Bid Number: GEM/2024/B/5148220
Dated: 01-08-2024

Bid Corrigendum

GEM/2024/B/5148220-C3

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. Buyer Added text based ATC clauses

Pre-Qualification Criteria

(A) Technical

(1) The Bidder should have successfully executed [a] similar works [b] for customer in Govt. / PSU / Private sector company / Multinational company / Bank / Financial institutions / Healthcare institutions / Educational institutions during last 5 (Five) years ending on latest due date of submission of offer, of either of the following value:

(i) One project costing more than the Rs. 68 Lakhs

OR

(ii) Two projects costing more than the Rs. 42 Lakhs, each

OR

(iii) Three projects costing more than the Rs. 34 Lakhs each

(a) The word executed means **either** (the job having minimum contract period of 01 year has been completed) **or** (the job is under execution for at least 01 year) within last 05 years ending on latest due date of submission of offer.

(b) Similar works means:

Annual Maintenance Contract (AMC)

OR

Maintenance Service of IT Equipment

OR

Annual Maintenance Contract (AMC) AND Facility / Infrastructure Management Service

OR

Maintenance Service of IT Equipment AND Facility / Infrastructure Management Service comprises of Desktops / PCs, Servers, Laptops, Network Switches, LAN, Printers / Plotters / Multifunction Devices, Scanners, UPS etc. IT related equipment.

(c) Bidder should submit documentary evidence like copy of work order / purchase order and completion certificate / work done certificate for successful execution of the job along with contact details including email and phone no. of the customer(s).

(2) Bidder should have valid ISO 9001:2015 certification. Bidder shall submit documentary evidence for the same.

(3) Bidder should have valid ISO 27001:2013 or 27001:2022 certification. Bidder shall submit documentary evidence for the same.

(4) Bidder should have valid ISO 20000-1:2011 or 20000-1:2018 certification. Bidder shall submit documentary evidence for the same.

(5) The Bidder should have registered office in Eastern India (West Bengal / Bihar / Jharkhand / Odisha) with GST registration, as Eastern India is the gamut of operation of BHEL PSER. GST registration certificate for the same is required to be submitted as compliance.

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(B) Financial

SL NO.	CRITERIA
1.0 (a)	BIDDER SHOULD HAVE AVERAGE MINIMUM ANNUAL FINANCIAL TURNOVER OF Rs 25.34 LAKH DURING THE LAST THREE (3) FINANCIAL YEARS ENDING ON 31.03.2023 AND SHOULD HAVE POSITIVE NET WORTH ON LATEST AUDITED ACCOUNTS AS SUBMITTED FOR PARA 1(c).
(b)	BIDDER MUST HAVE EARNED PROFIT IN ANY ONE OF THE LAST FIVE (5) FINANCIAL YEARS ENDING ON 31.03.2023 (i.e. FOR THE FINANCIAL YEARS 2018-19, 2019-20, 2020-21, 2021-22 AND 2022-23). AUDITED BALANCE SHEET AND PROFIT & LOSS ACCOUNT OF THE COMPANY FOR THE LAST FIVE (5) FINANCIAL YEARS ENDING ON 31.03.2023, NEED TO BE SUBMITTED IN SUPPORT OF ABOVE.
(c)	IN CASE AUDITED BALANCE SHEET AND PROFIT & LOSS ACCOUNT HAS NOT BEEN SUBMITTED FOR ALL THREE YEARS

(d)	INDICATED IN 1.0 (a) ABOVE, THEN APPLICABLE FINANCIAL AUDITED STATEMENTS SUBMITTED BY THE BIDDER AGAINST THE REQUISITE THREE YEARS WILL BE AVERAGED FOR THREE YEARS. IF FINANCIAL STATEMENTS ARE NOT REQUIRED TO BE AUDITED STATUTORILY, THEN INSTEAD OF AUDITED FINANCIAL STATEMENTS, FINANCIAL STATEMENTS ARE REQUIRED TO BE CERTIFIED BY CHARTERED ACCOUNTANT.
2.0	BIDDER SHOULD HAVE VALID PAN AND VALID GST REGISTRATION CERTIFICATE. RELEVANT DOCUMENT IN SUPPORT OF ABOVE SHALL BE SUBMITTED BY BIDDER.
3.0	CONSORTIUM / JV BIDDING IS NOT ALLOWED.

Note:

1. The bidder who meets the above pre-qualification criteria can only participate in the tender.
2. Bidders quoting in Indian currency (INR) only shall be qualified.
3. If the bidder happens to be subsidiary of a parent company, then the credentials of its sister-concern (under the same business) and the parent company can also be considered for meeting the above PQC.
4. Bidder must not be under bankruptcy code proceedings (IBC) by NCLT or Under liquidation / BIFR, which will render him ineligible for participation in this tender, and shall submit undertaking to this effect.
5. The Bidder must not be currently blacklisted / banned for business dealings by any Govt. authority / department / agency or by any BHEL Unit / Region / Division / Office, and shall submit undertaking to this effect.
6. The scope is not splittable / not divisible.

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2. Buyer uploaded ATC document [Click here to view the file](#).
3. 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% 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 percentage of 100% of total value.
4. 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.
5. Preference to Make In India products (For bids less than 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 50%. 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. In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

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.
15. 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.

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