

Bid Document

Bid Details	
Bid End Date/Time	26-08-2022 15:00:00
Bid Opening Date/Time	26-08-2022 15:30:00
Bid Offer Validity (From End Date)	80 (Days)
Ministry/State Name	Ministry Of Petroleum And Natural Gas
Department Name	Brahmaputra Cracker And Polymer Limited
Organisation Name	Brahmaputra Cracker And Polymer Limited
Office Name	Lepetkata
Item Category	Custom Bid for Services - OPERATIONAL ASSISTANCE IN PP UNIT PART B
Contract Period	2 Year(s)
MSE Exemption for Years of Experience and Turnover	No
Startup Exemption for Years Of Experience and Turnover	Yes
Document required from seller	Experience Criteria,Bidder Turnover,Certificate (Requested in ATC),Additional Doc 1 (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	No
Time allowed for Technical Clarifications during technical evaluation	4 Days
Evaluation Method	Total value wise evaluation
Financial Document Indicating Price Breakup Required	Yes

EMD Detail

Advisory Bank	ICICI
EMD Percentage(%)	2.00
EMD Amount	416858

ePBG Detail

Advisory Bank	ICICI
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ePBG Percentage(%)	3.00
Duration of ePBG required (Months).	27

(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.

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

Beneficiary:

SM(C&P)

Brahmaputra Cracker and Polymer Limited, C and P Department, Administrative Building, PO_Lepetkata,
Dist_DIBRUGARH, Assam, Pin Code_786006
(Samrat Dutta)

Splitting

Bid splitting not applied.

MSE Purchase Preference

MSE Purchase Preference	Yes
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1. If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria". If the bidder is OEM of the offered products, it would also be exempted from the "OEM Average Turnover" criteria. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.

2. 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.

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.

Additional Qualification/Data Required

Pre Qualification Criteria (PQC) etc if any required:[1660124817.pdf](#)

Scope of Work:[1660124823.pdf](#)

Special Terms and Conditions (STC) of the Contract:[1660124832.pdf](#)

Service Level Agreement (SLA):[1660124848.pdf](#)

Payment Terms:[1660124868.pdf](#)

Quantifiable Specification / Standards of The Service/ BOQ:[1660124882.pdf](#)

GEM Availability Report (GAR):[1660124900.pdf](#)

Pre Bid Detail(s)

Pre-Bid Date and Time	Pre-Bid Venue
16-08-2022 15:00:00	https://teams.microsoft.com/l/meetup-join/19:meeting_MWViZTVhNGItMTc1OS00Y2E4LTg2YjctMDU0OGZjNzA5YTJk@t?hhead.v2/0?context={\"Tid\":\"4461d137-7fbd-47bb-894d-41540c7fe9e9\",\"Oid\":\"7967f492-ea5d-4183-bb68-233e662fe004\"} Meeting ID: 410 115 229 496 Passcode: CzzjSH

Custom Bid For Services - OPERATIONAL ASSISTANCE IN PP UNIT PART B (1)**Technical Specifications**

Specification	Values
Core	
Description /Nomenclature of Service Proposed for procurement using custom bid functionality	OPERATIONAL ASSISTANCE IN PP UNIT PART B
Regulatory/ Statutory Compliance of Service	YES
Compliance of Service to SOW, STC, SLA etc	YES
Addon(s)	

Additional Specification Documents**Consignees/Reporting Officer**

S.No.	Consignee/Reporting Officer	Address	The quantity of procurement "1" indicates Project based or Lumpsum based hiring.	Additional Requirement
1	Choppadandi Raja Mahendar	786006,M/s Brahmaputra Cracker And Polymer Limited, PTD Department, Administrative Building, Lepetkata - 786006 Dibrugarh &#x 28;Assam&#x 29;	1	N/A

Buyer Added Bid Specific Terms and Conditions**1. 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.

2. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

1.0 BID EVALUATION CRITERIA (BEC):

1.1 BEC- Technical:

1.1.1 Bidder must have **executed and completed** at least a single (01) order/LOA / contract / agreement of “**similar nature of work**” in the previous seven (07) years reckoned from the due date of unpriced bid opening having value not less than the **value as shown in the Table-1 given below:**

TABLE-1

PART	Minimum Qualifying Single Order Value (Rs. in Lakh)
LLDPE/HDPE (PART-A)	78.98
PP (PART-B)	52.10
PTD (PART-C)	267.61

Note 1:

- Bidder has the provision to quote for any one part (Part-A / Part-B / Part-C) or more than one part(s) (Part-A & B / Part-B & C / Part-A & C / Part-A, B & C). One bidder shall be eligible for award for one part only, i.e, all the three parts shall be awarded to different bidders (contractors). Accordingly, bidder(s) may quote either one part or more than one parts and evaluation shall be done on part wise without considering order value on cumulative basis. In case bidder(s) quotes for more than one (01) Part, the required to submit **EMD shall be on cumulative** basis.
- ‘Executed’ as mentioned in sl. no. 1.1.1** above, means fully executed or completed.
- Bidder(s) shall be required to submit / upload the documents in respect of above experience criteria as per details at sl. no. **1.3**

below.

d) **Definition of “similar nature of work” indicates as under:**

Bagging & Palletizing or Bagging Operation or Operational Assistance in Operation Plant and/or Bagging Plant by providing Process Field Engineers/Process Operators/Bagging Field Operators or Bagging Operation of any Solid Packagable Material like Polymer/ Chemical (Solid)/ Fertilizers & Cement, etc. or Product dispatch/ handling/ loading or its assistance in Petrochemical Plant/ Fertilizer Plant/ Petroleum Refinery/Any Chemical Process Industry/ Cement Plants.

1.1.2 In case of running contract for similar nature of works as mentioned at Sl. no. 1.1.1 above, the contract **value** executed till one day prior to due date of bid submission is equal to or more than the minimum prescribed **VALUE** mentioned at sl. no. 1.1.1 above, such experience will also be taken into consideration provided that the bidder has submitted satisfactory work execution certificate issued by the end user / owner / authorized consultant.

1.1.3 **Relaxed Norms for Startups in technical criteria (prior experience):**

Prior experience (i.e. sl. no. 1.1.1 & 1.1.2 above) for ‘Startups’ company [whether Micro & Small Enterprises (MSEs) or otherwise] as a bidder, shall not be required subject to meeting the quality, technical specifications (scope of work).

For availing the above relaxation, bidder is required to submit / upload the requisite certificate towards Startup Enterprise Registration issued by Department of Industrial Policy and Promotion, Ministry of Commerce & Industry, Govt. of India for the specific service as mentioned in the tender i.e., ‘Operational assistance or equivalent’ and the certificate should be certified by the Chartered Accountant (not being an employee or a Director or not having any interest in the bidder’s company / firm) and notary public with legible stamp.

The relaxation of prior experience and prior turnover to startup (whether Micro & Small Enterprise (MSEs) or otherwise) has been given to a specific goods/job domain wherein they are registered for as mentioned above.

In case, certificate of DIPP does not specify goods / job domain, startups are required to submit the documents for the same including the application submitted to DIPP.

1.2 BEC- Financial:

1.2.1 TURN OVER:

The minimum annual turnover of the Bidder as per the audited financial result (Balance sheet and profit & Loss account statement) of any of the preceding three (03) financial years (FY: 2021-2022, 2020-2021 & 2019-2020) shall not less than the value as shown in the Table-2 given below:

TABLE-2

PART	Minimum Annual Turnover Requirement (Rs. in Lakh)
LLDPE/HDPE (PART-A)	78.98
PP (PART-B)	52.10
PTD (PART-C)	267.61

In case, financial results (Balance sheet and profit & Loss account statement) of FY: 2021-2022 is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to FY: 2021-22 i.e. FY: 2020-21 or 2019-20 or 2018-19. Accordingly, Annual Turn-over of the bidder for the FY: 2020-21 or 2019-20 or 2018-19 shall be considered.

1.2.2 **NET WORTH:**

Net worth of the bidder shall be positive as per the last audited financial statement, i.e., FY: 2021-2022.

In case, financial results (Balance sheet and profit & Loss account statement) of FY: 2021-2022 is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to FY: 2021-2022 i.e. FY: 2020-21 along with un-price bid. Accordingly, Net Worth of the bidder for the FY: 2020-21 shall be considered.

1.2.3 **WORKING CAPITAL:**

The **minimum working capital** of the Bidder as per the last audited financial statement, **i.e, FY: 2021-22** shall not less than the **value as shown in the Table-3 given below:**

TABLE-3

Part	Minimum Working Capital Requirement (Rs. in Lakh)
LLDPE/HDPE (PART-A)	15.79
PP (PART-B)	10.42
PTD (PART-C)	53.52

In case, financial results (Balance sheet and profit & Loss account statement) of FY: **2021-2022** is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to **FY: 2021-2022** i.e. **FY: 2020-21** along with un-price bid. Accordingly, working capital of the bidder for the **FY: 2020-21** shall be considered.

Note:

- a) Bidder has the provision to quote for any one part (Part-A / Part-B / Part-C) or any two parts (Part-A & B / Part-B & C / Part-A & C) or

all the three parts (Part-A, B & C). Each part shall be treated as independent tender, however one bidder shall be awarded one part only (further requirement of minimum turnover requirement & minimum working capital requirement shall not be on cumulative basis if bidder quotes for more than one part(s)). In case bidder(s) quotes for more than one (01) Part, the required to submit **EMD shall be on cumulative** basis.

- b) If the bidder's working capital is inadequate, the bidder should supplement this with a letter from the bidder's bank as per **Format, F-9**, having net worth not less than **Rs.100 Crores**, confirming the availability of the line of credit for requisite amount to meet the working capital requirement as stated above at 1.2.3.
- c) Bidder has to upload / submit the audited financial results for the immediate 3 preceding financial years **as per BEC clause no. 1.2.1** i.e. **FY: 2021-2022, 2020-2021 & 2019-2020**.
- d) If bid closing date is after 30th Sept. of the relevant financial year, bidder has to compulsorily submit the audited financial results for the immediate 3 preceding financial years (subject to Govt. circular for extension of the last date for finalization of account).

1.2.4 Relaxed Norms for Startups in financial criteria (prior turnover):

Prior turnover for 'Startup' company [whether Micro & Small Enterprises (MSEs) or otherwise] as a bidder, shall not be required subject to meeting the quality and technical specifications, (scope of work) and ownership of trucks / containers as specified in the tender document.

If a Startup company [whether Micro & Small Enterprises (MSEs) or otherwise] as a bidder gets qualified without **any prior experience & turnover criteria** as mentioned above and emerges as lowest evaluated bidder, the LOA / Order on such Startup shall be placed as per distribution of quantity.

1.3 Documents/Documentary Evidence required to be uploaded (submitted) in e-tender portal of BCPL by bidder along with the other bid documents for qualifying the BEC mentioned at sl. no. 1.1 & 1.2:

Sr. No.	BEC Clause no.	Description	Documents required along with Un-priced bid for qualifying BEC (Bid Evaluation Criterion) [All documents must be duly authenticated/ attested]
	1.1	Technical Experience Criteria - Document [All documents to be uploaded(submitted) must be <u>Certified/attested by both Chartered Engineer and Notarized by Notary Public with legible stamp</u>]	
1.	1.1.1	Experience against execution of Order/Contract/LOA.	a) Bidder must submit/upload the Copy of Order/LOA/Contract/Agreement along with its detail SOR items & scope of work which has been executed for similar nature of jobs as mentioned at sl. no. 1.1.1 of BEC in previous seven (07) years to be reckoned from the due date of unpriced bid opening. b) Copy of Completion Certificate or equivalent against the Order/LOA/Contract/Agreement submitted as mentioned at point "a" above, must be submitted/uploaded. The <u>Completion Certificate or equivalent</u> must contain the detailed information like Order/LOA/Contract/Agreement No. with date, Brief Scope of work / Name of work, Order value, Total executed value, Scheduled date of Work completion and date of Actual work completion etc. The <u>Completion Certificate or equivalent</u> should have been issued by the end-user/owner/authorized consultant.

2	1.1.2	Experience against execution of running Contract	a) Bidder must submit/upload the Copy of Order/LOA/Contract/Agreement along with its detail SOR items & scope of work which is still running for similar nature of jobs as mentioned at sl.no.1.1.1 of BEC in previous seven (07) years to be reckoned from the due date of unpriced bid opening. b) Copy of Execution Certificate or equivalent against Order/LOA/Contract/Agreement for the running contract as mentioned at point "a" above must be submitted/uploaded clearly mentioning the executed VALUE till one day prior to unpriced bid opening, which must be equal to or more than the minimum prescribed value mentioned at sl. no. 1.1.1 of BEC. The execution certificate or equivalent must contain the detailed information like Order/LOA/Contract/Agreement No. with date, Brief Scope of work / Name of work, Order value, Total executed value, etc. The <u>Execution Certificate or equivalent</u> should have been issued by the end-user/owner/authorized consultant.
3	1.1.3	Experience against 'Startup' Company	a) Bidder to upload / submit the valid 'Certificate of Recognition' issued by Dept. of Industrial Policy and Promotion, Ministry of Commerce & Industry, Govt. of India duly certified by the Chartered Accountant (not being an employee or a Director or not having any interest in the bidder's company / firm) and notary public with legible stamp. b) Bidder to upload/submit documents for the specific goods/jobs domains wherein they are registered for including the application submitted to DIPP self-certified.

	1.2	Financial Experience Criteria- Document <i>[All audited financial statements/documents {balance sheet and profit & loss account statement under 1.2.1(Not applicable for 'Startup' as mentioned in BEC clause no. 1.2.4), 1.2.2 & 1.2.3 of above BEC} to be submitted / uploaded must be duly Certified/attested by Notary public with legible stamp]</i>	
4	1.2.1	Annual Turn-over (Not mandatory for start-ups)	Bidder(s) shall submit copy(s) of audited financial result (Balance sheet and profit & Loss account statement) of the preceding three (03) Financial Year(s), i.e. FY: 2021-22 or 2020-21 or 2019-20. In case, audited financial results (Balance sheet and profit & Loss account statement) of FY: 2021-22 is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to FY: 2021-22 i.e., (FY: 2020-21, 2019-20 & 2018-19).
5	1.2.2	Net worth (Mandatory for all bidders)	Bidder(s) shall submit copy of audited financial result (Balance sheet and Profit & Loss account statement) of last audited Financial Year, i.e. FY: 2021-22. In case, audited financial results (Balance sheet and profit & Loss account statement) of FY: 2021-22 is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to FY: 2021-22 i.e., FY: 2020-21. Start-up bidders also need to mention Net Worth in F-10, even if they don't have last audited financial results.

6	1.2.3	Working capital (Mandatory for all bidders)	Bidder(s) shall submit copy of audited financial statement Balance sheet and Profit & Loss account statement for the last audited Financial Year, i.e. FY: 2021-22. In case, audited financial results (Balance sheet and profit & Loss account statement) of FY: 2021-22 is not audited on the due date of 'submission of bid/bid closing date', in such case bidder has to upload / submit audited financial results (Balance Sheet and Profit & Loss Account Statement) of immediately preceding financial year prior to FY: 2021-22 i.e., FY: 2020-21. If the bidder's working capital is negative or inadequate as per BEC clause no. 1.2.3, the bidder shall submit/upload a letter from the bidder's bank as per Format, F-9 having net worth not less than Rs.100 crores, confirming the availability of line of credit to meet the working capital requirement as mentioned above at BEC clause no. 1.2.3 (Format specified in tender document). Start-up bidders also need to mention Working Capital in F-10, even if they don't have last audited financial results.
7		Format, F-10	"Details of financial capability of bidder" shall be submitted in the prescribed Format, F-10 enclosed duly signed and stamped by a Chartered Accountant only.

Note to above Bid Evaluation Criteria (point no. 1.0):

- i) A job executed by a bidder for its own plant/projects cannot be considered as experience for the purpose of meeting requirement of BEC of the tender. However jobs executed for a subsidiary / Fellow Subsidiary / Holding company will be

considered as experience for the purpose of meeting BEC subject to submission of Tax paid invoice (s) duly certified by Statutory Auditor of the bidder towards payment of Statutory tax in support of the job executed for subsidiary/Fellow subsidiary/Holding company. Such bidders to upload (submit) these documents in addition to the documents specified in the bidding documents to meet BEC.

- ii) Bids of Joint Venture/ Consortium are not acceptable.
- iii) Experience of bidder acquired as a subcontractor can be accepted against submission of work completion certificate from end user by such bidder along with other specified documents as mentioned in sl. no. 1.3 above under BEC clause no. 1.1.1.
- iv) Only documents (Work Order, Completion certificate, Execution Certificate etc.) which have been referred/ specified in the bid shall be considered in reply to queries during evaluation of Bids.
- v) **The cut-off date for meeting the criteria of BEC of the tender shall be the due date for submission of bid.**
- vi) Any shortfall information / documents on the Audited Annual Report / Financial Statement of the Bidder and/or line of credit for working capital issued on or before the final bid due date can only be sought against Commercial queries (CQs). Any information/ documents issued post final bid due date shall not be considered for evaluation.
- vii) Eligibility criteria in case bid is submitted on the basis of technical experience of FOREIGN BASED ANOTHER COMPANY (SUPPORTING COMPANY) which holds more than 50% of the paid up share capital of the bidding company or vice versa: For details, relevant clause of ITB to be referred.

2 **Methodology for Evaluation of Bids & Award:**

- 2.1 BCPL will evaluate and compare the Price bids of the techno-commercially qualified bidders whose bids are previously determined

to be substantially responsive pursuant to "ITB: Clause-29".

- 2.2 For the purpose of evaluation of bid and arriving at the eligible L1 bidder for award, the total value of SOR (Part wise) on overall SOR basis shall be considered including GST in GeM portal. Evaluation shall be done in such a way that one bidder shall be awarded for one part, i.e, for three parts, three separate bidder (contractors) shall be selected.
- 2.3 Bidder can quote for any one Part or more than one part(s)**The bidder should clearly indicate the Part(s) against which they are submitting their Bid by specifying in their covering letter as well as marking in Blank SOR with 'Quoted/ Not Quoted'**, however bidder is eligible to award for only one part.
- 2.4 Since, for all three parts, three separate bidders shall be awarded the job. Therefore, if a bidder happens to be in L1 position for more than one part(s), then award shall be made in the following sequence, once the bidder being awarded to one Part, the said bidder ceases to the other part(s) and his offer shall not be considered for the other part(s). The eligible L2 bidder shall be considered for award the other part(s), subject to matching the L1 rate of the said part. If the L2 bidder doesn't match the L1 rate, L3, L4 and so on shall be asked to match the L1 rate. In case, none of the bidder match the L1 rate, re-tendering shall be done for that part.

1st - PTD (PART-C)

2nd - LLDPE/HDPE (PART-A)

3rd - PP (PART-B)

- 2.5 If a Startup company [whether Micro & Small Enterprises (MSEs) or otherwise] as a bidder gets qualified without any prior experience & turnover criteria as mentioned above and emerges as lowest evaluated bidder (L1), the LOA / Order on such Startup shall be placed for entire tendered quantity.

[However, EIC's of that contract shall draw monthly milestones / check points during the Kickoff Meeting and shall review the performance more carefully and take action as per provision of contract in case of failure / poor performance.]

2.6 In case of **a tie** at the lowest bid (L1) position between two or more non-Startup bidders, then LOA / Order shall be placed on the bidder who has higher / highest turnover in last audited financial year.

2.7 In case, there is **a tie** at the lowest bid (L1) position between only Startup bidders, the LOA / Order shall be placed on the Startup who is registered earlier with Department of Industrial Promotion and Policy for startup.

2.8 In case, there is **a tie** at the lowest bid (L1) position between Startup bidders and non-Startup bidders; then LOA / Order shall be placed on the bidder having highest working capital in last financial year, **duly certified by Chartered accountant**.

2.9 Startups are exempted from submission of **EMD**.

2.10 **CPBG: The following CPBG clauses, either of two shall be applicable**

The contract performance security shall be 3% of annualized Basic Contract Value (without GST therein). Details as per ITB of Tender document.

2.11 **PPP Policy 2012:**

Considering the nature of job, splitting of quantities will not be possible in this case and hence the clause for award of 25 % of ordered quantity to MSE as per PPP 2012 is not possible. Therefore, MSE quoting price within price band L1 (other than MSE) + 15%, may be awarded for full/ complete services of tendered value subject to matching of L1 price as per ITB of tender document. In case two or more MSE bidders comes within the price band of L1 + 15%, the preference to match the L1 rate shall be given in sequence of their inter-se position (L2, L3... and so on).

2.12 *CLAUSE REGARDING PROVISION FOR PP-LC (FOR DETAILS - REFER RELEVANT CLAUSE OF ITB):*

Any bidder who opt to avail the provision for PP-LC. For details, relevant clause of ITB to be referred.

While evaluating the bid, bidder option (to avail any one out of two applicable purchase preference policies, i.e., PP-LC or PPP-2012) will be considered. For price matching and distribution of quantities among bidders, the precedence shall be in the following order:-

(a) Public Procurement Policy for MSE 2012

(b) Policy to Provide Purchase Preference (Linked with Local Content) (PP-LC).

Details as per ITB.

2.13 *CLAUSE REGARDING PROVISION FOR PROCUREMENT FROM A BIDDER SHARES A LAND BORDER WITH INDIA (FOR DETAILS - REFER RELEVANT CLAUSE OF ITB):*

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.

For details, relevant clause of ITB to be referred.

Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. 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 incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign

Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents/clauses shall also be null and void. 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. Also, GeM does not permit collection of Tender fee / Auction fee in case of Bids / Forward Auction as the case may be. Any stipulation by the Buyer seeking payment of Tender Fee / Auction fee through ATC clauses would be treated as null and void.

This Bid is governed by the [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 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.

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.

---Thank You---