

## Bid Document

| <b>Bid Details</b>   |   |
|--|---|
| <b>Bid End Date/Time</b>   | 20-12-2022 10:00:00   |
| <b>Bid Opening Date/Time</b>   | 20-12-2022 10:30:00   |
| <b>Bid Offer Validity (From End Date)</b>                                    | 180 (Days)  |
| <b>Ministry/State Name</b>   | Ministry Of Education   |
| <b>Department Name</b>   | Department Of Higher Education  |
| <b>Organisation Name</b>   | National Institute Of Technology (nit)  |
| <b>Office Name</b>   | Karnataka, Surathkal, Mangaluru   |
| <b>Total Quantity</b>  | 660   |
| <b>Item Category</b>   | Wooden Cots , Wooden armed Chairs , Wooden Tables   |
| <b>BOQ Title</b>   | Wooden Cots Wooden armed Chairs Wooden Tables   |
| <b>Minimum Average Annual Turnover of the bidder (For 3 Years)</b>           | 20 Lakh (s)   |
| <b>OEM Average Turnover (Last 3 Years)</b>                                   | 162 Lakh (s)  |
| <b>Years of Past Experience Required for same/similar service</b>            | 3 Year (s)  |
| <b>MSE Exemption for Years Of Experience and Turnover</b>                    | Yes   |
| <b>Startup Exemption for Years Of Experience and Turnover</b>                | Yes   |
| <b>Document required from seller</b>   | Experience Criteria,Past Performance,Bidder Turnover,Certificate (Requested in ATC),OEM Authorization Certificate,OEM Annual Turnover,Compliance of BoQ specification and supporting document<br>*In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer |
| <b>Past Performance</b>  | 30 %  |
| <b>Bid to RA enabled</b>   | Yes   |
| <b>RA Qualification Rule</b>   | H1-Highest Priced Bid Elimination   |
| <b>Type of Bid</b>   | Two Packet Bid  |
| <b>Primary product category</b>  | Wooden Tables   |
| <b>Time allowed for Technical Clarifications during technical evaluation</b> | 2 Days  |
| <b>Estimated Bid Value</b>   | 4050000   |
| <b>Evaluation Method</b>   | Total value wise evaluation   |

**EMD Detail**

|               |                     |
|---------------|---------------------|
| Advisory Bank | State Bank of India |
| EMD Amount    | 81000               |

**ePBG Detail**

|                                     |                     |
|-------------------------------------|---------------------|
| Advisory Bank                       | State Bank of India |
| ePBG Percentage(%)                  | 3.00                |
| Duration of ePBG required (Months). | 62                  |

(a). EMD EXEMPTION: The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy.

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

**Beneficiary:**

Director(Additional-charge), NITK Surathkal  
Karnataka, Surathkal, Mangaluru, Department of Higher Education, National Institute of Technology (NIT),  
Ministry of Education  
(Prof. Prasad Krishna)

**Splitting**

Bid splitting not applied.

**MII Purchase Preference**

|                         |     |
|-------------------------|-----|
| MII Purchase Preference | Yes |
|-------------------------|-----|

**MSE Purchase Preference**

|                         |     |
|-------------------------|-----|
| MSE Purchase Preference | Yes |
|-------------------------|-----|

1. If the bidder is a Micro or Small Enterprise as per latest definitions under MSME rules, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria" subject to meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.
2. If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria" subject to their meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.
3. The minimum average annual financial turnover of the bidder during the last three years, ending on 31st March of the previous financial year, should be as indicated above in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the

date of constitution / incorporation of the bidder is less than 3-year-old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

4. Experience Criteria: In respect of the filter applied for experience criteria, the Bidder or its OEM {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU / Public Listed Company for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts to be submitted along with bid in support of having supplied some quantity during each of the Financial year. In case of bunch bids, the category of primary product having highest value should meet this criterion.

5. OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the OEM is less than 3 year old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

6. Preference to Make In India products (For bids < 200 Crore): Preference shall be given to Class 1 local supplier as defined in public procurement (Preference to Make in India), Order 2017 as amended from time to time and its subsequent Orders/Notifications issued by concerned Nodal Ministry for specific Goods/Products. The minimum local content to qualify as a Class 1 local supplier is denoted in the bid document. If the bidder wants to avail the Purchase preference, the bidder must upload a certificate from the OEM regarding the percentage of the local content and the details of locations at which the local value addition is made along with their bid, failing which no purchase preference shall be granted. In case the bid value is more than Rs 10 Crore, the declaration relating to percentage of local content shall be certified by the statutory auditor or cost auditor, if the OEM is a company and by a practicing cost accountant or a chartered accountant for OEMs other than companies as per the Public Procurement (preference to Make-in -India) order 2017 dated 04.06.2020. Only Class-I and Class-II Local suppliers as per MII order dated 4.6.2020 will be eligible to bid. Non - Local suppliers as per MII order dated 04.06.2020 are not eligible to participate. However, eligible micro and small enterprises will be allowed to participate .In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

7. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail the Purchase preference, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service. If L-1 is not an MSE and MSE Seller (s) has/have quoted price within L-1+ 15% (Selected by Buyer) of margin of purchase preference /price band defined in relevant policy, such Seller shall be given opportunity to match L-1 price and contract will be awarded for 25%(selected by Buyer) percentage of total QUANTITY.

8. Estimated Bid Value indicated above is being declared solely for the purpose of guidance on EMD amount and for determining the Eligibility Criteria related to Turn Over, Past Performance and Project / Past Experience etc. This has no relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid participation. Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determined by the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA process.

9. Past Performance: The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 30% of bid quantity, in at least one of the last three Financial years before the bid opening date to any Central / State Govt Organization / PSU / Public Listed Company. Copies of relevant contracts (proving supply of cumulative order quantity in any one financial year) to be submitted along with bid in support of quantity supplied in the relevant Financial year. In case of bunch bids, the category related to primary product having highest bid value should meet this criterion.

10. Reverse Auction would be conducted amongst all the technically qualified bidders except the Highest quoting bidder. The technically qualified Highest Quoting bidder will not be allowed to participate in RA. However, H-1 will also be allowed to participate in RA in following cases:

- i. If number of technically qualified bidders are only 2 or 3.
- ii. If Buyer has chosen to split the bid amongst N sellers, and H1 bid is coming within N.
- iii. In case Primary product of only one OEM is left in contention for participation in RA on elimination of H-1.
- iv. If L-1 is non-MSE and H-1 is eligible MSE and H-1 price is coming within price band of 15% of Non-MSE L-1
- v. If L-1 is non-MII and H-1 is eligible MII and H-1 price is coming within price band of 20% of Non-MII L-1

## Wooden Cots

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)

|            |           |
|------------|-----------|
| Brand Type | Unbranded |
|------------|-----------|

### Technical Specifications

|                               |                           |
|-------------------------------|---------------------------|
| <b>Specification Document</b> | <a href="#">View File</a> |
| <b>BOQ Detail Document</b>    | <a href="#">View File</a> |

Advisory-Please refer attached BOQ document for detailed consignee list and delivery period.

### Consignees/Reporting Officer and Quantity

| S.No. | Consignee/Reporting Officer | Address  | Quantity | Delivery Days |
|-------|-----------------------------|--|----------|---------------|
| 1     | Gaurav Chowdhury            | 575025,NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA SURATHKAL SRINIVASANAGAR | 150      | 60            |

## Wooden Armed Chairs

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)

|            |           |
|------------|-----------|
| Brand Type | Unbranded |
|------------|-----------|

### Technical Specifications

|                               |                           |
|-------------------------------|---------------------------|
| <b>Specification Document</b> | <a href="#">View File</a> |
| <b>BOQ Detail Document</b>    | <a href="#">View File</a> |

Advisory-Please refer attached BOQ document for detailed consignee list and delivery period.

### Consignees/Reporting Officer and Quantity

| S.No. | Consignee/Reporting Officer | Address  | Quantity | Delivery Days |
|-------|-----------------------------|--|----------|---------------|
| 1     | Gaurav Chowdhury            | 575025,NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA SURATHKAL SRINIVASANAGAR | 210      | 60            |

### Wooden Tables

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)**

|            |           |
|------------|-----------|
| Brand Type | Unbranded |
|------------|-----------|

### Technical Specifications

|                               |                           |
|-------------------------------|---------------------------|
| <b>Specification Document</b> | <a href="#">View File</a> |
| <b>BOQ Detail Document</b>    | <a href="#">View File</a> |

Advisory-Please refer attached BOQ document for detailed consignee list and delivery period.

### Consignees/Reporting Officer and Quantity

| S.No. | Consignee/Reporting Officer | Address  | Quantity | Delivery Days |
|-------|-----------------------------|--|----------|---------------|
| 1     | Gaurav Chowdhury            | 575025,NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA SURATHKAL SRINIVASANAGAR | 300      | 60            |

### Buyer Added Bid Specific Terms and Conditions

#### 1. Scope of Supply

Scope of supply (Bid price to include all cost components) : Supply Installation Testing Commissioning of Goods and Training of operators and providing Statutory Clearances required (if any)

#### 2. Generic

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address to consignee: Professor i/c Hostel Affairs, NITK Surathkal, P. O. Srinivasnagar, Mangalore - 575 025 Karnataka, India. Phone: 0824-2474800/ + 91 6364244536, Email: nitksh4800@gmail.com/ chiefwarden@nitk.edu.in..

#### 3. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

**(I) Please Note the followings:**

- 1)** The Breakup of BOQ or price Breakup should be uploaded under financial cover only (Financial Document).
- 2)** The Hard copy of EMD must be sent to Superintendent/B4-Assistant Purchase Section, NITK Surathkal, P. O. Srinivasnagar, Mangalore - 575 025, Karnataka, India. Phone: 0824-247 3014.
- 3)** Consignee user: Professor i/c Hostel Affairs, NITK Surathkal :- Phone: 0824- 2474800 , Email: nitksh4800@gmail.com/ chiefwarden@nitk.edu.in.
- 4)** For Technical Queries: - Superintending Engineer, NITK Surathkal :- Phone: 0824-2473028/ 2474073, Email: re@nitk.edu.in.
- 5)** For other issues:- Phone 0824-2473014, Email:- b4-assistant@nitk.edu.in

**(II) Minimum eligibility criteria for qualifying in Technical bid:**

The intending bidder must satisfy all the following requirements for qualifying in the technical bid. Self-attested copy of the related document should be scanned and uploaded while submitting GeM portal:

- a.** A self-attested copy of registration under Shops and Commercial Establishment Act (or similar) evidencing registration as Furniture manufacturer/ Furniture dealer should be uploaded to GeM portal while submitting e-tenders.
- b.** The bidder must possess GST registration – a self attested copy should be uploaded.
- c.** The bidder must possess PAN registration with Income Tax department – a self-attested copy should be uploaded.
- d.** The bidder must be registered under Employees Provident Fund (EPF) Act – a self-attested copy should be uploaded (if not applicable as per the said Act-enclose exemption declaration duly signed and stamped).
- e.** The bidder must be registered under Employees State Insurance (ESI) Act – a self-attested copy should be uploaded (if not applicable as per the said Act-enclose exemption declaration duly signed and stamped).
- f.** The agency must have the experience of having successfully completed similar work as follows during the past seven financial years (Enhancement at simple 7% per annum shall be considered to bring it to the current costing level) in any Central Government department/ State Government department/Central or State Government undertakings/ Central or State government autonomous bodies/Public or Private Sector Units/ Private firms:
  - (i) At least three single similar works, each work costing not less than ₹16.20 lakh; OR
  - (ii) Two similar works, each work costing not less than ₹24.30 lakh; OR (iii) One similar work of not less than ₹32.40 lakh. Similar work means manufacturing, supply and installation of Furniture items.

Self-attested copy of Work Experience certificate issued from Central Government department/ State Government department/Central or State Government undertakings/ Central or State government autonomous bodies/Public or Private Sector Units/ Private firms (with a copy of TDS certificate in case of Private firms) should be uploaded. Relaxation of norms applicable to startup and MSE as per GOI order.

- g. 1.1** The agency should not have abandoned or suspended any awarded work of any

organization during the past five financial years. Relevant proof in the form of an affidavit in this respect should be submitted by the agency by uploading to the GeM portal as per the format provided in the bid document. **[(The FORMAT OF AFFIDAVIT has been attached below (Buyer uploaded ATC document))].**

**g 1.2** The agency should not have been blacklisted/debarred for competing by any organization during the past five financial years. Relevant proof in the form of an affidavit in this respect should be submitted by the agency by uploading to the GeM portal as per the format provided in the bid document. **[(The FORMAT OF AFFIDAVIT has been attached below (Buyer uploaded ATC document))].**

### **(III) GENERAL INSTRUCTIONS, TERMS & CONDITIONS OF CONTRACT:**

- 1) Canvassing or offer of an advantage or any other inducement by any person with a view to influencing acceptance of a bid will be an offence under Laws of India. Such action will result in outright rejection of bid, in addition to other punitive measures.
- 2) The rate quoted shall satisfy all terms and conditions of the tender document including all statutory obligations of the bidder. All applicable taxes which are to be deducted at source such as income tax, labour cess etc as per the orders of the Government (State and/or Central) in force from time to time shall be deducted at source and TDS certificate shall be issued. Any tax omitted for deduction shall be deducted from the subsequent bills/security deposits. The bidder's quoted rate should be inclusive of all taxes, cess and levies on material and labour and no extra claim whatsoever in this connection shall be entertained. The bidder's quoted rate should also be inclusive of EPF and ESI benefits to be given to the employees/ workers engaged by him as per the statutory requirements.
- 3) The contractor shall ensure full compliance with tax laws of India with regard to this contract and shall be solely responsible for the same. The contractor shall submit copies of acknowledgements evidencing filing of returns and shall keep the Institute fully indemnified against liability of tax, interest, penalty etc. of the contractor in respect thereof, which may arise. The Institute in no way shall be responsible / held responsible for the statutory compliances of the Contractor. In case the Institute is required, by the order of the Law, to fulfill the obligations of the Contractor, the same shall be recovered from the contractor out of his bills or deposits.
- 4) The bid of any bidder who does not accept the conditions contained in the tender document is liable to be rejected.
- 5) The scope of work covered in this tender shall be as per the BOQ, specifications, drawings, instructions, orders issued to the contractor from time to time during the execution of work. The quantity of various items as entered in the BOQ are indicative only and may vary depending upon the actual requirement. The contractor shall be bound to carry out and complete the stipulated work irrespective of the variation in individual items specified in the bill of qualities.
- 6) If there are varying or conflicting provisions made in any one document forming part of the contract, the Accepting Authority shall be the deciding authority with regard to the intention of the document and his decision shall be final and binding on the contractor.
- 7) Rate for all items shall be quoted on the tender form (GeM).
- 8) Zero Deviation Bid from the Technical Specification: Bidders are instructed to quote strictly as per technical specification in the bid document as this is a zero deviation bid, failing which the bid will be treated as non - responsive and will be summarily rejected.
- 9) Any error in description, quantity or rate in Schedule of Quantities or any omission therefrom shall not vitiate the Contract or release the Contractor from the execution of the whole or any part of the works comprised therein according to drawings and specifications or from any of his obligations under the contract.

- 10) The Institute reserves the right of accepting whole or any part of the bid and the bidder shall be bound to perform the same at the quoted rates.
- 11) One bid per bidder: Each bidder shall submit only one bid either by himself or by representing a firm.
- 12) Cost of bid: The bidder shall bear all costs associated with the preparation and submission of his bid. The Institute in no case shall be responsible or liable for those costs.
- 13) The bidder shall not make or cause to be made any alteration, erasure or obliteration to the text of the tender document.
- 14) The bidder shall quote his rate in Indian rupees.
- 15) Conditional bids/ offers shall summarily be rejected.
- 16) The Institute will declare a bidder ineligible either indefinitely or for a specified period of time at the sole discretion of the Institute for the award of contract/ participating in the tenders if at any time the Institute determines that he has furnished false information/ engaged in corrupt or fraudulent practices.
- 17) The Contractor shall not sub-let the contract or any part thereof or any benefit or interest therein or thereunder.
- 18) If any overpayment is detected as a result of post-payment audit, it shall be recovered by the Institute from the contractor out of his bills or deposits.
- 19) Determination of successful bidder: The bidder (technically qualified) who quotes lowest total bid shall be the successful bidder subject to its meeting to the statutory requirements.
- 20) Amendment of tender document: At any time prior to the last date of receipt of bids, Institute may for any reason, whether at its own initiative or in response to a clarification requested by prospective bidder, modify the Tender document by an amendment. The Institute may at its own discretion extend the last date for the receipt of bids.
- 21) For any tests as directed by the NITK Surathkal that have to be carried out at an outside laboratory, the cost of materials, transport etc., shall be borne by the contractor.
- 22) The samples shall be provided by the Agency free of cost. The testing shall be carried out in any Govt. Lab./Public Undertaking Lab./IIT or NIT Lab./ Government Engineering University or any other lab as approved by NITK Surathkal.

#### 4. **Service & Support**

Availability of Service Centres: Bidder/OEM must have a Functional Service Centre in the State of each Consignee's Location in case of carry-in warranty. (Not applicable in case of goods having on-site warranty). If service center is not already there at the time of bidding, successful bidder / OEM shall have to establish one within 30 days of award of contract. Payment shall be released only after submission of documentary evidence of having Functional Service Centre.

#### 5. **Inspection**

**Nominated Inspection Agency:** On behalf of the Buyer organization, any one of the following Inspection Agency would be conducting inspection of stores before acceptance:

Pre-dispatch Inspection at Seller Premises (applicable only if pre-dispatch inspection clause has been selected in ATC): any Govt. Lab./IIT/NIT/Government Engineering University or any other lab as approved by NITK

Post Receipt Inspection at consignee site before acceptance of stores: any Govt. Lab./IIT/NIT/Government Engineering University or any other lab as approved by NITK



## 6. Turnover

Bidder Turn Over Criteria: The minimum average annual financial turnover of the bidder during the last three years, ending on 31st March of the previous financial year, should be as indicated in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the bidder is less than 3 year old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

## 7. Generic

**Bidder financial standing:** The bidder should not be under liquidation, court receivership or similar proceedings, should not be bankrupt. Bidder to upload undertaking to this effect with bid.

## 8. Certificates

Bidder's offer is liable to be rejected if they don't upload any of the certificates / documents sought in the Bid document, ATC and Corrigendum if any.

## 9. Generic

Bidders are advised to check applicable GST on their own before quoting. Buyer will not take any responsibility in this regards. GST reimbursement will be as per actuals or as per applicable rates (whichever is lower), subject to the maximum of quoted GST %.

## 10. Generic

**Consortium:** In case of Contracts, wherein the seller alone does not have necessary expertise, the seller can form consortium with other sellers for submission of the bid, with one of the consortium company as leader. However, each and every member of the consortium shall be equally responsible for the complete execution of the project contract. An undertaking to this effect is to be uploaded with bid.

## 11. Service & Support

Dedicated /toll Free Telephone No. for Service Support : BIDDER/OEM must have Dedicated/toll Free Telephone No. for Service Support.

## 12. Generic

Data Sheet of the product(s) offered in the bid, are to be uploaded along with the bid documents. Buyers can match and verify the Data Sheet with the product specifications offered. In case of any unexplained mismatch of technical parameters, the bid is liable for rejection.

## 13. Purchase Preference (Centre)

Indian suppliers of this item are not allowed to participate and/ or compete in procurement by some foreign governments. Bidders / products from such countries are not eligible / not allowed to participate in this bid in terms of clause 1 (d) of Public Procurement (Preference to Make in India) Order, 2017

## 14. Generic

Installation, Commissioning, Testing, Configuration, Training (if any - which ever is applicable as per scope of supply) is to be carried out by OEM / OEM Certified resource or OEM authorised Reseller.

## 15. Certificates

ISO 9001: The bidder or the OEM of the offered products must have ISO 9001 certification.

## 16. Certificates

Material Test Certificate Should Be Sent Along with The Supply. The Material Will Be Checked by Buyer's Lab & the Results of the Lab will be the Sole Criteria for Acceptance of the Item.

17. **Generic**

**Manufacturer Authorization:** Wherever Authorised Distributors/service providers are submitting the bid, Authorisation Form /Certificate with OEM/Original Service Provider details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid

18. **Financial Criteria**

**NET WORTH:** Net Worth of the OEM should be positive as per the last audited financial statement.

19. **Generic**

**OPTION CLAUSE:** The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

20. **Turnover**

**OEM Turn Over Criteria:** The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the OEM is less than 3 year old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria. In case of bunch bids, the OEM of CATEGORY RELATED TO primary product having highest bid value should meet this criterion.

21. **Purchase Preference (State)**

Procurement under this bid is reserved for purchase from Micro and Small Enterprises from the State of Bid Inviting Authority whose credentials are validated online through UDYAM Registration /Udyog Aadhaar (as validated by Government from time to time) for that product category. If the bidder wants to avail the reservation benefit, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service. Benefits of MSE will be allowed only if seller is validated on-line in GeM profile as well as validated and approved by Buyer after evaluation of documents submitted.

22. **Inspection**

**Pre-dispatch inspection at Seller premises (Fee/Charges to be borne by the BUYER):** Before dispatch, the goods will be inspected by Buyer / Consignee or their Authorized Representative or by Nominated External Inspection Agency (independently or jointly with Buyer or Consignee as decided by the Buyer) at Seller premises (or at designated place for inspection as declared / communicated by the seller) for their compliance to the contract specifications. Fee/Charges taken by the External inspection Agency and any external laboratories testing charges shall be borne by the Buyer. For in-house testing, the Sellers will provide necessary facilities free of cost. Seller shall notify the Buyer through e-mail about readiness of goods for pre-dispatch inspection and Buyer will notify the Seller about the Authorized Representative/ Nominated External Inspection Agency and the date for testing. The goods would be dispatched to consignee only after clearance in pre-dispatch inspection. Consignee's right of rejection as per GTC in respect of the goods finally received at his location shall in no way be limited or waived by reason of the goods having previously been inspected, tested and passed by Buyer/ Consignee or its Nominated External Inspection Agency prior to the goods' shipment. While bidding, the sellers should take into account 7 days for inspection from the date of email offering the goods for inspection. Any delay in inspection beyond 7 days shall be on the part of the buyer and shall be regularised without Liquidated Damages.

When there is requirement of submission the advance sample, the seller shall inform the buyer promptly through emails about the date of submission of sample to the buyer nominated Inspection agency.

23. **Purchase Preference (Centre)**

#### Purchase Preference linked with Local Content (PP-LC) Policy:

The bid clause regarding "Preference to Make In India products" stands modified in this bid and shall be governed by the PPLC Policy No. FP-20013/2/2017-FP-PNG dated 17.11.2020 issued by MoP&NG as amended up to date. Accordingly, bidders with Local Content less than or equal to 20% will be treated as "Non Local Supplier". The prescribed LC shall be applicable on the date of Bid opening. Sanctions on the bidders for false / wrong declaration or not fulfilling the Local Content requirement shall be as per the PPLC policy. Further following additional provisions are added in the certification and verification of local content provision of the Preference to Make in India clause:

- i. In case of foreign bidder, certificate from the statutory auditor or cost auditor of their own office or subsidiary in India giving the percentage of local content is also acceptable. In case office or subsidiary in India does not exist or Indian office/subsidiary is not required to appoint statutory auditor or cost auditor, certificate from practicing cost accountant or practicing chartered accountant giving the percentage of local content is also acceptable.
- ii. Along with Each Invoice: The local content certificate (issued by statutory auditor on behalf of procuring company) shall be submitted along with each invoice raised. However, the % of local content may vary with each invoice while maintaining the overall % of local content for the total work/purchase of the pro-rata local content requirement. In case, it is not satisfied cumulatively in the invoices raised up to that stage, the supplier shall indicate how the local content requirement would be met in the subsequent stages.
- iii. The bidder shall submit an undertaking from the authorized signatory of bidder having the Power of Attorney along with the bid stating the bidder meets the mandatory minimum LC requirement and such undertaking shall become a part of the contract.

#### 24. **Purchase Preference (Centre)**

Procurement under this bid is reserved for purchase from Micro and Small Enterprises whose credentials are validated online through Udyog Aadhaar/URC for that product/service category. If the bidder wants to avail the reservation benefit, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service.

#### 25. **Warranty**

Successful bidder will have to ensure that adequate number of dedicated technical service personals / engineers are designated / deployed for attending to the Service Request in a time bound manner and for ensuring Timely Servicing / rectification of defects during warranty period, as per Service level agreement indicated in the relevant clause of the bid.

#### 26. **Generic**

Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.

#### 27. **Past Project Experience**

The Bidder / OEM {themselves or through reseller(s)}, should have executed project for supply and installation / commissioning of same or similar Category Products during preceding 3 financial years (i.e. current year and three previous financial years) as on opening of bid, as per following criteria:

- (i) Single order of at least 35% of estimated bid value; or
- (ii) Two orders of at least 20% each of estimated bid value; or
- (iii) Three orders of at least 15% each of estimated bid value.

Satisfactory Performance certificate issued by respective Buyer Organization for the above Orders should be uploaded with bid. In case of bunch bids, the Category related to primary product having highest bid value should meet this criterion

#### 28. **Warranty**

Timely Servicing / rectification of defects during warranty period: After having been notified of the defects / service requirement during warranty period, Seller has to complete the required Service / Rectification within 3 days time limit. If the Seller fails to complete service / rectification with defined time limit, a

penalty of 0.5% of Unit Price of the product shall be charged as penalty for each week of delay from the seller. Seller can deposit the penalty with the Buyer directly else the Buyer shall have a right to recover all such penalty amount from the Performance Security (PBG). Cumulative Penalty cannot exceed more than 10% of the total contract value after which the Buyer shall have the right to get the service / rectification done from alternate sources at the risk and cost of the Seller besides forfeiture of PBG. Seller shall be liable to re-imburse the cost of such service / rectification to the Buyer.

#### 29. **Certificates**

The bidder is required to upload, along with the bid, all relevant certificates such as BIS licence, type test certificate, approval certificates and other certificates as prescribed in the Product Specification given in the bid document.

#### 30. **Generic**

1. The Seller shall not assign the Contract in whole or part without obtaining the prior written consent of buyer.
2. The Seller shall not sub-contract the Contract in whole or part to any entity without obtaining the prior written consent of buyer.
3. The Seller shall, notwithstanding the consent and assignment/sub-contract, remain jointly and severally liable and responsible to buyer together with the assignee/ sub-contractor, for and in respect of the due performance of the Contract and the Sellers obligations there under.

#### 31. **Generic**

The seller is required to print logo as per buyer's requirement.

#### 32. **Generic**

While generating invoice in GeM portal, the seller must upload scanned copy of GST invoice and the screenshot of GST portal confirming payment of GST.

#### 33. **Buyer Added Bid Specific ATC**

Buyer uploaded ATC document [Click here to view the file.](#)

## **Disclaimer**

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity/restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and/or terms and conditions governing the bid. Any clause incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents/clauses shall also be null and void. If any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations. Also, GeM does not permit collection of Tender fee / Auction fee in case of Bids / Forward Auction as the case may be. Any stipulation by the Buyer seeking payment of Tender Fee / Auction fee through ATC clauses would be treated as null and void.

[This Bid is also governed by the General Terms and Conditions](#)

In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

**---Thank You---**