

Bid Number: GEM/2022/B/2244017

Dated: 08-06-2022

### **Bid Document**

Bid Details		
Bid End Date/Time	23-06-2022 11:00:00	
Bid Opening Date/Time	23-06-2022 11:30:00	
Bid Offer Validity (From End Date)	55 (Days)	
Ministry/State Name	Ministry Of Power	
Department Name	Power Grid Corporation Of India Limited	
Organisation Name	Power Grid Corporation Of India Limited	
Office Name	Corporate Office Gurgaon	
Item Category	Manpower Outsourcing Services - Minimum wage - Highly- Skilled; Non-IT Technical; Fitter , Manpower Outsourcing Services - Minimum wage - Skilled; Non-IT Technical; Fitter	
Contract Period	1 Year(s) 11 Month(s) 29 Day(s)	
Minimum Average Annual Turnover of the bidder (For 3 Years)	68 Lakh (s)	
Years of Past Experience Required for same/similar service	3 Year (s)	
Past Experience of Similar Services required	Yes	
MSE Exemption for Turnover	Yes	
Startup Exemption for Turnover	Yes	
Document required from seller	Experience Criteria, Bidder Turnover, Certificate (Requested in ATC) *In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer	
Bid to RA enabled	No	
Time allowed for Technical Clarifications during technical evaluation	2 Days	
Floor Price	This bid has been created/published with floor price(minimum value) selected by the Buyer. Service Providers are advised to quote above the minimum floor value.	
Estimated Bid Value	13683129.85	
Evaluation Method	Total value wise evaluation	

#### **EMD Detail**

Advisory Bank State Bank of India
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EMD Percentage(%)	2.00	
EMD Amount	273663	

#### ePBG Detail

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

- (a). EMD EXEMPTION: The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy.
- (b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

#### **Beneficiary:**

POWERGRID CORPORATION OF INDIA LIMITED 12, RANA PRATAP MARG, HAZRATGANJ, LUCKNOW, (UTTAR PRADESH), 226001 (Northern Region 3)

### **Splitting**

Bid splitting not applied.

#### **MSE Purchase Preference**

MSE Purchase Preference	No
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#### **Details of the Competent Authority for MSE**

Name of Competent Authority	BOARD OF DIRECTOR
Designation of Competent Authority	BOARD OF DIRECTOR
Office / Department / Division of Competent Authority	BOARD OF DIRECTOR
CA Approval Number	approved
Competent Authority Approval Date	07-06-2022
Brief Description of the Approval Granted by Competent Authority	PURCHASE PREFERENCE TO MSE IS NOT APPALICABLE FOR AMC SERVICE

Competent Authority Approval for not opting Micro and Small Enterprises Preference : View Document

- 1. If the bidder is a Micro or Small Enterprise as per latest definitions under MSME rules, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria". If the bidder is OEM of the offered products, it would also be exempted from the "OEM Average Turnover" criteria. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.
- 2. If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria". If the bidder is OEM of the offered products, it would also be exempted from the "OEM

Average Turnover" criteria. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.

3. 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.

- 4. Years of Past Experience required: The bidder must have experience for number of years as indicated above in bid data sheet (ending month of March prior to the bid opening) of providing similar type of services to any Central / State Govt Organization / PSU / Public Listed Company. Copies of relevant contracts / orders to be uploaded along with bid in support of having provided services during each of the Financial year.
- 5. 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.
- 6. Past Experience of Similar Services: The Bidder must have successfully executed / completed at least one single order of 80 % of the Estimated Bid Value or 2 orders each of 50 % of the Estimated Bid Value or 3 orders each of 40 % of the Estimated Bid Value for similar service(s) in last three years to any Central / State Govt Organization / PSU / Public Listed Company. Copies of contracts / work orders and documentary evidence of successful execution / completion in support of Past Experience of Similar Services along with names, address and contact details of clients shall be uploaded with the bid for verification by the Buyer.

#### **Additional Qualification/Data Required**

**Annual turnover Required by Buyer in Crores:**Bidders Average Annual Turnover (For last 3 Financial Years) should be not less than INR 114.93 Lakh.

The Bidder should have executed at least X No. projects with contract value not less than yy for each contract of providing manpower services to Central/ State Government Departments/ Public Sector Undertakings/ Autonomous Bodies in last N financial years: Bidder must have successfully executed 1 Project of Value not less than INR 122.59 Lakh or 2 Projects not less than INR 76.62 Lakh each or 3 Projects not less than INR 61.30 Lakh each during last 3 FY

Scope of work & Job description: 1654601542.pdf

Buyer to upload undertaking that Minimum Wages indicated by him during Bid Creation are as per applicable Minimum Wages Act: <a href="https://doi.org/10.1007/journal.com/">1654601554.pdf</a>

## Manpower Outsourcing Services - Minimum Wage - Highly-Skilled; Non-IT Technical; Fitter ( 5 )

Specification	Values	
Core		
Skill Category	Highly-Skilled	
Type of Function	Non-IT Technical	
List of Profiles	Fitter	
Educational Qualification	Not Required	
Specialization	Not Required	
Post Graduation	Not Required	
Specialization for PG	Not Applicable	
Experience	0 to 3 Years	

Specification	Values	
State	NA	
Zipcode	NA	
District	NA	
Addon(s)		
Additional Details		
Title for Optional Allowances 1	Uniform Allowances	
Designation 5 Nos of Highly skilled fitter for Orai TLM		
Title for Optional Allowances 2 Not Applicable		
Title for Optional Allowances 3 Not Applicable		

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
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S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Mohd Shoab	285201,Power Grid Corporation of India Limited, Northern Region Transmission System- III, 765/400 kV GIS Substation , Near Village SOMAI, AIT, ORAI, Distt: JALAUN, Uttar Pradesh- 285201	5	<ul> <li>Minimum daily wage (INR) exclusive of GST: 724</li> <li>EDLI (INR per day): 2.88</li> <li>Bonus (INR per day): 60.309</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>ESI (INR per day): 23.53</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

# Manpower Outsourcing Services - Minimum Wage - Highly-Skilled; Non-IT Technical; Fitter ( 3 )

Specification	Values	
Core		
Skill Category	Highly-Skilled	
Type of Function	Non-IT Technical	
List of Profiles	Fitter	
Educational Qualification	Not Required	
Specialization	Not Required	
Post Graduation	Not Required	
Specialization for PG	Not Applicable	
Experience	0 to 3 Years	
State	NA	

Specification	Values	
Zipcode		
District NA		
Addon(s)		
Additional Details		
Title for Optional Allowances 3	Not Applicable	
Designation 3 Nos of Highly skilled fitter for Orai SS		
Title for Optional Allowances 1 Uniform Allowances		
Title for Optional Allowances 2 Not Applicable		

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Mohd Shoab	285201,Power Grid Corporation of India Limited, Northern Region Transmission System-III, 765/400 kV GIS Substation, Near Village SOMAI, AIT, ORAI, Distt: JALAUN, Uttar Pradesh-285201	3	<ul> <li>Minimum daily wage (INR) exclusive of GST: 724</li> <li>Bonus (INR per day): 60.309</li> <li>EDLI (INR per day): 2.88</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>ESI (INR per day): 23.53</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

## Manpower Outsourcing Services - Minimum Wage - Skilled; Non-IT Technical; Fitter ( 2 )

## **Technical Specifications**

Specification	Values	
Core		
Skill Category	Skilled	
Type of Function	Non-IT Technical	
List of Profiles	Fitter	
Educational Qualification	Not Required	
Specialization	Not Required	
Post Graduation	Not Required	
Specialization for PG	Not Applicable	
Experience	0 to 3 Years	
State	NA	
Zipcode	NA	
District	NA	
Addon(s)		
Addition	al Details	
Title for Optional Allowances 3	NA	
Title for Optional Allowances 2	NA	
Title for Optional Allowances 1	UNIFORM ALLOWANCE	
Designation	2 SKILLED FITTER FOR ORAI SS	

### **Additional Specification Documents**

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
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S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Mohd Shoab	285201,Power Grid Corporation of India Limited, Northern Region Transmission System-III, 765/400 kV GIS Substation, Near Village SOMAI, AIT, ORAI, Distt: JALAUN, Uttar Pradesh-285201	2	<ul> <li>Minimum daily wage (INR) exclusive of GST: 617</li> <li>Bonus (INR per day): 51.396</li> <li>EDLI (INR per day): 2.88</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.62</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>FSI (INR per day): 20.05</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

# Manpower Outsourcing Services - Minimum Wage - Highly-Skilled; Non-IT Technical; Fitter ( 2 )

Specification	Values
Core	
Skill Category	Highly-Skilled
Type of Function	Non-IT Technical
List of Profiles	Fitter
Educational Qualification	Not Required
Specialization	Not Required
Post Graduation	Not Required
Specialization for PG	Not Applicable
Experience	0 to 3 Years
State	NA

Specification	Values				
Zipcode	NA				
District	NA				
Addon(s)	Addon(s)				
Additional Details					
Designation	2 HIGHLY SKILLED FITTER FOR FATEHPUR SS				
Title for Optional Allowances 3	NA				
Title for Optional Allowances 1	UNIFORM ALLOWANCE				
Title for Optional Allowances 2	NA				

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Chandrashekhar Sharma	212601,POWERGRID CORPORATION OF INDIA LIMITED, FATEHPUR 765/400/220KV Substaion, Vill- Chauferva, Fatehpur-Lalganj- Lucknow Road, PO & Dist- Fatehpur Uttar Pradesh-212601	2	<ul> <li>Minimum daily wage (INR) exclusive of GST: 724</li> <li>Bonus (INR per day): 60.309</li> <li>EDLI (INR per day): 2.88</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>ESI (INR per day): 23.53</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

## Manpower Outsourcing Services - Minimum Wage - Skilled; Non-IT Technical; Fitter ( 4 )

### **Technical Specifications**

Specification	Values
Core	
Skill Category	Skilled
Type of Function	Non-IT Technical
List of Profiles	Fitter
Educational Qualification	Not Required
Specialization	Not Required
Post Graduation	Not Required
Specialization for PG	Not Applicable
Experience	0 to 3 Years
State	NA
Zipcode	NA
District	NA
Addon(s)	
Addi	itional Details
Title for Optional Allowances 1	UNIFORM ALLOWANCE
Designation	4 SKILLED FITTER FOR FATEHPUR SS
Title for Optional Allowances 2	NA
Title for Optional Allowances 3	NA

### **Additional Specification Documents**

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
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S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Chandrashekhar Sharma	212601,POWERGRID CORPORATION OF INDIA LIMITED, FATEHPUR 765/400/220KV Substaion, Vill- Chauferva, Fatehpur-Lalganj- Lucknow Road, PO & Dist- Fatehpur Uttar Pradesh-212601	4	<ul> <li>Minimum daily wage (INR) exclusive of GST: 617</li> <li>EDLI (INR per day): 2.88</li> <li>Bonus (INR per day): 51.396</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>Provident Fund (INR per day): 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>ESI (INR per day): 20.052</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

## Manpower Outsourcing Services - Minimum Wage - Skilled; Non-IT Technical; Fitter ( 2 )

Specification	Values	
Core		
Skill Category	Skilled	
Type of Function	Non-IT Technical	
List of Profiles	Fitter	
Educational Qualification	Not Required	
Specialization	Not Required	
Post Graduation	Not Required	
Specialization for PG	Not Applicable	
Experience	0 to 3 Years	
State	NA	

Specification	Values		
Zipcode	NA		
District	NA		
Addon(s)			
Additional Details			
Title for Optional Allowances 3	NA		
Designation	2 SKILLED FITTER FOR KANPUR GIS		
Title for Optional Allowances 1	UNIFORM ALLOWANCE		
Title for Optional Allowances 2	NA		

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Ashish Kumar Soni	209311,Power Grid Corporation of India Limited, Northern Region Transmission System-III, 765/400 kV GIS Substation, RANIA, Kanpur Dehat, Pin - 209311 (UP)	2	<ul> <li>Minimum daily wage (INR) exclusive of GST: 617</li> <li>Bonus (INR per day): 51.396</li> <li>EDLI (INR per day): 2.88</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>ESI (INR per day): 20.05</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

## Manpower Outsourcing Services - Minimum Wage - Highly-Skilled; Non-IT Technical; Fitter ( 2 )

## **Technical Specifications**

Specification	Values					
Core						
Skill Category	Highly-Skilled					
Type of Function	Non-IT Technical					
List of Profiles	Fitter					
Educational Qualification	Not Required					
Specialization	Not Required					
Post Graduation	Not Required					
Specialization for PG	Not Applicable					
Experience	0 to 3 Years					
State	NA					
Zipcode	NA					
District	NA					
Addon(s)						
Additional Details						
Designation	2 HIGHLY SKILLED FITTER FOR KANPUR GIS					
Title for Optional Allowances 3	NA					
Title for Optional Allowances 1	UNIFORM ALLOWANCE					
Title for Optional Allowances 2	NA					

### **Additional Specification Documents**

S.No.	Consignee/Reporti ng Officer	Address	Number of Resources to be hired	Additional Requirement
1	Ashish Kumar Soni	209311,Power Grid Corporation of India Limited, Northern Region Transmission System-III, 765/400 kV GIS Substation , RANIA, Kanpur Dehat, Pin - 209311 (UP)	2	<ul> <li>Minimum daily wage (INR) exclusive of GST: 724</li> <li>EDLI (INR per day): 2.88</li> <li>Bonus (INR per day): 60.309</li> <li>EPF Admin Charge (INR per day): 2.88</li> <li>Optional Allowances 1 (INR per day): 9.615</li> <li>Optional Allowances 2 (INR per day): 0</li> <li>Optional Allowances 3 (INR per day): 0</li> <li>Number of working days in a month: 26</li> <li>Provident Fund (INR per day): 69.23</li> <li>ESI (INR per day): 23.53</li> <li>Tenure/ Duration of Employment (in months): 24</li> </ul>

## **Buyer Added Bid Specific Terms and Conditions**

#### 1. Generic

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

#### 2. Forms of EMD and PBG

Bidders can also submit the EMD with Account Payee Demand Draft in favour of POWERGRID CORPORATION OF INDIA LIMITED payable at LUCKNOW.

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

#### 3. Forms of EMD and PBG

Bidders can also submit the EMD with Payment online through RTGS / internet banking in Beneficiary name POWERGRID CORPORATION OF INDIA LIMITED Account No. 35993161978 IFSC Code SBIN0000125 Bank Name State Bank of India Branch address Main Branch, P B Division, Moti Mahal Marg, Lucknow – 226 001(UP).

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.

### 4. Generic

**Bidder financial standing:** The bidder should not be under liquidation, court receivership or similar proceedings, should not be bankrupt. Bidder to upload undertaking to this effect with bid.

#### 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. Generic

Buyer Organization specific Integrity Pact shall have to be complied by all bidders. Bidders shall have to upload scanned copy of signed integrity pact as per Buyer organizations policy along with bid. Click here to view the file

#### 8. Generic

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

#### 9. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

Bidders needs to duly fill the QR FORM enclosed at the ATC Document download link of this BID. Duly filled QR FROM shall be uploaded by the Bidders at the "Past Project Experience" document "Upload section" of the Bid, along-with other documents which shall be uploaded in the same section.

If any Bidders fails to submit QR FORM duly filled in the "Past Project Experience Upload section" of the Bid, their Bids shall be considered non-responsive and rejected accordingly.

The Bidder shall complete the Integrity Pact attached alongwith bid document, which shall be applicable for bidding as well as contract execution, duly signed on each page by the person signing the bid and upload the same along with bid. The Bidder shall submit the Integrity Pact on a non-judicial stamp paper of Rs.100/-. Original integrity pact shall be submitted by the winning bidder before award of contract.

Integrity Pact format is attached under ATC. Bidders shall take print out as discussed above and upload the same.

If the Bidder is a partnership firm or a consortium, the Integrity Pact shall be

signed by all the partners or consortium members.

Micro and Small Enterprises (MSEs) registered with **Udyam Registration Portal** as specified by Ministry of Micro, Small and Medium Enterprises are exempted from submission of fee towards the cost of Bidding Documents as per the provisions of the Public Procurement Policy for Micro and Small Enterprises (MSEs) order 2012, Notification dated 01/06/2020 and **26/06/2020** read in conjunction with related notifications issued from time to time for such enterprises. This shall be subject to **submission of 'Udyam Registration Certificate'** with regard to registration with authority mentioned above in accordance with the relevant notification/orders

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#### 10. Buyer Added Bid Specific ATC

Buyer uploaded ATC document Click here to view the file.

#### 11. Generic

Duration of the service contract may be extended up to 6 months beyond the initial contract duration (subject to satisfactory performance and mutual consent).

#### 12. Payment

PAYMENT OF SALARIES AND WAGES: Service Provider is required to pay Salaries / wages of contracted staff deployed at buyer location first i.e. on their own and then claim payment from Buyer alongwith all statutory documents like, PF, ESIC etc. as well as the bank statement of payment done to staff.

#### 13. Generic

Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.

#### 14. Generic

- 1. The Seller shall not assign the Contract in whole or part without obtaining the prior written consent of buyer.
- 2. The Seller shall not sub-contract the Contract in whole or part to any entity without obtaining the prior written consent of buyer.
- 3. The Seller shall, notwithstanding the consent and assignment/sub-contract, remain jointly and severally liable and responsible to buyer together with the assignee/ sub-contractor, for and in respect of the due performance of the Contract and the Sellers obligations there under.

#### 15. 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**

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity/restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and/or terms and conditions governing the bid. Any clause incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents/clauses shall also be null and void. If any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations. Also, GeM does not permit collection of Tender fee / Auction fee in case of Bids / Forward Auction as the case may be. Any stipulation by the Buyer seeking payment of Tender Fee / Auction fee through ATC clauses would be treated as null and void.

This Bid is governed by the <u>General Terms and Conditions</u>, conditions stipulated in Bid and <u>Service Level Agreement</u> specific to this Service as provided in the Marketplace. However in case if any condition specified in General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement, then it will over ride the conditions in the General Terms and Conditions.

In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

---Thank You---