



Bid Number/बोली क्रमांक (बिड संख्या):
GEM/2023/B/3574417
Dated/दिनांक : 17-06-2023

Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	27-06-2023 13:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	27-06-2023 13:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	180 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Science And Technology
Department Name/विभाग का नाम	Department Of Science And Technology (dst)
Organisation Name/संगठन का नाम	Sree Chitra Tirunal Institute For Medical Sciences And Technology (sctimst)
Office Name/कार्यालय का नाम	Thiruvananthapuram
Total Quantity/कुल मात्रा	50800
Item Category/मद केटेगरी	Intravenous Cannulas as per IS 10555 - 5 (Q2)
MSE Exemption for Years Of Experience/अनुभव के वर्षों से एमएसई छूट/ and Turnover/टर्नओवर के लिए एमएसई को छूट प्राप्त है	Yes
Startup Exemption for Years Of Experience/अनुभव के वर्षों से स्टार्टअप छूट/ and Turnover/ टर्नओवर के लिए स्टार्टअप को छूट प्राप्त है	Yes
Document required from seller/विक्रेता से मांगे गए दस्तावेज़	OEM Authorization Certificate, 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
Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया	No
Type of Bid/बिड का प्रकार	Two Packet Bid
Primary product category	Intravenous Cannulas as per IS 10555 - 5
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	2 Days
Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)	No

Bid Details/बिड विवरण**Evaluation Method/मूल्यांकन पद्धति**

Item wise evaluation/

EMD Detail/ईएमडी विवरण

Required/आवश्यकता

No

ePBG Detail/ईपीबीजी विवरण

Required/आवश्यकता

No

Splitting/विभाजन

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

MII Purchase Preference/एमआईआई खरीद वरीयता

MII Purchase Preference/एमआईआई खरीद वरीयता

No

MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता

Yes

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" subject to meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. 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" subject to their meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. 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. 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.
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.

Evaluation Method (Item Wise Evaluation Method)

Contract will be awarded schedulewise and the determination of L1 will be done separately for each schedule. The details of item-consignee combination covered under each schedule are as under:

Evaluation Schedules	Item/Category	Quantity
Schedule 1	Intravenous Cannulas As Per Is 10555 - 5	23000
Schedule 2	Intravenous Cannulas As Per Is 10555 - 5	6000
Schedule 3	Intravenous Cannulas As Per Is 10555 - 5	1500
Schedule 4	Intravenous Cannulas As Per Is 10555 - 5	5300
Schedule 5	Intravenous Cannulas As Per Is 10555 - 5	15000

Intravenous Cannulas As Per IS 10555 - 5 (23000 pieces)

Technical Specifications/तकनीकी विशिष्टियाँ

* [As per GeM Category Specification/जेम केटेगरी विशिष्टि के अनुसार](#)

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
Performance Parameters	Conforming standards for the I V Canulla	IS / ISO 10555-5
	Whether IV Canulla is with safety features for preventing needle stick injuries	Yes
	Needle Point Finish	Short bevel cut
	Needle Hub	Complying with ISO 594-1
	Needle hub fitting with 6% luer Taper	Yes
	Injection Port	Without
	Wings	Without
	Luer Lock Plug/Cap	Yes
	Radio opaque line feature	Yes
Dimensional and Material Parameters	Material of Catheter	Polytetrafluoroethylene (PTFE)
	Nominal outside Diameter of catheter tube and color coding as per IS/ISO 10555-5	Pink - 20G

Additional Specification Parameters - Intravenous Cannulas As Per IS 10555 - 5 (23000 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Size: 20 G, Material - Flourinated Ethylene Propylene (FEP), Sterile, Without injection port and without wings, Short bevel cut,	Shelf life - 5 Years, Certification needed, Blister packing

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

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

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारंभ होने की तारीख से दिनों की संख्या में)		
			Quantity/मात्रा	Delivery to start after/प्रारंभ होने की तारीख से डिलीवरी	Delivery to be completed by/डिलीवरी _____ तक पूरी कर ली जाए
1	Shiju V S	695011,Sree Chitra Tirunal Institute For Medical Science and Technology,Medical College PO, Trivandrum			
			5000	15	30
			5000	45	60
			5000	80	90
			8000	110	120

Intravenous Cannulas As Per IS 10555 - 5 (6000 pieces)

Technical Specifications/तकनीकी विशिष्टियाँ

* As per GeM Category Specification/जेम केटेगरी विशिष्टि के अनुसार

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
Performance Parameters	Conforming standards for the I V Canulla	IS / ISO 10555-5
	Whether IV Canulla is with safety features for preventing needle stick injuries	Yes

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
	Needle Point Finish	Short bevel cut
	Needle Hub	Complying with ISO 594-1
	Needle hub fitting with 6% luer Taper	Yes
	Injection Port	Without
	Wings	Without
	Luer Lock Plug/Cap	Yes
	Radio opaque line feature	Yes
Dimensional and Material Parameters	Material of Catheter	Polyurethane
	Nominal outside Diameter of catheter tube and color coding as per IS/ISO 10555-5	Yellow - 24G

Additional Specification Parameters - Intravenous Cannulas As Per IS 10555 - 5 (6000 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Size: 24 G, Material - Flourinated Ethylene Propylene (FEP), Sterile, Witht injection port and with wings, Short bevel cut,	Shelf life - 5 Years, Certification needed, Blister packing

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

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

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारम्भ होने की तारीख से दिनों की संख्या में)

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारंभ होने की तारीख से दिनों की संख्या में)		
1	Shiju V S	695011,Sree Chitra Tirunal Institute For Medical Science and Technology,Medical College PO, Trivandrum	Quantity/मात्रा	Delivery to start after/प्रारंभ होने की तारीख से डिलीवरी	Delivery to be completed by/डिलीवरी तक पूरी कर ली जाए
			2000	15	30
			2000	65	80
			2000	120	130

Intravenous Cannulas As Per IS 10555 - 5 (1500 pieces)

Technical Specifications/तकनीकी विशिष्टियाँ

* As per GeM Category Specification/जेम केटेगरी विशिष्टि के अनुसार

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
Performance Parameters	Conforming standards for the I V Canulla	IS / ISO 10555-5
	Whether IV Canulla is with safety features for preventing needle stick injuries	No
	Needle Point Finish	Short bevel cut
	Needle Hub	Complying with ISO 594-1
	Needle hub fitting with 6% luer Taper	Yes
	Injection Port	Without
	Wings	With
	Luer Lock Plug/Cap	Yes
	Radio opaque line feature	Yes
Dimensional and Material Parameters	Material of Catheter	Flourinated Ethylene Propylene (FEP)
	Nominal outside Diameter of catheter tube and color coding as per IS/ISO 10555-5	Violet - 26G

Additional Specification Parameters - Intravenous Cannulas As Per IS 10555 - 5 (1500 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Size: 26 G, Material - Flourinated Ethylene Propylene (FEP), Sterile, Without injection port and with wings, Short bevel cut,	Shelf life - 5 Years, Certification needed, Blister packing

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

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

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारंभ होने की तारीख से दिनों की संख्या में)		
1	Shiju V S	695011,Sree Chitra Tirunal Institute For Medical Science and Technology,Medical College PO, Trivandrum		Delivery to start after/प्रारंभ होने की तारीख से डिलीवरी	Delivery to be completed by/डिलीवरी _____ तक पूरी कर ली जाए
			500	15	30
			500	65	80
			500	110	120

Intravenous Cannulas As Per IS 10555 - 5 (5300 pieces)**Technical Specifications/तकनीकी विशिष्टियाँ**

* As per GeM Category Specification/जेम कैटेगरी विशिष्टि के अनुसार

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
Performance Parameters	Conforming standards for the I V Canulla	IS / ISO 10555-5
	Whether IV Canulla is with safety features for preventing needle stick injuries	No
	Needle Point Finish	Short bevel cut

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
	Needle Hub	Complying with ISO 594-1
	Needle hub fitting with 6% luer Taper	Yes
	Injection Port	Without
	Wings	With
	Luer Lock Plug/Cap	Yes
	Radio opaque line feature	Yes
Dimensional and Material Parameters	Material of Catheter	Flourinated Ethylene Propylene (FEP)
	Nominal outside Diameter of catheter tube and color coding as per IS/ISO 10555-5	Deep Green - 18G

Additional Specification Parameters - Intravenous Cannulas As Per IS 10555 - 5 (5300 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Size: 18 G, Material - Flourinated Ethylene Propylene (FEP), Sterile, Without injection port and without wings, Short bevel cut,	Shelf life - 5 Years, Certification needed, Blister packing

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

Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्र

S.No./क्र. सं.	Consignee Reporting/Officer/परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारम्भ होने की तारीख से दिनों की संख्या में)

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारंभ होने की तारीख से दिनों की संख्या में)		
1	Shiju V S	695011,Sree Chitra Tirunal Institute For Medical Science and Technology,Medical College PO, Trivandrum	Quantity/मात्रा	Delivery to start after/प्रारंभ होने की तारीख से डिलीवरी	Delivery to be completed by/डिलीवरी तक पूरी कर ली जाए
			2000	15	30
			2000	45	60
			1300	90	120

Intravenous Cannulas As Per IS 10555 - 5 (15000 pieces)

Technical Specifications/तकनीकी विशिष्टियाँ

* As per GeM Category Specification/जेम केटेगरी विशिष्टि के अनुसार

Specification	Specification Name/विशिष्टि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
Performance Parameters	Conforming standards for the I V Canulla	IS / ISO 10555-5
	Whether IV Canulla is with safety features for preventing needle stick injuries	Yes
	Needle Point Finish	Short bevel cut
	Needle Hub	Complying with ISO 594-1
	Needle hub fitting with 6% luer Taper	Yes
	Injection Port	Without
	Wings	With
	Luer Lock Plug/Cap	No
	Radio opaque line feature	No
Dimensional and Material Parameters	Material of Catheter	Polytetrafluoroethylene (PTFE)
	Nominal outside Diameter of catheter tube and color coding as per IS/ISO 10555-5	Deep Blue - 22G

Additional Specification Parameters - Intravenous Cannulas As Per IS 10555 - 5 (15000 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
Size: 22 G, Material - Flourinated Ethylene Propylene (FEP), Sterile, Without injection port and without wings, Short bevel cut,	Shelf life - 5 Years, Certification needed, Blister packing

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

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

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Delivery Schedule/डिलीवरी अनुसूची (In number of days from contract start days/अनुबंध प्रारंभ होने की तारीख से दिनों की संख्या में)		
			Quantity/मात्रा	Delivery to start after/प्रारंभ होने की तारीख से डिलीवरी	Delivery to be completed by/डिलीवरी _____ तक पूरी कर ली जाए
1	Shiju V S	695011, Sree Chitra Tirunal Institute For Medical Science and Technology, Medical College PO, Trivandrum			
			5000	15	30
			5000	45	60
			5000	110	130

Special terms and conditions-Version:3 effective from 25-11-2022-Version:1 effective from 04-05-2020 for category Intravenous Cannulas as per IS 10555 - 5

1. All Provisions of Drugs and Cosmetics Act, 1940 and Rules made there under as amended till date will always be applicable. This will include all notifications issued by *Central Drugs Standard Control Organisation (CDSCO)*, Ministry of Health & Family Welfare (MoHFW) and Department of Pharmaceuticals (DOP), Ministry of Chemicals & Fertilizers time to time in this regard.
2. The sellers are registered on GeM based on self-declaration of valid Drug License, product certification, test reports etc. However, buyers must check and validate the details at their end for all applicable licenses and certifications e.g., validity and authenticity/genuineness of drug license, product certification, manufacturer certification/licenses, test reports etc.
3. The price offered by the seller shall not, in any case exceed the DPCO controlled price, if any, fixed by the Central/State Government, the Maximum Retail Price (MRP) and the selling price. The seller must reduce the prices if there is any reduction in DPCO ceiling price, if any.
4. Any other Terms and Conditions which is not included or at variance with the conditions specified in STC/GTC, may be added by the buyer through Additional Terms and Conditions in the bid to ensure items are procured from authentic/validated source with appropriate and applicable quality. The above terms and conditions are in reverse order of precedence i.e., ATC shall supersede specific STC which shall supersede General Terms and Conditions ("GTC"), whenever there are any conflicting provisions.

2. Special Terms and Conditions for Medical Devices and Consumables covered under Provisions of Drug and Cosmetic Act
1. For items wherever Drug Licence requirements are applicable all provisions of Drug and Cosmetic Act 1940 as amended up to date and Rules made there under will be applicable in addition to any other terms and conditions specified in the Portal.
 2. Drug License: For indigenous products offered in the market, Manufacturer should have valid Drug License as per Drugs and Cosmetic Act 1940 issued by concerned State Drug Control authorities .The Seller if different from the manufacturer shall also be required to be holding Drug License for sale . In case of imported products Manufacturer shall be registered under Form no 10 with Central Drug Authorities (CDSCO) and the Seller offering imported products should be also holding valid Sales License issued by the local drug authorities. For imported products, certificate from the OEM that product is being used in the Country of Origin should be available with the Seller. It shall be the responsibility of the Seller to ensure that that the Drug License is valid for the product offered and due to any reason the drug control authorities have cancelled or suspended Drug License or convicted the manufacturer or Seller for any offence under the provisions of Drug and Cosmetic Act, Seller should immediately withdraw the product and also intimate the Buyers in case of pending orders for supplies as well as the GeM administration regarding the matter.
 3. Manufacturing & Marketing Experience: Sellers offering the Products in the Portal either as Manufacturers or as Authorised Seller shall ensure that the Products offered are being Manufactured and Marketed in the country (for Indigenous Products) and Marketed (for Imported Products) continuously at least for the last 2 years
 4. Certifications: Manufacturers of offered product (Offered by Manufacturers or by Authorized Seller) should be holding valid Good Manufacturing Practices Certificate (GMP) as per revised Schedule-M of Drug and Cosmetic Act 1940 as amended up to date or WHO-GMP as per norms amended up to date issued by the Licensing Authority or certificate which is at par with WHO-GMP issued by the authorities of exporting countries / COPP certificate .
 5. Non Conviction Certificate: Sellers either Manufacturers or Authorized Sellers are required to ensure that they are not under conviction in terms of the provisions of Drugs & Cosmetic Act and any other law applicable in relation to the same . In case at any point of time, the Manufacturer or Authorized Seller is convicted under provisions of Drug and Cosmetic Act, it shall be their responsibility to withdraw the product immediately from the market.
 6. Banning and Blacklisting: Seller either Manufacturer or Authorized Seller shall ensure that there is no banning or black listing applicable against them for the product offered on the portal due to quality failure and /or fraudulent/illegal practices or for any other reasons
 7. It shall be the responsibility of the Seller either Manufacturer or Authorized Seller to ensure that manufacturer is having own in-house testing lab to carry out all the required tests as per specification and provisions of drug act as amended up to date for the quoted product and shall also forward the copies of the in-house test reports for each batch along with the supplies. For imported products , certificate from OEM regarding availability of all test facilities in house with them should be available with Seller .
 8. Each lot of supplies shall be dispatched under Self Certification scheme duly supported by in house test reports. Consignees shall be at liberty to draw control Samples and send it to approved Laboratories for testing and in case of any failure , entire responsibility shall rest with Seller in addition to any penalties under the provisions of Drug Act including removal of Goods from the Consignee place. .Further administrative actions as per terms and conditions Gem Portal shall also be applicable.
 9. Packing shall be as per relevant clause of Standard Specifications applicable as indicated in the Catalogue Parameters indicated in the Portal and as per provisions of Drug & Cosmetic Act as amended up to date.
 10. Expiry Date: All supplies must indicate the Month of Manufacture and Expiry. In addition all supplies shall have a remaining shelf life of at least 5/6th of the stipulated shelf life at the time of delivery.
 11. Recalls: If any batch is to be recalled because of problems with product quality or adverse reaction Seller will be responsible to notify the Buyer full details about the reason leading to the recall and shall take steps to replace the product in question at its own cost with a fresh batch of acceptable quality or give a refund of the value of the goods

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

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 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.

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. **Generic**

Bidders shall quote only those products (Part of Service delivery) in the bid which are not obsolete in the market and has at least 1 years residual market life i.e. the offered product shall not be declared end-of-life by the OEM before this period.

4. **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.

5. **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 %.

6. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

Sample (1no) for each item shall be submitted to the office of Sr.PSO, SCTIMST, MEdical College PO, Trivan drum, KErала -695011 on or before bid opening date.

7. **Generic**

Manufacturer Authorization:Wherever Authorised Distributors/service providers are submitting the bid, Authorisation Form /Certificate with OEM/Original Service Provider details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid

8. **Generic**

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

9. **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.

10. **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.

Disclaimer/अस्वीकरण

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization, whereby Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity / restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and / or terms and conditions governing the bid. Any clause(s) incorporated by the Buyer regarding following shall be treated as null and void and would not be considered as part of bid:-

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

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

[This Bid is also governed by the General Terms and Conditions/ यह बिड सामान्य शर्तों के अंतर्गत भी शासित है](#)

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./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।

---Thank You/धन्यवाद---

