

Bid Corrigendum

GEM/2024/B/4921815-C3

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. Buyer Added text based ATC clauses

Clarifications for Queries sought against this tender has been uploaded in "Buyer uploaded ATC document":

M/s Tata Communications Limited is not eligible for the bid, as it is existing Internet Service P rovider.

1. The documents uploaded in GeM can be read as

| Sl.No | Name in bid document | Document description as per Po werTel |
|-------|--|---|
| 1 | Price Schedue | Price breakup sheet. (Bidders need to fill and upload in Fi nancial part of bid) |
| 2 | Detailed Scope of Service | Technical Specification document |
| 3 | Buyer uploaded ATC docu ment | 1. First Envelop and Bid Forms and Ch ecklist (To be filled and uploaded in Technical bid) 2. BG format for Bid Security and CPG |
| 4 | Buyer Added Bid Specific SLA File attachment | Qualifying Requirements (QR) |
| 5 | Buyer Added Bid Specific Scope Of Work(SOW) File Attachment | 1. Invitation For Bids (IFB) 2. Instruction To Bidders (ITB) 3. Bid data Sheets (BDS) 4. General Conditions Of Con tract (GCC) 5. Special Conditions Of Cont ract (SCC) 6. Sample forms and Procedures (inc |

2.

3. Quantity Variation:

- a) The contract period shall be for two (2) years.
- b) Quantity Variation of upto +/- 50% over LOA Value, with individual item can vary at any extent depending on the requirement.
- c) The contract period may also be extended/reduced upto maximum of one (01) year using the quantity variation limit (upto -50% or upto +50% over LOA Value) provided in the contract based on requirement.
- d) The total variation (due to increase in quantity of individual items and/ or increase in duration of contract) in contract value shall be limited to the quantity variation limit (upto -50% or upto +50% over LOA Value) provided in the contract.
- e) PowerGrid Teleservices Limited (PowerTel) Amendment to the quantity variation shall be given as per requirement.

4. QR: The Qualifying Requirements like MAAT, past performance criteria of bidders shall be as per PowerGrid Teleservices Limited (PowerTel) QR uploaded as "Qualifying requirements" in **"Buyer Added Bid Specific SLA"**. Bidders shall upload the documents as proof of compliance to the PowerTel QR.

5. e-RA: e-Reverse Auction shall be conducted as per the provision and Business rules available in the GeM Portal for e-Reverse Auction

6. Liquidated damages - Shall be as per GeM

7. MSME criteria: Sellers/ Service Providers claiming to be an MSE have to register on Udyam Registration portal and provide a copy of Udyam Registration certificate, as documentary evidence in its bid in line with notification of Government of India, Ministry of Small Scale Industries, vide S.O. 1702(E) dated 1 st June, 2020 superseded by S.O. 2119(E) dated 26/06/2020 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) and GeM GTC. In case of non-submission of the above mentioned supporting documents, the Seller/ Service Provider shall not be considered as MSE.

Further, all other identifiers for classifying a firm as MSE viz. registration with District Industries Centers (DICs)/ Khadi & Village Industries Commission (KVIC)/ Khadi & Industries Board (KVIB)/ Coir Board or National Small Industries Corporation (NSIC)/ Directorate of Handicrafts and Handlooms/ Udyog Aadhar Memorandum etc. may not be accepted for classification as MSE.

If a bidder is MSE (based on the documents submitted in the bid) but has not claimed for "MSE Purchase Preference" in GeM for the subject tender, MSE purchase preference shall not be extended for that bidder in that tender.

8. Only Class-I Local suppliers are eligible to bid. 'Class-I local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has Local Content equal to or more than 50%. Firms who are not Class-I local supplier shall not be eligible to bid.

9. Earnest Money Deposit (EMD): The Bidder shall furnish, except as exempted herein below, as part of its bid, a bid security in the amount and currency as stipulated above.

The EMD may be submitted in the following formats,

1. Demand draft with Account Payee Demand Draft in favour of **PowerGrid Teleservices Limited** payable at Gurgaon
2. Bankers Cheque with Banker's Cheque in favour of **PowerGrid Teleservices Limited** payable at Gurgaon.
3. Bank Guarantee- Format attached in "Buyer uploaded ATC document". BG shall be valid for 250 days from the original date of bid opening.
4. Online Payment- EMD can be submitted as online payment in **PowerGrid Teleservices Limited** bank account as detailed below.

| Name of Bank and Address | IFSC Code | PowerGrid Teleservices Limited Current A/c No. |
|---|-------------|--|
| ICICI Bank, Power Grid Corporation Of India Ltd, Corporate Office, Plot No. 2, Sector 29, Near Iffco Chowk., Gurgaon, Haryana, 122001 | ICIC0000572 | 777705000686 |

The Bid Security shall be in favour of '**PowerGrid Teleservices Limited**' payable at Gurgaon

Bidder has to upload scanned copy / proof of the Bid Security along with bid and has to ensure delivery of hardcopy to the Buyer within 5 days of Bid End date / Bid Opening date and mailed to below mail IDs.

1. pmishra@powergrid.in
2. mohan@powergrid.in
3. sammeta@powergrid.in

Micro and Small Enterprises (MSEs) registered with UDYAM are exempted from submission of Bid Security as per the Provisions of the Public Procurement Policy and GeM GTC. This shall be subject to the production of documentary evidence with regard to registration with authorities mentioned above.

Those MSE Bidder (based on the documents submitted in the bid) who have not claimed for "EMD exemption" in GeM for the subject tender, EMD exemption benefits shall not be extended for that bidder in the subject tender as per GeM procedures/policies.

10. Security Deposit/Contract Performance Guarantee

- i. The successful bidder is required to submit a Contract Performance Guarantee (CPG) for an amount equal to 5% of total Contract value in form of BG. The same shall be extended by the bidder time to time till ninety (90) days beyond the actual Defect Liability Period, as may be required under the Contract. Format attached in "Buyer uploaded ATC document"
- ii. The Bank Guarantee for performance security is to be provided by the Contractor, which should be issued either:
 - a. by a Public Sector Bank located in India or
 - b. a scheduled Indian Bank having paid up capital (net of any accumulated losses) of Rs.1,000 Million or above (the latest annual report of the Bank should support compliance of capital adequacy ratio requirement) or
 - c. by a foreign Bank or a subsidiary of a foreign Bank, acceptable to the Employer, with overall international corporate rating or rating of long term debt not less than A- (A minus) or equivalent by a reputed rating agency.

Further, the Bank Guarantee should be confirmed by either (i) its corresponding bank located in India or (ii) a scheduled commercial private bank located in India as per para (b) above.

The CPG/Security amount will not earn any interest, whatsoever the period retained by PowerTel

11. The "**First envelop and Bid Forms and Checklist**" attached as link in **Buyer uploaded ATC document**" need to be filled, signed and uploaded in technical part of bid.
12. Technical Specifications, SLA etc., shall be as per "**Detailed Scope of Service**" attached in "**Additional Qualification/Data Required**".
13. PowerTel Sample forms for Bank Guarantee are attached in **Buyer uploaded ATC document**.
14. The mandatory documents to be uploaded in bid by bidders
 - a. **License copy as required wrt QR and TS shall be uploaded.**
 - b. Scanned copy / proof of the Bid Security (EMD) by the bidders. The bidders who are exempted from submission of EMD shall submit documentary evidence for the same
 - c. Self-declaration on company Letter head to comply for **documents attached in "Additional Scope of Work"**.
 - d. Duly filled and signed "First Envelope Attachments and Bid Forms" and "Checklist" attached in **"Buyer uploaded ATC document"**.
 - e. Integrity Pact on 100/- stamp paper (attachment-14 in first envelop and bid forms)
 - f. Safety Pact on 100/- stamp paper (attachment-18 in first envelop and bid forms)
 - g. Certificate from bank as per attachment-16 in first envelope and bid forms. (Format given in 'Payment terms, insurance and sample forms' in "**Sample Forms and Payment Terms**" attached in "**Buyer Added Bid Specific Scope Of Work(SOW)**" need to be filled and uploaded
 - h. Local Content Declaration: Bidders shall submit Self certification regarding Local Content in line with PPP-MII order and DoT Order, on a non-judicial stamp paper of Rs. 100/-. (Format given in Attachment-21 of first envelop and bid forms)
 - i. Audited Balance sheets of last 5 financial years.
 - j. Supporting documents (POs, TOCs and performance certificate) for compliance of technical experience as per PowerTel Qualifying requirements (QR) attached as **Buyer Added Bid Specific S LA**.
 - k. Power of Attorney
 - l. Company details (Registration certificate, GST registration certificate, PAN, bank details with proof, profile of the company, MSME if applicable, PF details etc.,)

The above list is non-exhaustive, however bidders are requested to go through the bid document and submit the requisite documents

15. In case of any contradiction in terms and conditions between the GeM Policy and PowerTel Bidding Document, the latter shall prevail.

16. Assignment Clause:

POWERGRID have transferred its telecommunication business to POWERGRID TELESERVICES LIMITED with effect from October 01, 2023 .

Any document submitted by the bidder against this bid shall be valid for evaluation and award by PowerGrid Teleservices Limited.

In particular, the PO shall be issued by POWERGRID TELESERVICES LIMITED and the invoice(s) shall be raised on POWERGRID TELESERVICES LIMITED"

17. Bidders can submit their queries online to the below mail ids and clarification will be provided for the same via mail.

- i. pmishra@powergrid.in
- ii. mohan@powergrid.in
- iii. sammeta@powergrid.in

- 2. Buyer uploaded ATC document [Click here to view the file.](#)
- 3. Text Clause(s)

Qualifying requirements attached as "Buyer Added Bid Specific SLA Document". Bidders shall upload the documents as proof of compliance to the PowerTel QR.

- 4. File Attachment [Click here to view the file.](#)
- 5. Text Clause(s)

The List of documents are merged and uploaded in Buyer Added Scope of Work Document:

- 1. Invitation For Bids (IFB)
- 2. Instruction To Bidders (ITB)
- 3. Bid data Sheets (BDS)
- 4. General Conditions Of Contract (GCC)
- 5. Special Conditions Of Contract (SCC)
- 6. Sample forms and Procedures (including payment, insurance terms)

- 6. File Attachment [Click here to view the file.](#)

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. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

- 1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
- 2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
- 3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
- 4. Creating BoQ bid for single item.
- 5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
- 6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
- 7. Floating / creation of work contracts as Custom Bids in Services.
- 8. Seeking sample with bid or approval of samples during bid evaluation process. (However, in bids for [attached categories](#), trials are allowed as per approved procurement policy of the buyer nodal Ministries)
- 9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
- 10. Seeking experience from specific organization / department / institute only or from foreign / export experience.

11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.
15. Any ATC clause in contravention with GeM GTC Clause 4 (xiii)(h) will be invalid. In case of multiple L1 bidders against a service bid, the buyer shall place the Contract by selection of a bidder amongst the L-1 bidders through a Random Algorithm executed by GeM system.

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](#)