

## Bid Corrigendum

GEM/2024/B/5040375-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. **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. **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 text based ATC clauses

#### **Prequalification criteria (PQ) of the Tender:**

##### **PQ1. Prior Experience Criteria :**

The bidder shall be an experienced service provider of desilting / dredging of harbour, ports or any legally designated water body using diesel operated dredgers having a minimum capacity of 100 tph (tons per/hour) or water discharge capacity of 1000 m<sup>3</sup>/hour or more for the desilting of sand OR Excavation, collection, loading, transportation and delivering of mineral sand OR any sand from mining areas to designated sites OR Mechanical loading, transportation and levelling of tails sand or mineral sand or any sand.

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##### **Tender stipulation on prior experience:**

To meet the above experience criteria,

The bidder should have successfully completed similar service contracts during the last seven years ending 31.05.2024 meeting any of the following:

- a) *Three similar completed service contracts costing not less than Rs.1,63,68,960/- (40 % of the estimated value including GST) or*
- b) *Two similar completed service contracts costing not less than Rs.2,04,61,200/-(50 % of estimated value including GST) or*
- c) *One similar completed service contracts costing not less than Rs.3,27,37,920/-(80 % of the estimated value including GST)*

Documents to be submitted;

For Governmental service contracts: Copy of work orders and its work completion certificate.

For non-governmental service contracts: Copy of work orders and its work completion certificate s along with TDS- Form 16/ FORM No.26 AS / GST return to the extent of value of work experience

**Definition of similar service/work contracts - “Desilting / dredging of harbour, ports or any legally designated water body using diesel operated dredgers having a minimum capacity of 100 tph (tons per/hour) or water discharge capacity of 1000 m<sup>3</sup>/hour or more for the desilting of sand OR Excavation, collection, loading, transportation and delivering of mineral sand OR any sand from mining areas to designated sites OR Mechanical loading, transportation and levelling of tails sand or mineral sand or any sand”**

**PQ-2. Prior Turnover Criteria:**

The average annual turnover of the bidder for the last three consecutive financial years ending on 31st March 2024 shall be at least Rs.1,04,04,000/- (30% of estimated value excluding GST).

**Documents to be submitted:** Bidder shall submit financial standing through latest Income Tax return (ITR)/ Annual report containing balance sheet and statement of profit & loss account for the relevant periods.

In case the date of constitution/ incorporation of the bidder is less than three years old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criterion. If financial details are not submitted for any of the years, the turnover will be calculated by dividing the total turnover as per the submitted documents by three.

**PQ- 4 : Concurrent commitment:** In order to assess the Bidder Capability and Spare Capacity to perform the assignment of execution of the tendered work, the bidder shall disclose all works being executed by them as per the format given below.

**DETAILS OF CONCURRENT COMMITMENTS**

Sr. No.	Full postal Address of Client and Name of Officer in-charge	Description of the Work	Value of Contract (in Rs.)(Excl.GST)	Date of Commencement of work	Scheduled Completion period	% Completion as on date	Remarks

The bidder will be disqualified if the annualized concurrent commitments of the bidder plus annualized estimated value of the work under consideration exceeds 4 times the average annual turnover of the preceding 3 years. The bidder shall submit financial standing through latest Income Tax

return (ITR)/ Annual report containing balance sheet and statement of profit & loss account for the relevant periods.

The bids qualifying PQ-1, PQ-2, PQ-3, & PQ-4 only will be considered for further processing.

**Period of contract:** Period of contract is for 6 (six) months from starting of work as per the order by the contractor to dredge out 60,000t of sand.

**Payment to the contractor/ schedule of payment :** Payment shall be made on monthly basis within 30 days of the submission of the bill and after the actual work done is verified & certified by Engineer in Charge. All running bills shall be submitted along with the details of breakdowns in a register duly signed by the contractor & Engineer-In Charge maintained for the purpose.

All other conditions in the tender document shall be applicable to this contract.

4. 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](#)