

Bid Document

Bid Details	
Bid End Date/Time	14-12-2021 15:00:00
Bid Opening Date/Time	14-12-2021 15:30:00
Bid Life Cycle (From Publish Date)	90 (Days)
Bid Offer Validity (From End Date)	65 (Days)
Ministry/State Name	Ministry Of Education
Department Name	Department Of Higher Education
Organisation Name	National Institute Of Technology (nit)
Office Name	Karnataka, Surathkal, Mangaluru
Total Quantity	2
Item Category	DESIGNING SOFTWARE (Version 2.0) (Q3) (PAC Only)
Minimum Average Annual Turnover of the Bidder	4 Lakh (s)
OEM Average Turnover (Last 3 Years)	35 Lakh (s)
Years of Past Experience required	3 Year (s)
MSE Exemption for Years Of Experience and Turnover	Yes
Startup Exemption for Years Of Experience and Turnover	Yes
Document required from seller	Experience Criteria,Past Performance,Bidder Turnover,Certificate (Requested in ATC),OEM Authorization Certificate,OEM Annual Turnover,Compliance of BoQ specification and supporting document *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
Past Performance	30 %
Bid to RA enabled	Yes
RA Qualification Rule	H1-Highest Priced Bid Elimination
Primary product category	DESIGNING SOFTWARE (Version 2.0)
Time allowed for Technical Clarifications during technical evaluation	2 Days
Estimated Bid Value	881000
Evaluation Method	Total value wise evaluation

EMD Detail

Required	No
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ePBG Detail

Advisory Bank	State Bank of India
ePBG Percentage(%)	3.00
Duration of ePBG required (Months).	14

(a). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

Beneficiary:

Director, NITK Surathkal
Karnataka, Surathkal, Mangaluru, Department of Higher Education, National Institute of Technology (NIT),
Ministry of Education
(Prof. Karanam Umamaheshwar Rao)

Splitting

Bid splitting not applied.

MII Purchase Preference

MII Purchase Preference	No
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Details of the Competent Authority for MII

Name of Competent Authority	U. Shripathi Acharya
Designation of Competent Authority	Dean - R&C
Office / Department / Division of Competent Authority	
CA Approval Number	
Competent Authority Approval Date	2021-11-12 00:00:00
Brief Description of the Approval Granted by Competent Authority	1. This is the only firm who is manufacturing/stocking this item. 2. No other make/brand will be suitable for the following intangible reasons (i) Power solver to find solutions for simulation challenge. (ii) Implicit, Explicit, and CFD solvers all available through one and same interface. (iii) Advanced meshing capabilities, superior contact algorithms. (iv) Friendly pre-processing and post-processing: Apply multi-step approaches and interpret results with a powerful and users friendly interface.

Competent Authority Approval for not opting Make In India Preference : [View Document](#)

MSE Purchase Preference

MSE Purchase Preference	Yes
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Details of the Competent Authority approval for PAC

Competent Authority Approval document for PAC : [View Document](#)

Name of Competent Authority	U. Shripathi Acharya
Designation of Competent Authority	Dean - R&C
Office / Department / Division of Competent Authority	
CA Approval Number	
Competent Authority Approval Date	2021-11-12 00:00:00
Brief Description of the Approval Granted by Competent Authority	1. This is the only firm who is manufacturing/stocking this item. 2. No other make/brand will be suitable for following intangible reasons (i) Power solver to find solutions for simulation challenge. (ii) Implicit, Explicit and CFD solvers all available through one and same interface. (iii) Advanced meshing capabilities, superior contact algorithms. (iv) Friendly pre - processing and post - processing : Apply multi - step approaches and interpret results with powerful and users friendly interface.

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. Experience Criteria: In respect of the filter applied for experience criteria, the Bidder or its OEM {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU / Public Listed Company for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts to be submitted along with bid in support of having supplied some quantity during each of the Financial year. In case of bunch bids, the category of primary product having highest value should meet this criterion.
5. OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated 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 OEM 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.
6. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs 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 the Purchase preference, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. 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. 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 Seller shall be given opportunity to match L-1 price and contract will be awarded for 25%(selected by Buyer) percentage of total QUANTITY.

7. 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.

8. Past Performance: The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 30% of bid quantity, in at least one of the last three Financial years before the bid opening date to any Central / State Govt Organization / PSU / Public Listed Company. Copies of relevant contracts (proving supply of cumulative order quantity in any one financial year) to be submitted along with bid in support of quantity supplied in the relevant Financial year. In case of bunch bids, the category related to primary product having highest bid value should meet this criterion.

9. Reverse Auction would be conducted amongst all the technically qualified bidders except the Highest quoting bidder. The technically qualified Highest Quoting bidder will not be allowed to participate in RA. However, H-1 will also be allowed to participate in RA in following cases:

- i. If number of technically qualified bidders are only 2 or 3.
- ii. If Buyer has chosen to split the bid amongst N sellers, and H1 bid is coming within N.
- iii. In case Primary product of only one OEM is left in contention for participation in RA on elimination of H-1.
- iv. If L-1 is non-MSE and H-1 is eligible MSE and H-1 price is coming within price band of 15% of Non-MSE L-1
- v. If L-1 is non-MII and H-1 is eligible MII and H-1 price is coming within price band of 20% of Non-MII L-1

DESIGNING SOFTWARE (Version 2.0) (1 pieces) (Under PAC)

Make	simulia
Model	simuliaacademicteachingsuite

Brand Type	Registered Brand
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Technical Specifications

[* As per GeM Category Specification](#)

Specification	Specification Name	Bid Requirement (Allowed Values)
BASIC INFORMATION	Modules of Designing Software offered in the scope of supply	Architecture Design, Mechanical Design, Structure Design, Infrastructure Design, Electrical Design, Electronic Design, General Design
	Type of Edition of the offered product	Academic Edition
SCOPE OF LICENCE	Types of Licence	Perpetual
	" Duration of Subscription (in years) (Hint :- Select '0' if not applicable)"	0.0 - 5.0 Or higher
	OEM Licensing policy	Per Server
	Number of licensing included in the offered product as per OEM defined licensing policy	1.0 - 100.0 Or higher
	Licence Delivery Mode	Electronic Licence
	Platform type	Desktop based, Server based
	Scope of Installation	Installation

Specification	Specification Name	Bid Requirement (Allowed Values)
	The offered product have support from OEM for	Unlimited updation for Patches and Bug fixes within maintenance & support period
	Number of Years for OEM support for updation (Patches and Bug fixes) is included in the scope of supply (Hint :- Select '0' if not applicable)	1.0 - 5.0 Or higher
	Number of Years for OEM support for Upgradation of version is included in the scope of supply (Hint :- Select '0' if not applicable)	0.0 - 5.0 Or higher
	Training Options	Virtual
	No of days Training Provided (Hint :- Select '0' if not applicable)	0.0 - 10.0 Or higher
ARCHITECTURE DESIGN	Architecture Design Features	NA
MECHANICAL DESIGN	Mechanical Design Features	NA
STRUCTURE DESIGN	Structure Design Features	Stress Analysis, Structural Validation
INFRASTRUCTURE DESIGN	Infrastructure Design Features 1	NA
	Infrastructure Design Features 2	NA
ELECTRICAL DESIGN	Electrical Design Features	NA
ELECTRONIC DESIGN	Electronic Design Features 1	Optimization for EM and Circuit Co-Simulation
	Electronic Design Features 2	NA
	Electronic Design Features 3	NA
	EM simulation method used	FEM(Finite Element Method)
	Number of Core for EM Multi -thread supported by the offered product	NA
COMMON PARAMETERS	Common parameters features 1	Motion Simulation, Parametric Modeling
	Common parameters features 2	Stress Analysis, Structural Validation, NA
	Basic information modeling supported by the offered product	2 D, 3 D
GENERAL DESIGN	General Design Features 1	3D Modeling

Specification	Specification Name	Bid Requirement (Allowed Values)
GENERIC PARAMETERS	Supported Operating System	Windows
	Supported Web browsers	Microsoft Edge, Google Chrome, Mozilla Firefox

Additional Specification Parameters - DESIGNING SOFTWARE (Version 2.0) (1 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Academic Teaching Suite	Must include pack of 20 licenses

* Bidders offering must also comply with the additional specification parameters mentioned above.

Consignees/Reporting Officer and Quantity

S.No.	Consignee/Reporting Officer	Address	Quantity	Delivery Days
1	Pritam Ramesh Bansod	575025,NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA SURATHKAL SRINIVASANAGAR	1	30

DESIGNING SOFTWARE (Version 2.0) (1 pieces) (Under PAC)

Make	simulia
Model	simuliaacademicabaqusresearch

Brand Type	Registered Brand
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Technical Specifications

[* As per GeM Category Specification](#)

Specification	Specification Name	Bid Requirement (Allowed Values)
BASIC INFORMATION	Modules of Designing Software offered in the scope of supply	Architecture Design, Mechanical Design, Structure Design, Infrastructure Design, Electrical Design, Electronic Design, General Design
	Type of Edition of the offered product	Academic Edition
SCOPE OF LICENCE	Types of Licence	Perpetual
	" Duration of Subscription (in years) (Hint :- Select '0' if not applicable)"	0.0 - 5.0 Or higher
	OEM Licensing policy	Per Server

Specification	Specification Name	Bid Requirement (Allowed Values)
	Number of licensing included in the offered product as per OEM defined licensing policy	1.0 - 100.0 Or higher
	Licence Delivery Mode	Electronic Licence
	Platform type	Desktop based, Server based
	Scope of Installation	Installation
	The offered product have support from OEM for	Unlimited updation for Patches and Bug fixes within maintenance & support period
	Number of Years for OEM support for updation (Patches and Bug fixes) is included in the scope of supply (Hint :- Select '0' if not applicable)	1.0 - 5.0 Or higher
	Number of Years for OEM support for Upgradation of version is included in the scope of supply (Hint :- Select '0' if not applicable)	0.0 - 5.0 Or higher
	Training Options	Virtual
	No of days Training Provided (Hint :- Select '0' if not applicable)	0.0 - 10.0 Or higher
ARCHITECTURE DESIGN	Architecture Design Features	NA
MECHANICAL DESIGN	Mechanical Design Features	NA
STRUCTURE DESIGN	Structure Design Features	Stress Analysis, Structural Validation
INFRASTRUCTURE DESIGN	Infrastructure Design Features 1	NA
	Infrastructure Design Features 2	NA
ELECTRICAL DESIGN	Electrical Design Features	NA
ELECTRONIC DESIGN	Electronic Design Features 1	Optimization for EM and Circuit Co-Simulation
	Electronic Design Features 2	NA
	Electronic Design Features 3	NA
	EM simulation method used	FEM(Finite Element Method)
	Number of Core for EM Multi -thread supported by the offered product	NA
COMMON PARAMETERS	Common parameters features 1	Motion Simulation, Parametric Modeling

Specification	Specification Name	Bid Requirement (Allowed Values)
	Common parameters features 2	Stress Analysis, Structural Validation, NA
	Basic information modeling supported by the offered product	2 D, 3 D
GENERAL DESIGN	General Design Features 1	3D Modeling
GENERIC PARAMETERS	Supported Operating System	Windows
	Supported Web browsers	Microsoft Edge, Google Chrome, Mozilla Firefox

Additional Specification Parameters - DESIGNING SOFTWARE (Version 2.0) (1 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Academic Abaqus Research	Must include Five Analysis Tokens

* Bidders offering must also comply with the additional specification parameters mentioned above.

Consignees/Reporting Officer and Quantity

S.No.	Consignee/Reporting Officer	Address	Quantity	Delivery Days
1	Pritam Ramesh Bansod	575025,NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA SURATHKAL SRINIVASANAGAR	1	30

Buyer Added Bid Specific Terms and Conditions

1. Scope of Supply

Scope of supply (Bid price to include all cost components) : Supply Installation Testing Commissioning of Goods and Training of operators and providing Statutory Clearances required (if any)

2. Generic

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address to Consignee: Dr. Pavan G S, Department of Civil Engineering, NITK, Surathkal P. O. Srinivasnagar, Mangalore - 575 025 Karnataka, India. Mob: +91 9844380262, E-mail: pavan.gs@nitk.edu.in.

3. Warranty

Warranty period of the supplied products shall be as given in specifications from the date of final

acceptance of goods or after completion of installation, commissioning & testing of goods (if included in the scope of supply), at consignee location. OEM Warranty certificates must be submitted by Successful Bidder at the time of delivery of Goods. The seller should guarantee the rectification of goods in case of any break down during the guarantee period. Seller should have well established Installation, Commissioning, Training, Troubleshooting and Maintenance Service group in INDIA for attending the after sales service. Details of Service Centres near consignee destinations are to be uploaded along with the bid.

4. **Warranty**

Timely Servicing / rectification of defects during warranty period: After having been notified of the defects / service requirement during warranty period, Seller has to complete the required Service / Rectification within 3 days time limit. If the Seller fails to complete service / rectification with defined time limit, a penalty of 0.5% of Unit Price of the product shall be charged as penalty for each week of delay from the seller. Seller can deposit the penalty with the Buyer directly else the Buyer shall have a right to recover all such penalty amount from the Performance Security (PBG). Cumulative Penalty cannot exceed more than 10% of the total contract value after which the Buyer shall have the right to get the service / rectification done from alternate sources at the risk and cost of the Seller besides forfeiture of PBG. Seller shall be liable to re-imburse the cost of such service / rectification to the Buyer.

5. **Generic**

The buyer organization is an institution eligible for concessional rates of GST as notified by the Government of India. The goods for which bids have been invited fall under classification of GST concession and the conditions for eligibility of concession are met by the institution. A certificate to this effect will be issued by Buyer to the Seller after award of the Contract. Sellers are requested to submit their bids after accounting for the Concessional rate of GST.

Applicable Concessional rate of GST : 5%

Notification No. and date : 11/147/1988-TU-V dated 16/09/2020

6. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

(i) The buying organization is under the 5% GST Concessional category & Payment will be made with 5% GST on the Taxable amount (base rate) of the GeM invoice only.

(ii) The Breakup of BOQ or price bid should be uploaded under financial cover only.

7. **Service & Support**

Availability of Service Centres: Bidder/OEM must have a Functional Service Centre in the State of each Consignee's Location in case of carry-in warranty. (Not applicable in case of goods having on-site warranty). If service center is not already there at the time of bidding, successful bidder / OEM shall have to establish one within 30 days of award of contract. Payment shall be released only after submission of documentary evidence of having Functional Service Centre.

8. **Turnover**

Bidder Turn Over Criteria: 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 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.

9. **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.

10. **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.

11. **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 %.

12. **Generic**

Consortium: In case of Contracts, wherein the seller alone does not have necessary expertise, the seller can form consortium with other sellers for submission of the bid, with one of the consortium company as leader. However, each and every member of the consortium shall be equally responsible for the complete execution of the project contract. An undertaking to this effect is to be uploaded with bid.

13. **Service & Support**

Dedicated /toll Free Telephone No. for Service Support : BIDDER/OEM must have Dedicated/toll Free Telephone No. for Service Support.

14. **Generic**

Data Sheet of the product(s) offered in the bid, are to be uploaded along with the bid documents. Buyers can match and verify the Data Sheet with the product specifications offered. In case of any unexplained mismatch of technical parameters, the bid is liable for rejection.

15. **Service & Support**

Escalation Matrix For Service Support : Bidder/OEM must provide Escalation Matrix of Telephone Numbers for Service Support.

16. **Generic**

End User Certificate: Wherever Bidders are insisting for End User Certificate from the Buyer, same shall be provided in Buyer's standard format only.

17. **Generic**

Experience Criteria: The Bidder or its OEM {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU / Public Listed Company for 3 years before the bid opening date. Copies of relevant contracts to be submitted along with bid in support of having supplied some quantity during each of the year. In case of bunch bids, the primary product having highest value should meet this criterion.

18. **Past Project Experience**

For fulfilling the experience criteria any one of the following documents may be considered as valid proof for meeting the experience criteria:

- a. Purchase Order copy along with Invoice(s) with self-certification by the bidder that supplies against the invoices have been executed.
- b. Execution certificate by client with order value.
- c. Any other document in support of order execution like Third Party Inspection release note, etc.

19. **OEM**

IMPORTED PRODUCTS: In case of imported products, OEM or Authorized Seller of OEM should have a registered office in India to provide after sales service support in India. The certificate to this effect should be submitted.

20. **Purchase Preference (Centre)**

Indian suppliers of this item are not allowed to participate and/ or compete in procurement by some foreign governments. Bidders / products from such countries are not eligible / not allowed to participate in this bid in terms of clause 1 (d) of Public Procurement (Preference to Make in India) Order, 2017

21. **Generic**

Installation, Commissioning, Testing, Configuration, Training (if any - which ever is applicable as per scope of supply) is to be carried out by OEM / OEM Certified resource or OEM authorised Reseller.

22. **Generic**

IT equipment shall be IPv6 ready from day one.

23. **Certificates**

ISO 9001: The bidder or the OEM of the offered products must have ISO 9001 certification.

24. **Generic**

Malicious Code Certificate:

The seller should upload following certificate in the bid:-

(a) This is to certify that the Hardware and the Software being offered, as part of the contract, does not contain Embedded Malicious code that would activate procedures to :-

- (i) Inhibit the desires and designed function of the equipment.
- (ii) Cause physical damage to the user or equipment during the exploitation.
- (iii) Tap information resident or transient in the equipment/network.

(b) The firm will be considered to be in breach of the procurement contract, in case physical damage, loss of information or infringements related to copyright and Intellectual Property Right (IPRs) are caused due to activation of any such malicious code in embedded software.

25. **Certificates**

Material Test Certificate Should Be Sent Along with The Supply. The Material Will Be Checked by Buyer's Lab & the Results of the Lab will be the Sole Criteria for Acceptance of the Item.

26. **Generic**

Non return of Hard Disk: As per Buyer organization's Security Policy, Faulty Hard Disk of Servers/Desktop Computers/ Laptops etc. will not be returned back to the OEM/supplier against warranty replacement.

27. **Financial Criteria**

NET WORTH: Net Worth of the OEM should be positive as per the last audited financial statement.

28. **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.

29. **Turnover**

OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated 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 OEM 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. In case of bunch bids, the OEM of

CATEGORY RELATED TO primary product having highest bid value should meet this criterion.

30. Purchase Preference (Centre)

Procurement under this bid is reserved for purchase from Micro and Small Enterprises whose credentials are validated online through Udyog Aadhaar for that product category. If the bidder wants to avail the reservation benefit, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. 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.

31. Purchase Preference (State)

Procurement under this bid is reserved for purchase from Micro and Small Enterprises from the State of Bid Inviting Authority whose credentials are validated online through Udyog Aadhaar for that product category. If the bidder wants to avail the reservation benefit, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. 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.

32. Generic

Products supplied shall be nontoxic and harmless to health. In the case of toxic materials, Material Safety Data Sheet may be furnished along with the material.

33. Warranty

Successful bidder will have to ensure that adequate number of dedicated technical service personals / engineers are designated / deployed for attending to the Service Request in a time bound manner and for ensuring Timely Servicing / rectification of defects during warranty period, as per Service level agreement indicated in the relevant clause of the bid.

34. Generic

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

35. Past Project Experience

The Bidder / OEM {themselves or through reseller(s)}, should have executed project for supply and installation / commissioning of same or similar Category Products during preceding 3 financial years (i.e. current year and three previous financial years) as on opening of bid, as per following criteria:

- (i) Single order of at least 35% of estimated bid value; or
- (ii) Two orders of at least 20% each of estimated bid value; or
- (iii) Three orders of at least 15% each of estimated bid value.

Satisfactory Performance certificate issued by respective Buyer Organization for the above Orders should be uploaded with bid. In case of bunch bids, the Category related to primary product having highest bid value should meet this criterion

36. Certificates

The bidder is required to upload, along with the bid, all relevant certificates such as BIS licence, type test certificate, approval certificates and other certificates as prescribed in the Product Specification given in the bid document.

37. 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.

38. **Generic**

The seller is required to print logo as per buyer's requirement.

39. **Inspection**

Testing of Sample: The testing of advance sample and bulk sample during PDI will be carried at the designated AHSP labs. When testing facilities are not available, the facilities of Govt labs/NABL/Accredited labs will be utilized. The testing charges outside the designated AHSP labs to be borne by seller's.

40. **Generic**

Upload Manufacturer authorization: Wherever Authorised Distributors are submitting the bid, Manufacturers Authorisation Form (MAF)/Certificate with OEM details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid.

41. **Generic**

WORLD BANK TERMS AND CONDITIONS: Special Terms and Conditions as defined by world bank at [click here](#) will also be applicable. APPLICABLE ONLY IN CASE OF WORLD BANK FUNDED PROJECTS.

42. **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.

43. **Generic**

While generating invoice in GeM portal, the seller must upload scanned copy of GST invoice and the screenshot of GST portal confirming payment of GST.

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 specification 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.

[This Bid is also governed by 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---