

### Bid Corrigendum

GEM/2024/B/5644715-C11

Following terms and conditions supersede all existing "Buyer added Bid Specific Terms and conditions" given in the bid document or any previous corrigendum. Prospective bidders are advised to bid as per following Terms and Conditions:

#### Buyer Added Bid Specific Additional Terms and Conditions

1. **OPTION CLAUSE:** The buyer can increase or decrease the contract quantity or contract duration up to 25 percent at the time of issue of the contract. However, once the contract is issued, contract quantity or contract duration can only be increased up to 25 percent. Bidders are bound to accept the revised quantity or duration
2. **Buyer Added text based ATC clauses**
  - (i) **EMD (Bid Security):** Bidder shall submit along with the bids, the requisite Bid Security / EMD for an amount of Rs. 18,000/- as given in ITB Cl. No. 4.0 of tender document.
  - (ii) Bidders shall submit self attested requisite supporting documents and testimonials with their Bids to prove their credentials and claim of meeting the Eligibility Criteria as per ITB Cl. No. 2.0 of tender document.
  - (iii) Online bids should be submitted containing scanned copy of documents as mentioned in ITB Cl. No. 5.1 of the tender document.
  - (iv) Bidder shall upload duly filled check list as per ITB Cl. No. 15.0 of tender document.
  - (v) Bidder shall submit offline bid submission as per ITB Cl. No. 5.2, bidders has to ensure delivery of hard copy to the Tender Inviting Authority within 03 days of Bid End date / Bid Opening date (at 16:30 Hrs) failing which bid shall be liable for rejection.
  - (vi) Bidder shall upload self attested copy of Complete Bid document as attached at under heading " Any other Documents as per Specific Requirement of Buyer-1" along with all amendments [if any].
  - (vii) Successful bidder shall submit performance security as per Cl No. 5. of Conditions of Contract (Section-II) of tender document. In case of submission of performance security is in the form of Bank Guarantee, the format of Bank Guarantee must be as per "Annexure-A" of Conditions of Contract (Section-II)

Modification w.r.t. Technical Bid:

Following modification has been made wr.t. uploaded custom bid documents for the instant tender:

Sl. No.	Clause	As per uploaded tender documents	After Modification

1	Clause No. 2.2.6 (B) of NIT & ITB	<p><i>"The geographical limits for defining the local residents eligible under the policy for reservation of works to be awarded on Local Competitive Bidding Basis to PAFs and Locals residing near to Teesta-V Power Station shall be East, North &amp; South Districts of Sikkim. The value of works and services to be awarded to any single entity at any point of time shall be limited to Rs. 60.00 Lakhs."</i></p>	<p><i>"The geographical limits for defining the local residents eligible under the policy for reservation of works to be awarded on Local Competitive Bidding Basis to PAFs and Locals residing near to Teesta-V Power Station shall be East, North &amp; South Districts of Sikkim. The value of works and services to be awarded to any single entity at any point of time shall be limited to Rs. 60.00 + 125 Lakhs (Rupees One Hundred and Twenty Five Lac)."</i></p>
2	Clause No. 2.2.6 (C) of NIT & ITB	<p>(i) Individual PAFs/Local from the notified area will only be considered under policy for award of the reserved works/services.</p> <p>!</p> <p>(ii) The provision regarding Micro and Small Enterprises and Startups as updated from time to time shall be applicable for this policy. The owner of MSMEs/Startups shall be from the entities mentioned at Sl. No. (i) above.</p>	<p>(i) Individual PAFs/Local from the notified area will only be considered under policy for award of the reserved works/services.</p> <p>!</p> <p><u>The eligibility of PAF to Participate in the tenders shall be considered taking into account the work awarded to PAF's family as a whole. The person, his family along with legal heirs shall be considered as single PAF. Declaration in this regard shall be provided by the PAF. In case of false declaration, the concerned PAF shall be debarred from participation of tenders for six months.</u></p> <p>(ii) The provision regarding <u>Public Procurement (Preference to Make in India) Order-2017, Restrictions under Rule 144 (xi) of the General Financial Rule (GFRs) 2017,</u> Micro and Small Enterprises and Startups as <u>updated amended</u> from time to time shall be applicable for this policy. The owner of MSMEs/Startups shall be from the entities mentioned at Sl. No. (i) above.</p>
3	Clause No. 2.2.6 (D) of NIT & ITB	<b>At a time not more than two works/ services shall be allotted / awarded to the same entity</b>	<b>At a time not more than <u>two four</u> works/ services shall be allotted/ awarded to the same entity</b>

All other term& condition of custom bid documents for the instant tender shall remain unchanged.

## 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. 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.

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

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

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