

**NSPCL**  
**(A joint Venture of NTPC & SAIL)**

**SHARED SERVICE CENTRE, Bhilai**

**CONTRACT & MATERIAL DEPTT**

**Section-I**

**NOTICE INVITING TENDER (NIT)**

**FOR**

**"Rate Contract for Excavation, loading of Pond Ash from NSPCL Bhilai PP-II Ash Dyke, transporting and unloading at construction site of road projects of NHAI and other Central or State Government road construction department / Authority / PMGSY Road Project"**

(Domestic Competitive Bidding)

**Tender Ref: NSPCL-Bhilai/SSC/24046**

**GEM Bid no. GEM/2024/B/5022819**

1.0 **NTPC SAIL POWER COMPANY LIMITED (NSPCL)** invites online bids through GeM Portal on **"Single Stage Two Envelope Bidding basis (Envelope-I: Techno-commercial Bid & Envelope-II: Price Bid)"** from eligible bidders for aforesaid package, as per the scope of work briefly mentioned hereinafter.

2.0 **BRIEF SCOPE OF WORK**

The scope of work comprises of **"Rate Contract for Excavation, loading of Pond Ash from NSPCL Bhilai PP-II Ash Dyke, transporting and unloading at construction site of road projects of NHAI and other Central or State Government road construction department / Authority / PMGSY Road Project"**.

NSPCL intends to finance subject Package through Internal Resources.

3.0 Detailed Specification, Scope of Work and Terms & Conditions are given in the Bidding Documents, which are available for examination and Sale at GeM Portal (<https://gem.gov.in/>) and as per the following schedule:

Form of Contract/Tender Category	<b>Services-Works Contract</b>
Source of IFB/NIT	<b>NSPCL-SSC-Bhilai</b>
Mode of Tendering	<b>Custom Bid Service on GeM Portal</b>
NIT Date	<b>As per details at GeM Portal</b>
Document sale Commencement Date	
Last date for receipt of queries from bidders (if any)	
Last Date & time for Bid submission	
Technical Bid Opening Date & Time	
Price bid Opening Date & time	Shall be intimated separately.
Bid Security / EMD	<b>Rs. 10,00,000/-</b>

Benefit to MSME	<b>Applicable.</b>
Contract Period	<b>12 Months</b>
Pre-Bid Conference Date & Time (if any)	<b>Not Applicable</b>
Reverse Auction	<b>Not Applicable</b>
Integrity Pact	<b>Applicable</b>

**“No Queries from Bidders, whatsoever, shall be entertained by the Employer beyond the last date of receipt of Queries/ Pre-Bid Conference (if applicable) as specified on online portal”.**

Corrigendum (if any) shall be available on [GeM Portal](#) only.

As per provisions of Bidding Documents, the Bidders shall submit “Techno-Commercial Proposal” and “Price Proposal” online (<https://gem.gov.in>), within the bid submission date and time as mentioned on Gem Portal. Only Techno-Commercial proposals will be opened on the date and time mentioned on Gem Portal.

Note: For any corrigendum and extension of date of bid submission, please visit the website <https://gem.gov.in>.

**4.0** All bids must be accompanied by Bid Security for an amount (as mentioned at Clause 3.0 above) and Integrity Pact. Integrity Pact shall be submitted as per instruction mentioned in ITB/SCC.

**"ANY BID NOT ACCOMPANIED BY AN ACCEPTABLE BID SECURITY IN A SEPARATE SEALED ENVELOPE SHALL BE REJECTED BY THE EMPLOYER AS BEING NON-RESPONSIVE AND SHALL NOT BE OPENED.**

**Any bid without an acceptable Bid Security and Integrity Pact (applicable) shall be rejected by Employer as being non-responsive and shall not be opened.**

#### **5.0 QUALIFYING REQUIREMENTS FOR BIDDERS.**

The bidder who wishes to participate in the bidding shall meet the Qualifying Requirements stipulated hereunder:

<b>1.0</b>	<b><u>Technical Criteria</u></b>
<b>1.1</b>	<p>The bidder should have executed the following work(s) with “minimum executed value” of <b>Rs. 7.23 Cr. (Rupees Seven Crores and Twenty Three Lakhs Only)</b> within the preceding seven (07) years <i>reckoned from the date of Techno-commercial bid opening</i>, through any of the following routes:</p> <p><b>ROUTE 1:</b> Construction of ‘Ash Dyke’/ ‘Embankment’/ ‘Earthen Dam’/ ‘Road’ / ‘Site Levelling’ <b>OR</b></p> <p><b>ROUTE 2:</b> The Work of Transportation through Road (including loading/unloading) of ‘Ash’ / ‘Any Earthen Material’/ ‘Any Mineral’/ ‘Coal’/ ‘Slag’ <b>OR</b></p> <p><b>ROUTE 3:</b> The Work of “Earthwork including loading/unloading and transportation <i>by road</i>” in any Civil Works (other than those listed above in Route 1).</p>
<b>1.2</b>	<b>Note for Route 1:</b> Strengthening and widening of roads will also be considered under “construction of

road". However, works involving only repair and maintenance of road(s) will not be considered as "construction of road"

**Note for Route 3:**

Under Route-3 above, a Bidder can submit bid citing details of Civil Works as their experience /Reference Works which are not covered under Route-1.

In such Civil Works (under Route-3), the executed value of only those BOQ Items shall be considered for the purpose of calculating "Executed Value" which are pertaining to "Earthwork including loading/unloading and transportation". Earthwork in respect of all kinds of soil, soft rock, hard rock shall be considered for the purpose of evaluation.

**Notes for Route 1 /Route 2 / Route 3:**

- 1) In case of contract(s) under execution as on *date of Techno-commercial bid opening*, the value of work executed till such date will be considered.
- 2) For the PO/WO which were awarded prior to preceding 7 years *from the date of Techno-commercial bid opening*, the value of work executed in the preceding 7 years from the *date of Techno-commercial bid opening* will be considered.
- 3) Reference work executed by the bidder as a sub-contractor may also be considered provided the certificate issued by main contractor is duly certified by owner specifying the scope of work executed by the sub-contractor in support of qualifying requirements.
- 4) The **executed value** is defined here under:

**a) For Route1**

The executed value shall mean the total value of work executed under a single Purchase Order/Work Order/Agreement under Route1.

**b) For Route2**

The executed value shall mean the total value of work executed under a single Purchase Order/Work Order/Agreement under Route2.

However, if the work of "Transportation through Road (including loading/unloading)" is part of some different nature of Work/ Purchase Order/Work Order/Agreement, then the total value of work executed in respect of similar Items will only be considered.

**c)For Route3**

The executed value shall mean the total value of work executed in respect of BOQ items/works as stipulated under Route3 in a single Purchase Order/Work Order/Agreement.

**Values as per Clause 1.1 shall be considered inclusive of taxes & duties.**

2.0	<b><u>Financial Criteria</u></b>
2.1	The average annual turnover (AATO) of the Bidder, should not be less than <b>Rs. 9.04 Cr.</b> (Rupees Nine Crores and Four Lakhs only) during the preceding three (03) completed financial years as on the date of Techno-Commercial bid opening.
2.2	The Net worth requirement to be specified as not being less than 100% of the Bidder's paid up share capital as on the last day of the preceding financial year. In case the Bidder meets the requirement of Net worth based on the strength of its Subsidiary(ies) and/or Holding Company and/or Subsidiaries of the Holding Companies wherever applicable, the Net worth of the Bidders and its Subsidiary(ies) and/or Holding Company, and/or Subsidiary(ies) of the Holding Company, in combined manner should not be less than 100% of their total paid up share capital. However, individually, their Net worth should not be less than 75% of respective paid up share capitals. For

	<p>Consortiums/Joint Ventures, wherever applicable, the Net worth of all consortium/Joint Venture members in combined manner should not be less than 100% of their paid up share capital. However individually their Net worth should not be less than 75% of their respective paid up share capitals.</p> <p>Net worth in combined manner shall be calculated as follows:</p> <p>Net worth (combined)=(X1+X2+X3) / (Y1+Y2+Y3) X 100 Where X1, X2 X3 are individual net worth which should not be less than 75% of the respective paid up share capitals and Y1, Y2, Y3 are individual paid up share capitals.</p>
2.3	<p>In case, a bidder does not satisfy the financial criteria, stipulated at clause 2.1 above on its own, its holding company would be required to meet the stipulated turnover requirements at clause 2.1 above, provided that the net worth of such holding company as on the last day of preceding financial year is at least equal to or more than the paid-up share capital of the holding company. In such an event, the bidder would be required to furnish along with its bid, a Letter of Undertaking from its holding company, supported by Board Resolution, as per the format enclosed in the bid documents, pledging unconditional and irrevocable financial support for the execution of the contract by the bidder in case of award.</p>
2.4	<p>In case the bidder is not able to furnish its audited financial statements on standalone entity basis, the un-audited unconsolidated financial statements of the bidder can be considered acceptable provided the bidder furnishes the following further documents on substantiation of its qualification</p> <ol style="list-style-type: none"> <li>1. Copies of the un-audited unconsolidated financial statements of the Bidder along with copies of the audited consolidated financial statements of its Holding Company.</li> <li>2. A Certificate from the CEO/CFO of the Holding Company, as per the format enclosed in the bidding documents, stating that the un-audited unconsolidated financial statements form part of the Consolidated Annual report of the company.</li> </ol>
2.5	<p>In case where audited results for the last financial year as on the date of techno commercial bid opening are not available, the financial results certified by a practicing Chartered Accountant shall be considered acceptable. In case, Bidder is not able to submit the certificate from practicing Chartered Accountant certifying its financial parameters, the audited results for the three consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a Certificate would be required from the CEO/CFO as per the format enclosed in the bidding documents stating that the Financial results of the Company are under audit as on the date of Techno commercial bid opening and the Certificate from the practicing Chartered Accountant certifying the financial parameters is not available.</p>
Note	<p>(i) Net worth means the sum total of the paid-up share capital and free reserves. Free reserves mean all reserves credited out of the profits and share premium account but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from reserves and surplus.</p>

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|---|
| <p>(ii) <b>Other income</b> shall not be considered for computing annual turnover.</p> <p>(iii) The figures indicated in 2.1 are inclusive of Taxes and Duties. If required, certificate in support of taxes and duties to be provided from Chartered Accountant.</p> <p>(iv) <b>“Holding Company”</b> and <b>“Subsidiary Company”</b> shall have the meaning ascribed to them as per Companies Act of India, in vogue.</p> |
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6.0 Any Certificate(s) / Financial Statement(s) / Audited Balance Sheet and P&L Account (wherever applicable) undertaken/ signed by a Member of Institute of Chartered Accountant of India (ICAI), which Bidders submit in support of compliance to Qualifying Requirements (QR), will carry Unique Document Identification Number (UDIN) generated in line with the Gazette Notification of Council of Institute of Chartered Accountant of India (ICAI).

7.0 **Work distribution:-**

The work is to be distributed among three (03) Bidders with a ratio of 40:30:30 as per Evaluation Criteria.

8.0 Notwithstanding anything stated above, the Employer reserves the right to assess the **credentials/capabilities/capacity** of the Bidder/ his collaborators / associates/ subsidiaries / group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the Employer.

The physical or any mode of assessment/verifications by Employer shall include but not be limited to the assessment/verifications of office/ facilities/ banker's/ submitted reference works in lieu of credentials. A negative determination of such assessment of **credentials/capacity/capabilities** may result in rejection of the bid.

9.0 The reference works whose details have been declared in their bid shall only be considered to ascertain the bidder's compliance to the specified qualifying Requirement (QR). The Employer at its discretion may seek any clarification and/or documentary evidence only for the reference works as mentioned above. However, no change or substitution of the reference works by new/additional plant for conforming to the specified qualifying Requirement shall be sought, offered or permitted”.

10.0 'Class-I local suppliers' only are eligible to participate in this tender, as defined in the bidding documents/ Public Procurement (Preference to Make in India), Order 2017 and its subsequent amendments/ revisions issued by DPIIT. **The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.**

11.0 Any 'Bidder from a country which shares a land border with India', as specified in the Bidding Documents, will be eligible to bid in this tender only if bidder is registered with the Competent Authority as mentioned in the Bidding Documents.

However, the said requirement of registration will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.

12.0 NSPCL reserves the right to reject any or all bids or cancel / withdraw the Invitation for Bids/NIT without assigning any reason whatsoever and in such case no bidder / intending bidder shall have any claim arising out of such action.

13.0 The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the [GeM](https://gem.gov.in) Portal (<https://gem.gov.in>). The Bidder would be required to register on the website.

First time users are required to register themselves on GeM Portal only. First time users not allotted any vendor code by NSPCL, should send a copy of the registration details to the e-mail address specified in this NIT under Address for Communication with following details at least three working days prior to Technical Opening Date:

- a) Request on the letter head of the Company
- b) Address Proof
- c) Copy of GST Registration Certificate & PAN Card,
- d) Email ID and Contact No.
- e) Name and Designation of the contact person
- f) Cancelled cheque & E.F.T form duly verified by bank

**Note:** No Hard Copy of bidding documents shall be issued.

**14.0 Address for communication:**

**AGM/DGM (Contracts & Materials)**

**NTPC SAIL POWER COMPANY LIMITED (NSPCL),**

**Shared Service Centre, Bhilai**

**Expansion Site, Near Purena Village, Bhilai (East) , PO-Dist:Durg(C.G.)**

**Pin Code-490021**

**Tel. No.: 0788-2282435**

**Email: [sudeepk.das@nspcl.co.in](mailto:sudeepk.das@nspcl.co.in)/ [rashmikumari@nspcl.co.in](mailto:rashmikumari@nspcl.co.in)**

**/nbanerjee@nspcl.co.in/ushakumari@nspcl.co.in**

**Websites: <https://gem.gov.in> or [www.ntpc.tender.ntpc.co.in](http://www.ntpc.tender.ntpc.co.in) or [www.nspcl.co.in](http://www.nspcl.co.in)**

**15.0 Registered Office:**

NSPCL,, 4<sup>TH</sup> Floor, NBCC Tower,  
15, Bhikaji Cama Place,  
New Delhi



Bid Number/बोली क्रमांक (बिड संख्या):  
GEM/2024/B/5022819  
Dated/दिनांक : 02-07-2024

### Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	12-07-2024 17:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	12-07-2024 17:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	180 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Power
Department Name/विभाग का नाम	Ntpc Sail Power Company Ltd
Organisation Name/संगठन का नाम	Ntpc Sail Power Company Ltd
Office Name/कार्यालय का नाम	Nspcl Ssc Bhilai
Item Category/मद केटगरी	Handling ,Transport and Other Mining Services - Percentage quote based - Ash Transportation
Contract Period/अनुबंध अवधि	1 Year(s)
MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट	No
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) *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	No
Type of Bid/बिड का प्रकार	Two Packet Bid
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	3 Days
Estimated Bid Value/अनुमानित बिड मूल्य	226020081
Evaluation Method/मूल्यांकन पद्धति	Total value wise evaluation
Financial Document Indicating Price Breakup Required/मूल्य दर्शाने वाला वित्तीय दस्तावेज़ ब्रेकअप आवश्यक है	Yes



**EMD Detail/ईएमडी विवरण**

Advisory Bank/एडवाइजरी बैंक	State Bank of India
EMD Amount/ईएमडी राशि	1000000

**ePBG Detail/ईपीबीजी विवरण**

Advisory Bank/एडवाइजरी बैंक	State Bank of India
ePBG Percentage(%) / ईपीबीजी प्रतिशत (%)	5.00
Duration of ePBG required (Months) / ईपीबीजी की अपेक्षित अवधि (महीने).	15

(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 फ़ूट के इच्छुक बिडर को संबंधित कैटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ प्रस्तुत करने हैं। एमएसई कैटेगरी के अंतर्गत केवल वस्तुओं के लिए विनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से फ़ूट 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 संपदन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए।

**Beneficiary/लाभार्थी :**

Asst. Manager(SSC-CS)  
NSPCL SSC Bhilai, NTPC SAIL Power Company Ltd, NTPC SAIL Power Company Ltd, Ministry of Power  
(Raj Narayan Shukla)

**Splitting/विभाजन**

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

**MII Compliance/एमआईआई अनुपालन**

MII Compliance/एमआईआई अनुपालन	Yes
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**MSE Purchase Preference/एमएसई खरीद वरीयता**

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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1. Purchase preference will be given to MSEs having valid Udyam Registration and whose credentials are validated online through Udyam Registration portal 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 themselves of the Purchase preference, the bidder must be the manufacturer / OEM of the offered product on GeM. Traders are



excluded from the purview of Public Procurement Policy for Micro and Small Enterprises and hence resellers offering products manufactured by some other OEM are not eligible for any purchase preference. 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 and Buyer will decide eligibility for purchase preference based on documentary evidence submitted, while evaluating the bid. If L-1 is not an MSE and MSE Seller (s) has / have quoted price within L-1+ 15% (Selected by Buyer) of margin of purchase preference /price band defined in relevant policy, such MSE Seller shall be given opportunity to match L-1 price and contract will be awarded for 100% (selected by Buyer) percentage of total quantity. The buyers are advised to refer the OM No. F.1/4/2021-PPD dated 18.05.2023 [OM No.1 4 2021 PPD dated 18.05.2023](#) for compliance of Concurrent application of Public Procurement Policy for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017. Benefits of MSE will be allowed only if seller is validated on-line in GeM profile as well as validated and approved by Buyer after evaluation of documents submitted.

2. 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.

**Excel Upload Required/एक्सेल में अपलोड किए जाने की आवश्यकता :**

Section VI BOQ - [1719480818.xlsx](#)

**Additional Qualification/Data Required/अतिरिक्त योग्यता /आवश्यक डेटा**

**Scope of Work:**[1717739266.pdf](#)

**Terms and Conditions to be mentioned by Buyer for bidders to participate:**[1717739276.pdf](#)

**Any Other Documents and Requirement to be mentioned by Buyer:**[1719481547.pdf](#)

**Handling ,Transport And Other Mining Services - Percentage Quote Based - Ash Transportation ( 1 )**

**Technical Specifications/तकनीकी विशिष्टियाँ**

Specification	Values
<b>Core</b>	
SOR Items	Ash Transportation
<b>Addon(s)/एडऑन</b>	

**Additional Specification Documents/अतिरिक्त विशिष्टि दस्तावेज़**

**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी**

S.No./क्र. सं.	Consignee Reporting/Officer/प्रेषित/रिपोर्टिंग अधिकारी	Address/पता	Project based (to be kept as 1)	Additional Requirement/अतिरिक्त आवश्यकता
1	Sunil Kumar Barnwal	490021,NSPCL PP-II, Inside Bhilai Steel Plant, P. O. Bhilai (East) Bhilai	1	<ul style="list-style-type: none"> <li>Base Value in INR (inclusive of all taxes) : 226020081</li> </ul>

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

#### 1. Generic

OPTION CLAUSE: The buyer can increase or decrease the contract quantity or contract duration up to 25 percent at the time of issue of the contract. However, once the contract is issued, contract quantity or contract duration can only be increased up to 25 percent. Bidders are bound to accept the revised quantity or duration

#### 2. Buyer Added Bid Specific ATC

Buyer uploaded ATC document [Click here to view the file.](#)

#### 3. Buyer Added Bid Specific SLA

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

### 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. 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 Bid is governed by the [General Terms and Conditions/सामान्य नियम और शर्तें](#), conditions stipulated in Bid and [Service Level Agreement](#) specific to this Service as provided in the Marketplace. However in case if any condition specified in General Terms and Conditions/सामान्य नियम और शर्तें 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./लेम 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 का कोई भी बिडर इस निविदा में बिड देने के लिए 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 या इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।

---Thank You/धन्यवाद---