

### Bid Corrigendum

GEM/2023/B/3324342-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 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 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](#)
3. Buyer Added text based ATC clauses

Complete RFP document is available in under "Buyer uploaded ATC Document" below.

Further in response to the queries received from prospective bidders, please find below the clarifications issued by Bank. Bidders are requested to go through the RFP & Clarification issued by Bank and submit their bid accordingly.

S. No.	RFP Page No.	RFP Section Name/ Para No	Description	Query Details	Clarification
1	26	Eligibility Criteria for Bidder	The Bidder should be a Public/ Private Limited Company and should be in existence in India for the last 3 years (as on 31.03.2022). In case of mergers/ acquisitions/ restructuring or name change, the date of establishment of earlier/ original partnership firm/ limited company will be taken into account. Copy of Certificate of Incorporation issued by the ROC and Articles of Association s	Company existence for 3 years till 31/3/2023 or Startup exemption. Since Financial year of 2022-23 is completed	As per GeM guidelines - If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria" subject to their meeting of quality and technical specifications.

2	46-48	TECHNICAL REQUIREMENT:	Machine Type & Model should be submitted	As per OEM B2B. We request to share the Serial Number and Model.	Hardware Serial Numbers and Software Contract details has been shared to all eligible Bidders as per RFP terms.
3	26	Section : II - 1.1 - Point No : 5	The bidder should have service center in Chennai & Mumbai . The Postal Address of the service center along with proof of address should be provided with the bid.	Proof Address for Service Center in Chennai and Mumbai. Please share the List of Proof of document or Can we submit GST Certificate as a Proof of document.	Bidder should submit sufficient supporting documentary address proof having service center in Chennai & Mumbai.
4	31	Section : III - Point No: 8	<b>Negotiation</b> The Bank reserves the right to further negotiate on the price offered, with the L1 Bidder.	Since It is a Bid to RA. We requesting Bank will not do negotiation after becoming L1.	RFP Terms to be adhered to.
5	46 & 47	Section V - Technical and Functional Requirement	1. AMC Services for Hardware	Requesting Bank to share the Serial Number of the Equipment's and also working condition of the equipment's. It will help us to work with OEMs for Renewal commercials. Requesting Bank to confirm all the Serial numbers are in working conditions without any Errors.	Hardware Serial Numbers and Software Contract details has been shared to all eligible Bidders as per RFP terms.

6	48	Section V - Technical and Functional Requirement	1. ATS Services for Software	Requesting Bank to share the Existing Contract number or Contract document of Red Hat Jobs and Vmware license. It will help us to work with OEMs for Renewal commercials.	Hardware Serial Numbers and Software Contract details has been shared to all eligible Bidders as per RFP terms.
7	54	Annexure III - Contract Form	To be submitted in Non Judicial Stamp Paper	Requesting the Bank to confirm the Value of Judicial Stamp Paper.	Rs.100 Non Judicial Stamp Paper
8	60	Annexure VII - Pre Integrity Form	To be submitted in Non Judicial Stamp Paper	Requesting the Bank to confirm the Value of Judicial Stamp Paper.	Rs.100 Non Judicial Stamp Paper
9	66	Annexure VIII	Non - Disclosure Agreement	Requesting the Bank to confirm whether has to submit the NDA in Non Judicial Stamp Paper or Letter Head of Bidder. If Non Judicial Stamp Paper, Please confirm the Value of Non Judicial Stamp Paper.	Rs.100 Non Judicial Stamp Paper
10	3	Gem Bid Document : MII Clause and Land Border	Lenovo, IBM, Red Hat and Vmware	Requesting Bank to remove the MII Clause and Land Border clause for Lenovo, IBM, Red Hat and Vmware	RFP Terms to be adhered to.

				e Renewal.	
11	3	Section V - Technical and Functional Requirement	1. ATS Services for Software	The original BoM for Contract# 11938964 was for RHEL Premium- 3 qty, JBoss EAP 4 cores Standard- 2 qty and JBoss EAP 16 cores Premium- 2 qty. bank seem to have missed the RHEL subscription in the BoM.	RFP Terms to be adhered to.
12	30	Section V - Technical and Functional Requirement. Point No : 6	1. ATS Services for Software. Subscription of Red Hat and JBoss license to be renewed from 01.05.2023 (tentatively) till 30.06.2024 since these are subscription based licenses. VMware vSphere with Operation Management Enterprise Plus (Socket Based) support /ATS vCloud suite standard(socket) licenses to be renewed from 15.07.2022 to 30.06.2024, as the licenses are perpetual and support need to be renewed from last expiry date which is 14.07.2022."	Though the renewal expired in 2022, the software was in use by the Bank for the entire period till date and patches, updates and upgrades been provided for all the subscriptions.	RFP Terms to be adhered to.
13	32	15. Performance Security	the Performance Security in the form of DD/Fund Transfer /Bank Guarantee issued by Scheduled Commercial Bank other than Indian Bank equivalent to 10% of the contract value in the form of a Bank Guarantee, valid f	Request you to kindly amend this clause as PBG of 3% contract value in form of BG valid for 14 months f	RFP Terms to be adhered to.

			or 14 months from the date of PO with further three-month claim period in the format enclosed (Annexure-V).	from the PO date plus 3 months claim period	
14	24	7. Bid Security (Earnest Money Deposit)	Bid Security of Rs. 6,00,000/-	As this Tender submission is on GeM Portal as per GTC clause no m point v below point, can we get the exemption for Bid Security. Kindly confirm. "Point v Sellers/ Service Provider having annual turnover of INR 500 Crore or more, at least in one of the past three completed financial year(s)"	Bid Security will be exempted as per GeM Portal General Terms and Conditions (GTC) clause.
15				Required Hardware & software Serial & contract ID	Hardware Serial Numbers and Software Contract details has been shared to all eligible Bidders as per RFP terms.
16	29	5. Service Level Agreement (SLA)	2. 97% up time to be maintained, calculated on a 24*7 basis per quarter for all the proposed Hardware/Software	Request you to Kindly amend this clause as 95% up time to be maintained, calculated on a 24*7 basis per quarter for all the proposed Hardware/Software	RFP Terms to be adhered to.
				Penalty against	

17	29	SLA penalty		quarterly charges instead of yearly charges of that device instead of complete solution.	RFP Terms to be adhered to.
18	49	Hardware AMC		Pls mention the LTO type and how many modules in the tape.. IBM TS 4300 Tape Library IBM 3555-L3 A 2	LTO 8 Two Modules and Two Drives
19	28	SCOPE OF WORK	The bidder will arrange back to back support of all the items from respective OEMs and bidder will submit necessary supporting documents in this regard to the Bank.	2.B2B Support is mandatory for all devices..	Yes. RFP Terms to be adhered to.

4. 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](#)