

Bid Corrigendum

GEM/2023/B/3055132-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. 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. Buyer Added text based ATC clauses
 1. **The bidder must satisfy the following eligibility criteria and should submit the required proof for the same:**
 - a) The Bidder should be a public limited/private limited company & manufacturer of UPS and should be in existence in India for the last 5 years as on 31/12/2022. *(Copy of Certificate of Incorporation to be submitted)*
 - b) The net worth of bidder firm should not be negative on 31/03/2022 and also should not have eroded by more than 30% (thirty percent) in the last three years, ending on 31/03/2022. *(copy of audited financial statements/certificate from CA with Networth details of three financial years need to be submitted).*
 - c) The average annual turnover should be Rs.1.00 crore or above in last three financial years (2019-20, 2020-21 & 2021-22). *(copy of audited financial statements/certificate from CA with Turnover details of three financial years need to be submitted).*
 - d) The bidder should submit proof of satisfactory supply and installation of atleast two UPS of 15 KVA or higher capacity of own make in last three financial years (2019-20, 2020-21 & 2021-22) to Banks / Financial Institutions / Government Organizations in India. *(copy of the purchase order along with satisfactory letters issued by the organizations to be submitted)*
 - e) The Bidder should not have been debarred/ blacklisted by the Govt. Departments/ Regulatory Agencies / PSU /Banks at the time of submission of bid. Bidder should also not have been insolvent / bankrupt at the time of bid submission. *(Self-Declaration as per the format given in Annexure-II should be attached)*
 - f) The Bidder should have Service Centre in Mumbai. *(The Postal Address of the service center along with proof of address should be provided with the bid.)*
 2. **Bidder has to comply with the additional terms & conditions mentioned under Section-I of buyer uploaded ATC document.**
 3. **Bidder has to submit the Bid Form (Annexure-I), self-declaration of blacklisting (Annexure-II) and bid security (Annexure-IV) as per the format enclosed under Section-II of buyer uploaded ATC document.**
 4. **Successful bidder has to sign contract (Annexure-V) & non-disclosure agreement (Annexure-VII) as per the format enclosed under buyer uploaded ATC document and submit the Performance Security in the form of Bank Guarantee (Annexure-VI) as per the format enclosed under buyer uploaded ATC document.**

Pre-Bid Response:

The Pre-Bid meeting for the referred GeM RFP was held on 07/01/2023. In response to the queries raised by the prospective bidders in the meeting, following clarification & amendments is issued.

Prospective Bidders are advised to go through the above clarification & amendments and submit their bid accordingly. Deviation to RFP and clarification/amendments issued as above will lead to disqualification of the bidders.

S. No	RFP Clause	Query Raised	Clarification/Amendment
1.	Eligibility Criteria The Bidder should be a public limited/private limited company & manufacturer of UPS and should be in existence in India for the last 5 years as on 31/12/2022	We would like to participate in the tender along with our OEM	NO Change in RFP terms
2.	Battery backup of 240 minutes of UPS	We have query about 240 min back time, which may not be possible with full load of 15KVA	As per the requirement, Bank has requested for 4 hours backup.
3.	Bidder should supply only SMF-VRLA Battery with suitable Rack with link cables to house Batteries and connectors required for the same	Whether Sufficient space is available for the UPS & Battery, as backup time of 4 hours for 15 KVA is requested by Bank	Keeping in view of the space constraints following amendment is proposed. - Amendment proposed - Bidder should supply only SMF-VRLA Battery with suitable Rack with link cables to house Batteries and connectors required for the same. Each Battery should be of 200 AH or higher capacity.

- Buyer uploaded ATC document [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. Any clause(s) incorporated by the Buyer regarding following shall be treated as

null and void and would not be considered as part of bid:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process.
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

*This document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

[This Bid is also governed by the General Terms and Conditions](#)