

**NTPC LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)**

**UNIFIED SHARED SERVICE CENTRE, CPG-1, RAIPUR
CONTRACT & MATERIAL DEPTT**

NOTICE INVITING TENDER (NIT)

FOR

Transportation of 7.0 LMT Coal by Road from Talabira mines of NLCIL to NTPC/ Lara

(Domestic Competitive Bidding)

Tender Ref. No: NTPC/USSC-CPG1/9900267172

- I. NTPC invites on-line bids on **Single Stage Two Envelope Bidding basis (Envelope-I: Techno-commercial Bid & Envelope-II: Price Bid)** from Eligible Bidders for aforesaid package, as per the scope of work briefly mentioned hereinafter.
- II. **Brief Scope of Work:**
Transportation of 7.0 LMT Coal by Road from Talabira mines of NLCIL to NTPC/ Lara.
The detailed scope and description of work covered under this package has been specified in relevant clause of Detailed Technical Specification.
NTPC intends to finance subject Package through Domestic Commercial Borrowings/Own sources.
- III. Detailed Specification, Scope of Work and Terms and Conditions are given in the bidding document, which are available for examination at GeM Portal (<https://gem.gov.in>) and as per the following schedule:

Source of IFB/NIT	Central Procurement Group-1, Raipur
Mode of Tendering	Custom Bid Service on GeM Portal
Document Download Commencement Date & Time	As per details at GeM Portal
Last date for receipt of queries from bidders (if any)	
Last Date and Time for Bid submission	
Technical Bid Opening Date & Time	
Price Bid Opening Date & Time	Shall be intimated separately
Bid Security / EMD (INR)	Rs.50,00,000- (Rupees Fifty Lakh only) – To be submitted in the form of Bank Guarantee.

Benefit to MSME	Applicable. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.
Contract Period	Four (04) months
Pre-Bid Conference Date & Time (if any)	Not Applicable
Reverse Auction	Not Applicable
Integrity Pact	Applicable
Splitting of Quantity	Applicable

“No Queries from Bidders, whatsoever, shall be entertained by the Employer beyond the last date of receipt of Queries/ Pre-Bid Conference (if applicable) as specified on online portal.”

As per provisions of Bidding Documents, the Bidders shall submit “Techno-Commercial Proposal” and “Price Proposal” online (<https://gem.gov.in>), within the bid submission date and time as mentioned above.

Note: For any corrigendum and extension of date of bid submission, please visit the website <https://gem.gov.in>.

- IV. All bids must be accompanied by Bid Security, Power of Attorney and Integrity Pact. **Integrity Pact shall be submitted as per instruction mentioned in ITB/ BDS.**

Bid Security shall be submitted **in the form of Bank Guarantee (only)** in a sealed envelope separately in physical form by the stipulated bid submission closing date and time at the address given below.

ANY BID NOT ACCOMPANIED BY AN ACCEPTABLE BID SECURITY AND INTEGRITY PACT SHALL BE REJECTED BY THE EMPLOYER AS BEING NON-RESPONSIVE AND SHALL NOT BE OPENED.

- V. **Qualifying Requirements for Bidders:**

The bidder who wishes to participate in the bidding shall meet the Qualifying Requirements stipulated hereunder:

5.1	<u>Technical Criteria</u>
5.1.0	The bidder should have executed the work of “Loading/unloading and transportation by road of coal/overburden/shale/soil/minerals/Ash” during the preceding seven (7) years reckoned from the date of techno-commercial bid opening meeting the following criteria: i) The Bidder should have successfully executed the work for a total quantity of 3,36,000 MT in a continuous period of Four (4) months in not more than two(2) contracts. AND ii) The Bidder should have successfully executed the work for a minimum qty of 84,000 MT in any one(01) month in a single contract.
	Note:

	<p>A. The word ‘executed’ means that the bidder should have executed the work during last seven (7) years as on date of techno-commercial bid opening even if the contract has been started earlier and/or is not completed/closed</p> <p>B. Reference work (S) executed by the bidder, as a member of joint Venture/ Consortium /Associate can also be considered provided:</p> <p>B.1 The allocation of scope of work between the partners of the joint Ventures/ consortium/Associate is clearly defined in the executed joint venture agreement /consortium agreement / deed of joint undertaking and the bidder’s scope of work and break-up of quantities executed by them as individual contribution in the joint Venture/Consortium /Associate, duly authenticated by the Project Authority/Owner, meet the relevant provisions of eligibility criteria.</p> <p>B.2 In case the reference work has been executed by the bidder in an integrated joint venture wherein allocation of scope of work and break-up of quantities between the partners is not clearly specified in the integrated joint venture Agreement, then for establishing the eligibility as per technical criteria, the credit of executed quantities can be claimed by the bidder in the ratio of bidder’s share in the integrated joint Venture Agreement , provided the bidder establishes that it regularly undertakes work mentioned in Qualifying Requirements. The executed works/quantities by the Integrated Joint Venture shall be duly authenticated by the Project Authority/ Owner.</p>
<p>5.2</p>	<p><u>Financial Criteria</u></p>
<p>5.2.1</p>	<p>The Average Annual Financial Turnover (AATO) of the bidder during preceding three (03) consecutive financial years as on the date of techno-commercial bid opening should not be less than Rs. 24.20 Crores (INR Twenty-Four Crores and Twenty Lakh only).</p>
	<p>In case the Bidder does not satisfy the financial criteria, stipulated above on its own, its Holding Company would be required to meet the stipulated turnover requirements, provided that the Net Worth of such Holding Company as on the last day of the preceding financial year is at least equal to or more than the paid-up share capital of the Holding Company. In such an event, the Bidder would be required to furnish along with its Techno-Commercial bid, a Letter of Undertaking from the Holding Company, supported by the Holding Company’s Board Resolution, as per the format enclosed in the Bid Documents, pledging unconditional & irrevocable financial support for the execution of the Contract by the Bidder in case of award.</p>
<p>5.2.2</p>	<p>Net worth of the Bidder should not be less than 100% (hundred percent) of its paid-up share capital as on the last day of the preceding Financial year reckoned from the date of Techno-commercial bid opening.</p> <p>In case the Bidder does not meet the Net worth criteria on its own, it can meet the requirements of Net worth based on the strength of its Subsidiary(ies) and/or Holding Company and/or Subsidiaries of the Holding Companies, wherever applicable. In such a case, however the Net worth of the Bidder and its Subsidiary(ies) and/or Holding Company and/or Subsidiaries of the Holding Companies, in combined manner should not be less than 100% of their total paid up share capital. However individually, their Net worth should not be less than 75% of their respective paid-up share capitals.</p>

	<p>Net worth in combined manner shall be calculated as follows:</p> <p>Net worth (combined)= [(X1+ X2 +X3) / (Y1 +Y2+Y3)] X 100</p> <p>Where X1, X2, X3 are individual Net worth which should not be less than 75% (Seventy-five percentage) of the respective paid-up share capitals and Y1, Y2, Y3 are individual paid up share capitals.</p>
5.2.3	<p>In case the bidder is not able to furnish its audited financial statements on stand-alone entity basis, the unaudited unconsolidated financial statements of the bidder can be considered acceptable provided the bidder further furnishes the following documents for substantiation of its qualification:</p> <p>i) Copies of the unaudited unconsolidated financial statements of the bidder along with copies of the audited consolidated financial statements of the Holding Company.</p> <p>ii) A certificate from the CEO/CFO of the Holding Company, as per the format enclosed in the bidding documents, stating that the unaudited unconsolidated financial statements form part of the Consolidated Annual Financial Statements of the Holding Company.</p>
5.2.4	<p>In cases where audited results for the last financial year as on the date of Techno- commercial bid opening are not available, the financial results certified by a practicing Chartered Accountant shall be considered acceptable. In case, Bidder is not able to submit the certificate from practicing Chartered Accountant certifying its financial parameters, the audited results for the three (03) consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a certificate would be required from CEO/CFO as per the format enclosed in the bidding document stating that the financial results of the company are under audit as on the date of Techno-commercial bid opening and the certificate from the practicing Chartered Accountant certifying financial parameters is not available.</p>
	<p><u>Notes for Clause 5.2.0 above:</u></p>
(i)	<p>Net worth means the sum total of the paid-up share capital and free reserves. Free reserve means all reserves credited out of the profits and share premium account but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from reserves and surplus.</p>
(ii)	<p>Other income shall not be considered for arriving at annual turnover figures. “Holding Company” and “Subsidiary Company” shall have the meaning ascribed to them as per Companies Act of India.</p>

VI. Any Certificate(s) / Financial Statement(s) / Audited Balance Sheet and P&L Account (wherever applicable) undertaken/ signed by a Member of Institute of Chartered Accountant of India (ICAI), which Bidders submit in support of compliance to Qualifying Requirements (QR), will carry Unique Document Identification Number (UDIN) generated in line with the Gazette Notification of Council of Institute of Chartered Accountant of India (ICAI).

VII. The reference works whose details have been declared in their bid shall only be considered to ascertain the bidder's compliance to the specified qualifying

Requirement (QR).

The Employer at its discretion may seek any clarification and/or documentary evidence only for the reference works as mentioned above. However, no change or substitution of the reference works by new/additional plant for conforming to the specified qualifying Requirement shall be sought, offered or permitted.

- VIII. Notwithstanding anything stated above, the Employer reserves the right to assess the capabilities and capacity of the Bidder/ his collaborators / associates/ subsidiaries / group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the Employer.
- IX. 'Class-I local suppliers' only are eligible to participate in this tender, as defined in the bidding documents/ Public Procurement (Preference to Make in India), Order 2017 and its subsequent amendments/ revisions issued by DPIIT. **The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.**
- X. Any 'Bidder from a country which shares a land border with India', as specified in the Bidding Documents, will be eligible to bid in this tender only if bidder is registered with the Competent Authority as mentioned in the Bidding Documents.

Further, any bidder (including bidder from India) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, will be eligible to bid only if the bidder is registered with the same competent authority.

However, the said requirement of registration will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.

- XI. NTPC reserves the right to reject any or all bids or cancel/withdraw the NIT for the subject package without assigning any reason whatsoever and in such case no bidder/intending bidder shall have any claim arising out of such action.
- XII. The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the Gem Portal <https://gem.gov.in>. The Bidder would be required to register on the website.

First time users are required to register themselves on GeM Portal only. First time users not allotted any vendor code by NTPC, should send a copy of the registration details to the e-mail address specified in this NIT under Address for Communication with following details at least three working days prior to Technical Opening Date:

- i. Request on the letter head of the Company
- ii. Address Proof
- iii. Copy of GST Registration Certificate & PAN Card,
- iv. Email ID and Contact No.
- v. Name and Designation of the contact person
- vi. Cancelled cheque & E.F.T form duly verified by bank Note:

No Hard Copy of bidding documents shall be issued.

- XIII. Address for Communication

DGM/ AGM (Contracts & Materials)

NTPC Limited,
Unified Shared Service Centre,
Central Procurement Group-1,

Western Region-II Head Quarter, Plot No.-87, Sector-24, Atal Nagar
Nava Raipur, Raipur, Chhattisgarh, Pin Code-492101
Tel. No.: 0771-2515438/0771-2515307

Email: anilgupta03@ntpc.co.in / monikasagar@ntpc.co.in

Websites: <https://gem.gov.in>, www.ntpctender.ntpc.co.in or www.ntpc.co.in

XIV.

Registered Office:

NTPC Limited

NTPC Bhawan, SCOPE Complex,

7, Institutional Area, Lodi Road,

New Delhi – 110003

Corporate Identification Number: L40101DL1975GOI007966.

Website: www.ntpc.co.in



Bid Number/बोली क्रमांक (बिड संख्या):

GEM/2023/B/4117714

Dated/दिनांक : 23-10-2023

Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	10-11-2023 16:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	10-11-2023 16:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	30 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Power
Department Name/विभाग का नाम	Na
Organisation Name/संगठन का नाम	Ntpc Limited
Office Name/कार्यालय का नाम	Cg
Item Category/मद केटेगरी	Custom Bid for Services - Loading Unloading and Transportation of Coal by Road
Contract Period/अनुबंध अवधि	4 Month(s) 2 Day(s)
MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट	No
Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट	No
Document required from seller/विक्रेता से मांगे गए दस्तावेज़	Experience Criteria,Bidder Turnover,Certificate (Requested in ATC),Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC) *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
Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया	No
Type of Bid/बिड का प्रकार	Two Packet Bid
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	5 Days
Evaluation Method/मूल्यांकन पद्धति	Total value wise evaluation

EMD Detail/ईएमडी विवरण

Advisory Bank/एडवाइजरी बैंक	ICICI
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EMD Amount/ईएमडी राशि	5000000
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ePBG Detail/ईपीबीजी विवरण

Advisory Bank/एडवाइजरी बैंक	ICICI
ePBG Percentage(%) / ईपीबीजी प्रतिशत (%)	10.00
Duration of ePBG required (Months) / ईपीबीजी की अपेक्षित अवधि (महीने).	7

(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./जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज प्रस्तुत करने हैं। एमएसई केटेगरी के अंतर्गत केवल वस्तुओं के लिए विनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से छूट के पात्र हैं। व्यापारियों को इस नीति के दायरे से बाहर रखा गया है।

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable./ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए।

Beneficiary/लाभार्थी :

DGM(CS)

DGM/ AGM (Contracts & Materials) NTPC Limited, Unified Shared Service Centre, Central Procurement Group-1, Western Region-II Head Quarter, Plot No.-87, Sector-24, Atal Nagar Nava Raipur, Raipur, Chhattisgarh, Pin Code-492101 Tel. No.: 0771-2515438/0771-2515307

(Anil Gupta)

Splitting/विभाजन

Bid splitting not applied/बोली विभाजन लागू नहीं किया गया.

MII Compliance/एमआईआई अनुपालन

MII Compliance/एमआईआई अनुपालन	Yes
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MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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1. 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 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 service. If L-1 is not an MSE and MSE Service Provider (s) has/have quoted price within L-1+ 15% of margin of purchase preference /price band defined in relevant policy, then 100% order quantity will be awarded to such MSE bidder subject to acceptance of L1 bid price.

[OM No.1_4_2021_PPD_dated_18.05.2023](#) for compliance of Concurrent application of Public Procurement Policy

for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017. 2. 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.

Additional Qualification/Data Required/अतिरिक्त योग्यता /आवश्यक डेटा

Instruction To Bidder:[1697797355.pdf](#)

Pre Qualification Criteria (PQC) etc if any required:[1697797493.pdf](#)

Scope of Work:[1697797500.pdf](#)

Special Terms and Conditions (STC) of the Contract:[1697797524.pdf](#)

Service Level Agreement (SLA):[1697797531.pdf](#)

Payment Terms:[1697797537.pdf](#)

GEM Availability Report (GAR):[1697797557.pdf](#)

Any other Documents As per Specific Requirement of Buyer -1:[1697797569.pdf](#)

Any other Documents As per Specific Requirement of Buyer -2:[1697797575.pdf](#)

Custom Bid For Services - Loading Unloading And Transportation Of Coal By Road (1)

Technical Specifications/तकनीकी विशिष्टियाँ

Specification	Values
Core	
Description /Nomenclature of Service Proposed for procurement using custom bid functionality	Loading Unloading and Transportation of Coal by Road
Regulatory/ Statutory Compliance of Service	YES
Compliance of Service to SOW, STC, SLA etc	YES
Addon(s)/एडऑन	

Additional Specification Documents/अतिरिक्त विशिष्टि दस्तावेज़

Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	The quantity of procurement "1" indicates Project based or Lumpsum based hiring.	Additional Requirement/अतिरिक्त आवश्यकता
1	PRAMOD KUMAR PRADHAN	496440,NTPC Lara, Village - Chhapora, Tehsil - Pussore, Distt - Raigarh (CG) - 496440	1	N/A

Buyer Added Bid Specific Terms and Conditions/क्रेता द्वारा जोड़ी गई बिड की विशेष शर्तें

1. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

NIT / Tender Enquiry NO. NTPC/USSC-CPG1/9900267172

Name of Package: Transportation of 7.0 LMT Coal by Road from Talabira mines of NLCIL to NTPC/ Lara

- Additional Terms & Conditions (ATC) of this tender comprises the following documents:
 - Section-I: Invitation for Bids (IFB)/Tender Enquiry/Notice Inviting Tender (NIT).
 - Section-II: Instructions to Bidders (ITB)
 - Section-III: Bid Data Sheet (BDS)
 - Section-IV: General Conditions of Contract (GCC)
 - Section-V: Special Conditions of Contract (SCC)
 - Section-VI: Technical Specifications and Bid Drawings (Scope of Supply/Service)
 - Section-VII: Schedule of Quantities (SOQ) / Bill of Materials (BOM)
 - Section-VIII: Forms and Procedures (Part 1 of 3, Part 2 of 3 & Part 3 of 3)
- A complete set of documents as mentioned above are enclosed under "Any Other Documents As Per Specific Requirement of Buyer-1".**
- Terms and Conditions stipulated in ATC will supersede those in GeM GTC and STC in case of any conflicting provisions.
- Bidders are required to submit the documents as mentioned in the check list appended below while submitting their bid and submit the duly filled check list online on GeM portal in 'Additional ATC documents'.

Formats of the documents required to be submitted as per this check list can be referred to from "Section-VII: Forms and Procedures" enclosed under 'Instruction to Bidders' and "**Any Other Documents As Per Specific Requirement of Buyer-1**".

- "The format of the Bank Guarantee shall be in accordance with the form of Bank Guarantee towards Bid Security/EMD/Performance security included in the Employer's Bidding Documents only. In addition, the format of the Insurance Surety Bond shall also be in accordance with the form of Insurance Surety Bond towards Bid security/Performance security included in the Employer's Bidding Documents only. **Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive.**

- Instructions for filling the Price Bid:

- a. The Bidder is required to quote Lumpsum Price {Including GST) in GeM Bid for each BOQ item
- b. The Break-Up of applicable GST is required to be quoted in Attachment-14 as per the provisions of the bidding documents.
- c. Quantity Mentioned "1" in Gem Bid for each item represents Lumpsum-price {i.e. {(Quantity x Unit Rate)+ Quoted GST} for individual line item.

7. **MSEs seeking exemption for EMD and Purchase Preference shall select appropriate option on GeM portal (separately for each i.e. EMD & purchase preference) and should enclose a attested/self-certified copy of UDYAM registration certificate, failing which they run the risk of their bid being passed over as ineligible for the benefits applicable to MSEs.**

8. **Splitting of Quantity: Applicable (However due to GeM constraint, splitting is mentioned as Not Applied at Page No.2 of this bid)**

The Package is to be splitted in the ratio of 60:40.

Splitting of Quantity shall be done during Award as follows.

Among all qualified and substantially responsive bids, the lowest evaluated bid will be termed as L1.

1. 60% of the tendered quantity shall be awarded on lowest evaluated bidder (L1).
2. In case L1 is a MSE, then Conditions no. 3-4 mentioned below shall not be considered.
3. If L1, is not an MSE then, the next qualified lowest evaluated MSE bidder, whose Evaluated Bid Price (inclusive GST) is within the range of 15% of the lowest evaluated (L1) price (inclusive GST) shall be eligible for an opportunity to match the lowest evaluated/negotiated (L1) price (inclusive GST) and shall be considered for award of 40% of the tendered quantity. In case he fails to match the evaluated/negotiated L1 bid price, then opportunity to match evaluated/negotiated L1 bid price shall be given to further next lowest evaluated MSE bidder [within the range of 15% of the lowest evaluated (L1) price (inclusive GST)] and so on.
4. In case there is no qualified MSE in the L1 + 15% range or no MSE in the stipulated range agrees to the Lowest evaluated/negotiated L1 bid price then the 40% of the tendered quantity shall be awarded as per point 5 mentioned below.
5. The next lowest evaluated bidder (L-2) will be given the opportunity to match the evaluated/negotiated L1 bid price (inclusive GST). In case, the evaluated L-2 bidder agrees to match the evaluated/negotiated L1 price, 40% of the tendered quantity shall be awarded to that bidder. If the next evaluated L-2 bidder fails to match the evaluated/negotiated L1 bid price, then opportunity to match evaluated/negotiated L1 bid price shall be given to further next lowest evaluated bidder and so on (L3, L4...).

Notes:

- In the event of any quantity left uncovered after conditions 2-5 as above, 40 % quantity shall remain unawarded.
- Above, stipulated provisions will supersede the provisions mentioned for 'MSE Purchase Preference' on GeM Bid.

Further Splitting of Quantity (other than that specified as above): NOT Applicable

2. Buyer Added Bid Specific ATC

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

Disclaimer/अस्वीकरण

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. Any clause(s) incorporated by the Buyer regarding following shall be treated as null and void and would not be considered as part of bid:-

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.
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 Bid is governed by the [General Terms and Conditions/सामान्य नियम और शर्तें](#), conditions stipulated in Bid and [Service Level Agreement](#) specific to this Service as provided in the Marketplace. However in case if any condition specified in General Terms and Conditions/सामान्य नियम और शर्तें is contradicted by the conditions stipulated in Service Level Agreement, then it will over ride the conditions in 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./जेम की सामान्य शर्तों के खंड 26 के संदर्भ में भारत के साथ भूमि सीमा साझा करने वाले देश के बिडर से खरीद पर प्रतिबंध के संबंध में भारत के साथ भूमि सीमा साझा करने वाले देश का कोई भी बिडर इस निविदा में बिड देने के लिए तभी पात्र होगा

जब वह बिड देने वाला सक्षम प्राधिकारी के पास पंजीकृत हो।बिड में भाग लेते समय बिडर को इसका अनुपालन करना होगा और कोई भी गलत घोषणा किए जाने व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।

---Thank You/धन्यवाद---