



Bid Number/बोली क्रमांक (बिड संख्या)<sup>:</sup> GEM/2023/B/3293726 Dated/दिनांक : 30-03-2023

# Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण		
Bid End Date/Time/बिड बंद होने की तारीख/समय	20-04-2023 19:00:00	
Bid Opening Date/Time/बिड खुलने की तारीख/समय	20-04-2023 19:30:00	
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	180 (Days)	
Ministry/State Name/मंत्रालय/राज्य का नाम	West Bengal	
Department Name/विभाग का नाम	Health And Family Welfare Department West Bengal	
Organisation Name/संगठन का नाम	West Bengal Medical Services Corporation (wbmsc) Kolkata	
Office Name/कार्यालय का नाम	West Bengal	
Total Quantity/कुल मात्रा	274	
ltem Category/मद केटेगरी	Microscopes - Pathological And Research As Per Is:4381, Is:5204-IS:4381, IS:5204 (Q3)	
Minimum Average Annual Turnover of the bidder (For 3 Years)/बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का)	34 Lakh (s)	
Years of Past Experience Required for same/similar service/उर्न्ही/समान सेवाओं के लिए अपेक्षित विगत अनुभव के वर्ष		
MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट		
Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट	No	
Document required from seller/विक्रेता से मांगे गए दस्तावेज़	Experience Criteria, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, 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/बिड से रिवर्स नीलामी सक्रिय किया	Yes	
RA Qualification Rule	H1-Highest Priced Bid Elimination	
Type of Bid/बिड का प्रकार	Two Packet Bid	

Bid Details/बिड विवरण		
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	during technical evaluation/तकनीकी मूल्यांकन के 2 Days	
Evaluation Method/मूल्यांकन पद्धति Total value wise evaluation		

## EMD Detail/ईएमडी विवरण

Advisory Bank/एडवाईजरी बैंक	ICICI
EMD Amount/ईएमडी राशि	34000

## ePBG Detail/ईपीबीजी विवरण

Advisory Bank/एडवाइजरी बैंक	ICICI
ePBG Percentage(%)/ईपीबीजी प्रतिशत (%)	3.00
Duration of ePBG required (Months)/ईपीबीजी की अपेक्षित अवधि (महीने).	38

(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./जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ प्रस्तुत करने है। एमएसई केटेगरी के अंतर्गत केवल वस्तुओं के लिए बिनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से छूट के पात्र हैं। व्यापारियों को इस नीति के दायरे से बाहर रखा गया है।

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable./ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए।

#### Beneficiary/लाभार्थी :

Managing Director WEST BENGAL, Health and Family Welfare Department West Bengal, West Bengal Medical Services Corporation (WBMSC) Kolkata, (West Bengal Medical Service Corporation Limited)

#### Splitting/विभाजन

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

# MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता

No

MII Purchase Preference/एमआईआई खरीद वरीयता

MII Purchase Preference/एमआईआई खरीद वरीयता	Νο	
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 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.
Experience Criteria: In respect of the filter applied for experience criteria, the Bidder or its OEM {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU / Public Listed Company for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts to be submitted along with bid in support of having supplied some quantity during each of the Financial year. In case of bunch bids, the category of primary product having highest value should meet this criterion.

3. 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

#### Pre Bid Detail(s)

Pre-Bid Date and Time	Pre-Bid Venue
10-04-2023 14:00:00	2nd Floor, Conference Hall, Sasthya Sathi Building, WBMSCL

## Microscopes - Pathological And Research As Per Is:4381, Is:5204-IS:4381, IS:5204 ( 274 pieces )

Brand Type/ब्रांड का प्रकार

Registered Brand

#### Technical Specifications/तकनीकी विशिष्टियाँ

\* As per GeM Category Specification/जेम केटेगरी विशिष्टि के अनुसार

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य	
CONFORMITY / TYPE / EYE PIECE -	Microscope Type	research binocular non hinged type with built in light and with light intensity regulator	
OBJECTIVE DETAILS	ISI MARKED	No	
	Еуе ріесе Туре	Compensating	
	Binocular Eye pieces Confirming to the requirements of IS: 8275/1976 ( latest)	yes	
	Eye Piece with magnification	Set of Two For Binocular 10x	

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य	
Objective Type		achromatic	
	Objective Magnification	10 x, 40 x, 100X, 4X	
	Numerical Aperture of Objective	1.25	
	Type of lamp for Illumination	led	
ACCESSORIES	Extra eyepieces (inclusive in the scope of supply)	NA	
WARRANTY	Warranty	3, 4, 5 Or higher	

# Additional Specification Parameters - Microscopes - Pathological And Research As Per Is:4381, Is:5204-IS:4381, IS:5204 (274 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)	
Objective Magnification	4X,10X,40X & 100X ( oil immersion)	
Certification	CE / US FDA / BIS	
Warranty	3 Years ( Ignore 4 and 5 or higher years)	

\* 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	Raju Sarkar	700091,Swasthya Sathi, GN-29, Sector V, Salt Lake	274	90

Special terms and conditions-Version:2 effective from 06-01-2023 for category Microscopes -Pathological And Research As Per Is:4381, Is:5204-IS:4381, IS:5204

#### 1.

Special Term:

# 1. Comprehensive warranty

and Conditions

Comprehensive warranty shall include preventive maintenance including calibration as per technical/ service /operational manual of the manufacturer, service charges and spares,. During the warranty period commencing from date of the successful completion of warranty period, Service personnel shall visit each consignee site as recommended in the manufacturer's technical/ service /operational manual, at least once in six months. warranty shall not be including the consumables .Further there will be 98% uptime warranty during warranty period on 24 (hrs) X 7 (days) X 365 (days) basis, with penalty, to extend warranty period by double the downtime period.

- 2. Service centres Details of Service outlets in India to render services for equipment to be furnished to buyer/consignees with complete address ,telephone numbers, e mails etc at time of making the supplies .It shall be the responsibility of seller to ensure that authorized service centres are available to cater to the areas where supplies are made within reasonable distance from where the service calls can be handled .Details of toll free numbers for service call and online registration of service requests also to be provided buyer/consignee at the time of supplies
- 3. **Source of supply**: It shall be responsibility of seller to provide Documents regarding source of equipments such as copy of Performa invoice or any other documents to establish that the products supplied are manufactured by OEM indicated and sourced from them .
- 4. Packing and Marking Medical equipments being very delicate and sensitive packing for the goods should be strong and durable enough to withstand transit including transhipment (if any), rough handling, open storage etc. without any damage, deterioration etc. .The size, weights and volumes of the packing cases, remoteness of the final destination of the goods, availability or otherwise of transport and handling facilities at all points during transit up to final destination,. Quality of packing, the manner of marking within & outside the packages and provision of accompanying documentation shall take in to consideration the type of medical equipments being supplied. The accessories shall be suitably labelled and packed .Each of the package shall be marked on three sides with indelible paint of proper quality: indicating contract number and date , brief description of goods including quantity ... Packing list reference number , country of origin of goods and any other relevant details
- 5. Spare Parts : Seller shall provide materials, information etc. pertaining to spare parts manufactured and supplied by the OEM . It shall be ensured that the required spares are available for purchase at least for 10 years from date of supplies .In case due to any reasons the production of the spare parts is discontinued sufficient advance notice should be given to the buyer/consignee before such discontinuation to provide adequate time to purchase the required spare parts etc. Further, OEM and their service centres/dealers shall carry sufficient inventories to assure ex-stock supply of consumables and spares for the equipments so that the same are available.

OEM or reseller shall always accord most favoured client status to the buyer/consignee and shall give the most competitive price for spares and consumables of its machines/equipments supplied

- 6. Installation, Training, Manuals Seller shall be responsible to carry out Installation & commissioning, Supervision and Demonstration of the They shall provide required jigs and tools for assembly, minor civil works for the completion of the installation and Training of Consignee's representatives for operating and maintaining the equipment and Supplying required number of operation & maintenance manual for the goods. In case the category parameters are specifying any requirements regarding the installations, training and manuals the same shall also be applicable
- 7. Electrical safety checking: Sellers are required to make sure that they furnish the list of equipments for carrying out routine and preventive maintenance to buyer/consignee .They should make sure to periodically check the electrical safety aspects as per BIS Safety Standards or equivalent .In case they do not have required equipment for such testing should ensure that the equipments checked for electrical safety compliance through labs with facilities for such checking during every preventive maintenance call.
- 8. Software: All software updates should be provided free of cost during warranty period

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

### 1. Generic

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

At the Sub-Centre (SC), Primary Health Centre (PHC), Block Public Health Unit (BPHU) and Urban Primary Health Unit (UPHC) of the State of West Bengal.

### 2. Forms of EMD and PBG

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 online transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer along with bid.

#### 3. Generic

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-oflife by the OEM before this period.

# 4. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

1 Bidders should arrange for an onsite functional demonstration of the offered equipment on t he notified date at facility at Kolkata, West Bengal. Or at **Swasthya Bhavan**. The evaluation of th e spec indicator will be made based on the reports of the onsite functional demonstration of the e quipment. The onsite functional demonstration of the equipment is purely at the discretion of the 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 W BMSCL 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 equipmen t.

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 lette r head of chartered accountant with mentioning valid UDIN (Unique Document Identification Numb er). 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 Departm ent Memo No. 375-F(Y) Dated 30.01.2023 where has been clearly mentioned that, in o rder 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 exi sting 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 Categor y, whose credentials are validated online through Udyam / NSIC (National S mall Industries Corporation) database/ DIC (District Industries Corporation) d atabase.

> 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 a bove.

iv. Sellers/ Service Providers of Primary Product Categories having BIS (B ureau of Indian Standards) certification.

**6.** Availability of Service Centers : OEM / Bidder must have a Functional Service Centre in **Kolkat a , Siliguri and Durgapur** and have capability of providing service throughout West Bengal.

**7.** Successful bidder/OEM will have to ensure that adequate number of dedicated technical servi ce 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.

**8.** As many as number required, end user training must be provided within the warranty period without any charges.

**9.** Restrictions under Rule 144(xi) of the general Financial Rules(GFRs),2017:A s per office memorandum from the Ministry of Finance, Govt. of India the followi ng 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 fr om the vendors from the countries sharing land border with India, such vendor will be required to be registered with the competent Authority."

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

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

# 12 . WBMSCL's right to vary quantities:

WBMSCL reserves the right to increase the quantity in case of need / or to decrease the quant ity of goods and related services initially specified in Bid Document and without any change i n 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 o f 2(two) years from the date of bid publication.

# 13. Mobile app based real time monitoring:

The selected bidder(s) must be abide by the tracking and monitoring system of supply, installation and

Commissioning of different medical equipment, medical items and furniture on centralized real ti me basis through an android based mobile application implemented by the Tender Inviting Authority. Guideline in details will be provided at time of issuance of AOC. 14. Bidders shall quote only those products in the bid which are not obsolete in the market and has at least 05 years residual market life i.e. the offered product shall not be declared end-of-life by the OEM before this period.

15. The medical equipment should be USFDA / European CE (4 digit European notified body) / BIS/U KCERT 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.

# 16. The equipment to be supplied at various Sub Centre, Prima ry Health Centre , Block Primary Health Centre ,Health Wellnes s Centre ,Urban Primary Sub Centre across West Bengal. The d etailed list of consignee to be provided at the time of issue of Award of Contract

17. A sticker to be put by the selected bidder on each unit of equipment which is to be provided by the selected bidder.The format of that sticker and it's approval to be provi ded by W.B.M.S.C.L

# **18. Pre-BidMeeting** : 10<sup>th</sup> April (Monday) , 2023 ; 2:00 PM – 5:00 PM

Physically presence of the bidders are mandatory at Board Room of West Bengal Medical Service s Corporation (WBMSC), at 2nd floor , Swasthya Sathi Building, Swasthya Bhawan , Kolkata – 7000 91

# 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 tran sporter]

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 t he equipment will be actually installed)	
Invoice No. & Date:	
Details of Batch /Serial Numbers, if any of item supplied:	
(Signature & Office Seal of authorize da	d representative of Consignees with te)
[Name and designation of the sign	natory to be written capital letter]
(Signature & Office Seal of Head	of the Institute/Hospital with date)
[Name and designation of the sig	natory to be written capital letter]

# 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

г

2. Detailed operation and maintenance manual both in hard and soft copy f or each item of supply at each location

The proving test has been done to our entire satisfaction. The equipments, its acces sories and ancillaries of the site preparation including interiors is functioning satisfa ctorily 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)				

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

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

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

Countersigned by the head of the institute / hospital:	
Signature	Signature of Unit Head: (HOD/MO-IC/Others)
Name	
	Name (in Bloc
Designation with stamp	k):
Date	
	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 %.

# 6. Certificates

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.

# 7. Service & Support

Escalation Matrix For Service Support : Bidder/OEM must provide Escalation Matrix of Telephone Numbers for Service Support.

# 8. Generic

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.

# 9. Warranty

Warranty period of the supplied products shall be 3 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.

#### 10. Generic

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. Warranty

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)

#### 12. Scope of Supply

Scope of supply (Bid price to include all cost components) : Supply Installation Testing and Commissioning of Goods

#### 13. Generic

Scope of supply includes Training: Number of employees to be trained

1370 , Place for Training at the consignee location and Duration of training 2 days.

#### 14. Warranty

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.

#### 15. Forms of EMD and PBG

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.

#### 16. 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.

### 17. Generic

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.

# 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. 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 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 के बिडर से खरीद पर प्रतिबंध के संबंध 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 को बिडर हम की पिए 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 कार्रवाई का आधार होगा।

---Thank You/धन्यवाद---