

Bid Corrigendum

GEM/2024/B/5032878-C1

Following terms and conditions supersede all existing "Buyer added Bid Specific Terms and conditions" given in the bid document or any previous corrigendum. Prospective bidders are advised to bid as per following Terms and Conditions:

Buyer Added Bid Specific Additional Terms and Conditions

1. 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.
2. Warranty period of the supplied products shall be 3 years from the date of final acceptance of goods or after completion of installation, commissioning & testing of goods (if included in the scope of supply), at consignee location. OEM Warranty certificates must be submitted by Successful Bidder at the time of delivery of Goods. The seller should guarantee the rectification of goods in case of any break down during the guarantee period. Seller should have well established Installation, Commissioning, Training, Troubleshooting and Maintenance Service group in INDIA for attending the after sales service. Details of Service Centres near consignee destinations are to be uploaded along with the bid.
3. Buyer Added text based ATC clauses

OEM qualification criteria:

1. Manufacturer should have experience in manufacturing & installation of Precision AC units & manufacturing the same technology product for last 10 years in India.
2. Manufacturer should have ISO 9001, ISO 14001 Certification;
3. Manufacturer should have installation base in the respective location for such Units and fully equipped Service center (For Precision AC units) to give prompt & efficient service.
4. OEM must have its office in Kolkata and must submit the office address along with the GST No.
5. Software generated output of proposed unit is must.
6. OEM must have installation base of same technology of last 10 years & machines shall be running of at least 8 years after the standard warranty period.

7. In case a business partner is bidding on behalf of OEM, he should be an authorized business partner of the OEM and should furnish Manufacturer's Authorization certificate as per the format attached bearing the GeM bid no.

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Bidder's qualification criteria:

Bid scrutiny will be carried out to ascertain compliance with the minimum eligibility criteria listed and those bidders meeting the prescribed eligibility criteria and scoring 80 marks or more will only be considered for price bid evaluation in open tender system. The eligibility criteria are detailed as under: -

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SN	Eligibility Criteria	Documents to be submitted
1	The bidder must be a Firm/ Proprietary/ Partnership/LLP/Limited Company registered under Companies Act in India with an experience of minimum 5 years' experience (as on 31.03.2024) of having rendered satisfactory services in Design, Supply, Installation, Testing, Commissioning and maintenance of Elevators / Lifts in Govt./Public Sector Undertaking /Private corporate houses /Staff Training Centers of PSB /PVT. Corporate / Govt. Organization etc.	<p>-In case of Proprietorship firms, Copy of Shop Act License /Registration and the GST Registration certificate.</p> <p>-In case of Partnership/ Limited Company firms, Copy of the firm registration Certificate, partnership deed, articles of association, etc., as applicable, and GST Registration .</p> <p>-In case of LLP/ company, Copy of Certificate of Incorporation issued by Registrar of Companies and full address of the registered office plus GST registration certificates.</p>
2	The Bidder should have experience of having successfully completed Design , supply, installation, testing, commissioning of PAC during last 5 years ending last day of 31.03.2024 in India.	Work order copies / Performance certificate from the principal Employers/ Clients is to be submitted.
3	The contractor should have Registered /Corporate/Branch office / Service Centre in Kolkata Centre.	Address Proof should be submitted.
4	The firm must be in operating profit in last 3 financial years out of three i.e., 2020 -21; 2021-22; 2022-23	(i) Copies of the audited P&L Account and Balance Sheet duly certified by the Chartered Accountant in India.
5	Average annual financial turnover during the last three (3) financial years, ending 31 st March 2023 i.e., 2020-2021, 2021-22, 2022-23, should be Rs. 20 Lakhs .	(ii) Copies of returns submitted to the Tax authorities such as IT & Goods & Service Tax etc. in India.
6	<p>Experience of having successfully completed similar work (as per detailed in) during last 07 years ending last day of 31.03.2024 as under:</p> <p>(i) Three similar works costing not less than the amount equal to 40% of the annual estimated cost i.e., Rs. 6.2 Lakhs.</p> <p style="text-align: center;">OR</p>	<p>Copy of work order and work completion certificates issued by the principal Employers/Clients specifying following information relating to the works carried out during the last 7 years ending last day of 31.03.2024.</p> <ol style="list-style-type: none"> 1. Scope of work. 2. Contract value.

	<p>(ii) Two similar works costing not less than the amount equal to 50% of the annual estimated cost i.e., Rs. 7.75 Lakhs.</p> <p style="text-align: center;">OR</p> <p>(iii) One similar work costing not less than the amount equal to 80% of the annual estimated cost i.e., Rs. 12.4 Lakhs</p>	
7	<p>Bidders should have applicable and valid registrations with agencies in India:</p> <ol style="list-style-type: none"> 1. Income Tax (PAN) No, 2. Goods & Service Tax (GST) No, 	<p>Certified copies of supporting documents to be attached. Please note that all the relevant certificates should be valid as on date of opening of tender.</p>
8	<p>Bidder should not have been disqualified /debarred/ blacklisted from any Governments, Semi-governments, PSUs, Banks, Financial Institutions etc.</p>	<p>Suitable declaration as to be submitted on the Letter Head of the Firm duly signed by the Authorized Signatory only.</p>

1. **Past Performance:** The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 80% 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.

For fulfilling the experience criteria any one of the following documents may be considered as valid proof for meeting the experience criteria:

- a. Purchase Order copy along with Invoice(s) with self-certification by the bidder that supplies against the invoices have been executed.
- b. Execution certificate by client with order value.
- c. Any other document in support of order execution like Third Party Inspection release note, etc.

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

2. 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 3 years 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 year. In case of bunch bids, the primary product having highest value should meet this criterion. OEM should have installation base in the respective location for such Units and fully equipped Service center (For Precision AC units) to give prompt & efficient service;

3. **Upload Manufacturer Authorization:** Wherever Authorised Distributor/ Resellers are submitting the bid , Manufacturers Authorisation Form (MAF) mentioning Tender no and details along with OEM details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid.
4. **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.
5. **Certificates :** The bidder or the OEM of the offered products must have ISO 9001 certification. Material test certificate should be sent along with the supply. The material will be checked at Buyer's site & the Results of the site will be the sole criteria for acceptance of the item.

4. Bidders can also submit the EMD with Account Payee Demand Draft in favour of S N Bose National Centre for Basic Sciences payable at Kolkata

Bidder has to upload scanned copy / proof of the DD along with bid and has to ensure delivery of hardcopy to the Buyer within 5 days of Bid End date / Bid Opening date.

5. Successful Bidder can submit the Performance Security in the form of Account Payee Demand Draft also (besides PBG which is allowed as per GeM GTC). DD should be made in favour of S N Bose National Centre for Basic Sciences payable at Kolkata

. After award of contract, Successful Bidder can upload scanned copy of the DD in place of PBG and has to ensure delivery of hard copy to the original DD to the Buyer within 15 days of award of contract.

6. Buyback for Non PFMS/Non GPA:
 1. GST will apply on the value of buyback and separate invoice is to be prepared by Government buyer/Consignee for buyback items offline outside the GeM system. Vendor should work out input credit for that GST applicable on the buy back while quoting the product/services.
 2. Input GST Credit consideration by seller- seller shall offer the prices in the bid by the total amount of new goods including GST- total amount of old goods quoted by the firm excluding GST. This is because GST charged by buyer on buy-back value will be available for full ITC (input tax credit) on the hands of bidder. Therefore, for the purpose of quoting in the bid and evaluation, value as quoted by the bidder (excluding any GST on buy back) as indicated in column G below will be considered.

Illustrative examples for bidders are as under for understanding of the seller.

Excel sheet for explanation to Buyback ATC							
S.no	Cost of Fresh Good (A)	%age of GST on Fresh Good as considered by seller at the time of quote (B).	GST Amount on Fresh Good (C)	Cost of Buyback item (D)	%age of GST on Buyback items (E) as fixed by buyer in the bid	GST Amount on Buyback item (F) as applicable at the time of invoice by buyer	Quote of the Bidder (G= {A+C-D})
1	100	28	28	20	8	1.6	108
2	100	9	9	20	8	1.6	89
3	110	10	11	24	8	1.92	97

Seller after the award of the GeM contract, will indicate all column A to G which will not alter their quoted price indicated in Colum-G

3. Successful lowest bidder has to provide detailed cost break up of tendered items as well as buy back items separately after award of contract through email to the government buyer/consignee.
4. The seller of new item /service provider shall deposit the cost of invoiced buy back item with GST to the

- buyer for allowing seller to lift up the material from the buyer/consignee premise.
5. Transportation of buy back items from buyer premises shall be arranged by the seller itself without any extra cost.
 6. Government Buyer organisation /consignee will issue invoice of buy back items to the seller at the cost of buyback to be indicated to the buyer by the seller offline after receipt of order. This in no case will modify the bid in any manner.
 7. The seller will be entirely responsible for the safe disposal of old items without affecting the environment in any manner as per prevailing statutory rules and Act/ law of the land.
 8. The seller may visit the site and inspect the condition of buy back item in advance before quoting for the bid.
 9. Receipt of payment by the buyer for Old items and invoicing by buyer will be out of GeM portal.
 10. Government Buyer will upload the details of old goods along with the bid in the corrigendum with minimum price.
 11. If the minimum price (Optional) is indicated and sellers of new item who are not agreeing to take back the old item at equal to or above that minimum price should not participate in the bid.
 12. In case they participate into the bid and afterwards indicates the price of old goods, less than the minimum price shown by Government Buyer in corrigendum, EMD of the bidder will be forfeited.
 13. Item Details Consignee wise will be indicated in the corrigendum like -
 1. Consignee wise
 2. Item Description
 3. Serial Number
 4. Model
 5. Brand
 6. Year of manufacturing
 7. Purchased on
 8. Age
 9. Size, Rating, Designation
 10. Quantity
 11. Min price (Optional)
 12. Unit
 13. Working Guidelines (/Functional/Non-Functional)
 14. Remarks
 14. The successful bidder shall remove the old goods from the premise of the Government buyer/consignee at the time of the supply, installation and commissioning of fresh goods. Seller will be entitled for payment only after removal of old goods from Government buyer/consignee/user's premise and after supplying the fresh goods in terms of contract.
 15. Note: This clause of ATC shall be operated by non PFMS; non GPA buyer i.e. all PSU working through their ERP and not integrated with GPA.

Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization, whereby 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. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process. (However, in bids for

[attached categories](#), trials are allowed as per approved procurement policy of the buyer nodal Ministries)

9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.

Further, 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.

*This document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

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