

Bid Corrigendum

GEM/2024/B/5502181-C1

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. 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.
2. **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. 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.
4. 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% 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 percentage of 100% of total value.
5. Buyer Added text based ATC clauses

ADDENDUM

This is in continuation to our notice inviting tender vide **GEM/2024/B/5502181dt:15/10/2024** for appointment of Regular H&T Contractor for Foodgrains at **Central Warehouse Udumalpet** uploaded in the GEM portal on 15/10/2024.

The following changes are applicable in the above NIT uploaded on 15/10/2024 is hereby issued for the notice of interested bidders

S. No.	Page no / Clauses	Instead of ✖

1.

Page No. 8 of 132
9.1 INFORMATION REGARDING PAST BUSINESS VOLUME

9.1.1 The actual volume of works under four major operations in the previous Twenty Four (24) months are given hereunder:-

(i)	<u>Unloading</u> bags/boxes/packages of goods/commodity <u>from wagon and loading into trucks</u> (as per item 1(b)of SOR)	2044100 bags/boxes/packages of goods/commodity of 50kgs(or as prescribed).
(ii)	<u>Unloading trucks and stacking in godowns</u> (as per average of item 3(ii) of SOR)	511025 bags/boxes/packages of goods/commodity of 50kgs (or as prescribed).
(iii)	<u>Loading of trucks</u> (as per item No.5ofSOR)	1879637 bags/boxes/packages of goods/commodity of 50kgs (or as prescribed).
(iv)	<u>Transport</u> (as per item 2(i) & (ii)of SOR)	102205 MT

Read as ✓

9.1.1 The anticipated volume of works under four major operations for Twenty Four (24) months are given here under:-

(i)	<u>Unloading</u> bags/boxes/packages of goods/commodity <u>from wagon and loading into trucks</u> (as per item 1(b)of SOR)	651440 bags/boxes/packages of goods/commodity of 50kgs (or as prescribed).
(ii)	<u>Unloading trucks and stacking in godowns</u> (as per average of item 3(ii) of SOR)	162860 bags/boxes/packages of goods/commodity of 50kgs (or as prescribed).
(iii)	<u>Loading of trucks</u> (as per item No.5 of SOR)	651440 bags/boxes/packages of goods/commodity of 50kgs (or as prescribed).
(iv)	<u>Transport</u> (as per item 2(i), (ii) & (iii) of SOR)	32572 MT

REGIONAL MANAGER

6. Text Clause(s)**VOLUME/VALUE OF WORK**

No definite volume/value of work to be performed can be guaranteed during the currency of the contract. It should be clearly understood that no guarantee is given that all items of work as shown in the Appendix to the tender shall be performed/required to be performed under the contract. No claim shall lie against the corporation on this account and shall not be entitled to make any claim whatsoever against the corporation for compensation, revision of rate or otherwise. No claim shall lie against corporation on this count.

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