style-type: none"> the clause will be applicable provided there were no changes made to the system/application/infrastructure after the audit was performed by the empanelled organisation The vulnerability identified was a known vulnerability (not a zero day Vulnerability) prior to the date of audit The sampled scope of assessment included the system/application/infrastructure where the vulnerability was found later 	<p>RFP Terms to continue, as the same is in line with RBI CSITE guidelines</p>
20	Page 19 Confidentiality/Non-Disclosure Agreement	<p>As the empanelled organisations will have access to the data/information of the bank while auditing the security, bank will require the audit organizations and their representatives to sign a confidentiality/non-disclosure agreement undertaking in a format prescribed by the bank,</p>	<p>May we request you to clarify the duration of the CONFIDENTIALITY/ NON-DISCLOSURE AGREEMENT</p>		<p>RFP Terms to continue. Confidentiality / non-disclosure undertaking shall be as per Bank's requirement.</p>



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21	Page 24 Clause 16.1	<p>Liquidated Damages :</p> <p>If the IS Auditor fails to complete IS Audit as per the mutually agreed Audit plan and its amendments from time to time during the entire period of the Contract, the Bank shall without prejudice to its other remedies under the contract, deduct from the contract price, as liquidated damages a sum equivalent to 0.5% per month of delay, on the contract price until, upto a maximum deduction of 10% of the price. Once the penalty crosses 10% of the contract price, the Bank reserves the right to cancel the contract or take any other suitable penal action as deemed fit.</p>		<p>Request the bank to revise the clause to include:</p> <p>Provided the delays are</p> <p>1. attributed purely to the IS Auditor.</p> <p>2. The delays due to the Bank cannot be included under this clause.</p> <p>May we request you to include in the clause "However no liquidated damages shall be imposed if the delay is not due to IS auditor's fault"</p>	<p>RFP Terms to continue.</p>

