

**बिड दस्तावेज़ / Bid Document**

| बिड विवरण/Bid Details                                                                                                       |                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| बिड बंद होने की तारीख/समय /Bid End Date/Time                                                                                | 08-09-2026 12:00:00                                                                                                                                                                                                                       |
| बिड खुलने की तारीख/समय /Bid Opening Date/Time                                                                               | 08-09-2026 12:30:00                                                                                                                                                                                                                       |
| बिड पेशकश वैधता (बंद होने की तारीख से)/Bid Offer Validity (From End Date)                                                   | 120 (Days)                                                                                                                                                                                                                                |
| मंत्रालय/राज्य का नाम/Ministry/State Name                                                                                   | Ministry Of Railways                                                                                                                                                                                                                      |
| विभाग का नाम/Department Name                                                                                                | Indian Railways                                                                                                                                                                                                                           |
| संगठन का नाम/Organisation Name                                                                                              | Eastern Railway                                                                                                                                                                                                                           |
| कार्यालय का नाम/Office Name                                                                                                 | Carriage And Wagon Workshop Liluah                                                                                                                                                                                                        |
| शिकायत निवारण के संपर्क विवरण/ Contact details of Grievance redressal                                                       | HOD Email id :yatishkr.93@gov.in<br>Buyer Email id: dycmebggb@gmail.com                                                                                                                                                                   |
| वस्तु श्रेणी /Item Category                                                                                                 | Goods Transport Service – Per MT per KM Based Service - Transportation of LHB Bogie Frames from Bogie Manufacturing Factory Budge Budge to different Railway units of India with distances upto 500 Km; Open Body Taurus; 9MT and onwards |
| अनुबंध अवधि /Contract Period                                                                                                | 2 Year(s)                                                                                                                                                                                                                                 |
| बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का) /Minimum Average Annual Turnover of the bidder (For 3 Years)              | 5 Lakh (s)                                                                                                                                                                                                                                |
| उन्हीं/समान सेवा के लिए अपेक्षित विगत अनुभव के वर्ष/Years of Past Experience Required for same/similar service              | 1 Year (s)                                                                                                                                                                                                                                |
| इसी तरह की सेवाओं का पिछला आवश्यक अनुभव है/Past Experience of Similar Services required                                     | Yes                                                                                                                                                                                                                                       |
| टर्नओवर पात्रता मानदंड/Turnover eligibility criteria                                                                        | To be verified by the buyer at the time of technical evaluation                                                                                                                                                                           |
| एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है/MSE Relaxation for Years of Experience and Turnover        | No                                                                                                                                                                                                                                        |
| स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है /Startup Relaxation for Years of Experience and Turnover | No                                                                                                                                                                                                                                        |

| बिड विवरण/Bid Details                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| विक्रेता से मांगे गए दस्तावेज़/Document required from seller                                                                                                                                                             | Experience Criteria,Bidder Turnover,Certificate (Requested in ATC)<br>*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 |
| क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेजों को निविदा में भाग लेने वाले सभी निविदाकारों को दिखाना चाहते हैं? संदर्भ मेनू है/Do you want to show documents uploaded by bidders to all bidders participated in bid? | Yes (Documents submitted as part of a clarification or representation during the tender/bid process will also be displayed to other participated bidders after log in)                                                                                           |
| बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या। / Minimum number of bids required to disable automatic bid extension                                                                                | 1                                                                                                                                                                                                                                                                |
| दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / Number of days for which Bid would be auto-extended                                                                                                      | 7                                                                                                                                                                                                                                                                |
| ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / Number of Auto Extension count                                                                                                                                            | 1                                                                                                                                                                                                                                                                |
| बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled                                                                                                                                                                       | No                                                                                                                                                                                                                                                               |
| बिड का प्रकार/Type of Bid                                                                                                                                                                                                | Single Packet Bid                                                                                                                                                                                                                                                |
| तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation                                                                                        | 2 Days                                                                                                                                                                                                                                                           |
| अनुमानित निविदा मूल्य (सभी करों सहित) भारतीय रुपये में / Estimated Bid Value in INR (Inclusive of all taxes)                                                                                                             | 872520.48                                                                                                                                                                                                                                                        |
| मूल्यांकन पद्धति/Evaluation Method                                                                                                                                                                                       | Total value wise evaluation                                                                                                                                                                                                                                      |
| मूल्य दर्शाने वाला वित्तीय दस्तावेज ब्रेकअप आवश्यक है / Financial Document Indicating Price Breakup Required                                                                                                             | Yes                                                                                                                                                                                                                                                              |
| मध्यस्थता खंड/Arbitration Clause                                                                                                                                                                                         | No                                                                                                                                                                                                                                                               |
| सुलह खंड/Mediation Clause                                                                                                                                                                                                | No                                                                                                                                                                                                                                                               |

#### ईएमडी विवरण/EMD Detail

|                             |                     |
|-----------------------------|---------------------|
| एडवाइजरी बैंक/Advisory Bank | State Bank of India |
| ईएमडी राशि/EMD Amount       | 17450               |

#### ईपीबीजी विवरण /ePBG Detail

|                                                                    |                     |
|--------------------------------------------------------------------|---------------------|
| एडवाइजरी बैंक/Advisory Bank                                        | State Bank of India |
| ईपीबीजी प्रतिशत (%) / ePBG Percentage (%)                          | 5.00                |
| ईपीबीजी की आवश्यक अवधि (माह) / Duration of ePBG required (Months). | 26                  |

(a). जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ प्रस्तुत करने हैं। एमएसई केटेगरी के अंतर्गत केवल वस्तुओं के लिए विनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से छूट के पात्र हैं। व्यापारियों को इस नीति के दायरे से बाहर रखा गया है।/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). ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए। / EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

(c). ईएमडी और संपादन जमानत राशि लाभार्थी के पक्ष में होनी चाहिए। / Earnest Money Deposit (EMD) shall also be accepted by the buyer in the form of a surety bond.

#### लाभार्थी /Beneficiary :

FA AND CAO, EASTERN RAILWAY, KOLKATA  
Fairlie Place, 17, N.S. Road, Kolkata - 700001  
(Fa And Cao, Eastern Railway, Kolkata)

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

#### एमआईआई अनुपालन/MII Compliance

|                               |     |
|-------------------------------|-----|
| एमआईआई अनुपालन/MII Compliance | Yes |
|-------------------------------|-----|

#### एमएसई खरीद वरीयता/MSE Purchase Preference

|                                                                                                                                                                                                           |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| एमएसई खरीद वरीयता/MSE Purchase Preference                                                                                                                                                                 | Yes |
| सूक्ष्म और लघु उद्यम मूल उपकरण निर्माताओं/सेवा प्रदाता को खरीद में प्राथमिकता, यदि उनका मूल्य $L1+X\%$ / Purchase Preference to MSE OEMs/ Service Provider available upto price within $L1+X\%$           | 15  |
| सूक्ष्म और लघु उद्यम मूल उपकरण निर्माता/सेवा प्रदाता को खरीद में प्राथमिकता के लिए बिड की मात्रा का अधिकतम प्रतिशत / Percentage of Bid quantity/amount for MSE OEMs/ Service Provider Purchase preference | 100 |

1. 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.

2. Years of Past Experience required: The bidder must have experience for number of years as indicated above in bid document (ending month of March prior to the bid opening) of providing similar type of services to any

Central / State Govt Organization / PSU. Copies of relevant contracts / orders to be uploaded along with bid in support of having provided services during each of the Financial year.

**3. Purchase preference to Micro and Small Enterprises (MSEs):** Purchase preference will be given to MSEs having valid Udyam Certificate 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. In respect of bid for Services, the bidder must be the Service provider of the offered Service. 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. 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 in case of product bids, whereas in case of services the eligibility is automatically validated. 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.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.

**4. 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.

**5. Past Experience of Similar Services:** The bidder must have successfully executed/completed similar Services over the last three years i.e. the current financial year and the last three financial years(ending month of March prior to the bid opening): -

1. Three similar completed services costing not less than the amount equal to 40% (forty percent) of the estimated cost; or
2. Two similar completed services costing not less than the amount equal to 50% (fifty percent) of the estimated cost; or
3. One similar completed service costing not less than the amount equal to 80% (eighty percent) of the estimated cost.

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

Rate Schedule - [1787034957.xlsx](#)

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

**Scope of Work:**[1787035037.pdf](#)

**Goods Transport Service - Per MT Per KM Based Service - Transportation Of LHB Bogie Frames From Bogie Manufacturing Factory Budge Budge To Different Railway Units Of India With Distances Upto 500 Km; Open Body Taurus; 9MT And Onwards ( 914 )**

**तकनीकी विशिष्टियाँ /Technical Specifications**

| विवरण/<br>Specification  | मूल्य/ Values                                                                                                                                  |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>कोर / Core</b>        |                                                                                                                                                |
| Nature of Goods          | Transportation of LHB Bogie Frames from Bogie Manufacturing Factory Budge Budge to different Railway units of India with distances upto 500 Km |
| Type of Truck            | Open Body Taurus                                                                                                                               |
| Size / Weight of vehicle | 9MT and onwards                                                                                                                                |

| विवरण/<br>Specification                   | मूल्य/ Values             |
|-------------------------------------------|---------------------------|
| Type of Travel                            | Outside city within state |
| Km Range                                  | 0-150 Km                  |
| Area of Operation                         | Plains                    |
| <b>एडऑन /Addon(s)</b>                     |                           |
| Loading                                   | Yes                       |
| Unloading                                 | Yes                       |
| Tracking System (GPS)                     | NA                        |
| Transit Insurance                         | NA                        |
| <b>अतिरिक्त विवरण /Additional Details</b> |                           |
| Type Of Trip (One-Way/Return)             | One-Way                   |

#### अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents

#### परेषिती/रिपोर्टिंग अधिकारी /Consignees/Reporting Officer and Quantity

| क्र.सं./S.No. | परेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer | पता/Address                                                  | संसाधनों की मात्रा / Total Weight in MT/KL | अतिरिक्त आवश्यकता /Additional Requirement                                                                                                                                                                                       |
|---------------|---------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1             | Kuldip Bhagat                                           | 700137,BMF/BGB EASTERN RAILWAY , 88/1, ADHAR DAS ROAD PO-BGB | 914                                        | <ul style="list-style-type: none"> <li>Approx Loading Weight In MT/KL for the contract period : 914.4</li> <li>Approx. unloading weight of Goods for the contract period : 914.4</li> <li>Total distance in KMs : 53</li> </ul> |

**Goods Transport Service - Per MT Per KM Based Service - Transportation Of LHB Bogie Frames From Bogie Manufacturing Factory Budge Budge To Different Railway Units Of India With Distances Upto 500 Km; Open Body Taurus; 9MT And Onwards ( 57 )**

#### तकनीकी विशिष्टियाँ /Technical Specifications

| विवरण/<br>Specification | मूल्य/ Values |
|-------------------------|---------------|
| <b>कोर / Core</b>       |               |

| विवरण/<br>Specification            | मूल्य/ Values                                                                                                                                  |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Nature of Goods                    | Transportation of LHB Bogie Frames from Bogie Manufacturing Factory Budge Budge to different Railway units of India with distances upto 500 Km |
| Type of Truck                      | Open Body Taurus                                                                                                                               |
| Size / Weight of vehicle           | 9MT and onwards                                                                                                                                |
| Type of Travel                     | Outside state                                                                                                                                  |
| Km Range                           | 301 to 500 KM                                                                                                                                  |
| Area of Operation                  | Plains                                                                                                                                         |
| एडऑन /Addon(s)                     |                                                                                                                                                |
| Loading                            | Yes                                                                                                                                            |
| Unloading                          | Yes                                                                                                                                            |
| Tracking System (GPS)              | NA                                                                                                                                             |
| Transit Insurance                  | NA                                                                                                                                             |
| अतिरिक्त विवरण /Additional Details |                                                                                                                                                |
| Type Of Trip (One-Way/Return)      | One-Way                                                                                                                                        |

#### अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents

#### परेषिती/रिपोर्टिंग अधिकारी /Consignees/Reporting Officer and Quantity

| क्र.सं./S.N<br>o. | परेषिती/रिपोर्टिंग<br>अधिकारी /Consignee<br>Reporting/Officer | पता/Address                                                        | संसाधनों की मात्रा<br>/ Total<br>Weight in<br>MT/KL | अतिरिक्त आवश्यकता<br>/Additional<br>Requirement                                                                                                                                                                                  |
|-------------------|---------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                 | Kuldip Bhagat                                                 | 700137,BMF/BGB EASTERN<br>RAILWAY , 88/1, ADHAR DAS<br>ROAD PO-BGB | 57                                                  | <ul style="list-style-type: none"> <li>Approx Loading Weight In MT/KL for the contract period : 57.15</li> <li>Approx. unloading weight of Goods for the contract period : 57.15</li> <li>Total distance in KMs : 456</li> </ul> |

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

## 1. Generic

OPTION CLAUSE 50% : The buyer can increase or decrease the contract quantity or contract duration up to 50 percent at the time of issue of the contract. However, once the contract is issued, the contract quantity or contract duration can only be increased up to 50 percent. Bidders are bound to accept the revised quantity or duration.

For lumpsum-based service contracts, the buyer may increase the scope of work and contract value up to 50 percent with the consent of the service provider

## 2. 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.

## 3. Buyer Added Bid Specific Scope Of Work(SOW)

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

## 4. Buyer Added Bid Specific ATC

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

## 5. Buyer Added Bid Specific SLA

Text Clause(s)

### 1. Performance Guarantee:-

- i. Performance guarantee at the rate of 5% of the contractual value shall be deposited by the successful bidder as per provision in Gem. All other terms and condition will be as per GCC of service 2018 and amended thereof.
- ii. The performance guarantee (PG) shall be released after physical completion of the work/service delivery based on 'Completion Certificate' issued by the competent authority stating that the contractor has completed the assigned services in all respects satisfactorily and passing of final bill based on "No Claim Certificate" from the contractor.
- iii. In case any contractor provides for warranty/maintenance clause then 25% of the PG would be retained till the warranty maintenance period is over and a certificate to that effect is issued by the manager.

### 2. Commencement of service:-The contractor shall commence the services within 7 days after the receipt of LOA/ GeM Contract. The contractor should acknowledge the LOA and issue commencement in this regard.

### 3. Compliance to manager's instruction:-Railway authority shall direct the order in which the several components of the services shall be provided and the contractor shall execute without delay all orders given by the Railway authority from time to time; but the Contractor shall not be relieved thereby from responsibility for the due performance of the services in all respect.

### 4. Provision of efficient and competent staff-

- i) The contractor shall provide efficient, competent and sufficient staff to complete the service in proper and desirable manner and employ such supervisors, workers & labourers in or about the execution of any of these services as are careful and skilled.
- ii) The contractor shall at once remove from the site any agents, supervisors, workers or labourers who shall be objected to by the Railway authority.

### 5. Terms of Payment:-

- i) **Payment:** After fulfilling all terms and condition mentioned in GCC of service 2018 and MSOP 2018 or modified thereafter contractor will submit bills with all requisite document to the office of Dy.CME/BMF/BGB. Subsequently bill will be passed and payment will be done by the respective authority. Dy.CME/BMF/BGB is the bill passing authority and Dy.CAO(W)/LLH or WAO(IC)/LLH is the bill paying authority.
- ii) Payment of work will be made on per trip basis and the work jointly noted by representatives of BMF/BGB and the firm. Firm has to submit 4 copies of bill.

6. **Execution of Contract Documents:**The successful bidder(s) shall be required to execute an agreement with the President of India acting through the Railway for carrying out the work according to Standard General Conditions of Contract, Special Conditions / Specifications annexed to the tender and Specification for work and materials of Railway as amended/corrected up to latest Correction Slips, mentioned in GCC for service 2018 or amended thereof.

7. **Variation, measurement and payment:** - Variation will be as per GCC for service 2018 and MSOP 2018 amended thereof.

8. **Price Variation Clause (PVC):**-PVC is applicable as per GCC service 2018 issued by Railway Board as amended/updated/modified/revised time to time at any point of time

9. **Inspection Registers and Records:**

The Contractor shall maintain accurate records, plans and charts and the Railway representative shall have access to this information at all times. Records of observations made shall be handed over to the Railway representative. The Contractor's representative will maintain the following registers at site.

- a. **Site Order Register** - The Contractor shall promptly acknowledge orders given therein by Railway representative and shall make all efforts to comply with them. The Contractor shall report to the Railway representative the compliance so that it can be checked.
- b. **Labour Register** - This register will be maintained to show daily strength of Labour in different categories employed by the Contractor.

10. **PENALTY CLAUSE:** In case of noncompliance of the standards of the services to be provided, the buyer would be at liberty to levy such penalty and terminate the contract. The maximum cumulative penalty on all the occasions put together shall not exceed 10% of the contract value and exceeding the limit is liable for cancellation of the contract.

The transporter must place the truck/trailer at BMF/BGB within 48 hrs. after getting information from the officials of BMF/BGB via over phone/mobile, Whatsapp, SMS, e-mail or any other means otherwise penalty will be imposed as below

i) **Liquidated damages:** Recovery from the transporter as liquidated damages will be calculated @1.0% of the trip cost for each vehicle for each day of delay subject to the maximum of 15% of the trip cost for each vehicle.

ii) **Delay in deliverables:** Cannot exceed 10% of the contract value after which the contract may be cancelled by the Buyer.

iii) If the work is found unsatisfactory/ incomplete at any stage, the work shall terminate by Railway as per existing guidelines of IRGCC for services, 2018.

11. **ADDITIONAL SAFETY STIPULATIONS:** The Contractor shall remain fully responsible for ensuring safety and in case of any accident, shall bear the cost of all damages to his/her/their equipment's & men and also damages to the Railway.

12. **SPECIAL TERMS & CONDITIONS:**

- i. **Payment will be made on per trip basis.**

- ii. **Loading and unloading will be under scope of Contractor.**
- iii. **Insurance charge will be paid by Contractor.**
- iv. **Contractor has to provide trailer at pick up point within 48 hrs. after getting information via mobile, telephone, whatsapp, email or any means.**
- v. **Pick up point and drop point of materials may be vice versa as per requirement.**
- vi. **Hampering of outturn cannot be tolerated at any cost. Penalty clause will be imposed for delay in placement/transport/loading/unloading.**
- vii. **The contract will be treated as service contract.**
- viii. **Apart from the above terms & conditions other rules and regulations will be followed as per latest GeM, IREPS and IRGCC.**
- ix. **The contract which will be made on proposal may be utilized any other case if contract qty. reduce in future retaining same rate of Per MT per KM within contract value.**
- x. **The contract period will be for 02 (Two) years from the date of start of contract.**
- xi. **Firm should fill up and submit the Rate Schedule as attached with Tender Document (Annexure- R).**

## अस्वीकरण/Disclaimer

The Additional Terms and Conditions (ATC) have been incorporated by the Buyer after approval of their Competent Authority. The Buyer, is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any restriction arising in the bidding process due to these ATCs and including the modification of technical specifications and / or terms and conditions governing the bid. All representations / grievances pertaining to the ATC clauses shall be raised with the buyer organization directly and not with GeM. If any of the clause(s) is/are incorporated by the Buyer regarding the following, the bid & resultant contract shall be treated as null & void. Further, GeM reserves the right, at its sole discretion, to cancel the bid forthwith, without issuance of any prior notice or intimation :-

1. Publishing Custom / BOQ bids for items for which regular GeM categories are available (unless such Custom / BOQ item is bunched with the major regular product Category Item).
2. Mandating procurement of / from specific Brand / Make / Model / Manufacturer / Dealer except in case of Single Bid / Proprietary Article Certificate (PAC) Buying.
3. Inclusion of disqualification criteria related to suspension of seller / service provider, where such suspension period has already expired.
4. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
5. Publishing bids on GeM for procurement of works.
6. Procurement of Goods by creating a Service bid on GeM & vice-versa.
7. Seeking sample with bid or approval of samples during bid evaluation process. However, trial / sample, as the case may be, shall be permitted in cases where trial / sample are allowed as per approved and published procurement policy of the Buyers' controlling Ministry / Department / State / Public Sector Enterprises Headquarters. If there is any violation of trial / sample clause with regard to approved policy of the Buyers' Ministry / Department / State / Public Sector Enterprises Headquarters, then this is to be determined and redressed by the concerned Buyer Organisation only.
8. Seeking experience from specific organization / department / institute only or from foreign / export experience.
9. Creating bid for items from incorrect categories.
10. Reference of conditions published on any external site or reference to external documents/clauses.
11. Asking for any Tender fee / Bid Participation fee, as the case may be.
12. Buyer added ATC Clauses which are in contravention of clauses defined in bid detail section, including specifications, EMD Detail, ePBG Detail and MII and MSE Purchase Preference sections of the bid, unless

otherwise allowed by the applicable GeM GTC.

13. 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.
14. In a category based bid, adding additional items, through buyer added, additional scope of work/ additional terms and conditions/or any other document. If buyer needs more items along with the main item, the same must be added through bunching category based items or by bunching custom catalogues or bunching a BoQ with the main category based item, the same must not be done through ATC or Scope of Work.

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. 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.

**All GeM Sellers/Service Providers shall ensure full compliance with all applicable labour laws, including the provisions, rules, schemes and guidelines under the four Labour Codes i.e. the Code on Wages, 2019; the Industrial Relations Code, 2020; the Occupational Safety, Health and Working Conditions Code, 2020; and the Code on Social Security, 2020 as and when notified and brought into force by the Government of India.**

**For all provisions of the Labour Codes that are pending operationalisation through rules, schemes or notifications, the corresponding provisions of the pre-existing labour enactments (such as The Minimum Wages Act, 1948, The Payment of Wages Act, 1936, The Payment of Bonus Act, 1965, The Equal Remuneration Act, 1976, The Payment of Gratuity Act, 1972, etc. and relevant State Rules) shall continue to remain applicable.**

**The Seller/ Service Providers shall, therefore, be responsible for ensuring compliance under:**

- **All notified and enforceable provisions of the new Labour Codes as mentioned hereinabove; and**
- **All operative provisions of the erstwhile Labour Laws until their complete substitution.**

**All obligations relating to wages, social security, safety, working conditions, industrial relations etc. and any other statutory requirements shall be strictly met by the Seller/ Service Provider. Any non-compliance shall constitute a breach of the contract and shall entitle the Buyer to take appropriate action in accordance with the contract and applicable law.**

**This Bid is governed by the General Terms and Conditions, conditions stipulated in Bid and Service Level Agreement specific to the Service, as the case may be, as provided in the Marketplace.**

**However, in case of Service, if any condition specified in General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement specific to said Service, then it will over-ride the conditions in the General Terms and Conditions.**

This Bid is governed by the [सामान्य नियम और शर्तें/General Terms and Conditions](#), 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 सामान्य नियम और शर्तें/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.

जेम 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 व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्यवाई का आधार होगा।/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.

---धन्यवाद/Thank You---