

Bid Corrigendum

GEM/2023/B/4234715-C1

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. Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address
Department of General Surgery
for District Hospitals
and Sub-district
Hospital of Govt
of West Bengal.
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2. Bidders can also submit the EMD with Payment online through RTGS / internet banking in Beneficiary name
West Bengal Medical Services Corporation Ltd.
Account No.
105605003391
IFSC Code
ICIC0001056
Bank Name
ICICI BANK
Branch address
BIDHANNAGAR, SALT LAKE, SECTOR-V
.
Bidder to indicate bid number and name of bidding entity in the transaction details field at the time of on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer along with bid.
3. Bidders shall quote only those products (Part of Service delivery) in the bid which are not obsolete in the market and has at least 2 years residual market life i.e. the offered product shall not be declared end-of-life by the OEM before this period.
4. Escalation Matrix For Service Support : Bidder/OEM must provide Escalation Matrix of Telephone Numbers for Service Support.
5. Data Sheet of the product(s) offered in the bid, are to be uploaded along with the bid documents. Buyers can match and verify the Data Sheet with the product specifications offered. In case of any unexplained mismatch of technical parameters, the bid is liable for rejection.
6. Warranty period of the supplied products shall be 2 years from the date of final acceptance of goods or after completion of installation, commissioning & testing of goods (if included in the scope of supply), at consignee location. OEM Warranty certificates must be submitted by Successful Bidder at the time of delivery of Goods. The seller should guarantee the rectification of goods in case of any break down during the guarantee period. Seller should have well established Installation, Commissioning, Training, Troubleshooting and Maintenance Service group in INDIA for attending the after sales service. Details of Service Centres near consignee destinations are to be uploaded along with the bid.
7. Buyer Added text based ATC clauses
 - 1 Bidders should arrange for an onsite functional demonstration of the offered equipment on the notified date at facility at Kolkata, West Bengal. Or at **Swasthya Bhavan**. The evaluation of the spec indicator will be made based on the reports of the onsite functional demonstration of the equipments. The onsite functional demonstration of the equipment is purely at the discretion of t

he Technical Bid Evaluation Committee and its input shall be treated as only corroborative in nature and will not be a substitute for technical evaluation of the document submitted along with the bid. The decision of the Technical Committee in this regard will be final.

Bidder has to comply with all parameters of the technical specifications except deviation(s) which will be considered minor and acceptable by the team of Experts to be engaged by WBMSCL to take working / functional demonstration of the offered equipments.

2. **Experience Criteria:** Bidder should submit following documents of same / similar type of equipment in support of supplies made to Govt. Hospitals or reputed private hospitals for the period of last three calendar years ending December 2022:

- Proof of installation (Installation certificate / Service report duly signed by the hospital / healthcare facility) of the same / similar type of equipment.

OR

- Proof of payment against supply and installation of the same / similar type of equipment.

3. Bidder should mention the bid reference number along with the quoted make and model of the equipment in the OEM Authorisation certificate and the certificate should be issued to bidder from OEM after publishing of the bid.

4. Bidder should submit minimum average annual turnover for last 3(Three) financial years in letter head of chartered accountant with mentioning valid UDIN (Unique Document Identification Number). The data should be submitted in a table duly signed and stamped by chartered accountant.

5. **Exemption of EMD as per Memorandum bearing West Bengal Finance Department Memo No. 375-F(Y) Dated 30.01.2023** where has been clearly mentioned that, in order to get more participants and obtain better competition in procurement through GeM, it is decided to include following categories of sellers / service providers, in addition to our existing provisions, for exemption of EMD deposit in GeM:

- i. All registered Micro and Small Enterprises being manufacturer of the Primary Product Category or Service Provider of the Primary Service Category, whose credentials are validated online through Udyam / NSIC (National Small Industries Corporation) database/ DIC (District Industries Corporation) database.
- ii. Sellers of Primary Products/Primary Services having their credentials verified through the Vendor Assessment process in GeM.
- iii. Sellers/ Service Provider having annual turnover of Rs 500 Crore or above.
- iv. Sellers/ Service Providers of Primary Product Categories having BIS (Bureau of Indian Standards) certification.

6. Successful bidder/OEM will have to ensure that adequate number of dedicated technical service personals / engineers are designated / deployed for attending to the Service Request in a time bound manner and for ensuring Timely Servicing / rectification of defects during warranty period.

7. As many as number required, end user training must be provided within the warranty period

without any charges.

8. Restrictions under Rule 144(xi) of the general Financial Rules(GFRs),2017:As per office memorandum from the Ministry of Finance, Govt. of India the following clause will be effective from dated- 08.02.2021 where has been clearly mentioned that, “in case a bidder has proposed to supply finished goods procured directly/indirectly from the vendors from the countries sharing land border with India, such vendor will be required to be registered with the competent Authority.”

9. Bid Validity: 2(two) years from the date of Tender publication

10. Price Validity: 2(two) years from the date of Tender publication

11. WBMSCL's right to vary quantities:

WBMSCL reserves the right to increase the quantity in case of need / or to decrease the quantity of goods and related services initially specified in Bid Document and without any change in the unit prices or other terms and conditions of the Bid Documents.

Bidder must accept and agree to the fact that the bid and price will remain valid for a period of 2(two) years from the date of bid publication.

12. The medical equipment should be USFDA / European CE (4 digit European notified body) / BIS as applicable. The Quoted model name & make should be mentioned in the certificate

The organization those are issued CE certificate should be enlisted in this <https://ec.europa.eu/growth/toolsdatabases/nando/index.cfm?fuseaction=notifiedbody.main> link. If any clarification required, the bidder should show us the document in the above link.

13. Pre-BidMeeting : 30th Nov (Thursday); 2023: 12:00-01:00 PM

Physically presence of the bidders are mandatory at Board Room of West Bengal Medical Services Corporation (WBMSCL), at 2nd floor, Swasthya Sathi Building, Swasthya Bhawan, Kolkata - 700091

Amendment-I

Revised Technical Specifications

High Definition Laparoscopic Surgery System

Specific ation	Specification Name	Bid Requirement (Allowed Values)
Full High Definition 3 chip or e quivalent	Resolution of camera in pixels	1920 x 1080
	Technology of camera	Digital Processing Technology, Digital camera
	Mode of output	Digital and analog
	Method of input	Keyboard / Touch screen
	Video output	DVI / HD-SDI / RS 232 / Composite

High resolution Medical grade monitor	Size of monitor in inches	e / SDI / HDMI 26.0 Or higher
	Type of monitor	LED
	Provision of cooling	Passive cooling, Fanless cooling
	Video inputs	DVI / HDS DI / VGA / S-Video / Composite / SDI / 3GSDI / Display port/ HDMI
	Video output of monitor	DVI / HDS DI / VGA / S-Video / Composite / SDI / 3GSDI / Display port / HDMI
Light Source	Type of light source	LED
	Facility of light adjustment	Automatic / manual
	Life of light bulb in hours	10000 or more
Fibreoptic light cable	Diameter in mm	4.8 to 5
CO2 Insufflator	CO2 insufflator provided	Yes Or higher
	Flow rate in Litre per minute	40 or more
	Quick and precise Continuous insufflation	Fully microprocessor based with integrated heating mechanism
Telescopes	Telescope size provided	Yes
HD documentation system (Recorder system)	HD Documentation system provided	Yes (Minimum 500 GB)
Mobile Videocart	Mobile Videocart provided	Yes
Miscellaneous Parameters	Warranty (Option of comprehensive warranty is available through bidding only, which if opted will supersede normal warranty in the catalogue)	2
	Number of installations completed in Central/State Government hospitals (Documentary proof regarding installation to be submitted to buyer on demand at the time of supplies)	More than 3
Additional Specification Parameters - High Definition Laparoscopic Surgery System		
Specification Parameter Name		Bid Requirement (Allowed Values)

HD telescope for Laparoscopic surgery	I) Laparoscopes, Fully Autoclavable with working length 300 mm II) Wide angled distortion free view III) Universal adaptor for other light sources IV) Yellow Glass index for optimum evenness of focus & contrast (optional) V) 30 degree, 10 mm
Specifications of Hand instruments(type-1)	I) Laparoscope hand instruments (reusable) with 310mm working length, take apart locking/unlocking mechanism, rotatable with interchangeable handle with monopolar diathermy attachment (Except trocars and Veress needle) 2) Veress needle 15 cm length - 2 nos. 3) Carbon-di-oxide gas heating tubing - 2 nos. 4) Trocars sleeves 11 mm - 2 nos. 5) Reducer 11/5 mm - 2 nos. 6) Trocars sleeves 5.5 mm - 2 nos. 7) Trocars (pyramidal tip) 10 mm - 2 nos. 8) Trocars (pyramidal tip) 5mm - 2 nos.
Specifications of Hand instruments(type-2)	9) Trocars washer 5 mm - 50 nos. 10) Trocars washer 10 mm - 25 nos. 11) Maryland dissector 5mm with unipolar diathermy - 1 no. 12) Maryland dissector 5 mm, high performance with bipolar- 1 no. 13) Atraumatic graspers, 5mm - 1 no. 14) Metzenbaum scissors (5cm) with unipolar diathermy - 1 no. 15) Fan retractors 5 mm - 1 no. 16) L shaped hook electrode 5 mm-1no, Ball electrode 5mm-1 no. spatula electrode 5mm-1no. Babcock forcep 5mm-1no
Specifications of Hand instruments(type-3)	17) Laparoscopic bowel grasper 5mm. length 33-36 cm - 1no. 18) Laparoscopic spoon forceps 10mm length 33-36 cm - 1 no. 19) Needle holder 5mm, 33 cm long - 2 nos. (Curve and Straight handle) 20) Laparoscopic suction cannula, 10 mm - 1 no 21) Laparoscopic suction cannula, 5 mm - 1 no. 22) Clip applicator 10 mm Large, Medium, Small Clips - 1 nos. each size 23) Gall bladder extraction 10 mm - 1 nos. 24) Sterilization tray with cover 2 x 1
1) DICOM facility should be available with the equipment	Optional
Certification: Whole system should be European CE (4 digit notified body) / USFDA / CDSCO (Audited) / BIS approved	Mandatory

14. Participated bidders are requested to submit their Contact details, Email ID and Address in the additional documents section while submitting their bid documents in GeM portal. The details should be submitted in a letter head of the company with signature and stamp

Form-A: Consignee Receipt Certificate (CRC)

(To be issued by consignee's authorized representative)

[The consignee may issue an additional challan receipt if delivered by courier or transporter]

Date of supply by the Company Person or Courier:	
Name and Address of the Consignee:	

Name of the item supplied (with Make & Model & Model No.):	
Purchase Order /Contract No.:	
Name of the Supplier:	
No. of Units supplied :	
No. Of Box supplied :	
Place of destination (The dept. where the equipment will be actually installed)	
Invoice No. & Date:	
Details of Batch /Serial Numbers, if any of item supplied:	
<p>.....</p> <p>(Signature & Office Seal of authorized representative of Consignees with date)</p> <p>[Name and designation of the signatory to be written capital letter]</p>	
<p>.....</p> <p>(Signature & Office Seal of Head of the Institute/Hospital with date)</p> <p>[Name and designation of the signatory to be written capital letter]</p>	

Form B: Satisfactory Installation Certificate (SIC)

(To be issued by the consignee after successful commissioning of equipment)

Bid Reference :

Award of Contract Reference :
Description of Equipment/Service :
Date of Commissioning :
Warranty up to :

This is to certify that the equipment(s) as detailed below has/have been received in good condition along with all the standard and special accessories, consumables, set of spares in accordance with the contract/technical specification of the equipment and site preparation including interiors as per bid document.

Details of equipment, accessories, consumables, spares, etc.

SI	Description	Quantity	Serial No. / Part No.
1			
2			
3			
4			
5			

In case of space deficiency, another sheet with the same format can be annexed.

The supplier has also submitted the following,

1. Tools for maintenance
2. Detailed operation and maintenance manual both in hard and soft copy for each item of supply at each location

The proving test has been done to our entire satisfaction. The equipments, its accessories and ancillaries of the site preparation including interiors is functioning satisfactorily and faultlessly

Declaration by Unit Head (HOD/MO-IC/Others) :

Sticker designed by NHM is fitted with the equipment Yes No

Signature

with Stamp :

Name (in Block)

P.T.O.

The following operators/ end users have been trained to operate the equipment(s),

SI	Name	Designation	Contact No	E-mail ID (In CAPS)	Signature
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

In case of space deficiency, another sheet with the same format can be annexed.

Countersigned by the head of the institute / hospital:

Signature _____

Name _____

Designation with stamp _____

Date _____

Signature of
Unit Head:
(HOD/MO-IC/Others)

Name
(in Block):

Designation with Stamp:

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 %.

9. 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.
10. Installation, Commissioning, Testing, Configuration, Training (if any - which ever is applicable as per scope of supply) is to be carried out by OEM / OEM Certified resource or OEM authorised Reseller.
11. OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated 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 OEM 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. In case of bunch bids, the OEM of CATEGORY RELATED TO primary product having highest bid value should meet this criterion.
12. Scope of supply (Bid price to include all cost components) : Supply Installation Testing and Commissioning of Goods
13. Successful Bidder can submit the Performance Security in the form of Payment online through RTGS / internet banking also (besides PBG which is allowed as per GeM GTC). On-line payment shall be in Beneficiary name
West Bengal Medical Services Corporation Ltd.
Account No.
105605003391
IFSC Code
ICIC0001056
Bank Name

ICICI BANK

Branch address

BIDHANNAGAR, SALT LAKE, SECTOR-V

. Successful Bidder to indicate Contract number and name of Seller entity in the transaction details field at the time of on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer in place of PBG within 15 days of award of contract.

14. Scope of supply includes Training: Number of employees to be trained
50
, Place for Training
At the consignee location
and Duration of training
2
days.
15. Successful bidder will have to ensure that adequate number of dedicated technical service personals / engineers are designated / deployed for attending to the Service Request in a time bound manner and for ensuring Timely Servicing / rectification of defects during warranty period, as per Service level agreement indicated in the relevant clause of the bid.
16. Timely Servicing / rectification of defects during warranty period: After having been notified of the defects / service requirement during warranty period, Seller has to complete the required Service / Rectification within 3 days time limit. If the Seller fails to complete service / rectification with defined time limit, a penalty of 0.5% of Unit Price of the product shall be charged as penalty for each week of delay from the seller. Seller can deposit the penalty with the Buyer directly else the Buyer shall have a right to recover all such penalty amount from the Performance Security (PBG). Cumulative Penalty cannot exceed more than 10% of the total contract value after which the Buyer shall have the right to get the service / rectification done from alternate sources at the risk and cost of the Seller besides forfeiture of PBG. Seller shall be liable to re-imburse the cost of such service / rectification to the Buyer.
17. The bidder is required to upload, along with the bid, all relevant certificates such as BIS licence, type test certificate, approval certificates and other certificates as prescribed in the Product Specification given in the bid document.
18. Without prejudice to Buyer's right to price adjustment by way of discount or any other right or remedy available to Buyer, Buyer may terminate the Contract or any part thereof by a written notice to the Seller, if:
 - i) The Seller fails to comply with any material term of the Contract.
 - ii) The Seller informs Buyer of its inability to deliver the Material(s) or any part thereof within the stipulated Delivery Period or such inability otherwise becomes apparent.
 - iii) The Seller fails to deliver the Material(s) or any part thereof within the stipulated Delivery Period and/or to replace/rectify any rejected or defective Material(s) promptly.
 - iv) The Seller becomes bankrupt or goes into liquidation.
 - v) The Seller makes a general assignment for the benefit of creditors.
 - vi) A receiver is appointed for any substantial property owned by the Seller.
 - vii) The Seller has misrepresented to Buyer, acting on which misrepresentation Buyer has placed the Purchase Order on the Seller.
19. 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.
20. Over and above the normal Warranty terms as per GeM GTC, the successful bidder / OEM shall have to provide Comprehensive Warranty during the entire Standard warranty period as per contract. : The comprehensive warranty shall be covering the following scope
All spare parts & labour
(Upload an undertaking with the bid confirming compliance by the bidder if Bidder is taking onus of this compliance. In case OEM is taking onus of this compliance, OEM undertaking is to be uploaded along with Bidder undertaking)

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

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process.
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

*This document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

[This Bid is also governed by the General Terms and Conditions](#)