

### Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	28-06-2024 13:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	28-06-2024 13:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	60 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Heavy Industries And Public Enterprises
Department Name/विभाग का नाम	Department Of Heavy Industry
Organisation Name/संगठन का नाम	Bharat Heavy Electricals Limited (bhel)
Office Name/कार्यालय का नाम	10300018-pswr
Total Quantity/कुल मात्रा	20000
Item Category/मद केटेगरी	Portland - Pozzolana Cement (Fly Ash Based) for Bulk Buying as per IS 1489 (Part 1) (Q2)
Minimum Average Annual Turnover of the bidder (For 3 Years)/बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का)	510 Lakh (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	Bidder Turnover, Additional Doc 1 (Requested in ATC), Additional Doc 2 (Requested in ATC), Additional Doc 3 (Requested in ATC), Additional Doc 4 (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	Yes
RA Qualification Rule	H1-Highest Priced Bid Elimination
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	2 Days

Bid Details/बिड विवरण	
Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)	No
Payment Timelines	Payments shall be made to the Seller within <b>90</b> days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days time as provided in clause 12 of GeM GTC)
Evaluation Method/मूल्यांकन पद्धति	Total value wise evaluation

#### EMD Detail/ईएमडी विवरण

Required/आवश्यकता	No
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#### ePBG Detail/ईपीबीजी विवरण

Required/आवश्यकता	No
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#### Splitting/विभाजन

Splitting Applied	Yes
Maximum No. Of Bidders Amongst Which Order May Be Split	2
Split Criteria based on which quantity will be distributed	60:40

#### Reserved for Make In India products

Reserved for Make In India products	Yes
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#### MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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1. 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.
2. Bid reserved for Make In India products: : Procurement under this bid is reserved for purchase from 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.

However, eligible micro and small enterprises will be allowed to participate. The minimum local content to qualify as a class 1 local supplier is denoted in the bid document. All bidders 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 the bid is liable to be rejected. 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 . In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

3. Purchase preference will be given to MSEs having valid Udyam Registration 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. 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. 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 and Buyer will decide eligibility for purchase preference based on documentary evidence submitted, while evaluating the bid. 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 25% (selected by Buyer) percentage of total quantity. The buyers are advised to refer the OM No. F.1/4/2021-PPD dated 18.05.2023 [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.

4. 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.

5. 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

## **Portland - Pozzolana Cement (Fly Ash Based) For Bulk Buying As Per IS 1489 (Part 1) ( 20000 metric tonne )**

**(Minimum 50% Local Content required for qualifying as Class 1 Local Supplier)**

### **Technical Specifications/तकनीकी विशिष्टियाँ**

[\\* As per GeM Category Specification/जेम कैटेगरी विशिष्टि के अनुसार](#)

<b>Specification</b>	<b>Specification Name/विशिष्टि का नाम</b>	<b>Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य</b>
General Requirements	<b>Content of fly ash ,in percent</b>	35
Packing and Marking	<b>Packing Material</b>	HDPE/PP woven sacks conforming to IS 11652

**Additional Specification Parameters - Portland - Pozzolana Cement (Fly Ash Based) For Bulk Buying As Per IS 1489 (Part 1) ( 20000 metric tonne )**

Specification Parameter Name	Bid Requirement (Allowed Values)
Compressive Strength of PPC	$\geq 43\text{Mpa}$
Consistency of PPC cement: Cement Consistency should not be more than	35%

\* Bidders offering must also comply with the additional specification parameters mentioned above.

**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Quantity/मात्रा	Delivery Days/डिलीवरी के दिन
1	Sanjeev Kumar	829119,BHEL SITE OFFICE 3X800MW, PVUNL PATRATU DIST- RAMGARH, (JHARKHAND) PIN-829119	20000	180

**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

**PORTLAND POZZOLANA CEMENT**

**Additional Terms and conditions**

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**Bidders Kindly Note that:**

**THIS PROCUREMENT OF PPC IS 100% THRU' BAGS ONLY**

**1. EVALUATION MODALITY:**

**a)** In the course of evaluation, if more than one bidder happens to occupy L-1 status, effective L-1 will be decided by soliciting discounts from the respective L-1 bidders.

**b)** In case more than one bidder happens to occupy L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a Toss/Draw of lots, in the presence of the respective L-1 bidder(s) or their representative(s).

c) Ranking will be done accordingly. BHEL decision in such situations shall be final and binding.

2. **CUSTOMER APPROVAL:** Not Required. However, Any Cement Manufacture holding valid **BIS LICENCE** for Manufacturing of Portland Pozzolana Cement (PPC) as per IS 1489 shall be eligible.

3. **VALIDITY OF PRICE:** Price submitted shall be valid for **60 days** from the date of opening of technical bid for the finalization of the tendering processes.

4. **VALIDITY OF PURCHASE ORDER:** The validity of the Purchase Order will be for **(06) Six months** from the date of issuance of P.O.

5. **PAYING AUTHORITY, CONSIGNEE & INVOICES SHALL BE ADDRESSED TO:**

Construction Manager,  
Bharat Heavy Electricals Limited Power Sector Western Region  
BHEL Site Office, 3x800MW PVUNL Patratu Project,  
Dist.: Ramgarh, Jharkhand  
GST No: 20AAACB4146P5ZP

6. **DELIVERY TERMS:** Suppliers shall quote the rates on F.O.R. Destination Basis only. Offers other than F.O.R. Destination Basis will not be accepted by BHEL.

Destination: Construction Manager,  
Bharat Heavy Electricals Limited Power Sector Western Region  
BHEL Site Office, 3x800MW PVUNL Patratu Project,  
Dist.: Ramgarh, Jharkhand  
GST No: 20AAACB4146P5ZP

7. **DELIVERY SCHEDULE:** Cement shall be delivered to site within 5-10 Days from the date of receipt of Material Dispatch Clearance Certificate (MDCC) issued from Site.

Sl No	Quantity	Delivery to Start after (in Days)	Delivery to be completed by (in Days)
1	20,000 MT (thru' 100% Bags only)	1	180

8. **TRANSIT INSURANCE:** As per GeM, Transit insurance from supplier's works/warehouse to BHEL site stores shall be in scope of supplier.

9. **PRE-QUALIFICATION CRITERIA (PQR):** Bidder shall essentially meet all the Qualifying Requirements as cited below:

**A. Technical PQR:**

i) Any Cement Manufacture holding valid **BIS Licence** for Manufacturing of Portland Pozzolana Cement (PPC) as per IS 1489 shall be eligible. Hence as per indenter confirmation in TCC, experience criteria not mentioned in PQR.

**B. Financial PQR:**

i) Bidders must have achieved an average annual financial turnover (Audited) of **Rs. 510 Lac or more**, over the **last three Financial Years (FY) i.e. 2020-21, 2021-2022 & 2022-23** and this requirement shall supersede other Turnover parameters cited elsewhere.

ii) Audited Financial documents of **FY 2020-21, 2021-2022 & 2022-23** shall be furnished in support of Turnover Criteria.

iii) 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.

iv) In case of audited Financial statements have not been submitted for all the three years as indicated against Financial Turnover QR (Qualifying requirement) above, then the applicable audited statements submitted by the bidders against the requisite three years, will be averaged for three years i.e. total divided by three.

**C. Relaxation in Pre-Qualifying Requirement (PQR) for MSE's and Start-ups:**

**Micro and Small Enterprises**

- i) The Technical Pre-Qualifying Requirements: Not Applicable.
- ii) **Financial Pre Qualifying Requirement (PQR) including Turnover:** The financial pre-qualifying requirements is relaxed by 50% of the original Pre -Qualifying Requirement specified in the tender.
- iii) Other Pre-Qualifying requirements such as Machineries, BIS, or any form of licenses or customer approval or requirements other than stated in **Point No. (A)**, shall remain the same for all bidders.
- iv) Definition of Start-up shall be in line with Gazette Notification No DL 33004/99 dated 19.02.2019 and subsequent amendments, if any.

- 10. PAYMENT TERMS:** Following payment terms shall be applicable (This shall supersede the payment terms mentioned elsewhere in GeM bid.

Type of Bidder	Payment Terms	Payment Timelines ( Number of days)
Micro & Small Enterprises	Payment shall be released within 45 days after receipt & acceptance of material at site and submission of documents##. <b>Note:</b> Duration of 28 days' test report for acceptance is included in 45 days payment timeline.	45 days
Medium Enterprises	Payment shall be released within 60 days after receipt & acceptance of material at site and submission of documents##. <b>Note:</b> Duration of 28 days' test report for acceptance is included in 60 days payment timeline.	60 days
Non MSME	Payment shall be released within 90 days after receipt & acceptance of material at site and submission of documents##. <b>Note:</b> Duration of 28 days' test report for acceptance is included in 90 days payment timeline.	90 days

Time period of 90 days/60 days /45 days (as applicable) would start from receipt of actual MDCC Quantity at Site & physical verification by BHEL.

**## Following documents shall be submitted**

**along with invoice:**

- a) GST Compliant Invoice (1 Original+ 2 Copies)
- b) Copy of LR
- c) Copy of Manufacturer's Test Result in Original showing compressive Strength of 28 days' result accepted by BHEL/ Site (System generated/ e-signed certificates are acceptable) for the invoice.

Note: Proof for Micro, Small and Medium Enterprises has to be furnished by the bidder

- 11. LIQUIDATED DAMAGES/PENALTY:** As per GeM GTC
- 12. ORDERED QUANTITY VARIATION:** +/-25% (As per GEM ATC)
- 13. SUPPLY QUANTITY TOLERANCE:** +/-25% (From MDCC)
- 14. PERFORMANCE BANK GUARANTEE (PBG):** Not Applicable
- 15. EARNEST MONEY DEPOSITS (EMD):** Not Applicable
- 16. SPLITTING:** Applicable (60:40), Refer GeM Bid

## Splitting Criteria:

**Case 1:** For Award of PPC Procurement, the attempt shall be made to distribute the work approximately in the ratio of **60:40 between L-1 bidder & the other bidder** as per NIT T&C. For this, next bidder in the order of their price competitiveness (i.e. L-2, then L-3 & So on) shall be given an option to match their price/item rate, with the Awarded/Finalized Price/Item Rate of L-1.

**Case 2:** In case none of the bidders agrees to Price Match the Awarded Price/Item Rate of L-1, then 60% tendered quantity shall be awarded to L-1 bidder and BHEL may opt for retendering to finalize the remaining part (40%) of work considering case 1 and whichever is applicable. BHEL Decision in this regard shall be firm & final.

**Case 3:** Further, it will be on BHEL discretion to go for Splitting/Award of full quantity to L-1 bidder in case of not fulfilling the case-1 & case-2

**17. INTEGRITY PACT:** Applicable.

**18. REVERSE AUCTION:** Applicable. As per GeM Terms and Conditions

**19. RA QUALIFICATION RULE:** Elimination of H-1 (Refer GeM bid)

**20. INSPECTION REQUIREMENT:**

- i) Preliminary Cement will be accepted on the basis of 3 and 7-day test report (MTC to be submitted by supplier for review by BHEL for preliminary acceptance), but final acceptance criteria will be 28 days' test report at BHEL lab/ BHEL approved lab if required
- ii) The performance improver shall be limited up to 5%. Reference sample for each supplied lot to be collected at BHEL and same will be tested at BHEL lab/ BHEL approved lab, if required Supplier shall be available to carry out Joint Sampling of Cement, if required.
- iii) In case, test results of the collected cement sample fails, the entire lot may be rejected and the supplier will have to do free replacement at their cost.

**21. MII PREFERENCE:** This bid is reserved for Class I, Local supplier. Minimum 50% Local content required for MII compliance. **Bidders are required to submit CA Certified Local Content which is mandatory to qualify for this tender.**

**22. MSE PREFERENCE:** Applicable.

**23. CONFLICT OF INTEREST:** Applicable

A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Procuring Entity's interests. The bidder found to have a conflict of interest shall be disqualified. A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:

- a) they have controlling partner (s) in common; **or**
- b) they receive or have received any direct or indirect subsidy/ financial stake from any of them; **or**
- c) they have the same legal representative/agent for purposes of this bid; **or**
- d) they have relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder **or**
- e) Bidder participates in more than one bid in this bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all bids in which the parties are involved. However, this does not limit the inclusion of the components/ sub-assembly/ Assemblies from one bidding manufacturer in more than one bid; **or**
- f) In cases of agents quoting in offshore procurements, on behalf of their principal manufacturers, one

agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry. One manufacturer can also authorize only one agent/dealer. There can be only one bid from the following:

- i) The principal manufacturer directly or through one Indian agent on his behalf; **and**
- ii) Indian/foreign agent on behalf of only one principal; **or**
- g) A Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Bid; **or**
- h) In case of a holding company having more than one independently manufacturing units, or more than one unit having common business ownership/management, only one unit should quote. Similar restrictions would apply to closely related sister companies. Bidders must proactively declare such sister/ common business/ management units in same/ similar line of business.

**24. BREACH OF CONTRACT, REMEDIES AND TERMINATION:** In case of Breach of Contract, BHEL shall recover 10% of the contract value from the vendor using following instruments:

- a)** encashment of security instruments like EMD, performance security available with BHEL against the said contract.
- b)** Balance amount (if value of security instruments is less than 10% of the contract value) from other financial remedies i.e. available bills of the vendor, retention amount etc. with BHEL.
- c)** Balance amount from security instrument like EMD, Performance Security and other financial remedies i.e. available bills of the vendor, retention amount etc. with other units of BHEL.
- d)** If Recovery is not possible then Legal Remedies shall be pursued.

**25. OTHER TERMS & CONDITIONS:** As per BHEL requirement, TCC, NIT & as per extant guidelines of GEM General terms and conditions & Additional Terms & Conditions.

**26. TECHNICAL SPECIFICATIONS:**

- i. **Comprehensive Strength**

Compressive strength of PPC  $\geq$  43 Mpa

- ii. **Consistency of PPC Cement:** Cement Consistency should not be more than 35%

- iii. **Quality Instruction for PPC**

- a. Fly ash content- Limited to Maximum of 35%
- b. Preliminary Cement will be accepted on the basis of 3 and 7-day test report (MTC to be submitted by supplier for review by BHEL for preliminary acceptance), but final acceptance criteria will be 28 days' test report at BHEL lab/ BHEL approved lab if required
- c. Reference sample for each supplied lot to be collected at BHEL and same will be tested at BHEL lab /BHEL approved lab, if required
- d. Supplier shall be available to carry out Joint Sampling of Cement, if required
- e. In case, test results of the collected cement sample fails, the entire lot may be rejected and the supplier will have to do free replacement at their cost.



**4. Guarantee:** The material shall be guaranteed for a period of three months from the date of receipt at Site against any manufacturing defects. If any discrepancy noticed during testing, the cement will have to be replaced to Site free of cost and the test results of third party i.e. 3/7/28 days shall be final and binding on the vendor.

#### **5. Additional Instructions**

- i. Removal of defective material shall be arranged by Supplier at their own cost
- ii. Supplier representative shall be available at Project site as per BHEL site requirement to provide single window expeditious service.
- iii. BHEL reserves the right to inspect the material during manufacturing and also to get tested the material under dispatch from third party. The test results of third party test shall be final and binding on the vendor.

#### **6. Delivery Instruction for PPC**

- i. Cement shall be delivered to site within 5-10 Days from the date of receipt of Material Dispatch Clearance Certificate (MDCC) issued from Site.
- ii. Supply shall be in line with respective MDCC. No material shall be dispatched by supplier unless and until MDCC issued by BHEL
- iii. Supply through tamper proof packing in HDPE/PP woven sacks conforming to IS 11652 in non-returnable 50 kg bags (100%) only- 20,000 MT (+/-25%)

#### **7. Methodology & Weighment tolerance:**

- i. Methodology & Weighment tolerance shall be as per Annex-B of IS 1489-2015.
- ii. For the purpose of payment, the Weighment slip of weighbridge and tolerance as per IS 1489 shall be considered.

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#### **Important for Bidders: -**

**Kindly note the followings while attaching documents for this tender:**

- i. Do not attach same documents repeatedly
- ii. All documents attached with this tender must be signed.
- iii. Ensure that MSE Certificate has been uploaded & updated in GeM Portal (if applicable).
- iv. Bidders are requested to read the contract documents carefully. In case of any difficulty during submission of tender, bidders are requested to contact the following officials:

**a) Pratick Mondal**, Engineer (Purchase)

Mobile No: +919422326481 (pratick@bhel.in)

**b) Motidas Manikpuri**, Sr Engineer (Purchase)

Mobile No: +918719079616 (mdanikpuri@bhel.in)

2. **Generic**

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address

Construction Manager  
Bharat Heavy Electricals Limited  
Power Sector Western Region  
BHEL Site Office, 3x800MW PVUNL Patratu Project  
Dist.: Ramgarh, Jharkahnd

3. **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.

4. **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 %.

5. **Generic**

Buyer Organization specific Integrity Pact shall have to be complied by all bidders. Bidders shall have to upload scanned copy of signed integrity pact as per Buyer organizations policy along with bid. [Click here to view the file](#)

6. **Generic**

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

7. **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.

8. **Generic**

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

9. **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.

10. **Scope of Supply**

Scope of supply (Bid price to include all cost components) : Only supply of Goods

## 11. 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. 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 Bid is also governed by the General Terms and Conditions/ यह बिड सामान्य शर्तों के अंतर्गत भी शासित है](#)

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 कार्यवाई का आधार होगा।

---Thank You/धन्यवाद---

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