

## Bid Document

| Bid Details                                                                  |                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Bid End Date/Time</b>                                                     | 05-12-2022 17:00:00                                                                                                                                                                                                                                                                                                                |
| <b>Bid Opening Date/Time</b>                                                 | 05-12-2022 17:30:00                                                                                                                                                                                                                                                                                                                |
| <b>Bid Offer Validity (From End Date)</b>                                    | 180 (Days)                                                                                                                                                                                                                                                                                                                         |
| <b>Ministry/State Name</b>                                                   | West Bengal                                                                                                                                                                                                                                                                                                                        |
| <b>Department Name</b>                                                       | Health And Family Welfare Department West Bengal                                                                                                                                                                                                                                                                                   |
| <b>Organisation Name</b>                                                     | West Bengal Medical Services Corporation (wbmsc) Kolkata                                                                                                                                                                                                                                                                           |
| <b>Office Name</b>                                                           | West Bengal                                                                                                                                                                                                                                                                                                                        |
| <b>Total Quantity</b>                                                        | 2                                                                                                                                                                                                                                                                                                                                  |
| <b>Item Category</b>                                                         | Rotary Shaker (Q3)                                                                                                                                                                                                                                                                                                                 |
| <b>Minimum Average Annual Turnover of the bidder (For 3 Years)</b>           | 3 Lakh (s)                                                                                                                                                                                                                                                                                                                         |
| <b>Years of Past Experience Required for same/similar service</b>            | 3 Year (s)                                                                                                                                                                                                                                                                                                                         |
| <b>MSE Exemption for Years of Experience and Turnover</b>                    | No                                                                                                                                                                                                                                                                                                                                 |
| <b>Startup Exemption for Years of Experience and Turnover</b>                | No                                                                                                                                                                                                                                                                                                                                 |
| <b>Document required from seller</b>                                         | Experience Criteria,Bidder Turnover,Certificate (Requested in ATC),OEM Authorization Certificate,Additional Doc 1 (Requested in ATC)<br>*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 |
| <b>Bid to RA enabled</b>                                                     | Yes                                                                                                                                                                                                                                                                                                                                |
| <b>RA Qualification Rule</b>                                                 | H1-Highest Priced Bid Elimination                                                                                                                                                                                                                                                                                                  |
| <b>Time allowed for Technical Clarifications during technical evaluation</b> | 2 Days                                                                                                                                                                                                                                                                                                                             |
| <b>Evaluation Method</b>                                                     | Total value wise evaluation                                                                                                                                                                                                                                                                                                        |

### EMD Detail

|               |       |
|---------------|-------|
| Advisory Bank | ICICI |
| EMD Amount    | 5000  |

### ePBG Detail

|                                     |       |
|-------------------------------------|-------|
| Advisory Bank                       | ICICI |
| ePBG Percentage(%)                  | 3.00  |
| Duration of ePBG required (Months). | 26    |

(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:**

MANAGING DIRECTOR

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

**Splitting**

Bid splitting not applied.

**MII Purchase Preference**

|                         |    |
|-------------------------|----|
| MII Purchase Preference | No |
|-------------------------|----|

**MSE Purchase Preference**

|                         |     |
|-------------------------|-----|
| MSE Purchase Preference | Yes |
|-------------------------|-----|

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. 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. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail the Purchase preference, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service. If L-1 is not an MSE and MSE Seller (s) has/have quoted price within L-1+ 15% of margin of purchase preference /price band defined in relevant policy, such Seller shall be given opportunity to match L-1 price and contract will be awarded for 25 % percentage of total quantity.

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

## Rotary Shaker ( 2 pieces )

|            |                  |
|------------|------------------|
| Brand Type | Registered Brand |
|------------|------------------|

### Technical Specifications

[\\* As per GeM Category Specification](#)

| Specification          | Specification Name                                                 | Bid Requirement (Allowed Values)                                                                                                                                                               |
|------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Performance Parameters | <b>Mounting</b>                                                    | Bench Top                                                                                                                                                                                      |
|                        | <b>Controller</b>                                                  | Microprocessor, Mechanical Timer                                                                                                                                                               |
|                        | <b>Type of motor</b>                                               | Brushless DC                                                                                                                                                                                   |
|                        | <b>Stepless frequency speed control</b>                            | Yes, No                                                                                                                                                                                        |
|                        | <b>Speed range in RPM</b>                                          | 130 or 180 RPM, 20 to 300                                                                                                                                                                      |
|                        | <b>Shaking amplitude in mm</b>                                     | 40, 25                                                                                                                                                                                         |
|                        | <b>Compact counter balance drive mechanism to ensure stability</b> | Yes, No                                                                                                                                                                                        |
|                        | <b>Platform size in length x width in mm x mm</b>                  | 24 x 24                                                                                                                                                                                        |
|                        | <b>Flask sizes which can be accommodated in plat form in ml</b>    | 50, 100, 250, 500, 1000                                                                                                                                                                        |
|                        | <b>Display</b>                                                     | LCD                                                                                                                                                                                            |
|                        | <b>Auto restart after power resumption</b>                         | Yes, No                                                                                                                                                                                        |
|                        | <b>Maximum volume in liters</b>                                    | 2, 18                                                                                                                                                                                          |
|                        | <b>Power supply</b>                                                | 230 v plus minus 10% 50 hz, AC 110Volts 50Hz/60Hz, Single Phase, 220 Volts, 50Hz/60Hz, Single Phase, 240 Volts, 50Hz/60Hz, Single Phase, 220 Volts, 50Hz, Single Phase, 100 to 240 V, 50/60 Hz |
|                        | <b>No of 50 ml clamps supplied with machine</b>                    | 5                                                                                                                                                                                              |
|                        | <b>No of 100 ml clamps supplied with machine</b>                   | 5                                                                                                                                                                                              |

| Specification | Specification Name                                                                             | Bid Requirement (Allowed Values)      |
|---------------|------------------------------------------------------------------------------------------------|---------------------------------------|
|               | No of 250 l clamps supplied with machine                                                       | 5                                     |
|               | No of 500 ml clamps supplied with machine                                                      | 5                                     |
|               | No of 1000 ml clamps supplied with machine                                                     | 5                                     |
|               | Warranty in years                                                                              | 1                                     |
| Reports       | Availability of test report from govt/ NABL/ILAC accredited lab covering all parameters        | Yes, No                               |
|               | Copies of all certifications and reports to be provided to buyer on demand at time of supplies | NA ,Incase test reports not available |

#### Additional Specification Parameters - Rotary Shaker ( 2 pieces )

| Specification Parameter Name | Bid Requirement (Allowed Values) |
|------------------------------|----------------------------------|
| warranty 2 years             | Mandatory                        |
| Certification                | CE / US FDA /BIS                 |

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

#### Consignees/Reporting Officer and Quantity

| S.No. | Consignee/Reporting Officer | Address                                           | Quantity | Delivery Days |
|-------|-----------------------------|---------------------------------------------------|----------|---------------|
| 1     | Abir Kumar Sasmal           | 700091,Swasthya Sathi, GN-29, Sector V, Salt Lake | 2        | 60            |

### Buyer Added Bid Specific Terms and Conditions

#### 1. Generic

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address At West Bengal Public Health Laboratory Central Laboratory (Food), KMC, and Regional Food Testing Laboratory Siliguri..

#### 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 on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer along with bid.

### 3. **Generic**

Bidders shall quote only those products 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. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

1. Bidders may have to arrange for a functional demonstration of the offered equipment during technical evaluation of the bids at Kolkata, West Bengal only, if desired by the Tender Inviting Authority (TIA).
  2. **Experience Criteria:** Bidder should submit following documents of same / similar type of laboratory equipment in support of supplies made to Govt. Hospitals/laboratories or reputed private hospitals/labotatorie for the period of last three calendar years ending December 2021:
    - Proof of installation (Installation certificate / Service report duly signed by the hospital / laboratory/healthcare facility) of the same / similar type of laboratory equipment
    - OR
    - Proof of payment against supply and installation of the same / similar type of laboratory equipment.
  3. Bidder should mention the bid reference number along with the quoted make and model of the equipment in the OEM 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. Preference for S.S.I. units registered in West Bengal & PSUs in West Bengal:**

In addition to all other terms and conditions as stated herein, the relevant provision of memo no. 10500F dated 19.11.2004 with subsequent amendments issued by Finance Department; Govt. of West Bengal shall also apply.

**EMD Exemption of other State MSME allowed.**

**EMD Exemption of Bidders having Annual Turnover of Rs 500 crore and above allowed.**

**EMD Exemption of Bidders having credentials verified through the process of Vendor Assessment by Vendor Assessment agencies for the Primary product/primary service for which bid has been invited is allowed.**
6. Availability of Service Centers: OEM / Bidder must have a Functional Service Centre in

**Kolkata** and have capability of providing service throughout West Bengal.

7. 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.
8. As many as number required, end user training must be provided within the warranty period without any charges.

**9. Imposition of restrictions on bidder as per Memorandum bearing West Bengal Finance Department Memo No. 202-F(Y) Dated 18.01.2021 read with F.No.6/18/2019-PPD dated 23.07.2020 of Ministry of Finance, Government of India** where has been clearly mentioned that, any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services (including consultancy services and non-consultancy services) or works (including sub-contracts and turnkey projects) only if the bidder is registered with the Competent Authority.

**10. Service Uptime in Warranty**

- a. Working condition for a minimum period of 354 days out of a period of 365 days. (i.e. 97% Uptime).
- b. Call Log by E-mail/Phone.
- c. The response time to any fault should be not more than 6 hrs after call is logged.
- d. Maximum Downtime allowed without penalty: 72 hours.
- e. Time for rectification should not be more than 48 hours.
- f. Penalty beyond 72 hours downtime & if standby unit is not provided: The percentage of 0.5% of the invoice price of each week or part thereof, of delay unit actual delivery or performance up to a maximum deduction of 7% of the invoice price.
- g. The adequate Engineers to be deployed for attend the all break down call raise by the end user.

**11. Pre-Bid Meeting** : Friday , November 25 ; 12:00 Noon – 4:00 PM  
Physically presence of the bidders are mandatory at Board Room of West Bengal Medical Services Corporation (WBMSC), at 2nd floor , Swasthya Sathi Building, Swasthya Bhawan , Kolkata – 700091

**12. Revised Technical Specifications**  
**Rotary Shaker**

| <b>Specification<br/>n</b>                                 | <b>Specification Name</b>                                                                             | <b>Bid<br/>Requirement<br/>t (Allowed<br/>Values)</b> |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Performance<br>Parameters                                  | <b>Mounting</b>                                                                                       | Bench Top                                             |
|                                                            | <b>Controller</b>                                                                                     | Microprocessor                                        |
|                                                            | <b>Type of motor</b>                                                                                  | Brushless DC                                          |
|                                                            | <b>Stepless frequency speed control</b>                                                               | Yes                                                   |
|                                                            | <b>Speed range in RPM</b>                                                                             | 20 to 350 RPM                                         |
|                                                            | <b>Shaking amplitude in mm</b>                                                                        | 10- 40 or more                                        |
|                                                            | <b>Compact counter balance drive mechanism to ensure stability</b>                                    | Yes                                                   |
|                                                            | <b>Platform size in length x width in inch x inch</b>                                                 | 36 x 36                                               |
|                                                            | <b>Flask sizes which can be accommodated in plat form in ml</b>                                       | 50, 100, 250, 500, 1000                               |
|                                                            | <b>Display</b>                                                                                        | LCD/ LED                                              |
|                                                            | <b>Auto restart after power Resumption</b>                                                            | Yes                                                   |
|                                                            | <b>Maximum volume in liters</b>                                                                       | 10 litres                                             |
|                                                            | <b>Power supply</b>                                                                                   | 220 Volts, 50Hz Single Phase                          |
| Reports                                                    | <b>Availability of test report from govt/ NABL/ILAC accredited lab covering all parameters</b>        | Yes                                                   |
|                                                            | <b>Copies of all certifications and reports to be provided to buyer on demand at time of supplies</b> | Yes                                                   |
| <b>Additional Specification Parameters - Rotary Shaker</b> |                                                                                                       |                                                       |

| <b>Specification<br/>Parameter Name</b> | <b>Bid Requirement<br/>(Allowed Values)</b> |
|-----------------------------------------|---------------------------------------------|
| warranty 2 years                        | Mandatory                                   |
| Certification                           | CE/ US FDA /BIS                             |

**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:                       |  |

.....  
(Signature & Office Seal of authorized representative of Consignees  
with date)

[Name and designation of the signatory to be written capital letter]

.....  
(Signature & Office Seal of Head of the Institute/Hospital with date)

[Name and designation of the signatory 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  |             |          |                       |

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*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),

| Sl | Name | Designation | Contact No | E-mail ID (In CAPS) | Signature |
|----|------|-------------|------------|---------------------|-----------|
| 1  |      |             |            |                     |           |
| 2  |      |             |            |                     |           |
| 3  |      |             |            |                     |           |

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

#### 5. **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.

#### 6. **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 %.

#### 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.

**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:

#### **Warranty**

9.

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.

#### **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. 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.

#### **12. 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)

### 13. **Scope of Supply**

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

### 14. **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.

### 15. **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.

### 16. **Generic**

Scope of supply includes Training: Number of employees to be trained 10 , Place for Training at the consignee location and Duration of training 2 days.

### 17. **Warranty**

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.

### 18. **Certificates**

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.

### 19. **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.

## 20. **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.

## **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 also governed by 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---**