

**बिड दस्तावेज़ / Bid Document**

<b>बिड विवरण/Bid Details</b>	
<b>बिड बंद होने की तारीख/समय /Bid End Date/Time</b>	07-03-2026 21:00:00
<b>बिड खुलने की तारीख/समय /Bid Opening Date/Time</b>	07-03-2026 21:30:00
<b>बिड पेशकश वैधता (बंद होने की तारीख से)/Bid Offer Validity (From End Date)</b>	180 (Days)
<b>मंत्रालय/राज्य का नाम/Ministry/State Name</b>	Ministry Of Mines
<b>विभाग का नाम/Department Name</b>	Materials
<b>संगठन का नाम/Organisation Name</b>	National Aluminium Company Limited, Bhubaneswar
<b>कार्यालय का नाम/Office Name</b>	Angul
<b>कुल मात्रा/Total Quantity</b>	2
<b>वस्तु श्रेणी /Item Category</b>	Renovation of Air Preheaters
<b>GeMARPTS में खोजी गई स्ट्रिंग्स / Searched Strings used in GeMARPTS</b>	Renovation of 4 no of Air Preheaters
<b>GeMARPTS में खोजा गया परिणाम / Searched Result generated in GeMARPTS</b>	Air Compressor of Capacity 5000 Nm <sup>3</sup> /Hr (IOCL), Reverse Osmosis based Water Treatment System above 50 LPH Capacity (V2), Package No 4 - Atal Tinkering Lab of Niti Aayog Power Supply and Accessories and Safety Equipment, Package No. 1 - ATAL TINKERING LAB OF NITI AAYOG ELECTRONICS DEVELOPMENT, ROBOTICS, INTERNET OF THINGS AND SENSORS, Shaker Incubator, Package No. 8 Atal Tinkering Lab of Niti Aayog - Tinkering Handbooks, Handloom Cotton Bed Sheets (V2) as per IS 745, Package No. 2 Atal Tinkering Lab of Niti Aayog Rapid Prototyping Tools, Enamel, Synthetic, Exterior (A) Undercoating (B) Finishing (V4) Confirming to IS 2932, Package No. 6 Atal Tinkering Lab of Niti Aayog - Learning Management System
<b>अधिसूचना के लिए चयनित प्रासंगिक श्रेणियाँ / Relevant Categories selected for notification</b>	<ul style="list-style-type: none"> <li>• Shell &amp; Tube Heat Exchanger</li> </ul>
<b>एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है/MSE Relaxation for Years of Experience and Turnover</b>	No
<b>स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है /Startup Relaxation for Years of Experience and Turnover</b>	No

<b>बिड विवरण/Bid Details</b>	
<b>विक्रेता से मांगे गए दस्तावेज़/Document required from seller</b>	Certificate (Requested in ATC),Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (Requested in ATC),Additional Doc 4 (Requested in ATC) *In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer
<b>क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेजों को निविदा में भाग लेने वाले सभी निविदाकारों को दिखाना चाहते हैं? संदर्भ मेन् है/Do you want to show documents uploaded by bidders to all bidders participated in bid?</b>	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)
<b>बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या। / Minimum number of bids required to disable automatic bid extension</b>	3
<b>दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / Number of days for which Bid would be auto-extended</b>	10
<b>ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / Number of Auto Extension count</b>	2
<b>बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled</b>	Yes
<b>रिवर्स नीलामी योग्यता नियम/RA Qualification Rule</b>	H1-Highest Priced Bid Elimination
<b>क्रेता के लिए उपलब्ध आईटीसी/ITC available to buyer</b>	Yes
<b>बिड का प्रकार/Type of Bid</b>	Two Packet Bid
<b>तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation</b>	5 Days
<b>निरीक्षण आवश्यक (सूचीबद्ध निरीक्षण प्राधिकरण /जेम के साथ पूर्व पंजीकृत एजेंसियों द्वारा)/Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)</b>	No
<b>मूल्यांकन पद्धति/Evaluation Method</b>	Total value wise evaluation
<b>मध्यस्थता खंड/Arbitration Clause</b>	Yes ( <a href="#">Arbitration clause document</a> ) as per DoE OM No.F.1/2/2024-PPD dated 03.06.2024 Arbitration should not be routinely included in contracts
<b>सुलह खंड/Mediation Clause</b>	Yes ( <a href="#">Mediation clause document</a> ) as per DoE OM No.F.1/2/2024-PPD dated 03.06.2024 mediation clause should not be routinely included in contracts and pre-litigation mediation can be taken up without any such clause also

#### ईएमडी विवरण/EMD Detail

आवश्यकता/Required	No
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#### ईपीबीजी विवरण /ePBG Detail

आवश्यकता/Required	No
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बोली विभाजन लागू नहीं किया गया/ Bid splitting not applied.

#### एमआईआई के लिए आरक्षित / Reserved for Make In India products

एमआईआई के लिए आरक्षित / Reserved for Make In India products	Yes
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#### एमएसई खरीद वरीयता/MSE Purchase Preference

एमएसई खरीद वरीयता/MSE Purchase Preference	Yes
सूक्ष्म और लघु उद्यम मूल उपकरण निर्माताओं को खरीद में प्राथमिकता, यदि उनका मूल्य L1+X% तक की सीमा में हो / Purchase Preference to MSE OEMs available upto price within L1+X%	15
सूक्ष्म और लघु उद्यम को खरीद में प्राथमिकता के लिए बिड की मात्रा का अधिकतम प्रतिशत / Maximum Percentage of Bid quantity for MSE purchase preference	25

1. Bid reserved for Make In India products: : Procurement under this bid is reserved for purchase from Class 1 local supplier as defined in public procurement (Preference to Make in India), Order 2017 as amended from time to time and its subsequent Orders/Notifications issued by concerned Nodal Ministry for specific Goods/Products. However, eligible micro and small enterprises will be allowed to participate. The minimum local content to qualify as a class 1 local supplier is denoted in the bid document. All bidders must upload a certificate from the OEM regarding the percentage of the local content and the details of locations at which the local value addition is made along with their bid, failing which the bid is liable to be rejected. In case the bid value is more than Rs 10 Crore, the declaration relating to percentage of local content shall be certified by the statutory auditor or cost auditor, if the OEM is a company and by a practicing cost accountant or a chartered accountant for OEMs other than companies as per the Public Procurement (preference to Make-in -India) order 2017 dated 04.06.2020 . In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

2. Purchase preference will be given to MSEs having valid Udyam Registration and whose credentials are validated online through Udyam Registration portal as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail themselves of the Purchase preference, the bidder must be the manufacturer / OEM of the offered product on GeM. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises and hence resellers offering products manufactured by some other OEM are not eligible for any purchase preference. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service and Buyer will decide eligibility for purchase preference based on documentary evidence submitted, while evaluating the bid. If L-1 is not an MSE and MSE Seller (s) has / have quoted price within L-1+ 15% (Selected by Buyer) of margin of purchase preference /price band defined in relevant policy, such MSE Seller shall be given opportunity to match L-1 price and contract will be awarded for 25% (selected by Buyer) percentage of total quantity. The buyers are

advised to refer the OM No. F.1/4/2021-PPD dated 18.05.2023 [OM No.1 4 2021 PPD dated 18.05.2023](#) for compliance of Concurrent application of Public Procurement Policy for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017. Benefits of MSE will be allowed only if seller is validated on-line in GeM profile as well as validated and approved by Buyer after evaluation of documents submitted.

3. 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

If the buyer has mentioned MSE purchase preference in ATC then service provider is required to upload necessary documents for MSE purchase preference for verification by the buyer during evaluation.

### Renovation Of Air Preheaters ( 2 set )

**(Minimum 60% Local Content required for qualifying as Class 1 Local Supplier)**

#### तकनीकी विशिष्टियाँ /Technical Specifications

क्रेता विशिष्टि दस्तावेज़ /Buyer Specification Document	<a href="#">Download</a>
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उपरोक्त मद के लिए इंस्टॉलेशन कमीशनिंग एंड टेस्टिंग (आईसीटी) का विवरण / Installation Commissioning and Testing (ICT) details for the above item:

% of Product Cost Payable on Product Delivery	80%
Min Cost Allocation for ICT as a % of product cost	20%
Number of days allowed for ICT after site readiness communication to seller	90 Days
ITC Available On GST	100%
ITC Available On GST Cess	0%

इनपुट कर क्रेडिट(आईटीसी) तथा रिवर्स प्रभार (आरसीएम)/Input Tax Credit(ITC) and Reverse Charge(RCM) Details

जीएसटी पर इनपुट कर क्रेडिट /ITC on GST	जीएसटी उपकर कर क्रेडिट /ITC on GST Cess
100%	NA

प्रेषिती/रिपोर्टिंग अधिकारी तथा मात्रा/Consignees/Reporting Officer and Quantity

क्र.सं./S.N o.	परेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	मात्रा /Quantity	डिलीवरी के दिन/Delivery Days
1	SIBA PRASAD BEHERA	759145,CAPTIVE POWER PLANT NALCO, ANGUL	2	540

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

### 1. 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 up to 25% of the contracted quantity during the currency of the contract at the contracted rates. The delivery period of quantity shall commence from the last date of original delivery order and in cases where option clause is exercised during the extended delivery period the additional time shall commence from the last date of extended delivery period. The additional delivery time shall be  $(\text{Increased quantity} \div \text{Original quantity}) \times \text{Original delivery period (in days)}$ , subject to minimum of 30 days. If the original delivery period is less than 30 days, the additional time equals the original delivery period. The Purchaser may extend this calculated delivery duration up to the original delivery period while exercising the option clause. Bidders must comply with these terms.

### 2. Scope of Supply

Scope of supply (Bid price to include all cost components) : Supply Installation Testing and Commissioning of Goods

### 3. 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.

### 4. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

**INTERNAL REF: 320/3000009220**

(I). BIDDER SHALL MENTION ABOVE REFERENCE NO. (i.e. **INTERNAL REF: 320/3000009220**) FOR ALL CORRESPONDENCES.

(II) FOR TECHNICAL CLARIFICATION AFTER PLACEMENT OF CONTRACT/ORDER, PLEASE CONTACT THE FOLLOWING CONCERNED PERSON WHICH IS MENTIONED BELOW AND

- **M/s. Pradeep Kumar Sethy , DGM(Mech.)**
- **Email: [Pradeep.Sethy@nalcoindia.co.in](mailto:Pradeep.Sethy@nalcoindia.co.in)**

(III) (a) **Declaration for Implementation of Integrity pact :**

The Bidder shall submit the accompanying 'Declaration for Implementation of Integrity 'attached with the tender document on its company's latter head. (Format given in the Annexure II as attached under "Buyer uploaded ATC document" of this bid.)

(b) **Provision for PREFERENCE TO MAKE IN INDIA**

Provision of the order No.P-45021/2/2017-PP(BE-II) dtd. 04.06.2020 issued with Revised 'Public procurement (Preference to Make in India), Order 2017" dated 16.09.2020 and as amended from time to time and its subsequent Orders/Notifications issued shall be applicable for this tender towards purchase preference.

The 'Class-I local supplier'/ 'Class II-local supplier' as per this provision at the time of tender, bidding or solicitation shall indicate percentage of local content and provide self-certification that the item offered meets the local content requirement for 'Class-I local supplier'/ 'Class II-local supplier', as the case may be. Only Class-I and Class-II Local suppliers as per MII order dated 4.6.2020 will be eligible to bid. Bidders shall also give details of the location(s) at which the local value addition is made. Declaration to be given in the format given in the Annexure I as attached under "Buyer uploaded ATC document" of this bid. **Non - Local suppliers as per MII order dated 04.06.2020 are not eligible to participate.**

Note:-Ref. No: GoI Order No.P-45021/2017-PP (BE-II)-Part (4),Vol. II, dtd: 19.07.2024)

**(c)** The bidders are required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content

**(d) CPBG CLAUSE:-** The seller/supplier shall furnish a composite Contract-cum-Performance Bank Guarantee (CPBG) in NALCO's prescribed format (enclosed below) towards successful execution of the contract and for Performance Guarantee obligation of the item from any bank as approved by NALCO (Bank list enclosed below) for 5% (five percent) of the total order (contract) value including amendment (if any), which shall remain valid up to expiry of Guarantee Period (excluding claim period of three months). The seller/supplier shall furnish the CPBG within 15 days from the date of issue of PO. The bank guarantee issued by the issuing bank on behalf of the supplier in favor of NALCO shall be in paper form as well as under structured financial messaging system. Original Bank guarantee issued by the issuing bank shall be sent by the issuing bank to NALCO by registered post. If the vendor fails to submit CPBG after placement of order, the equivalent amount shall be recovered from the bill(s) of the vendor. Subject to any deduction which NALCO is authorized to make, CPBG shall be released after satisfactory execution of the contract and on completion of warranty period as mentioned above. On the breach of the contract by the supplier, CPBG shall be forfeited/encashed whether or not the company has suffered a loss on this account and Purchase Order shall be rescinded. Forfeiture/encashment of CPBG does not prejudice NALCO's rights to make risk and cost purchases and recover damages on account of such risk and cost purchases. NALCO to ensure availability of sufficient fund for imposition of PRS/LD/Performance in the Contracts/PO/Orders.

**(e) Guidelines for Clarifications and Shortfall Documents as per following**

- (i) During evaluation and comparison of bids, the purchaser may, at his discretion, ask the bidder for clarifications on the bid. The request for clarification shall be given asking the tenderer to respond by a specified date. If the tenderer does not comply or respond by the date, his tender will be liable to be rejected. Depending on the outcome, such tenders are to be ignored or considered further. No change in prices or substance of the bid shall be sought, offered or permitted. No post bid clarification at the initiative of the bidder shall be entertained.
- (ii) The shortfall information / documents should be sought only in case of historical documents which pre-existed at the time of the tender opening and which have not undergone change since then. So far as the submission of documents is concerned with regard to qualification criteria, after submission of the tender, only related shortfall documents should be asked for and considered.
- (iii) Bidder should ensure submission of complete information/ documents in the first instance itself. Qualification may be completed based on the details so furnished without seeking any subsequent additional information. NALCO reserve the right to complete the evaluation based on the details furnished without seeking any additional information. Subsequent to the submission of bid, bidders are not allowed to change the price or substance of the bid
- (iv) Non-submission of any of the documents or incomplete submission of the documents may lead to summarily rejection of the bid. Bids of only those bidders meeting the pre-qualification criteria will be considered for further techno-commercial evaluation. The decision of NA

LCO in this regard will be final and binding on the bidders. NALCO reserves the right of annulment of tender without assigning any reasons whatsoever

(v) The guiding principle in accepting clarifications is that the basic structure of the bid already submitted by the bidder should not be allowed to change after opening of bids.

(f) **EARNEST MONEY DEPOSIT(EMD):-** The vendors are required to submit the EMD of ₹ 10,90,000.00/- ((Rupees Ten Lakh Ninety Thousand only) as per the format attached along with the NIT.

**If EMD is submitted in form of BG, then the BG should be furnished exactly in line with our BG format as per Annexure from any of NALCO approved Banks as per the list enclosed as Annexure and no other format shall be acceptable.**

**-Format given in the Annexure as attached under "Buyer uploaded ATC document" of this bid.**

**(d) For relaxation of "prior turnover & prior experience" criteria to all start-ups recognized by Department of Industrial Policy & Promotion (DIPP), Ministry of Commerce & Industry, Govt of India, following clause shall be part of NIT, which is mentioned below.**

"The condition of "Prior turnover & Prior experience" is not applicable to all Start-ups (matching to the nature of services and goods/items manufactured as per the tender requirement), recognized by Department of Industrial Policy & Promotion (DIPP), Ministry of Commerce & Industry, Govt, of India, subject to meeting Nalco's quality and technical criteria (Expertise in Design & Engineering for rotary vertical air pre heaters, available infrastructural/manufacturing facility, quality plan/standards). Bidders falling under this category need to submit relevant document in support of the same. NALCO's Technical team may make a visit to the start-up companies to access their manufacturing facilities and competency/capacity in order to meet NALCO's quality requirements and technical specifications prior to accepting them as qualifying bidders.

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(IV). BIDDERS SHALL UPLOAD THE TECHNICAL COMPLIANCE SHEET (CUSTOM CATALOGUE UNDER BUYER SPECIFICATION DOCUMENT OF GEM BID) WITH DULY SIGNED DECLARATION TOWARDS CONFIRMATION OF THE TECHNICAL SPECIFICATION.

MERE UPLOADING OF BUYER'S SPECIFICATION (TECHNICAL COMPLIANCE SHEET ATTACHED UNDER "SPECIFICATION DOCUMENT") AS COPY AND PASTING WILL NOT BE SUFFICIENT.

(V). Detailed terms of scope of procurement is as per TECHNICAL COMPLIANCE SHEET (CUSTOM CATALOGUE) under buyer specification document of gem bid. Hence bidders are requested to quote accordingly.

- Ø Bidder shall upload TECHNICAL SHEET (CUSTOM CATALOGUE) along with offer confirming all points, failing which your offer may be liable for rejection.
- Ø Bidder shall also submit the complete Tender documents duly signed towards acceptance to tender's terms & conditions.
- Ø Please certify that there is no deviation from the Tender conditions either technical or commercial and I am agreeing to all the terms and conditions mentioned in the Tender Specification.

(VI). **INCOME TAX CLAUSE TO BID:**

(i) For Supply Contracts / Purchase Orders / Supply portion of LSTK

NALCO being buyer (under section 194Q inserted in the Income Tax Act, 1961 vide Finance Act 2021) having total sales, gross receipts, or turnover from business above Rupees Ten Crores during the last Financial year, will deduct TDS under section 194Q, w.e.f. 01.07.2021, at the prescribed rate of 0.1% on the purchase value of any goods, aggregate of which is exceeding the threshold limit of RS. 50 Lakhs in a Financial year.

Accordingly, Vendors/sellers are not to collect tax at source under section 206C(1H) of the act w.e.f. 01.07.2021, in case provisions of section are applicable to them.

The above is as per the current statute and is subject to modification(s) based on amendments / notifications under Income Tax Act, 1961, from time to time.

(ii) For Other Contracts / Orders

Income Tax TDS, as applicable at the prevailing rate on the gross amount billed shall be deducted from the contractor's bills.

(VII). Other detail conditions as below shall be confirmed

- a. Inspection: Inspection will be carried out at our stores NALCO, CPP and result shall be binding on seller.
- b. Bidder are requested to please submit signed technical specification as per RFQ/NIT/scope of supply along the offers. Non submission of documents may lead to rejection of your offers.
- c. **EARNEST MONEY DEPOSIT (EMD):-** The vendors are required to submit the EMDBG of ₹ 10,90,000.00/- ((Rupees Ten Lakh Ninety Thousand only) as per the format attached along with the NIT.
- d. **Contract Cum Performance Bank Guarantee ( CPBG ) :-** The bidder shall furnish a CPBG in NALCO's prescribed format, issued by any bank approved by NALCO, equivalent to 5% (five percent) of the total contract value, to ensure successful execution of the contract and fulfillment of the Performance Guarantee obligations for the item. Bidders are advised to refer to the NIT documents for further details and quote accordingly for the present tender.
- e. Packaging: Weather proof and packaging with environment friendly material as suitable for the items capable of withstanding rough handling during transportation.
- f. Delivery Period:-The delivery period shall be as per GEM bid,
- g. Offer validity: The Offer validity shall be as per GEM bid. IF required, bidders shall be requested to extend the bid validity.
- h. Payment terms:- As per GeM NIT. However, the payment of GST is subject to reflection of the party's invoice in GSTR 2A/ ANX-2 (GST new return) of NALCO.

(VIII). Bid must be accompanied with stated documents, whatever documents are parts of GeM bid /NIT and confirmation to the terms stated in this GeM bid. Accordingly bidders shall quote.

(IX). Offers from the bidders who have failed to execute earlier orders/contracts or in list of Black-listed/suspended/banned vendors by Nalco/GeM will not be considered and not be acceptable.

(X) In case of any conflict between terms & conditions of GeM portal and against this tender, the terms & conditions in this tender shall prevail.

## 5. Generic

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

## अस्वीकरण/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. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

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

**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.**

[यह बिड सामान्य शर्तों के अंतर्गत भी शासित है /This Bid is also governed by 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 कार्रवाई 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---**