

NSPCL (A joint Venture of NTPC & SAIL)

SHARED SERVICE CENTRE, Bhilai CONTRACT & MATERIAL DEPTT

Section-I

NOTICE INVITING TENDER (NIT) FOR" ANNUAL CONTRACT OF COAL UNLOADING & HOUSEKEEPING FOR 2026-27.

(Domestic Competitive Bidding)

Tender Ref: NSPCL-Bhilai/

GEM Bid no. GEM/2026/B/7880522

- 1.0 **NTPC SAIL POWER COMPANY LIMITED (NSPCL)** invites online bids through GeM Portal 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.

2.0 **BRIEF SCOPE OF WORK**

The scope of work comprises of **ANNUAL CONTRACT OF COAL UNLOADING & HOUSEKEEPING FOR 2026-27.**

NSPCL intends to finance subject Package through Internal Resources.

- 3.0 Detailed Specification, Scope of Work and Terms & Conditions are given in the Bidding Documents, which are available for examination and Sale at our ~~eProcurement Portal~~ (<https://eprocurentpc.nic.in/nicgep/app>) **GeM Portal** and as per the following schedule:

Form of Contract/Tender Category	Services*
Source of IFB/NIT	NSPCL-SSC-Bhilai
Mode of Tendering	Custom Bid Service on GeM Portal
NIT Date	As per details at GeM Portal
Document sale Commencement Date	
Last date for receipt of queries from bidders (if any)	
Last Date & time for Bid submission	
Technical Bid Opening Date & Time	
Price bid Opening Date & time	Shall be intimated separately.
Bid Security / EMD	Rs. 5,00,000/-
Benefit to MSME	Applicable.
Contract Period	12 Months
Pre-Bid Conference Date & Time (if any)	Not Applicable
Reverse Auction	Not Applicable
Integrity Pact	NOT 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".

Corrigendum (if any) shall be available on **GeM** Portal only.

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 on Gem Portal. Only Techno-Commercial proposals will be opened on the date and timed mentioned on Gem Portal.

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

- 4.0 All bids must be accompanied by Bid Security for an amount (as mentioned at Clause 3.0 above) and Integrity Pact. Integrity Pact shall be submitted as per instruction mentioned in ITB/SCC.

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

5.0 **BIDDER PARTICIPATION CRITERIA:**

QUALIFYING REQUIREMENT

Name of Work: BIENNIAL CONTRACT FOR MOTOR TRANSFORMER AND GENERATOR COOLER MAINTENANCE AT PP-II AND MOTOR MAINTENANCE & SERVICE TRANSFORMER PAINTING AT PP-3.

The Bidders who wish to participate in the bidding shall satisfactorily establish that they fulfil the following qualifying Requirements:

6.0	Qualifying Requirement The bidders who wish to participate in the bidding shall satisfactorily establish that they fulfil the following Qualifying Requirements.
6.1	Technical Criteria:
6.1.1	The bidder should have executed Similar Work(s) during the preceding 7 (Seven) years reckoned as on the date of technical bid opening having: a. Executed value not less than Rs238.07Lakhs in a Single Order OR b. Executed value not less than Rs. 148.79Lakhs in two Orders each OR c. Executed value not less than Rs. 119.03 Lakhs in three Orders each
6.1.2	NOTES: a. The word "Executed" means the bidder should have achieved the criterion specified in Qualifying Requirements, even if the total contract is not completed/ closed. A work executed in the preceding seven (7) year reckoned as on the date of technical bid opening, even if it has been started earlier, will also be considered for meeting the requirement against Clause 6.1.1 above. Agency has to furnish proof of executed value of the work in the form of copies of RA Bills, Relevant PO copy and client's completion certificate/ RA bill/Final Deviation Statement etc in support of meeting Qualifying Requirement. The phrase "Similar Work(s)" means "Loading/Unloading of Coal/Minerals/Ash/Slag from Railway Wagons by Mechanical means and/or Manually. Values as per clause 6.1.1 shall be considered exclusive of taxes & duties.
6.2	Financial Criteria
6.2.1	The average annual turnover (AATO) of the Bidder, should not be less than Rs 297.59 Lakhs (Indian Rupees Two Crore ninety seven Lakh & fifty nine Thousands Only) during the preceding three (03) completed financial years as on the date of Techno-Commercial bid opening.
6.2.2	In case 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 consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a Certificate would be required from the CEO/CFO as per the format enclosed in the bidding documents 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 the financial parameters is not available. 1. Other income shall not be considered for computing annual turnover. 2. The figures indicated in 6.2.1 are exclusive of Taxes and Duties.

6.0 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).

7.0 Notwithstanding anything stated above, the Employer reserves the right to assess the credentials/capabilities/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.

The physical or any mode of assessment/verifications by Employer shall include but not be limited to the assessment/verifications of office/ facilities/ banker's/ submitted reference works in lieu of credentials. A negative determination of such assessment of credentials/capacity/capabilities may result in rejection of the bid.

8.0 “ Bidders are required to furnish the details of the past experience like authentic Work Orders/Purchase Orders/Letter of Awards/Contract Agreements, client certificates, completion certificate, Financial Details etc. in support of meeting the Qualifying Requirements based on which selection is to be made as per format in Attachment -3 FORM FOR QUALIFICATION DETAILS .(mandatory)

9.0 No change in the price or substance of the bid including substitution of Purchase Orders/Contracts declared in Attachment-3 of the bid with new/additional Purchase Orders/Contracts for conforming to Qualifying Requirement shall be sought, offered or permitted.

10.0 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”.

“Bidders are required to furnish the details of the past experience like authentic Work Orders/Purchase Orders/Letter of Awards/Contract Agreements, client certificates, completion certificate, etc. in support of meeting the Qualifying Requirements based on which selection is to be made as per format. However, if any of the Work Orders/Purchase Orders/Letter of Awards/Contract Agreements pertains to the work executed by Bidder for NSPCL/NTPC in the past, then in respect of such Work Orders/Purchase Orders/Letter of Awards/Contract Agreements, Bidder shall not be required to enclose Client Certificate along with its Bid.”

i) All the bidders are required to submit the details of the past experiences, shall submit all the documents, in support of Technical Qualification Requirements (such as copy of Purchase Orders/ Work Orders/ Contract Agreements/ Client Certificates etc.), duly certified and verified for authenticity from Independent Statutory Auditor of their Company or specified Third-Party Inspection Agency (TPIA).

Further, wherever information can be drawn from books of accounts, records and other relevant documents, Bidders can also submit a certificate issued by their Independent Statutory Auditor certifying the data required for meeting the Technical Qualification Requirements.

ii) Such bidder shall be required to submit duly certified and verified documents from their Statutory Auditors or specified TPIA in support of meeting Technical QR along with a certificate regarding verification of authenticity of documents as per the format placed at Annexure-II (Appendix-1 to Attachment-3 - Undertaking from Statutory Auditor) and/ or Annexure-III (Appendix-2 to Attachment-3 - Undertaking from TPIA). All the documents submitted by the bidder in support of meeting Technical QR shall be digitally signed by the Statutory Auditor and/ or specified TPIA.

iii) In case documents are certified & verified for authenticity through TPIA, the verification and certification of authenticity of documents is acceptable from any of the following TPIAs:

- 1) SGS India Pvt. Ltd
- 2) International Certification Services Pvt. Ltd.
- 3) TUV Rheinland (India) Pvt. Ltd
- 4) TÜV SÜD South Asia Pvt. Ltd.
- 5) TUV India Pvt. Ltd. (TÜV Nord Group)
- 6) Intertek India Pvt. Ltd.
- 7) Competent Inspectorate and Consultants Pvt. Ltd.
- 8) KBS Certification Services Pvt. Ltd.
- 9) ICS India Pvt. Ltd.
- 10) Assure Quality Management Certification Services Pvt. Ltd.
- 11) Hertz Inspection & Services Pvt. Ltd.
- 12) Industrial Inspection and Verification Services (I) Pvt. Ltd.
- 13) IRCLASS Systems & Solutions Private Limited
- 14) Quality Services & Solutions Pvt. Ltd.
- 15) Phistream Consulting Pvt. Ltd.
- 16) Conformity India International Pvt. Ltd.
- 17) Dr. Amin Controllers Pvt. Ltd. (Amin)
- 18) RSJ Inspection Service Limited (RSJ)

The following website may be referred for contact details of above eighteen (18) TPIAs:

http://nabcb.qci.org.in/accreditation/reg_bod_inspection_bodies.php

Any document pertaining to reference works/ plants in support of Technical QR, which is not certified by specified TPIA or Statutory Auditor of the bidder, as per the format enclosed with the bidding documents, shall not be considered verified/ certified for the purpose of evaluation, and the bid shall be liable for rejection.

iv) The Bidder shall be responsible to get their documents/ credentials in support of Qualifying Requirements verified & certified by their Statutory Auditor(s) and/ or specified TPIAs. All the costs pertaining to third party verification and certification (including those by statutory auditors) shall be borne by the Bidder. Employer shall have no liability (financial or otherwise) towards the same and shall not be liable for any claim/ dispute between the bidder and TPIA and/ or Statutory Auditor.

11.0 '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.**

12.0 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.

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.

13.0 NSPCL reserves the right to reject any or all bids or cancel / withdraw the Invitation for Bids/NIT without assigning any reason whatsoever and in such case no bidder / intending bidder shall have any claim arising out of such action.

14.0 The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the [GeM](https://gem.gov.in) 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 NSPCL, 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:

- a) Request on the letter head of the Company
- b) Address Proof
- c) Copy of GST Registration Certificate & PAN Card,
- d) Email ID and Contact No.
- e) Name and Designation of the contact person
- f) Cancelled cheque & E.F.T form duly verified by bank

Note: No Hard Copy of bidding documents shall be issued.

15.0 Address for communication:

AGM/DGM (Contracts & Materials)
NTPC SAIL POWER COMPANY LIMITED (NSPCL),
Shared Service Centre, Bhilai
Expansion Site, Near Purena Village, Bhilai (East) , PO-Dist:Durg(C.G.)
Pin Code-490021
Tel. No.: 0788-2282435
Email: ak.sahoo@nspcl.co.in/, arti.choure@nspcl.co.in

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

16.0 Registered Office:

NSPCL,, 4TH Floor, NBCC Tower,
15, Bhikaji Cama Place,
New Delhi

बिड दस्तावेज़ / Bid Document

बिड विवरण/Bid Details	
बिड बंद होने की तारीख/समय /Bid End Date/Time	01-09-2026 10:00:00
बिड खुलने की तारीख/समय /Bid Opening Date/Time	01-09-2026 10:30:00
बिड पेशकश वैधता (बंद होने की तारीख से)/Bid Offer Validity (From End Date)	180 (Days)
मंत्रालय/राज्य का नाम/Ministry/State Name	Ministry Of Power
विभाग का नाम/Department Name	Ntpc Sail Power Company Ltd
संगठन का नाम/Organisation Name	Ntpc Sail Power Company Ltd
कार्यालय का नाम/Office Name	Nspcl Ssc Bhilai
शिकायत निवारण के संपर्क विवरण/ Contact details of Grievance redressal	HOD Email id :ak.sahoo@nspcl.co.in Buyer Email id: buyer10.nspcl.cg@gembuyer.in
वस्तु श्रेणी /Item Category	Custom Bid for Services - ANNUAL CONTRACT OF COAL UNLOADING & HOUSEKEEPING FOR 2026-27, CHP PP-II NSPCL Bhilai
समान श्रेणी/Similar Category	Operation and Maintenance Power House / Power Plant
अनुबंध अवधि /Contract Period	1 Year(s)
एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है/MSE Relaxation for Years of Experience and Turnover	No
स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है /Startup Relaxation for Years of Experience and Turnover	No
बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या। / Minimum number of bids required to disable automatic bid extension	3
दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / Number of days for which Bid would be auto-extended	5
ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / Number of Auto Extension count	3
बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled	No

बिड विवरण/Bid Details	
बिड का प्रकार/Type of Bid	Two Packet Bid
तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation	2 Days
अनुमानित निविदा मूल्य (सभी करों सहित) भारतीय रुपये में / Estimated Bid Value in INR (Inclusive of all taxes)	34461565.8
Payment Timelines	Payments shall be made to the Seller within 30 days of issue of service delivery acceptance certificate (SDAC) and on-line submission of bills (This is in supersession of 10 days time as provided in clause 12 of GeM GTC)
मूल्यांकन पद्धति/Evaluation Method	Total value wise evaluation
मध्यस्थता खंड/Arbitration Clause	No
सुलह खंड/Mediation Clause	No

ईएमडी विवरण/EMD Detail

एडवाइजरी बैंक/Advisory Bank	State Bank of India
ईएमडी राशि/EMD Amount	500000

ईपीबीजी विवरण /ePBG Detail

एडवाइजरी बैंक/Advisory Bank	State Bank of India
ईपीबीजी प्रतिशत (%) /ePBG Percentage(%)	5.00
ईपीबीजी की आवश्यक अवधि (माह) /Duration of ePBG required (Months).	14

(a). जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित कैटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज प्रस्तुत करने है। एमएसई कैटेगरी 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।/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).ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए। / EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

(c).ईएमडी और संपादन जमानत राशि लाभार्थी के पक्ष में होनी चाहिए। / Earnest Money Deposit (EMD) shall also be accepted by the buyer in the form of a surety bond.

लाभार्थी /Beneficiary :

Sr.Manager(SSC-CS)
NSPCL SSC Bhilai, NTPC SAIL Power Company Ltd, NTPC SAIL Power Company Ltd, Ministry of Power
(Arti Choure)

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

एमआईआई अनुपालन/MII Compliance

एमआईआई अनुपालन/MII Compliance	Yes
-------------------------------	-----

एमएसई खरीद वरीयता/MSE Purchase Preference

एमएसई खरीद वरीयता/MSE Purchase Preference	Yes
सूक्ष्म और लघु उद्यम मूल उपकरण निर्माताओं/सेवा प्रदाता को खरीद में प्राथमिकता, यदि उनका मूल्य $L1+X\%$ / Purchase Preference to MSE OEMs/ Service Provider available upto price within $L1+X\%$	15

ट्रेड्स भुगतान संबंधी विवरण/TReDS Payment Details

This Bid provides for Trade Receivables Discounting System (TReDS) as Preferred mode of payment. For MSME sellers, payments may be processed through a TReDS exchange in which the Buyer is registered, subject to applicable policy and regulatory guidelines. Accordingly, sellers intending to avail payment through TReDS are required to be registered with at least one TReDS exchange in which the buyer is registered.

- 1. Purchase preference to Micro and Small Enterprises (MSEs):** Purchase preference will be given to MSEs having valid Udyam Certificate and whose credentials are validated online through Udyam Registration portal 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 themselves of the Purchase preference, the bidder must be the manufacturer / OEM of the offered product on GeM. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises and hence resellers offering products manufactured by some other OEM are not eligible for any purchase preference. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service, and Buyer will decide eligibility for purchase preference based on documentary evidence submitted in case of product bids, whereas in case of services the eligibility is automatically validated. 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 MSE Seller shall be given opportunity to match L-1 price and contract will be awarded for % (selected by Buyer) percentage of total quantity. The buyers are advised to refer the [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. 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.
- 2. 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 as defined in the relevant policy, then 100% order quantity will be awarded to such MSE bidder subject to acceptance of L1 bid price.**
- 3. 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.**

एक्सेल में अपलोड किए जाने की आवश्यकता /Excel Upload Required :

BOQ - [1785927666.xlsx](#)

अतिरिक्त योग्यता /आवश्यक डेटा/Additional Qualification/Data Required

Introduction about the project /services being proposed for procurement using custom bid functionality:[1785927676.pdf](#)

Instruction To Bidder:[1785927680.pdf](#)

Pre Qualification Criteria (PQC) etc if any required:[1785927682.pdf](#)

Scope of Work:[1785927685.pdf](#)

Payment Terms:[1785927689.pdf](#)

GEM Availability Report (GAR):[1785927693.pdf](#)

Undertaking of Competent Authority is mandatory to create Custom Bid for Services. Please download standard format document and upload:[1785927696.pdf](#)

Any other Documents As per Specific Requirement of Buyer -1:[1785928073.pdf](#)

Any other Documents As per Specific Requirement of Buyer -2:[1785928077.pdf](#)

Custom Bid For Services - ANNUAL CONTRACT OF COAL UNLOADING & HOUSEKEEPING FOR 2026-27, CHP PP-II NSPCL Bhilai (1)

तकनीकी विशिष्टियाँ /Technical Specifications

विवरण/ Specification	मूल्य/ Values
कोर / Core	
Description /Nomenclature of Service Proposed for procurement using custom bid functionality	ANNUAL CONTRACT OF COAL UNLOADING & HOUSEKEEPING FOR 2026-27, CHP PP-II NSPCL Bhilai
Regulatory/ Statutory Compliance of Service	YES
Compliance of Service to SOW, STC, SLA etc	YES
एडऑन /Addon(s)	

क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer

क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer	No
--	----

अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents

प्रेषिती/रिपोर्टिंग अधिकारी /Consignees/Reporting Officer and Quantity

क्र.सं./S.N o.	प्रेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	Quantity	अतिरिक्त आवश्यकता /Additional Requirement
1	Shipi Arya	490021,NSPCL Expansion Site PP3 Near Purena Village Bhilai (East)	Project / Lumpsum Based	N/A

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

1. **Generic**

OPTION CLAUSE 25% : The buyer can increase or decrease the contract quantity or contract duration up to 25 percent at the time of issue of the contract. However, once the contract is issued, the contract quantity or contract duration can only be increased up to 25 percent. Bidders are bound to accept the revised quantity or duration.

For lumpsum-based service contracts, the buyer may increase the scope of work and contract value up to 25 percent with the consent of the service provider

2. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

Buyer Added text based ATC clauses

Option clause 25% has been selected in GEM however, for quantity variation and contract duration, terms and conditions mentioned in the bidding documents shall prevail over option clause 25% under Generic terms and conditions in GEM

अस्वीकरण/**Disclaimer**

The Additional Terms and Conditions (ATC) have been incorporated by the Buyer after approval of their Competent Authority. The Buyer, is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any restriction arising in the bidding process due to these ATCs and including the modification of technical specifications and / or terms and conditions governing the bid. All representations / grievances pertaining to the ATC clauses shall be raised with the buyer organization directly and not with GeM. If any of the clause(s) is/are incorporated by the Buyer regarding the following, the bid & resultant contract shall be treated as null & void. Further, GeM reserves the right, at its sole discretion, to cancel the bid forthwith, without issuance of any prior notice or intimation :-

1. Publishing Custom / BOQ bids for items for which regular GeM categories are available (unless such Custom / BOQ item is bunched with the major regular product Category Item).
2. Mandating procurement of / from specific Brand / Make / Model / Manufacturer / Dealer except in case of Single Bid / Proprietary Article Certificate (PAC) Buying.
3. Inclusion of disqualification criteria related to suspension of seller / service provider, where such suspension period has already expired.
4. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
5. Publishing bids on GeM for procurement of works.
6. Procurement of Goods by creating a Service bid on GeM & vice-versa.
7. Seeking sample with bid or approval of samples during bid evaluation process. However, trial / sample, as the case may be, shall be permitted in cases where trial / sample are allowed as per approved and published procurement policy of the Buyers' controlling Ministry / Department / State / Public Sector Enterprises Headquarters. If there is any violation of trial / sample clause with regard to approved policy of the Buyers' Ministry / Department / State / Public Sector Enterprises Headquarters, then this is to be determined and redressed by the concerned Buyer Organisation only.
8. Seeking experience from specific organization / department / institute only or from foreign / export experience.
9. Creating bid for items from incorrect categories.
10. Reference of conditions published on any external site or reference to external documents/clauses.
11. Asking for any Tender fee / Bid Participation fee, as the case may be.
12. Buyer added ATC Clauses which are in contravention of clauses defined in bid detail section, including specifications, EMD Detail, ePBG Detail and MII and MSE Purchase Preference sections of the bid, unless otherwise allowed by the applicable GeM GTC.

13. Any ATC clause in contravention with GeM GTC Clause 4 (xiii) (h) will be invalid. In case of multiple L1 bidders against a service bid, the buyer shall place the Contract by selection of a bidder amongst the L-1 bidders through a Random Algorithm executed by GeM system.
14. In a category based bid, adding additional items, through buyer added, additional scope of work/ additional terms and conditions/or any other document. If buyer needs more items along with the main item, the same must be added through bunching category based items or by bunching custom catalogues or bunching a BoQ with the main category based item, the same must not be done through ATC or Scope of Work.

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. 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.

All GeM Sellers/Service Providers shall ensure full compliance with all applicable labour laws, including the provisions, rules, schemes and guidelines under the four Labour Codes i.e. the Code on Wages, 2019; the Industrial Relations Code, 2020; the Occupational Safety, Health and Working Conditions Code, 2020; and the Code on Social Security, 2020 as and when notified and brought into force by the Government of India.

For all provisions of the Labour Codes that are pending operationalisation through rules, schemes or notifications, the corresponding provisions of the pre-existing labour enactments (such as The Minimum Wages Act, 1948, The Payment of Wages Act, 1936, The Payment of Bonus Act, 1965, The Equal Remuneration Act, 1976, The Payment of Gratuity Act, 1972, etc. and relevant State Rules) shall continue to remain applicable.

The Seller/ Service Providers shall, therefore, be responsible for ensuring compliance under:

- **All notified and enforceable provisions of the new Labour Codes as mentioned hereinabove; and**
- **All operative provisions of the erstwhile Labour Laws until their complete substitution.**

All obligations relating to wages, social security, safety, working conditions, industrial relations etc. and any other statutory requirements shall be strictly met by the Seller/ Service Provider. Any non-compliance shall constitute a breach of the contract and shall entitle the Buyer to take appropriate action in accordance with the contract and applicable law.

This Bid is governed by the General Terms and Conditions, conditions stipulated in Bid and Service Level Agreement specific to the Service, as the case may be, as provided in the Marketplace.

However, in case of Service, if any condition specified in General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement specific to said Service, then it will over-ride the conditions in the General Terms and Conditions.

This Bid is governed by the [सामान्य नियम और शर्तें/General Terms and Conditions](#), 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 सामान्य नियम और शर्तें/General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement, then it will over ride the conditions in the General Terms and Conditions.

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 कार्यवाई का आधार होगा।/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.

---धन्यवाद/Thank You---